



CITY COUNCIL AGENDA

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Monday, December 4, 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: 2493 226 6432

Personnel and Finance Committee at 7:00 PM - Meeting Access Code: 2493 945 4974

Safety and Public Works Committee at 7:15 PM - Meeting Access Code: 2498 395 0240

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

1. **Call To Order**

2. **Roll Call**

___ K. Stunek ___ K. Terry ___ T. Stenglein ___ G. Johnson ___ J. Czczok ___ M.
O'Day ___ 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. **Approval of Licenses**

D. **Department Activity Reports**

E. **Approval of Transfers of Funds**

F. **Approve Letter of Support to Region Five Development Commission for Local Energy Action Plan Technical Assistance for BPU**

6. **Presentations**

A. **The Center Annual Presentation**

B. Brainerd Public Utilities Operating and Capital Budget Presentation

7. Council Committee Reports

A. Personnel & Finance Committee

1. Award Contract for Police Department HVAC Replacement Project and Amend APRA Budget
2. Ratify the Hiring of Kathryn Johansen as Administrative Specialist - Public Works Department
3. Ratify the Hiring of Community Service Officer John Unger
4. Discussion of the Statewide Affordable Housing Aid
5. Discussion of 2024 Non-Working Funds Budgets
6. Discussion of 2024 Operating Budget and 2024 Levy

B. Safety & Public Works Committee

1. Adopt Resolution of Support - Lowell SRTS Grant
2. Approve Sale of Backhoe to Oak Lawn Township
3. Consider Denial of Tobacco License for Risky Business
4. Direction on Active Code Enforcement Cases

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)

Public Utilities- 1 term (Expire 2026)

TAC-- 1 term (Expire 2023)

Mayor Recommended: (terms to expire on 9/7 of said year)

EDA- 1 term (Expire 2026)

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

Parking Commission-- 1 term (Expire 2026)

- B. Discussion regarding Mayor and Council Compensation**

9. New Business

A. First Reading - Proposed Ordinance 1561 - Short Term Rentals

B. First Reading - Proposed Ordinance 1562 - Revised Fee Schedule and Hold Public Hearing

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

A. **Adjourn to Closed Labor Negotiation Strategy Session pursuant to MN Statutes, 13D.03, Subd 1(b) to prepare for Negotiations with the IBEW Local No. 31 and IUOE Local No. 49 Unions**

B. **Adjourn to Budget Public Hearing on Monday, December 11th at 6:00 p.m. in City Council Chambers**

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"

11/30/2023 01:43 PM

User: pziemer

DB: Brainerd

INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 12/04/2023 - 12/04/2023

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Page: 1/27

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
Vendor 0011 - ACE HARDWARE:							
320043/1							
80265	ACE HARDWARE	11/20/2023	12/06/2023	17.99	17.99	Open	N
	9 VOLT BATTERIES	pziemer					12/06/2023
237-3190-42220	REPAIR & MAINT			17.99			
320201/1							
80378	ACE HARDWARE	11/27/2023	12/06/2023	2.50	2.50	Open	N
	FASTENERS	pziemer					12/06/2023
235-3100-42220	REPAIR & MAINT			2.50			
320185/1							
80381	ACE HARDWARE	11/27/2023	12/06/2023	24.99	24.99	Open	N
	BRUSHING BLADE	pziemer					12/06/2023
235-3100-42220	REPAIR & MAINT			24.99			
320218/1							
80382	ACE HARDWARE	11/28/2023	12/06/2023	24.29	24.29	Open	N
	WINTER GLOVES	pziemer					12/06/2023
235-3100-42220	REPAIR & MAINT			24.29			
320208/1							
80394	ACE HARDWARE	11/27/2023	12/06/2023	544.98	544.98	Open	N
	OUTDOOR GRIDDLE - BRD FIRE RELIEF AS	pziemer					12/06/2023
225-2220-42210	OPERATING SUPPLIES			544.98			
320271/1							
80396	ACE HARDWARE	11/29/2023	12/06/2023	15.99	15.99	Open	N
	TRUCK 105 ROAD TEMP SENSOR BATTERIES	pziemer					12/06/2023
235-3125-42220	REPAIR & MAINT			15.99			
320217/1							
80398	ACE HARDWARE	11/28/2023	12/06/2023	24.98	24.98	Open	N
	BAR OIL & CHAINSAW CAP	pziemer					12/06/2023
235-3100-42220	REPAIR & MAINT			24.98			
Total for vendor 0011 - ACE HARDWARE:				655.72	655.72		
Vendor 2670 - AMERICAN STEEL SUPPLY INC:							
118211							
80292	AMERICAN STEEL SUPPLY INC	11/20/2023	12/06/2023	9.68	9.68	Open	N
	LPW TABLE REPAIR	pziemer					12/06/2023
230-5200-42200	OFFICE SUPPLIES			9.68			
Total for vendor 2670 - AMERICAN STEEL SUPPLY INC:				9.68	9.68		
Vendor 0041 - ANDERSON BROTHERS CONSTRU:							
34058							
80293	ANDERSON BROTHERS CONSTRU	11/15/2023	12/06/2023	1,600.00	1,600.00	Open	N
	PATCH ON 10TH STREET	pziemer					12/06/2023
237-3190-42220	REPAIR & MAINT			1,600.00			

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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
Total for vendor 0041 - ANDERSON BROTHERS CONSTRU:				1,600.00	1,600.00		
Vendor 0039 - ARAMARK UNIFORM SERVICES:							
2530208387							
80259	ARAMARK UNIFORM SERVICES	11/16/2023	12/06/2023	51.65	51.65	Open	N
	RUGS AND OVERALLS	pziemer					12/06/2023
235-3100-43430	MISCELLANEOUS			51.65			
2530210575							
80301	ARAMARK UNIFORM SERVICES	11/23/2023	12/06/2023	74.94	74.94	Open	N
	RUGS AND OVERALLS	pziemer					12/06/2023
235-3100-43430	MISCELLANEOUS			74.94			
Total for vendor 0039 - ARAMARK UNIFORM SERVICES:				126.59	126.59		
Vendor 3859 - ASL INTERPRETING SERVICES INC:							
23.14728							
80274	ASL INTERPRETING SERVICES INC	11/20/2023	12/06/2023	20.00	20.00	Open	N
	INTERPRETING SERVICES	pziemer					12/06/2023
225-2120-43300	PROFESSIONAL SERVICES			20.00			
Total for vendor 3859 - ASL INTERPRETING SERVICES INC:				20.00	20.00		
Vendor 3265 - BARATTO BROTHERS CONSTRUCTION:							
365							
80379	BARATTO BROTHERS CONSTRUCTION	11/01/2023	12/06/2023	2,205.95	2,205.95	Open	N
	GREGORY PARK VANDALISM REPAIRS	pziemer					12/06/2023
230-5200-42220	REPAIR & MAINT			2,205.95			
3134							
80380	BARATTO BROTHERS CONSTRUCTION	11/01/2023	12/06/2023	2,607.72	2,607.72	Open	N
	MMP REPAIRS DUE TO AGE	pziemer					12/06/2023
230-5200-42220	REPAIR & MAINT			2,607.72			
Total for vendor 3265 - BARATTO BROTHERS CONSTRUCTION:				4,813.67	4,813.67		
Vendor 3939 - BELSON OUTDOORS:							
351637							
80370	BELSON OUTDOORS	11/16/2023	12/06/2023	14,093.46	14,093.46	Open	N
	QTY 10 PICNIC TABLES	pziemer					12/06/2023
400-9050-45530	CAPITAL - OTHER			14,093.46			
Total for vendor 3939 - BELSON OUTDOORS:				14,093.46	14,093.46		
Vendor 0074 - BRAINERD GENERAL RENTAL:							
169153							
80263	BRAINERD GENERAL RENTAL	11/15/2023	12/06/2023	365.00	365.00	Open	N
	BOOM LIFT RENTAL - CH TREE	pziemer					12/06/2023
101-9200-43430	MISCELLANEOUS			365.00			

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Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
Total for vendor 0074 - BRAINERD GENERAL RENTAL:				365.00	365.00		
Vendor 0077 - BRAINERD HYDRAULICS/AIR:							
30131							
80363	BRAINERD HYDRAULICS/AIR	11/28/2023	12/06/2023	74.00	74.00	Open	N
	TRUCK 103 3/8TH COUPLERS	pziemer					12/06/2023
235-3125-42220	REPAIR & MAINT			74.00			
Total for vendor 0077 - BRAINERD HYDRAULICS/AIR:				74.00	74.00		
Vendor 0078 - BRAINERD LAKES AREA DEV C:							
NOV 2023							
80281	BRAINERD LAKES AREA DEV C	11/22/2023	12/06/2023	2,916.67	2,916.67	Open	N
	NOV 23 ECONOMIC DEVELOPMENT CONSULTING	pziemer					12/06/2023
295-6510-43330	PROFESSIONAL DEVELOPMENT			2,916.67			
Total for vendor 0078 - BRAINERD LAKES AREA DEV C:				2,916.67	2,916.67		
Vendor 0296 - BRAINERD PUBLIC UTILITIES:							
OCT 23/LIBRARY							
80294	BRAINERD PUBLIC UTILITIES	11/01/2023	12/06/2023	1,803.50	1,803.50	Open	N
	9/24/23-10/24/23 LIBRARY UTILITIES	pziemer					12/06/2023
211-5500-43381	BPU UTILITIES			1,803.50			
OCT 23/FD							
80295	BRAINERD PUBLIC UTILITIES	11/01/2023	12/06/2023	1,652.27	1,652.27	Open	N
	9/24/23-10/24/23 FIRE DEPT UTILITIES	pziemer					12/06/2023
225-2220-43381	BPU UTILITIES			1,652.27			
OCT 23/PD							
80296	BRAINERD PUBLIC UTILITIES	11/01/2023	12/06/2023	3,907.30	3,907.30	Open	N
	9/24/23-10/24/23 POLICE DEPT UTILITIES	pziemer					12/06/2023
225-2120-43381	BPU UTILITIES			3,907.30			
OCT 23/ENG							
80297	BRAINERD PUBLIC UTILITIES	11/01/2023	12/06/2023	2,306.84	2,306.84	Open	N
	9/24/23-10/24/23 CITY UTILITIES	pziemer					12/06/2023
101-1940-43381	BPU UTILITIES			1,909.15			
101-1940-43381	BPU UTILITIES			161.09			
101-9200-43381	BPU UTILITIES			62.01			
101-9200-43381	BPU UTILITIES			84.92			
236-3180-43381	BPU UTILITIES			37.50			
401-1003-43380	UTILITIES			52.17			
OCT 23/STREETS							
80298	BRAINERD PUBLIC UTILITIES	11/01/2023	12/06/2023	23,895.50	23,895.50	Open	N
	9/24/23-10/24/23 STREET DEPT UTILITIES	pziemer					12/06/2023
235-3100-43381	BPU UTILITIES			23,895.50			

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Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
OCT 23/PARKS							
80299	BRAINERD PUBLIC UTILITIES	11/01/2023	12/06/2023	5,529.73	5,529.73	Open	N
	9/24/23-10/24/23 PARKS UTILITIES	pziemer					12/06/2023
230-5200-43381	BPU UTILITIES			4,423.69			
230-5200-43381	BPU UTILITIES			644.63			
230-5280-43380	UTILITIES			255.26			
230-5280-43380	UTILITIES			29.25			
230-5280-43380	UTILITIES			176.90			
Total for vendor 0296 - BRAINERD PUBLIC UTILITIES:				39,095.14	39,095.14		
Vendor 0102 - CANON FINANCIAL SERVICE:							
31620112							
80310	CANON FINANCIAL SERVICE	11/23/2023	12/06/2023	80.69	80.69	Open	N
	FD COPIER CONTRACT 12/1/23-12/31/23	pziemer					12/06/2023
225-2220-43331	LEASED PAYMENTS			80.69			
Total for vendor 0102 - CANON FINANCIAL SERVICE:				80.69	80.69		
Vendor 0447 - CDW GOVERNMENT, INC:							
NB68471							
80397	CDW GOVERNMENT, INC	11/13/2023	12/06/2023	98.67	98.67	Open	N
	TONER - TRANSIT	pziemer					12/06/2023
203-9000-42200	OFFICE SUPPLIES			98.67			
Total for vendor 0447 - CDW GOVERNMENT, INC:				98.67	98.67		
Vendor 1343 - CHARTER COMMUNICATIONS:							
280094111223							
80261	CHARTER COMMUNICATIONS	11/12/2023	12/06/2023	109.98	109.98	Open	N
	REDUNDANT INTERNET 11/12/23-12/11/23	pziemer					12/06/2023
101-1800-43321	TELEPHONE			109.98			
175587701112123							
80383	CHARTER COMMUNICATIONS	11/21/2023	12/06/2023	46.77	46.77	Open	N
	11/30/23-12/29/23 BUSINESS TV	pziemer					12/06/2023
225-2120-43380	UTILITIES			46.77			
Total for vendor 1343 - CHARTER COMMUNICATIONS:				156.75	156.75		
Vendor 1653 - CIVICPLUS:							
280676							
80268	CIVICPLUS	11/21/2023	12/06/2023	3,366.41	3,366.41	Open	N
	WEBSITE ANNUAL FEES 12/8/23-12/7/24	pziemer					12/06/2023
230-5200-43309	COMPUTER TECHNICAL SUPPORT			280.53			
230-0000-15510	PREPAID OTHER			3,085.88			
Total for vendor 1653 - CIVICPLUS:				3,366.41	3,366.41		
Vendor 4079 - CUSTOM BUILDERS, INC:							

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
21:16 - FINAL							
80393	CUSTOM BUILDERS, INC	11/17/2023	12/06/2023	62,000.09	62,000.09	Open	N
	IMP 21-16 PAY REQ 10 - FINAL	pziemer					12/06/2023
401-9030-45530-21:16	CAPITAL-PYMTS TO CONTRACTS			62,000.09			
	Total for vendor 4079 - CUSTOM BUILDERS, INC:			62,000.09	62,000.09		

Vendor 0136 - CWC ATTORNEY:

ICR 21017580							
80285	CWC ATTORNEY	11/22/2023	12/06/2023	253.20	253.20	Open	N
	ICR 21017580	pziemer					12/06/2023
223-0000-22800	OTHER LIABILITIES			253.20			
	Total for vendor 0136 - CWC ATTORNEY:			253.20	253.20		

Vendor 3502 - DAKOTA MAILING:

68344							
80371	DAKOTA MAILING	11/22/2023	12/06/2023	177.21	177.21	Open	N
	RED INK/SEALING SOLUTION POSTAGE MAC	pziemer					12/06/2023
101-1940-42200	OFFICE SUPPLIES			177.21			
	Total for vendor 3502 - DAKOTA MAILING:			177.21	177.21		

Vendor 2412 - DAVIS, JOHN:

11/17/23							
80283	DAVIS, JOHN	11/22/2023	12/06/2023	45.23	45.23	Open	N
	701 FBI-LEEDA TRAINING REIMBURSEMENT	pziemer					12/06/2023
225-2120-43330	PROFESSIONAL DEVELOPMENT			45.23			
	Total for vendor 2412 - DAVIS, JOHN:			45.23	45.23		

Vendor 0440 - DESTINATION DOWNTOWN BRAINERD COALI:

NOV 2023							
80282	DESTINATION DOWNTOWN BRAINERD COALI	11/22/2023	12/06/2023	909.09	909.09	Open	N
	NOV 23 ECONOMIC DEVELOPMENT CONSULTING	pziemer					12/06/2023
295-6510-43300	PROFESSIONAL SERVICES			909.09			
	Total for vendor 0440 - DESTINATION DOWNTOWN BRAINERD COALI:			909.09	909.09		

Vendor 2898 - DIGITAL HORIZONS:

3028							
80267	DIGITAL HORIZONS	11/21/2023	12/06/2023	2,252.48	2,252.48	Open	N
	LIBRARY AUDIO SYSTEMS UPDATE -INITIAL	pziemer					12/06/2023
211-5500-45500	CAPITAL OUTLAY			2,252.48			
	Total for vendor 2898 - DIGITAL HORIZONS:			2,252.48	2,252.48		

Vendor 1815 - F.I.R.E. CROSSLAKE:

Inv Num Inv Ref#	Vendor Description	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
	GL Distribution GRANT						
6544							
80270	F.I.R.E. CROSSLAKE	11/20/2023	12/06/2023	650.00	650.00	Open	N
	HAZMAT SKILLS REFRESHER	pziemer					12/06/2023
225-2220-43330	PROFESSIONAL DEVELOPMENT			650.00			
	Total for vendor 1815 - F.I.R.E. CROSSLAKE:			650.00	650.00		
Vendor 4154 - FLAHERTY & HOOD, P.A.:							
20311							
80262	FLAHERTY & HOOD, P.A.	11/10/2023	12/06/2023	2,275.00	2,275.00	Open	N
	LABOR & EMPLOYMENT CONSULTATION SVCS	pziemer					12/06/2023
101-9200-43300	PROFESSIONAL SERVICES			2,275.00			
	Total for vendor 4154 - FLAHERTY & HOOD, P.A.:			2,275.00	2,275.00		
Vendor 2377 - GRANITE ELECTRONICS:							
2235500							
80384	GRANITE ELECTRONICS	11/20/2023	12/06/2023	102.50	102.50	Open	N
	SQD 436 RADIO REPAIR	pziemer					12/06/2023
225-2120-42221	SQUAD CAR REPAIR SUPPLIES			102.50			
	Total for vendor 2377 - GRANITE ELECTRONICS:			102.50	102.50		
Vendor 0201 - HEARTLAND TIRE SERVICE INC:							
15025010							
80364	HEARTLAND TIRE SERVICE INC	11/28/2023	12/06/2023	34.00	34.00	Open	N
	CAMERA TRAILER TIRE REPAIR	pziemer					12/06/2023
237-3190-42220	REPAIR & MAINT			34.00			
	Total for vendor 0201 - HEARTLAND TIRE SERVICE INC:			34.00	34.00		
Vendor 3202 - INNOVATIVE OFFICE SOLUTIONS LLC:							
IN4388352							
80272	INNOVATIVE OFFICE SOLUTIONS LLC	11/21/2023	12/06/2023	15.72	15.72	Open	N
	BINDER	pziemer					12/06/2023
225-2220-42200	OFFICE SUPPLIES			15.72			
IN4390905							
80385	INNOVATIVE OFFICE SOLUTIONS LLC	11/24/2023	12/06/2023	158.64	158.64	Open	N
	OFFICE SUPPLIES	pziemer					12/06/2023
225-2120-42200	OFFICE SUPPLIES			158.64			
IN439584							
80395	INNOVATIVE OFFICE SOLUTIONS LLC	11/29/2023	12/06/2023	3.62	3.62	Open	N
	PAD/STAMP	pziemer					12/06/2023
225-2220-42200	OFFICE SUPPLIES			3.62			
IN4395564							
80402	INNOVATIVE OFFICE SOLUTIONS LLC	11/30/2023	12/06/2023	212.00	212.00	Open	N
	TONER - FD	pziemer					12/06/2023

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Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
225-2220-42200	OFFICE SUPPLIES			212.00			
	Total for vendor 3202 - INNOVATIVE OFFICE SOLUTIONS LLC:			389.98	389.98		

Vendor MISC - JACK SCHOENBORN:

11/28/23							
80389	JACK SCHOENBORN	11/28/2023	12/06/2023	88.00	88.00	Open	N
	ASSIST W/UNDERCOVER ALCOHOL COMPLIAN(pziemer						12/06/2023
225-2120-42210	OPERATING SUPPLIES			88.00			
11/16/23							
80390	JACK SCHOENBORN	11/28/2023	12/06/2023	48.00	48.00	Open	N
	ASSIST W/UNDERCOVER TOBACCO COMPLIAN(pziemer						12/06/2023
225-2120-42210	OPERATING SUPPLIES			48.00			
	Total for vendor MISC - JACK SCHOENBORN:			136.00	136.00		

Vendor MISC - JOHN UNGER:

11/28/23							
80391	JOHN UNGER	11/28/2023	12/06/2023	104.00	104.00	Open	N
	ASSIST W/UNDERCOVER ALCOHOL COMPLIAN(pziemer						12/06/2023
225-2120-42210	OPERATING SUPPLIES			104.00			
11/28/23 - 2							
80392	JOHN UNGER	11/28/2023	12/06/2023	48.00	48.00	Open	N
	ASSIST W/UNDERCOVER TOBACCO COMPLIAN(pziemer						12/06/2023
225-2120-42210	OPERATING SUPPLIES			48.00			
	Total for vendor MISC - JOHN UNGER:			152.00	152.00		

Vendor 0220 - KENNEDY & GRAVEN:

11/16/23							
80269	KENNEDY & GRAVEN	11/16/2023	12/06/2023	10,000.00	10,000.00	Open	N
	LEGAL SERVICES - MN GO BONDS 2023A pziemer						12/06/2023
401-9030-43300-21:12	PROFESSIONAL SERVICES - K&G (42%)			4,200.00			
101-0000-14100	DFCU - K&G WATER (22%)			2,200.00			
101-0000-14100	DFCU - K&G SEWER (36%)			3,600.00			
	Total for vendor 0220 - KENNEDY & GRAVEN:			10,000.00	10,000.00		

Vendor 0221 - KITCHIGAMI REG LIBRARY:

11/15/23							
80260	KITCHIGAMI REG LIBRARY	11/15/2023	12/06/2023	185.94	185.94	Open	N
	2024 WINTER READING INCENTIVES pziemer						12/06/2023
211-5501-43430	MISC - SPECIFIED DONATION USE			185.94			
	Total for vendor 0221 - KITCHIGAMI REG LIBRARY:			185.94	185.94		

Vendor 3545 - KITCHIGAMI REGIONAL LIBRARY - CC:

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
11/14/23							
80399	KITCHIGAMI REGIONAL LIBRARY - CC	11/14/2023	12/06/2023	152.50	152.50	Open	N
	REMIT LIB CC CHARGES THRU 11/14/23	pziemer					12/06/2023
211-0000-20800	DUE TO OTHER GOVT UNITS			152.50			
	Total for vendor 3545 - KITCHIGAMI REGIONAL LIBRARY - CC:			152.50	152.50		

Vendor 3469 - LAKES AREA MAT SERVICE INC:

20231107 #520							
80287	LAKES AREA MAT SERVICE INC	11/07/2023	12/06/2023	42.92	42.92	Open	N
	POLICE DEPT FLOOR MATS	pziemer					12/06/2023
225-2120-43300	PROFESSIONAL SERVICES			42.92			
20231121 #520							
80288	LAKES AREA MAT SERVICE INC	11/21/2023	12/06/2023	42.92	42.92	Open	N
	POLICE DEPT FLOOR MATS	pziemer					12/06/2023
225-2120-43300	PROFESSIONAL SERVICES			42.92			
20231107 #522							
80289	LAKES AREA MAT SERVICE INC	11/07/2023	12/06/2023	44.08	44.08	Open	N
	CITY HALL FLOOR MATS	pziemer					12/06/2023
101-1940-43410	RENTAL EXPENSE			44.08			
20231121 #522							
80290	LAKES AREA MAT SERVICE INC	11/21/2023	12/06/2023	44.08	44.08	Open	N
	CITY HALL FLOOR MATS	pziemer					12/06/2023
101-1940-43410	RENTAL EXPENSE			44.08			
	Total for vendor 3469 - LAKES AREA MAT SERVICE INC:			174.00	174.00		

Vendor 3627 - LAKES AREA WILDLIFE CONTROL:

NOV 2023							
80308	LAKES AREA WILDLIFE CONTROL	11/27/2023	12/06/2023	3,076.00	3,076.00	Open	N
	NOV 23 ANIMAL CONTROL CONTRACT	pziemer					12/06/2023
225-2700-43300	PROFESSIONAL SERVICES			3,076.00			
	Total for vendor 3627 - LAKES AREA WILDLIFE CONTROL:			3,076.00	3,076.00		

Vendor 0227 - LAKES PRINTING:

00218784							
80373	LAKES PRINTING	11/07/2023	12/06/2023	145.30	145.30	Open	N
	HOLMES/COX BUSINESS CARDS	pziemer					12/06/2023
225-2220-42200	OFFICE SUPPLIES			145.30			
00218783							
80374	LAKES PRINTING	11/07/2023	12/06/2023	61.40	61.40	Open	N
	WUSSOW BUSINESS CARDS	pziemer					12/06/2023
101-1940-42210	OPERATING SUPPLIES			61.40			
	Total for vendor 0227 - LAKES PRINTING:			206.70	206.70		

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Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
Vendor 2308 - LHB INC.:							
190190.03-1							
80376	LHB INC.	11/22/2023	12/06/2023	10,500.00	10,500.00	Open	N
	BRD WATER TOWER PHASE 2	pziemer					12/06/2023
400-1481-43300	PROFESSIONAL SERVICES			10,500.00			
	Total for vendor 2308 - LHB INC.:			10,500.00	10,500.00		
Vendor 1753 - MARCO:							
INV11866410							
80264	MARCO	11/17/2023	12/06/2023	1,128.12	1,128.12	Open	N
	UNIFY IT 11/19/23-12/18/23	pziemer					12/06/2023
101-1800-43309	COMPUTER SUPPORT			1,128.12			
INV11888626							
80401	MARCO	11/27/2023	12/06/2023	2,568.00	2,568.00	Open	N
	MICROSOFT 365 10/16/23-11/15/23	pziemer					12/06/2023
101-1800-43309	COMPUTER SUPPORT			2,344.00			
260-9020-43309	COMPUTER SUPPORT			224.00			
	Total for vendor 1753 - MARCO:			3,696.12	3,696.12		
Vendor 0889 - MENARDS - BAXTER:							
09340							
80365	MENARDS - BAXTER	11/20/2023	12/06/2023	13.48	13.48	Open	N
	SCREWS	pziemer					12/06/2023
230-5200-42220	REPAIR & MAINT			13.48			
09523							
80366	MENARDS - BAXTER	11/22/2023	12/06/2023	13.44	13.44	Open	N
	LUMBER	pziemer					12/06/2023
230-5200-42220	REPAIR & MAINT			13.44			
	Total for vendor 0889 - MENARDS - BAXTER:			26.92	26.92		
Vendor 3394 - MIDWEST MACHINERY CO:							
9840892							
80368	MIDWEST MACHINERY CO	11/02/2023	12/06/2023	74.85	74.85	Open	N
	FILTERS FOR EQUIPMENT	pziemer					12/06/2023
230-5200-42220	REPAIR & MAINT			74.85			
	Total for vendor 3394 - MIDWEST MACHINERY CO:			74.85	74.85		
Vendor 0535 - MN DEPT OF HEALTH:							
FBL-13337-15436/2024							
80303	MN DEPT OF HEALTH	11/27/2023	12/06/2023	450.00	450.00	Open	N
	MEMORIAL SOFTBALL CONCESSION STAND	pziemer					12/06/2023
230-5204-42210	OPERATING SUPPLIES			450.00			

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
FBL-13733-15436/2024							
80304	MN DEPT OF HEALTH	11/27/2023	12/06/2023	450.00	450.00	Open	N
	BANE PARK CONCESSION STAND	pziemer					12/06/2023
230-5204-42210	OPERATING SUPPLIES			450.00			
FBL-34072-45021/2024							
80305	MN DEPT OF HEALTH	11/27/2023	12/06/2023	95.00	95.00	Open	N
	JAYCEES PARK CONCESSION STAND	pziemer					12/06/2023
230-5204-42210	OPERATING SUPPLIES			95.00			
FBL-32213-45021/2024							
80306	MN DEPT OF HEALTH	11/27/2023	12/06/2023	450.00	450.00	Open	N
	BUFFALO HILLS PARK CONCESSION STAND	pziemer					12/06/2023
230-5204-42210	OPERATING SUPPLIES			450.00			
MHP-20217-15436/2024							
80377	MN DEPT OF HEALTH	11/29/2023	12/06/2023	150.00	150.00	Open	N
	2024 LUM PARK CAMPGROUND LICENSE	pziemer					12/06/2023
230-5280-42210	OPERATING SUPPLIES			150.00			
Total for vendor 0535 - MN DEPT OF HEALTH:				1,595.00	1,595.00		

Vendor 2688 - MN SECRETARY OF STATE - NOTARY:

11/28/23							
80386	MN SECRETARY OF STATE - NOTARY	11/28/2023	12/06/2023	120.00	120.00	Open	N
	NOTARY - A.TIMMONS	pziemer					12/06/2023
225-2120-43433	DUES & SUBSCRIPTIONS			120.00			
Total for vendor 2688 - MN SECRETARY OF STATE - NOTARY:				120.00	120.00		

Vendor 3524 - MN STATE FIRE CHIEFS ASSOCIATION:

6713							
80273	MN STATE FIRE CHIEFS ASSOCIATION	11/17/2023	12/06/2023	315.00	315.00	Open	N
	2024 MEMBERSHIP DUES	pziemer					12/06/2023
225-0000-15510	PREPAID OTHER			315.00			
Total for vendor 3524 - MN STATE FIRE CHIEFS ASSOCIATION:				315.00	315.00		

Vendor 0586 - MN STATE TREASURER:

ICR 21017580							
80284	MN STATE TREASURER	11/22/2023	12/06/2023	126.60	126.60	Open	N
	ICR 21017580	pziemer					12/06/2023
223-0000-22800	OTHER LIABILITIES			126.60			
Total for vendor 0586 - MN STATE TREASURER:				126.60	126.60		

Vendor 3168 - MOTORS-N-MORE:

29427							
80156	MOTORS-N-MORE	10/31/2023	12/06/2023	674.00	674.00	Open	N
	SQD 436 - FRONT BRAKE PADS	pziemer					12/06/2023

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
225-2120-42221	SQUAD CAR REPAIR SUPPLIES			674.00			
30241							
80275	MOTORS-N-MORE	11/16/2023	12/06/2023	23.00	23.00	Open	N
	SQD 428 - OIL CHANGE	pziemer					12/06/2023
225-2120-42221	SQUAD CAR REPAIR SUPPLIES			23.00			
30251							
80387	MOTORS-N-MORE	11/27/2023	12/06/2023	231.95	231.95	Open	N
	SQD 432 OIL CHANGE & POWERTRAIN COVE	pziemer					12/06/2023
225-2120-42221	SQUAD CAR REPAIR SUPPLIES			231.95			
30253							
80388	MOTORS-N-MORE	11/27/2023	12/06/2023	23.00	23.00	Open	N
	SQD 401 - OIL CHANGE	pziemer					12/06/2023
225-2120-42221	SQUAD CAR REPAIR SUPPLIES			23.00			
	Total for vendor 3168 - MOTORS-N-MORE:			951.95	951.95		

Vendor MISC - MY NEIGHBOR TO LOVE COALITION:

BFG23-0002							
80300	MY NEIGHBOR TO LOVE COALITION	11/27/2023	12/06/2023	16,250.00	16,250.00	Open	N
	BD Bond Refund	pziemer					12/06/2023
101-0000-20600	BFG23-0002			16,250.00			
	Total for vendor MISC - MY NEIGHBOR TO LOVE COALITION:			16,250.00	16,250.00		

Vendor 0736 - NORTHLAND FIRE PROTECTION:

56119							
80271	NORTHLAND FIRE PROTECTION	11/17/2023	12/06/2023	2,434.90	2,434.90	Open	N
	ANNUAL FIRE EXTINGUISHERS INSPECTION	pziemer					12/06/2023
225-2220-43300	PROFESSIONAL SERVICES			2,434.90			
56066							
80375	NORTHLAND FIRE PROTECTION	11/17/2023	12/06/2023	436.90	436.90	Open	N
	LIBRARY RE-CERT FIRE EXTINGUISHERS	pziemer					12/06/2023
211-5500-42220	REPAIR & MAINT			436.90			
	Total for vendor 0736 - NORTHLAND FIRE PROTECTION:			2,871.80	2,871.80		

Vendor 0284 - OFFICE SHOP:

1134899-0							
80291	OFFICE SHOP	11/17/2023	12/06/2023	210.00	210.00	Open	N
	COPY PAPER - CH	pziemer					12/06/2023
101-1940-42200	OFFICE SUPPLIES			210.00			
329346-0							
80372	OFFICE SHOP	11/20/2023	12/06/2023	276.45	276.45	Open	N
	FD COPIER CONTRACT	pziemer					12/06/2023
225-2220-43331	LEASED PAYMENTS			276.45			
	Total for vendor 0284 - OFFICE SHOP:			486.45	486.45		

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Vendor 0291 - PIKE PLUMBING AND HEATING:							
85919 80286	PIKE PLUMBING AND HEATING	11/15/2023	12/06/2023	115.00	115.00	Open	N 12/06/2023
	GP WARMING HOUSE ANNUAL BACKFLOW TEST	pziemer					
230-5200-42220	REPAIR & MAINT			115.00			
	Total for vendor 0291 - PIKE PLUMBING AND HEATING:			115.00	115.00		
Vendor 2916 - RUNDE, ANTHONY:							
11/15/23 80276	RUNDE, ANTHONY	11/16/2023	12/06/2023	46.63	46.63	Open	N 12/06/2023
	702 REIMB TZD CONFERENCE	pziemer					
225-2120-43330	PROFESSIONAL DEVELOPMENT			46.63			
	Total for vendor 2916 - RUNDE, ANTHONY:			46.63	46.63		
Vendor 1636 - SCR - NORTHERN BAXTER:							
W47374 80307	SCR - NORTHERN BAXTER	11/24/2023	12/06/2023	972.89	972.89	Open	N 12/06/2023
	HVAC REPAIRS - LIBRARY	pziemer					
211-5500-42220	REPAIR & MAINT			972.89			
	Total for vendor 1636 - SCR - NORTHERN BAXTER:			972.89	972.89		
Vendor 3612 - SEVERSON PORTER LAW:							
NOV 2023 80309	SEVERSON PORTER LAW	11/27/2023	12/06/2023	18,333.33	18,333.33	Open	N 12/06/2023
	NOV 23 PROSECUTION AGREEMENT	pziemer					
225-2127-43310	MISDEMEANOR PROSECUTOR			18,333.33			
	Total for vendor 3612 - SEVERSON PORTER LAW:			18,333.33	18,333.33		
Vendor 0317 - SHORT ELLIOTT HENDRICKSON:							
457399 80266	SHORT ELLIOTT HENDRICKSON	11/15/2023	12/06/2023	8,041.29	8,041.29	Open	N 12/06/2023
	23:13 WILLOW & 6TH ROUNDABOUT	pziemer					
401-9030-43300-23:13	PROFESSIONAL SERVICES			8,041.29			
	Total for vendor 0317 - SHORT ELLIOTT HENDRICKSON:			8,041.29	8,041.29		
Vendor 0322 - STREICHERS PROF EQUIP:							
I1666017 80277	STREICHERS PROF EQUIP	11/16/2023	12/06/2023	179.98	179.98	Open	N 12/06/2023
	729 - UNIFORM PANTS	pziemer					
225-2120-41113	UNIFORM ALLOWANCE			179.98			

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	GL Distribution GRANT						
I1666199							
80278	STREICHERS PROF EQUIP	11/17/2023	12/06/2023	152.97	152.97	Open	N
	726-UNIFORM PANTS	pziemer					12/06/2023
	225-2120-41113			152.97			
	UNIFORM ALLOWANCE						
	Total for vendor 0322 - STREICHERS PROF EQUIP:			332.95	332.95		

Vendor 3838 - SWANSON HASKAMP CONSULTING:

NOV 2023							
80280	SWANSON HASKAMP CONSULTING	11/22/2023	12/06/2023	2,916.67	2,916.67	Open	N
	NOV 23 ECONOMIC DEVELOPMENT CONSULTING	pziemer					12/06/2023
	295-6510-43300			2,916.67			
	PROFESSIONAL SERVICES						
	Total for vendor 3838 - SWANSON HASKAMP CONSULTING:			2,916.67	2,916.67		

Vendor 3967 - TIMMONS, ALLYSON:

11/29/23							
80400	TIMMONS, ALLYSON	11/29/2023	12/06/2023	22.97	22.97	Open	N
	PROP/EVIDENCE MNGMT TRNG - REIMB MEAL	pziemer					12/06/2023
	225-2120-43330			22.97			
	PROFESSIONAL DEVELOPMENT						
	Total for vendor 3967 - TIMMONS, ALLYSON:			22.97	22.97		

Vendor 0087 - VISIT BRAINERD:

NOV 2023							
80279	VISIT BRAINERD	11/22/2023	12/06/2023	3,333.34	3,333.34	Open	N
	NOV 23 ECONOMIC DEVELOPMENT CONSULTING	pziemer					12/06/2023
	295-6510-43300			3,333.34			
	PROFESSIONAL SERVICES						
	Total for vendor 0087 - VISIT BRAINERD:			3,333.34	3,333.34		

Vendor 0349 - W.W. THOMPSON CONCRETE:

2311-681279							
80367	W.W. THOMPSON CONCRETE	11/17/2023	12/06/2023	19.70	19.70	Open	N
	CONCRETE MIX FOR REPAIRS	pziemer					12/06/2023
	230-5200-42220			19.70			
	REPAIR & MAINT						
	Total for vendor 0349 - W.W. THOMPSON CONCRETE:			19.70	19.70		

Vendor 1159 - WINNERS TROPHY:

13027							
80369	WINNERS TROPHY	11/27/2023	12/06/2023	20.00	20.00	Open	N
	CHILI COOK OFF ENGRAVING	pziemer					12/06/2023
	278-6515-43430			20.00			
	MISCELLANEOUS						
	Total for vendor 1159 - WINNERS TROPHY:			20.00	20.00		

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Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
PCard: 2257 U.S. BANK Card Holder: CITY HALL							
Vendor 3698 - AMAZON:							
11/3/23							
80332	AMAZON	11/03/2023	12/06/2023	347.98	347.98	Open	N
	AMAZON WEB SERVICES NOV 2023	pziemer					12/06/2023
101-1800-43309	COMPUTER SUPPORT			347.98			
	Total for vendor 3698 - AMAZON:			347.98	347.98		
Vendor 0767 - CEAM:							
11/6/23							
80314	CEAM	11/06/2023	12/06/2023	1,040.00	1,040.00	Open	N
	2024 CONF. REG X2 - DEHN & FLADUNG	pziemer					12/06/2023
101-0000-15510	PREPAID OTHER			1,040.00			
	Total for vendor 0767 - CEAM:			1,040.00	1,040.00		
Vendor 2392 - MENARDS:							
11/9/23							
80313	MENARDS	11/09/2023	12/06/2023	39.31	39.31	Open	N
	BOOT SCRAPER - CH GARAGE	pziemer					12/06/2023
101-1940-42220	REPAIR & MAINT			39.31			
	Total for vendor 2392 - MENARDS:			39.31	39.31		
Vendor 2688 - MN SECRETARY OF STATE - NOTARY:							
11/14/23							
80311	MN SECRETARY OF STATE - NOTARY	11/14/2023	12/06/2023	120.00	120.00	Open	N
	NOTARY RENEWAL - P.ZIEMER	pziemer					12/06/2023
101-1400-43433	DUES & SUBSCRIPTIONS			120.00			
	Total for vendor 2688 - MN SECRETARY OF STATE - NOTARY:			120.00	120.00		
Vendor 3858 - ZOOM VIDEO COMMUNICATIONS:							
11/18/23							
80312	ZOOM VIDEO COMMUNICATIONS	11/18/2023	12/06/2023	31.98	31.98	Open	N
	ZOOM 11/18/23-12/17/23	pziemer					12/06/2023
101-1800-43309	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				1,579.27	1,579.27		

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	GL Distribution GRANT						

PCard: 2257 U.S. BANK Card Holder: FIRE

Vendor 3698 - AMAZON:

11/2/23							
80327	AMAZON	11/02/2023	12/06/2023	1,199.60	1,199.60	Open	N
	QTY 40 COMBAT TOURNIQUETS	pziemer					12/06/2023
	225-2220-42210	OPERATING SUPPLIES		1,199.60			
11/2/23 - 2							
80328	AMAZON	11/02/2023	12/06/2023	24.97	24.97	Open	N
	HDMI ADAPTOR	pziemer					12/06/2023
	225-2220-42210	OPERATING SUPPLIES		24.97			
11/2/23 - 3							
80329	AMAZON	11/02/2023	12/06/2023	20.37	20.37	Open	N
	EXPO DRY ERASE CLEANING SPRAY	pziemer					12/06/2023
	225-2220-42210	OPERATING SUPPLIES		20.37			
11/16/23							
80330	AMAZON	11/16/2023	12/06/2023	89.90	89.90	Open	N
	MAGNETIC MIC	pziemer					12/06/2023
	225-2220-42210	OPERATING SUPPLIES		89.90			
		Total for vendor 3698 - AMAZON:		1,334.84	1,334.84		

Vendor MISC - DROPBOX:

11/28/23							
80325	DROPBOX	11/28/2023	12/06/2023	119.88	119.88	Open	N
	DROPBOX PLUS 11/1/23-11/1/24	pziemer					12/06/2023
	225-2220-43433	DUES & SUBSCRIPTIONS		119.88			
		Total for vendor MISC - DROPBOX:		119.88	119.88		

Vendor 2989 - HOME DEPOT:

10/31/23							
80326	HOME DEPOT	11/01/2023	12/06/2023	119.00	119.00	Open	N
	KIDDE BATTERY CO ALARM 6PK	pziemer					12/06/2023
	225-2220-42210	OPERATING SUPPLIES		119.00			
		Total for vendor 2989 - HOME DEPOT:		119.00	119.00		

Vendor 4247 - ROGUE FITNESS:

11/21/23							
80331	ROGUE FITNESS	11/21/2023	12/06/2023	13,483.34	13,483.34	Open	N
	GYM EQUIPMENT - SOURCEWELL- CHECK UP	pziemer					12/06/2023
	225-0000-45580	CK UP NK CAPITAL - OTHER EQUIPMENT		13,483.34			
		Total for vendor 4247 - ROGUE FITNESS:		13,483.34	13,483.34		

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

15,057.06

15,057.06

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GL Distribution GRANT

PCard: 2257 U.S. BANK Card Holder: LIBRARY

Vendor 3698 - AMAZON:

10/25/23							
80319	AMAZON	11/01/2023	12/06/2023	39.97	39.97	Open	N
	TAPE, LABELS, BANK POUCHES	pziemer					12/06/2023
	211-5500-42200	OFFICE SUPPLIES		39.97			
10/25/23 - 2							
80322	AMAZON	11/01/2023	12/06/2023	233.86	233.86	Open	N
	ANTI-FATIGUE MAT	pziemer					12/06/2023
	211-5503-43430	MISC - USE OF HOLDEN TRUST		233.86			
11/07/23							
80323	AMAZON	11/07/2023	12/06/2023	35.38	35.38	Open	N
	CHILDRENS PROGRAM SUPPLIES	pziemer					12/06/2023
	211-5501-43430	MISC - SPECIFIED DONATION USE		35.38			
11/22/23							
80324	AMAZON	11/22/2023	12/06/2023	107.74	107.74	Open	N
	CHILDRENS PROGRAM SUPPLIES	pziemer					12/06/2023
	211-5501-43430	MISC - SPECIFIED DONATION USE		107.74			
		Total for vendor 3698 - AMAZON:		416.95	416.95		

Vendor 0160 - DEMCO INC:

11/9/23							
80321	DEMCO INC	11/09/2023	12/06/2023	148.11	148.11	Open	N
	BOOK REPAIRS & READING INCENTIVES	pziemer					12/06/2023
	211-5503-43430	MISC - USE OF HOLDEN TRUST		148.11			
		Total for vendor 0160 - DEMCO INC:		148.11	148.11		

Vendor MISC - JOSTENS:

10/28/23							
80318	JOSTENS	11/01/2023	12/06/2023	90.29	90.29	Open	N
	BHS YEARBOOK	pziemer					12/06/2023
	211-5503-43430	MISC - USE OF HOLDEN TRUST		90.29			
		Total for vendor MISC - JOSTENS:		90.29	90.29		

Vendor MISC - MAILCHIMP:

11/4/23							
80320	MAILCHIMP	11/04/2023	12/06/2023	39.50	39.50	Open	N
	EMAIL SUBSCRIPTION SERVICE	pziemer					12/06/2023
	211-5503-43430	MISC - USE OF HOLDEN TRUST		39.50			
		Total for vendor MISC - MAILCHIMP:		39.50	39.50		

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

694.85

694.85

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		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	GRANT						
PCard: 2257 U.S. BANK Card Holder: PARKS							
Vendor 0086 - CITY OF BRAINERD:							
11/15/23							
80317	CITY OF BRAINERD	11/15/2023	12/06/2023	11.95	11.95	Open	N
	CDL TEST - S.JENSEN	pziemer					12/06/2023
230-5200-43330	PROFESSIONAL DEVELOPMENT			11.95			
	Total for vendor 0086 - CITY OF BRAINERD:			11.95	11.95		
Vendor 3719 - FLEET FARM:							
11/13/23							
80316	FLEET FARM	11/13/2023	12/06/2023	1,159.24	1,159.24	Open	N
	CITY HALL -TREE LIGHTS	pziemer					12/06/2023
101-1940-43430	MISCELLANEOUS			1,159.24			
	Total for vendor 3719 - FLEET FARM:			1,159.24	1,159.24		
Total PCard: 2257 U.S. BANK Card Holder: PARKS				1,171.19	1,171.19		

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GL Distribution	GRANT						

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Vendor 3698 - AMAZON:

10/23/23							
80335	AMAZON	11/01/2023	12/06/2023	43.75	43.75	Open	N
	TISSUE/FLASH DRIVES/PRIVACY SIGN	pziemer					12/06/2023
	225-2120-42220	REPAIR & MAINT		10.16			
	225-2120-42210	OPERATING SUPPLIES		23.80			
	225-2120-42210	OPERATING SUPPLIES		9.79			
10/31/23							
80339	AMAZON	11/01/2023	12/06/2023	117.78	117.78	Open	N
	FLASH DRIVE/DIGITAL RECORDER	pziemer					12/06/2023
	225-2220-42200	OFFICE SUPPLIES		117.78			
11/14/23							
80348	AMAZON	11/14/2023	12/06/2023	93.18	93.18	Open	N
	SUBJECT TRANSPORT BELT	pziemer					12/06/2023
	225-2120-41113	UNIFORM ALLOWANCE		93.18			
	Total for vendor 3698 - AMAZON:			254.71	254.71		

Vendor 3420 - BCA :

11/21/23							
80355	BCA	11/21/2023	12/06/2023	375.00	375.00	Open	N
	714 - NARCOTICS INVESTIGATIONS	pziemer					12/06/2023
	225-2120-43330	PROFESSIONAL DEVELOPMENT		375.00			
	Total for vendor 3420 - BCA :			375.00	375.00		

Vendor 3156 - COUNTRY INN & SUITES:

11/17/23							
80351	COUNTRY INN & SUITES	11/17/2023	12/06/2023	484.29	484.29	Open	N
	701 - FBI LEEDA TRAINING - HOTEL	pziemer					12/06/2023
	225-2120-43330	PROFESSIONAL DEVELOPMENT		484.29			
	Total for vendor 3156 - COUNTRY INN & SUITES:			484.29	484.29		

Vendor 4012 - DEFENSE TECHNOLOGY:

11/14/23							
80349	DEFENSE TECHNOLOGY	11/14/2023	12/06/2023	225.00	225.00	Open	N
	716 - OC AEROSOL INSTRUCTOR COURSE -	pziemer					12/06/2023
	225-2120-43330	PROFESSIONAL DEVELOPMENT		225.00			
11/14/23 - 2							
80350	DEFENSE TECHNOLOGY	11/14/2023	12/06/2023	325.00	325.00	Open	N
	729 - LESS LETHAL INSTRUCTOR COURSE	pziemer					12/06/2023
	225-2120-43330	PROFESSIONAL DEVELOPMENT		325.00			
	Total for vendor 4012 - DEFENSE TECHNOLOGY:			550.00	550.00		

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Vendor 3879 - HARBOR FREIGHT TOOLS:

11/6/23							
80343	HARBOR FREIGHT TOOLS	11/06/2023	12/06/2023	4.99	4.99	Open	N
	BOOT POLISH	pziemer					12/06/2023
225-2120-42220	REPAIR & MAINT			4.99			
	Total for vendor 3879 - HARBOR FREIGHT TOOLS:			4.99	4.99		

Vendor 3982 - HOLIDAY INN:

11/02/23							
80340	HOLIDAY INN	11/02/2023	12/06/2023	302.70	302.70	Open	N
	715 - FINANCIAL CRIMES INVESTIGATION	pziemer					12/06/2023
225-2120-43330	PROFESSIONAL DEVELOPMENT			302.70			
	Total for vendor 3982 - HOLIDAY INN:			302.70	302.70		

Vendor 3584 - NARTEC, INC:

11/17/23							
80352	NARTEC, INC	11/17/2023	12/06/2023	361.62	361.62	Open	N
	EVIDENCE SUPPLY - TEST AMPULES	pziemer					12/06/2023
225-2120-42210	OPERATING SUPPLIES			361.62			
	Total for vendor 3584 - NARTEC, INC:			361.62	361.62		

Vendor 3322 - PICTURE PERFECT FRAMING STUDIO:

11/7/23							
80345	PICTURE PERFECT FRAMING STUDIO	11/07/2023	12/06/2023	223.45	223.45	Open	N
	OFFICER OF THE YEAR PHOTO/FRAMING	pziemer					12/06/2023
225-2120-43300	PROFESSIONAL SERVICES			223.45			
	Total for vendor 3322 - PICTURE PERFECT FRAMING STUDIO:			223.45	223.45		

Vendor 3839 - SLICE ON OAK:

10/24/23							
80336	SLICE ON OAK	11/01/2023	12/06/2023	767.28	767.28	Open	N
	OCT 23 LNL PIZZA	pziemer					12/06/2023
278-6515-43430	MISCELLANEOUS			767.28			
	Total for vendor 3839 - SLICE ON OAK:			767.28	767.28		

Vendor 3703 - TRANSUNION RISK:

11/01/23							
80341	TRANSUNION RISK	11/01/2023	12/06/2023	75.00	75.00	Open	N
	INVESTIGATIONS/PARKING TKT COLLECTION	pziemer					12/06/2023
225-2120-42210	OPERATING SUPPLIES			75.00			
	Total for vendor 3703 - TRANSUNION RISK:			75.00	75.00		

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PCard: 2257 U.S. BANK Card Holder: POLICE

Vendor 3697 - USPS:

10/27/23							
80338	USPS	11/01/2023	12/06/2023	6.25	6.25	Open	N
	POSTAGE	pziemer					12/06/2023
	225-2120-43322	POSTAGE		6.25			
11/03/23							
80342	USPS	11/03/2023	12/06/2023	17.10	17.10	Open	N
	POSTAGE	pziemer					12/06/2023
	225-2120-43322	POSTAGE		17.10			
11/08/23							
80346	USPS	11/08/2023	12/06/2023	4.85	4.85	Open	N
	POSTAGE	pziemer					12/06/2023
	225-2120-43322	POSTAGE		4.85			
11/13/23							
80347	USPS	11/13/2023	12/06/2023	5.50	5.50	Open	N
	POSTAGE	pziemer					12/06/2023
	225-2120-43322	POSTAGE		5.50			
11/17/23							
80353	USPS	11/17/2023	12/06/2023	5.50	5.50	Open	N
	POSTAGE	pziemer					12/06/2023
	225-2120-43322	POSTAGE		5.50			
11/17/23 - 2							
80354	USPS	11/17/2023	12/06/2023	17.82	17.82	Open	N
	POSTAGE	pziemer					12/06/2023
	225-2120-43322	POSTAGE		17.82			
		Total for vendor 3697 - USPS:		57.02	57.02		

Vendor 0006 - WALMART COMMUNITY/GECRB:

10/26/23							
80337	WALMART COMMUNITY/GECRB	11/01/2023	12/06/2023	29.97	29.97	Open	N
	CHARGER ADAPTOR	pziemer					12/06/2023
	225-2120-42210	OPERATING SUPPLIES		29.97			
11/6/23							
80344	WALMART COMMUNITY/GECRB	11/06/2023	12/06/2023	18.90	18.90	Open	N
	BOOT POLISH	pziemer					12/06/2023
	225-2120-42220	REPAIR & MAINT		18.90			
10/26/23 - 2							
80356	WALMART COMMUNITY/GECRB	11/01/2023	12/06/2023	(29.97)	(29.97)	Open	N
	RETURN CHARGING ADAPTOR	pziemer					12/06/2023
	225-2120-42210	OPERATING SUPPLIES		(29.97)			
		Total for vendor 0006 - WALMART COMMUNITY/GECRB:		18.90	18.90		

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	GL Distribution	GRANT					
PCard: 2257 U.S. BANK Card Holder: POLICE							
Total PCard: 2257 U.S. BANK Card Holder: POLICE				3,474.96	3,474.96		

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	GL Distribution GRANT						

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

Vendor 0900 - CUB FOODS - BRAINERD:

11/14/23

80315	CUB FOODS - BRAINERD	11/14/2023	12/06/2023	51.17	51.17	Open	N
	CHILI COOK-OFF SUPPLIES	pziemer					12/06/2023
278-6515-43430	MISCELLANEOUS			51.17			
	Total for vendor 0900 - CUB FOODS - BRAINERD:			51.17	51.17		

Vendor 4248 - VANDER HAAG'S INC:

10/31/23

80333	VANDER HAAG'S INC	11/01/2023	12/06/2023	1,530.08	1,530.08	Open	N
	SNOWFLOW REPAIRS	pziemer					12/06/2023
235-3125-42220	REPAIR & MAINT			1,530.08			

11/2/23

80334	VANDER HAAG'S INC	11/02/2023	12/06/2023	1,046.91	1,046.91	Open	N
	PLOW DOOR ASSEMBLY	pziemer					12/06/2023
235-3125-42220	REPAIR & MAINT			1,046.91			
	Total for vendor 4248 - VANDER HAAG'S INC:			2,576.99	2,576.99		

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

# of Invoices:	137	# Due:	137	Totals:	246,449.29	246,449.29
# of Credit Memos:	1	# Due:	1	Totals:	(29.97)	(29.97)
Net of Invoices and Credit Memos:					246,419.32	246,419.32

--- TOTALS BY GL DISTRIBUTION ---

101-0000-14100	DFCU - K&G WATER (22%)	5,800.00
101-0000-15510	PREPAID OTHER	1,040.00
101-0000-20600	BFG23-0002	16,250.00
101-1400-43433	DUES & SUBSCRIPTIONS	120.00
101-1800-43309	COMPUTER SUPPORT	3,852.08
101-1800-43321	TELEPHONE	109.98
101-1940-42200	OFFICE SUPPLIES	387.21
101-1940-42210	OPERATING SUPPLIES	61.40
101-1940-42220	REPAIR & MAINT	39.31
101-1940-43381	BPU UTILITIES	2,070.24
101-1940-43410	RENTAL EXPENSE	88.16
101-1940-43430	MISCELLANEOUS	1,159.24
101-9200-43300	PROFESSIONAL SERVICES	2,275.00
101-9200-43381	BPU UTILITIES	146.93
101-9200-43430	MISCELLANEOUS	365.00
203-9000-42200	OFFICE SUPPLIES	98.67
211-0000-20800	DUE TO OTHER GOVT UNITS	152.50
211-5500-42200	OFFICE SUPPLIES	39.97
211-5500-42220	REPAIR & MAINT	1,409.79

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GL Distribution	GRANT						
	211-5500-43381	BPU UTILITIES		1,803.50			
	211-5500-45500	CAPITAL OUTLAY		2,252.48			
	211-5501-43430	MISC - SPECIFIED DONATION USE		329.06			
	211-5503-43430	MISC - USE OF HOLDEN TRUST		511.76			
	223-0000-22800	OTHER LIABILITIES		379.80			
	225-0000-15510	PREPAID OTHER		315.00			
	225-0000-45580	CAPITAL - OTHER EQUIPMENT		13,483.34			
	225-2120-41113	UNIFORM ALLOWANCE		426.13			
	225-2120-42200	OFFICE SUPPLIES		158.64			
	225-2120-42210	OPERATING SUPPLIES		758.21			
	225-2120-42220	REPAIR & MAINT		34.05			
	225-2120-42221	SQUAD CAR REPAIR SUPPLIES		1,054.45			
	225-2120-43300	PROFESSIONAL SERVICES		329.29			
	225-2120-43322	POSTAGE		57.02			
	225-2120-43330	PROFESSIONAL DEVELOPMENT		1,826.82			
	225-2120-43380	UTILITIES		46.77			
	225-2120-43381	BPU UTILITIES		3,907.30			
	225-2120-43433	DUES & SUBSCRIPTIONS		120.00			
	225-2127-43310	MISDEMEANOR PROSECUTOR		18,333.33			
	225-2220-42200	OFFICE SUPPLIES		494.42			
	225-2220-42210	OPERATING SUPPLIES		1,998.82			
	225-2220-43300	PROFESSIONAL SERVICES		2,434.90			
	225-2220-43330	PROFESSIONAL DEVELOPMENT		650.00			
	225-2220-43331	LEASED PAYMENTS		357.14			
	225-2220-43381	BPU UTILITIES		1,652.27			
	225-2220-43433	DUES & SUBSCRIPTIONS		119.88			
	225-2700-43300	PROFESSIONAL SERVICES		3,076.00			
	230-0000-15510	PREPAID OTHER		3,085.88			
	230-5200-42200	OFFICE SUPPLIES		9.68			
	230-5200-42220	REPAIR & MAINT		5,050.14			
	230-5200-43309	COMPUTER TECHNICAL SUPPORT		280.53			
	230-5200-43330	PROFESSIONAL DEVELOPMENT		11.95			
	230-5200-43381	BPU UTILITIES		5,068.32			
	230-5204-42210	OPERATING SUPPLIES		1,445.00			
	230-5280-42210	OPERATING SUPPLIES		150.00			
	230-5280-43380	UTILITIES		461.41			
	235-3100-42220	REPAIR & MAINT		76.76			
	235-3100-43381	BPU UTILITIES		23,895.50			
	235-3100-43430	MISCELLANEOUS		126.59			
	235-3125-42220	REPAIR & MAINT		2,666.98			
	236-3180-43381	BPU UTILITIES		37.50			
	237-3190-42220	REPAIR & MAINT		1,651.99			
	260-9020-43309	COMPUTER SUPPORT		224.00			
	278-6515-43430	MISCELLANEOUS		838.45			
	295-6510-43300	PROFESSIONAL SERVICES		7,159.10			
	295-6510-43330	PROFESSIONAL DEVELOPMENT		2,916.67			
	400-1481-43300	PROFESSIONAL SERVICES		10,500.00			
	400-9050-45530	CAPITAL - OTHER		14,093.46			
	401-1003-43380	UTILITIES		52.17			
	401-9030-43300-21:12	PROFESSIONAL SERVICES - K&G (42%)		4,200.00			
	401-9030-43300-23:13	PROFESSIONAL SERVICES		8,041.29			
	401-9030-45530-21:16	CAPITAL-PYMTS TO CONTRACTS		62,000.09			

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GL Distribution	GRANT						
--- TOTALS BY FUND ---							
101 -	GENERAL FUND			33,764.55	33,764.55		
203 -	TRANSIT FUND			98.67	98.67		
211 -	LIBRARY FUND			6,499.06	6,499.06		
223 -	DRUG FORFEITURE			379.80	379.80		
225 -	PUBLIC SAFETY FUND			51,633.78	51,633.78		
230 -	PARK & RECREATION FUND			15,562.91	15,562.91		
235 -	STREET & SEWER FUND			26,765.83	26,765.83		
236 -	PARKING LOT FUND			37.50	37.50		
237 -	SANITARY SEWER FUND			1,651.99	1,651.99		
260 -	AIRPORT FUND			224.00	224.00		
278 -	HEALTHY EMPLOYE INITIATIVE			838.45	838.45		
295 -	EDA FUND			10,075.77	10,075.77		
400 -	CAPITAL PROJECTS FUND			24,593.46	24,593.46		
401 -	CONSTRUCTION FUND			74,293.55	74,293.55		
--- TOTALS BY DEPT/ACTIVITY ---							
0000 -				40,506.52	40,506.52		
1003 -	10:03 DWNTWN MAIN CNTRACT			52.17	52.17		
1400 -	ADMINISTRATION			120.00	120.00		
1481 -	HISTORIC WATER TOWER REPA			10,500.00	10,500.00		
1800 -	IT/GIS			3,962.06	3,962.06		
1940 -	CITY HALL			3,805.56	3,805.56		
2120 -	POLICE DEPARTMENT			8,718.68	8,718.68		
2127 -	MISDEMEANOR PROSECUTOR			18,333.33	18,333.33		
2220 -	FIRE DEPARTMENT			7,707.43	7,707.43		
2700 -	ANIMAL CONTROL			3,076.00	3,076.00		
3100 -	S & S MAINTENANCE			24,098.85	24,098.85		
3125 -	SNOW REMOVAL			2,666.98	2,666.98		
3180 -	PARKING LOTS EXPENSE			37.50	37.50		
3190 -	SANITARY SEWER EXPENSE			1,651.99	1,651.99		
5200 -	PARK MAIN/ADMINISTRATION			10,420.62	10,420.62		
5204 -	CONCESSIONS			1,445.00	1,445.00		
5280 -	CAMPGROUND			611.41	611.41		
5500 -	LIBRARY-BUDGETED			5,505.74	5,505.74		
5501 -	SPECIFIED DONATION USE			329.06	329.06		
5503 -	HOLDEN TRUST DONATION USE			511.76	511.76		
6510 -	ECONOMIC DEVELOPMENT AUTH			10,075.77	10,075.77		
6515 -	HEALTHY EMPLOYE INITIATIVE			838.45	838.45		
9000 -	TRANSIT FUND			98.67	98.67		
9020 -	AIRPORT M & O			224.00	224.00		
9030 -	CONSTRUCTION PROJ-MISC			74,241.38	74,241.38		
9050 -	CAPITAL PROJECTS-MISC			14,093.46	14,093.46		

11/30/2023 01:43 PM
User: pziemer
DB: Brainerd

INVOICE REGISTER REPORT FOR CITY OF BRAINERD
EXP CHECK RUN DATES 12/04/2023 - 12/04/2023
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						GRANT
--- TOTALS BY DEPT/ACTIVITY ---							
	9200 - CITY-WIDE			2,786.93	2,786.93		

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: Stunek, Terry, Stenglein, Johnson, Czezok, O'Day, and Bevans. Mayor Badeaux was noted as present.

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

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MOVED AND SECONDED BY COUNCIL MEMBERS CZECHOK AND STENGLEIN TO APPROVE THE CONSENT CALENDAR.

- A. Approval of Bills
- B. Approval of Minutes
 - a. Regular City Council Minutes November 6th, 2023
- C. Approval of Licenses
- D. Department Activity Report
- E. Approve Secondhand Auto License- East Side Auto and Repair, 413 Washington Street- Contingent upon Approvals

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Unfinished Business

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Public Utilities- 1 term (Expire 2026)

TAC—1 term (Expires 2023)

Mayor Recommended: (terms to expire on 9/7 of said year)

EDA—1 term (Expires 2026)

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

Parking Commission—1 term (Expire 2026)

Adopt Resolution Establishing Sanitary and Storm Sewer Rates for 2024 and 2025

MOVED AND SECONDED BY COUNCIL MEMBERS TERRY AND STENGLEIN TO ADOPT RESOLUTION SETTING THE SANITARY RATES FOR 2024 AND 2025.

RESOLUTION 50:23

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

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND O'DAY TO ADOPT RESOLUTION SETTING THE STORM SEWER RATES FOR 2024 AND 2025.

RESOLUTION 51:23

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

Update on City Administrator Search Process

HR Director Schubert stated that the timeline for the hiring is ambitious but is needed if the new City Administrator is to be on board by March 1st. She pointed out the specials meetings that will need to be scheduled to choose candidates and conduct interviews.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND JOHNSON, DULY CARRIED, TO SCHEDULE A SPECIAL MEETING FOR JANUARY 16TH AT 5:30 P.M. IN CITY COUNCIL CHAMBERS TO SELECT CANDIDATES FOR THE CITY ADMINISTRATOR POSITION AND A SPECIAL MEETING ON JANUARY 29TH ALL DAY IN CITY COUNCIL CHAMBERS TO CONDUCT INTERVIEWS FOR THE CITY ADMINISTRATOR POSITION.

Discussion of County's Response to not Tax Brainerd Residents for their Airport Contribution

Interim City Administrator Wussow stated that staff followed up with the County Board. The recommendation is to reduce the City's levy by \$9,420.

Member Czeczok stated that he likes the idea, it is not exactly what he was thinking but would like to see it move forward. He mentioned the memo that he distributed about the County taking over control of the airport.

Member Johnson stated that the initial motion for a decrease in the City's levy and increase to the County will work for this year. He would like more information on what it looks like for the City if the County were to take over the airport. He is not prepared to discuss that matter tonight. He would also like to see the City give municipal consent for the City to contribute to the Housing Trust Fund.

Member O'Day stated that he agrees with the statements of Council Member Johnson. He would like more information on having the County take on the airport. He also agrees that municipal consent for the Housing Trust Fund is in the City's best interest as a community with the largest aging housing stock it would be helpful to be able to use some of those dollars.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND JOHNSON, DULY CARRIED, TO AGREE TO REDUCING THE CITY'S LEVY BY \$9,420 AND ALLOW THE COUNTY TO INCREASE THEIR LEVY BY THE SAME AMOUNT.

Interim City Administrator Wussow stated that the County Administrator and other Administrators will be meeting on the 7th of December regarding the Housing Trust Fund.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK, DULY CARRIED, TO DIRECT STAFF TO CONFER WITH THE COUNTY ON THE POSSIBILITIES FOR OWNERSHIP OF THE AIRPORT AND MUNICIPAL CONSENT FOR THE HOUSING TRUST FUND.

New Business

November 20th, 2023

Consider Variance and Conditional Use Permit Amendment at 1202 S 6th St.

Community Development Director Kramvik gave an overview of the amendment to the variance and conditional use permit. The Planning Commission recommended a denial of the amendment to the variance and approval of the conditional use permit.

Member O'Day asked about what may happen if the Council denied the variance amendment.

Chair Bevans asked if the ice machine was being considered a building. He stated that it looks fine.

Mayor Badeaux asked whether there have been other conditions that have not been met for this property.

Community Development Director Kramvik stated that the owner would have to submit an acceptable plan for the building. The owner has stated that if the unit is screwed into, the unit will forfeit its manufacturer warranty. He stated that the original conditional use permit was for the small size a building. Finally, he stated that the owner has provided an escrow for the remaining landscaping and screening requirements.

Member Johnson asked for clarification on the motion. He stated that the ice machine will always be an ice machine. The owner does not have any practical difficulty, but it is not ever going to look good.

Member Stunek asked whether there have been complaints.

Community Development Director Kramvik stated that there have not been any complaints.

Member Stenglein clarified that during the Planning Commission they discussed that the situation was created by the landowner.

Mayor Badeaux stated that he supports the motion. He does not believe that the project would have been approved initially if the owner had presented the Council with the need for the siding to be exposed. He also stated that the building is nowhere near complete and yet the owner is still trying to make changes.

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND O'DAY TO DENY THE VARIANCE FOR 1202 S 6TH STREET AS IT DOES NOT MEET THE REQUIREMENTS FOR A PRACTICAL DIFFICULTY, DUE TO THE FACT THAT THE ISSUE WAS CREATED BY THE LANDOWNER.

Upon roll call, Council Members, Terry, Stenglein, O'Day voted "aye". Council Members Stunek, Johnson, Czczok, and Bevans voted "nay". The Chair declared the motion failed.

Community Development Director Kramvik stated that he did provide the Planning Commission with conditions that they could require with an approval. He reviewed these with the Council.

Chair Bevans asked if an "appropriate" landscaping plan could be approved by Community Development to satisfy the Council.

Member Johnson stated that he believes that an “appropriate” landscaping plan is too vague. He likes specific numbers of trees and shrubs. He supports approving the variance amendment with the conditions outlined by the Community Development department.

Mayor Badeaux stated that he feels removing the advertisements is a Jedi mind trick, it's still an ice machine.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND STUNEK, DULY CARRIED, TO APPROVE THE VARIANCE FOR 1202 S 6TH STREET UNDER THE CONDITIONS THAT THE NEWLY PROPOSED AREA FOR LANDSCAPING SHALL REQUIRE ONE (1) SHRUB OR TWO (2) PERENNIALS BE PLANTED FOR EVERY FIVE (5) LINEAL FEET AND SHALL BE TWO (2) FEET TO FOUR (4) FEET IN HEIGHT; THE PROPERTY SHALL BE REQUIRED TO PLANT THREE (3) DECIDUOUS OVERSTORY TREES IN THE NEWLY PROPOSED LANDSCAPE AREA; STAFF MUST APPROVE A FINAL LANDSCAPE PLAN BEFORE INSTALLATION; ALL ADVERTISEMENT SIGNS SHALL BE REMOVED FROM THE SIDE METAL PANELING OF THE STRUCTURE. DIRECTION SIGNS CAN REMAIN.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO APPROVE THE AMENDMENTS TO THE CONDITIONAL USE PERMIT AS PRESENTED.

Adopt Resolution - Receive Feasibility Report and Call for Public Hearing - Improvement 22- 08 - South Brainerd Reconstruction Project

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND O'DAY TO ADOPT RESOLUTION RECEIVING THE FEASIBILITY REPORT AND SETTING THE PUBLIC HEARING FOR IMPROVEMENT 22-08 - SOUTH BRAINERD RECONSTRUCTION PROJECT ON DECEMBER 18TH, 2023 AT 7:30 PM.

RESOLUTION 52:23

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

Public Forum

The Chair opened the public forum at 8:29 p.m.

Mike Duval, 468 Tyrol Dr, stated that he would like the City Council to know that variances remain with a property including when they're redeveloped. The Planning Commission makes careful consideration of each variance that has been recommended.

The Chair closed the public forum at 8:30 p.m.

Staff Reports

Community Development Director Kramvik stated that at the next meeting the short-term rental ordinance will be considered by the City Council.

City Engineer/Public Works Director Dehn stated that the new holiday decorations have been hung up for display downtown.

Finance Director Hillman wished everyone a happy and safe Thanksgiving.

HRA Director Charpentier stated that he appreciates the dialogue for municipal consent to contribute to the Housing Trust Fund.

Interim City Administrator Wussow stated that he will be making slight changes to the order of things. If Council has any concerns or questions, please let him know.

Mayor's Report

Mayor Badeaux stated that the tree lighting ceremony will be on December 1st at 5:00 p.m. This event also kicks off the Window Walk Downtown.

Council Member Reports

Member Stunek stated that the Community Thanksgiving will be on Thursday, November 23rd. The dinner is hosted by the Elks, Eagles, VFW, and Brainerd American Legion and will serve around 1,500 people.

Member O'Day wished everyone a Happy Thanksgiving.

Member Czeczok wished everyone a Happy Thanksgiving and one month to winter.

Chair Bevans stated that he is bell ringing at the Baxter Cub on December 9th for the Salvation Army.

Adjourn

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND O'DAY, DULY CARRIED, TO ADJOURN THE MEETING.

The Chair adjourned the meeting at 8:35 p.m.

Patrick Wussow
Interim City Administrator

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TAC—1 term (Expires 2023)

Mayor Recommended: (terms to expire on 9/7 of said year)

EDA—1 term (Expires 2026)

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

Parking Commission—1 term (Expire 2026)

Adopt Resolution Establishing Sanitary and Storm Sewer Rates for 2024 and 2025

MOVED AND SECONDED BY COUNCIL MEMBERS TERRY AND STENGLEIN TO ADOPT RESOLUTION SETTING THE SANITARY RATES FOR 2024 AND 2025.

RESOLUTION 50:23

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

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND O'DAY TO ADOPT RESOLUTION SETTING THE STORM SEWER RATES FOR 2024 AND 2025.

RESOLUTION 51:23

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

Update on City Administrator Search Process

HR Director Schubert stated that the timeline for the hiring is ambitious but is needed if the new City Administrator is to be on board by March 1st. She pointed out the specials meetings that will need to be scheduled to choose candidates and conduct interviews.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND JOHNSON, DULY CARRIED, TO SCHEDULE A SPECIAL MEETING FOR JANUARY 16TH AT 5:30 P.M. IN CITY COUNCIL CHAMBERS TO SELECT CANDIDATES FOR THE CITY ADMINISTRATOR POSITION AND A SPECIAL MEETING ON JANUARY 29TH ALL DAY IN CITY COUNCIL CHAMBERS TO CONDUCT INTERVIEWS FOR THE CITY ADMINISTRATOR POSITION.

Discussion of County's Response to not Tax Brainerd Residents for their Airport Contribution

Interim City Administrator Wussow stated that staff followed up with the County Board. The recommendation is to reduce the City's levy by \$9,420.

Member Czeczok stated that he likes the idea, it is not exactly what he was thinking but would like to see it move forward. He mentioned the memo that he distributed about the County taking over control of the airport.

Member Johnson stated that the initial motion for a decrease in the City's levy and increase to the County will work for this year. He would like more information on what it looks like for the City if the County were to take over the airport. He is not prepared to discuss that matter tonight. He would also like to see the City give municipal consent for the City to contribute to the Housing Trust Fund.

Member O'Day stated that he agrees with the statements of Council Member Johnson. He would like more information on having the County take on the airport. He also agrees that municipal consent for the Housing Trust Fund is in the City's best interest as a community with the largest aging housing stock it would be helpful to be able to use some of those dollars.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND JOHNSON, DULY CARRIED, TO AGREE TO REDUCING THE CITY'S LEVY BY \$9,420 AND ALLOW THE COUNTY TO INCREASE THEIR LEVY BY THE SAME AMOUNT.

Interim City Administrator Wussow stated that the County Administrator and other Administrators will be meeting on the 7th of December regarding the Housing Trust Fund.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND STENGLEIN, DULY CARRIED, TO DIRECT STAFF TO CONFER WITH THE COUNTY ON THE POSSIBILITIES FOR OWNERSHIP OF THE AIRPORT AND MUNICIPAL CONSENT FOR THE HOUSING TRUST FUND.

New Business

November 20th, 2023

Consider Variance and Conditional Use Permit Amendment at 1202 S 6th St.

Community Development Director Kramvik gave an overview of the amendment to the variance and conditional use permit. The Planning Commission recommended a denial of the amendment to the variance and approval of the conditional use permit.

Member O'Day asked about what may happen if the Council **followed the Planning Commission's recommendation to** deny the variance.

Chair Bevans asked if the ice machine was being considered a building. He stated that it looks fine.

Mayor Badeaux asked whether there have been other conditions that have not been met for this property.

Community Development Director Kramvik stated that the owner would have to submit an acceptable plan for the building. The owner has stated that if the unit is screwed into, the unit will forfeit its manufacturer warranty. He stated that the original conditional use permit was for the small size a building. Finally, he stated that the owner has provided an escrow for the remaining landscaping and screening requirements.

Member Johnson asked for clarification on the motion. He stated that the ice machine will always be an ice machine. The owner does not have any practical difficulty, but it is not ever going to look good.

Member Stunek asked whether there have been complaints.

Community Development Director Kramvik stated that there have not been any complaints.

Member Stenglein clarified that during the Planning Commission they discussed that the situation was created by the landowner.

Mayor Badeaux stated that he supports the motion. He does not believe that the project would have been approved initially if the owner had presented the Council with the need for the siding to be exposed. He also stated that the building is nowhere near complete and yet the owner is still trying to make changes.

Member Czczok asked if the motion is voted down to deny the permit whether the Council would have to vote to approve a variance.

Community Development Director Kramvik stated that a determination does have to be made by the City Council.

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND O'DAY TO DENY THE VARIANCE FOR 1202 S 6TH STREET AS IT DOES NOT MEET THE REQUIREMENTS FOR A PRACTICAL DIFFICULTY, DUE TO THE FACT THAT THE ISSUE WAS CREATED BY THE LANDOWNER.

Upon roll call, Council Members, Terry, Stenglein, O'Day voted "aye". Council Members Stunek, Johnson, Czczok, and Bevans voted "nay". The Chair declared the motion failed.

Community Development Director Kramvik stated that he did provide the Planning Commission with conditions that they could require with an approval. He reviewed these with the Council.

Chair Bevans asked if an “appropriate” landscaping plan could be approved by Community Development to satisfy the Council.

Member Johnson stated that he believes that an “appropriate” landscaping plan is too vague. He likes specific numbers of trees and shrubs. He supports approving the variance amendment with the conditions outlined by the Community Development department.

Mayor Badeaux stated that he feels removing the advertisements is a Jedi mind trick, it's still an ice machine.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND STUNEK, DULY CARRIED, TO APPROVE THE VARIANCE FOR 1202 S 6TH STREET UNDER THE CONDITIONS THAT THE NEWLY PROPOSED AREA FOR LANDSCAPING SHALL REQUIRE ONE (1) SHRUB OR TWO (2) PERENNIALS BE PLANTED FOR EVERY FIVE (5) LINEAL FEET AND SHALL BE TWO (2) FEET TO FOUR (4) FEET IN HEIGHT; THE PROPERTY SHALL BE REQUIRED TO PLANT THREE (3) DECIDUOUS OVERSTORY TREES IN THE NEWLY PROPOSED LANDSCAPE AREA; STAFF MUST APPROVE A FINAL LANDSCAPE PLAN BEFORE INSTALLATION; ALL ADVERTISEMENT SIGNS SHALL BE REMOVED FROM THE SIDE METAL PANELING OF THE STRUCTURE. DIRECTION SIGNS CAN REMAIN.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO APPROVE THE AMENDMENTS TO THE CONDITIONAL USE PERMIT AS PRESENTED.

Adopt Resolution - Receive Feasibility Report and Call for Public Hearing - Improvement 22- 08 - South Brainerd Reconstruction Project

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND O'DAY TO ADOPT RESOLUTION RECEIVING THE FEASIBILITY REPORT AND SETTING THE PUBLIC HEARING FOR IMPROVEMENT 22-08 - SOUTH BRAINERD RECONSTRUCTION PROJECT ON DECEMBER 18TH, 2023 AT 7:30 PM.

RESOLUTION 52:23

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

Public Forum

The Chair opened the public forum at 8:29 p.m.

Mike Duval, 468 Tyrol Dr, stated that he would like the City Council to know that variances remain with a property including when they're redeveloped. The Planning Commission makes careful consideration of each variance that has been recommended.

The Chair closed the public forum at 8:30 p.m.

Staff Reports

Community Development Director Kramvik stated that at the next meeting the short-term rental ordinance will be considered by the City Council.

City Engineer/Public Works Director Dehn stated that the new holiday decorations have been hung up for display downtown.

Finance Director Hillman wished everyone a happy and safe Thanksgiving.

HRA Director Charpentier stated that he appreciates the dialogue for municipal consent to contribute to the Housing Trust Fund.

Interim City Administrator Wussow stated that he will be making slight changes to the order of things. If Council has any concerns or questions, please let him know.

Mayor's Report

Mayor Badeaux stated that the tree lighting ceremony will be on December 1st at 5:00 p.m. This event also kicks off the Window Walk Downtown.

Council Member Reports

Member Stunek stated that the Community Thanksgiving will be on Thursday, November 23rd. The dinner is hosted by the Elks, Eagles, VFW, and Brainerd American Legion and will serve around 1,500 people.

Member O'Day wished everyone a Happy Thanksgiving.

Member Czczok wished everyone a Happy Thanksgiving and one month to winter.

Chair Bevans stated that he is bell ringing at the Baxter Cub on December 9th for the Salvation Army.

Adjourn

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND O'DAY, DULY CARRIED, TO ADJOURN THE MEETING.

The Chair adjourned the meeting at 8:35 p.m.

Patrick Wussow
Interim City Administrator

FALCON MECHANICAL INC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
190 3RD ST S	Plumbing Contractor	Active	PC738463	12/31/2023	2023-0043	12/31/2023
Total Licensees						1

Population: All Records
Licensee.DateRegistered Between 11/15/2023 12:00:00 AM AND 11/30/2023 12:00:00 AM

**2024 LICENSE RENEWALS
DECEMBER 4, 2023 COUNCIL**

GARBAGE LICENSE - 4 R

Garrison Disposal dba Nisswa Sanitation
PO Box 780
Nisswa, MN 56468

Waste Partners, Inc.
2928 State Hwy 371
Pine River, MN 56474

TOBACCO LICENSES - 14 I

S & R Quisberg, Inc. dba Brainerd Cub Foods
417 8th Ave NE
Brainerd, MN 56401

Cornerstone Liquor
817 Washington Street
Brainerd, MN 56401

Northdale Oil Inc
421 NE Washington Street
Brainerd, MN 56401

Tobacco Den
633 Washington Street NE
Brainerd, MN 56401

Casey's General Store
850 Lum Park Road
Brainerd, MN 56401

Mid-Town Depot
321 Washington Street
Brainerd MN 56401

Cashwise Liquor
513 B Street NE
Brainerd, MN 56401

Casey's #4264
3325 Oak Street
Brainerd, MN 56401

SECOND HAND GOODS LICENS

United Gold & Silver
702 W Washington Street
Brainerd, MN 56401

EL Menk Jewelers
623 Laurel Street
Brainerd MN 56401

TAXI CAB LICENSES - 2 R

Brainerd Area Taxi
709 Charles Street
Brainerd MN, 56401

Grab-A-Cab
422 Charles Street
Brainerd, MN 56401

Midway Auto
10 E Washington Street
Brainerd, MN 56401

Motors-N-More
510 10th Ave NE
Brainerd, MN 56401

SECOND HAND AUTO LICENSE

Brainerd Sports & Marine
13377 State Hwy 25
Brainerd, MN 56401

Eclipse Automotive
210 NW 5th Street
Brainerd MN 56401

Contingent Upon Inspection by

Yesterday's Gone
219 S 9th Street
Brainerd, MN 56401

T & B Pawn & Gun Inc.
515 Washington Street
Brainerd, MN 56401

Auto Import
22 Washington Street
Brainerd, MN 56401

TOBACCO LICENSES - 3 R

Shep's on 6th
315 S 6th Street
Brainerd MN 56401

PAWNBROKERS LICENSE - 1

Iron Hills Gun & Pawn Inc.
704 Front Street
Brainerd, MN 56401

SECOND HAND AUTO LICENSE

EWALS

CIL MEETING

ENEWALS

Waste Management of Brainerd
7968 Industrial Park Road
Baxter, MN 56425

Pequot Lakes Sanitation
PO Box 639
Pequot Lakes MN 56401

RENEWALS

HA Smokey's Tobacco
706 Washington Street
Brainerd, MN 56401

Vapor North
328 Washington Street
Brainerd, MN 56401

Save Liquor
701 Industrial Park Rd SW
Brainerd, MN 56401

Walgreens #05635
340 W Washington St
Brainerd MN 56401

Mill Ave Liquor
1424 Mill Avenue NE
Brainerd, MN 56401

Holiday Stationstores, Inc.
424 South 6th Street
Brainerd, MN 56401

SE - 3 RENEWALS

Bridge of Harmony
216 S 7th Street
Brainerd MN 56401

RENEWALS

ES - 6 RENEWALS

Tanner Motors
620 W Washington St
Brainerd, MN 56401

Tanner Nissan
620 W Washington St
Brainerd, MN 56401

the Fire Department

RENEWALS

Mill Avenue Holiday
1500 Mill Avenue
Brainerd, MN 56401

2 RENEWALS

ES - 1 RENEWAL



Recreation Report

Recreation Specialist Hiring Update

- We received 13 total applicants in the 2 week period of the position advertisement.
- 7 candidates were selected for interviews on Monday, November 27th. Dependent on the results of those interviews, a candidate selection and job offer may be sent later in the week.
- Staff is still hopeful to have the position filled and the new Recreation Specialist start by the end of the year.

Winter Activities/Sports

- Youth Pond Hockey
 - The YMCA has opened the registration for Youth Pond Hockey.
 - Registration can be done online and the cost is \$60 per registrant.
 - Adult Pond Hockey
 - Registration has not yet opened up for this activity.
 - Warming House Attendants
 - Staff is finalizing the position advertisement and will be opening the position for applicants shortly.
 - As an additional benefit of the position, YMCA is offering free membership during the employment period.
-

Parks Maintenance Report

- Returned straw bales and pumpkins to Boysnberry Farm
- Assisting with irrigation contractor at LPW
- Swept out cold storage building
- Getting estimates for Lum concrete
- Replaced lightbulbs and ballasts in cold storage
- Cleaning out perishables from Memorial concessions building
- Freezing outdated stock
- Refitting X-750 for winter operations including cab, blower and heater
- Winterizing summer equipment
- Set out all hockey boards for inspection by Becker Ice
- Removed tennis nets
- Spreading aggregate on Jaycees pony field
- Storing bases and protectors
- Cleaning and storing garbage truck
- Removed boat dock and pier
- Storing hockey boards and preparing to ship if needed
- Finished preparing downtown wreaths
- Picked up leftover construction materials from Jaycees
- Putting picnic tables away

- Moving summer equipment to cold storage
- Put basketball stantions in cold storage
- Removed pickleball nets from Memorial
- Pulling flowers from downtown urns
- Getting estimate and completed sandblasting at Bane
- Pricing and purchased snow blower
- Turning off electricity at closed facilities
- Fixing lights on Gregory rink
- Hung brackets and wreaths for downtown
- Put cab and blower on John Deere
- Disc golf yardage sign replaced at Lum
- Electrical box replaced at Memorial
- Picked up winter banners for downtown
- Maintenance on skid steer forks
- Made new gate boards for Bane hockey rink
- Replaced cut electrical line at Gregory rink lights
- Trimming trees
- Put hose reel in new vehicle
- Made shovel rack
- Purchased new lights for City Hall Christmas tree
- Disc golf at Memorial is ready for baskets and tee boxes
- Detailed cleaning on trucks and skid steer
- Fixed protective netting for scoreboards at Memorial fields
- Hauled scrap metal to recycling
- Repainted spots on Bane hockey rink and checked all lights
- Installed backflow preventer at Lum campground
- Had RPZ tested at Gregory
- Put up new American flags for downtown area
- Removed old sign and installed new Lum Park sign
- Erected new sign board for Lum boat landing
- Chipping brush from new disc golf course
- Hung downtown swags
- Finished fixing and testing City Hall Christmas tree
- Moved dumpster from old shop to new location
- Assembling new picnic tables

Projects Report

Lyman P. White Park Project

The project is complete and the contractor has completed all remaining completion items. The project is now ready for final acceptance and to begin the warranty period.

Parks ARPA Projects

Staff has provided Widseth with the comments received from the Park Board. Widseth is continuing work on plan prep to finalize a bid set for advertisement. Once plans are in final draft, staff will be presenting the plans to the Park Board and requesting authorization to bid the projects. It is expected that work will take place through spring and summer 2024.

Buster Park Pavilion

Staff has reviewed and approved engineering drawings and the pavilion is now heading for fabrication. It will take several weeks to fabricate before it can be installed. Staff will be waiting until spring for installation.

Memorial Park Disc Golf Course

The disc golf group is working on determining tee and hole locations to get accurate yardages before materials are ordered. It will be likely that completion won't occur until spring 2024.

Streets Maintenance Report

Maintenance Tasks Completed Month Prior

- Sewer inspection on Beech Street
- Marking utility locates
- Salt/sand spreading after icing
- Began brushing and tree trimming throughout the city
- Grading alleys and gravel roads
- Swapped storm sewer castings downtown for winter season
- Located sanitary sewer service on Gillis
- Hauling leaves from locations to the pit
- Hydrovac'd rain gardens in South Brainerd
- Installed traffic control for Thanksgiving special event closures
- Finished street sweeping throughout the city
- Replacing miscellaneous street signage
- Outfitting all dump trucks and graders for winter operations
- Repairing dump truck door damage caused by MnDOT truck

Engineering Report

North Brainerd Reconstruction Project

Most of the construction on the project is completed. Final turf establishment will be addressed in spring 2024.

TH 25 Bridge Replacement over BNSF Railway

The bridge is open to traffic and the detour is removed. Trail work on the west side of the bridge is incomplete and planned for completion in spring 2024.

Graydon Avenue Outfall Repair Project

Final turf establishment has been achieved and staff is ready to process a final pay request.

S. 6th/Willow Roundabout Project

We have received comments from MnDOT Central Office on the first draft of the layout. SEH and Staff will continue to engage MnDOT regarding considerations for business accesses. SEH has completed traffic volume counts and is scheduled to begin taking soil borings for environmental documentation. Staff has been meeting with Hanneken Insurance directly to discuss accesses to their property. There will be a Public Open House to gather public comment on the project on Wednesday, December 13th at 6 p.m. at City Hall.

SW 4th Street Storm Outfall Project

The contractor has completed the permanent repairs on this project, including seeding and tree planting. Staff will monitor the site for stability until final turf establishment can be evaluated in Spring 2024.

Buffalo Hills Gully Remediation Project

Contracts have been executed with the Contractor. Staff is completing agreements with SEH before a pre-construction meeting will be scheduled. The Contractor has indicated that they would like to begin work as soon as feasible with completion in the spring of 2024.

Other Activities

- Continued design of Beech Street Reconstruction project
- Reviewed Erosion and Sediment Control plan for proposed developments
- Sent messages out for soil erosion control issues
- Continued surveying of upcoming construction projects on Wright/10th, Evergreen/Bluff, Beech/Oakridge
- Completing design of South Brainerd Reconstruction project
- Mailed letters to South Brainerd Reconstruction project residents adjacent to the S. 7th alley regarding resurfacing possibility
- Attended APWA-MN Fall Conference including presentation on the Lyman P. White Park project
- Prepared SRTS Letter of Intent for Lowell Elementary
- Reviewed and commented on draft alignment for watermain replacement on TH 210 Reconstruction
- Reviewed and commented on Lyman P. White Streambank Restoration plan drawings
- Participated in weekly check-in meetings for TH 371B/Willow Street Roundabout Project
- Participated on Subcommittee for Region 5 TAC regarding STBGP Equity
- Reviewed Country Manor development site and utility plans
- Met with potential developers regarding various possible residential home developments
- Interviewed candidates for Public Works Administrative Specialist position
- Met with SRF regarding funding opportunities for the TH 210/Lum Park Pedestrian Bridge project
- Met with Oak Lawn Township to discuss the upcoming backhoe replacement
- Observed tree clearing issues at BIC property and met with owner regarding the next steps
- Assisted with PD HVAC replacement project pre-bid walkthrough
- Met with MnDNR to discuss Cuyuna Lakes State Trail funding and splits
- Met with MnDOT District 3 Engineer to discuss TH 210/Lum Park Ped Bridge and 6th/Willow Roundabout
- Registered for 2024 CEAM conference
- Collected information on costs for recent emergency repairs on the sanitary and storm sewer system
- Reached out to building owners regarding downtown holiday cables
- Held Public Works staff bowling party on 11/21
- Discussed Buffalo Hills Gully project and concerns with the low bidding contractor
- Sent clarifications to questions regarding the Street Pavement Evaluation request for proposals
- Requested Letter of Support from the MN Mississippi River Parkway Commission for the TH 210/Lum Park Pedestrian Bridge
- Sent out a column for the LMC Magazine regarding the recently implemented Micromobility ordinance
- Reviewed Engineering permit fees for the Proposed Fee Schedule

Transit Report

Activities

- The call answered percentages are at an average of 96% recently, which is well above the expected rate of 85% answered.
- Customer Service, professionalism, fleet maintenance and accuracy continue to be top priorities for 3PC.
- Discussed cooperative agreements with Crow Wing County and City of Baxter
- Received final Comprehensive Review report from MnDOT with recommendations and action items
- Bi-Weekly meetings and training sessions with Blue Sky's Manager.
- Continued work on monthly reporting and reviewing 3PC and maintenance invoices.
- Received the fully executed operating contract from MnDOT for the 2024 year.
- Coordinating with MnDOT OTAT regarding Indirect Costs for the transit program including providing information and clarifications.
- Ridership Reporting for October 2023
 - Year To Date
 - 1/1/22-10/31/22 = 44,494
 - 1/1/23-10/31/23 = 40,133 (-4,361)
 - October Only
 - October 2022 = 4,484
 - October 2023 = 2,884 (-1,693)
 - September 2023 vs. October 2023
 - September 2023 = 2,815
 - Brainerd-origin = 2,040
 - Baxter-origin = 446
 - CWC = 329 (*service changes effective 9/11*)
 - October 2023 = 2,884 (+69)
 - Brainerd-origin = 2,132 (+92)
 - Baxter-origin = 499 (+53)
 - CWC = 253 (-76)
 - 27 New Customers in October
 - Likely reasons for declines in October 2023 vs. 2022
 - Loss of Pine River effective 7/14
 - Brainerd fare increase from \$1.25 (2022) to \$2.25 (June 2023) to \$3.00 (8/21/23)
 - Baxter fare increase from \$2.25 (2022) to \$7.00 (2023)
 - Crow Wing County service changes and fare increase effective September 11, 2023



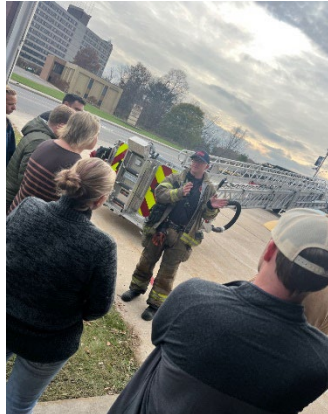
Brainerd Fire Department Monthly Report

November 2023

ACTIVITIES AND PUBLIC EDUCATION



Brainerd Fire Department hosted the Brainerd Lakes Chamber of Commerce Leadership Academy. Participants were given the opportunity to immerse themselves in the world of firefighting, donning turnout gear, participating in a station of our testing process, and going up in the bucket of Tower 20. This hands-on engagement provides valuable insights into the challenges and responsibilities of the fire service, fostering a deeper understanding and appreciation for the vital role played by the Fire Department in the community.



Firefighters assisted in delivering Thanksgiving meals from the Brainerd American Legion. Additionally, Tower 20 was stationed at the Toys for Tots collection point on the day after Thanksgiving.



North Ambulance approached us about their new ambulance deployment plan for the Brainerd Region. The plan includes North Ambulance staging an ambulance at Station #2 during times when they have all their crews in town and all other areas have full staging. This plan moves one of their ambulances from their station in Baxter and allows them to better serve the area around Station #2 and their northern areas. This allows for increased response times when they are there and to better serve areas north that are also within Brainerd Fire Department's response area. The crews will have access to the station for the next 2-3 months to see how the arrangement works for us and them. We will closely monitor the usage and make sure it is not interfering with our day-to-day operations.

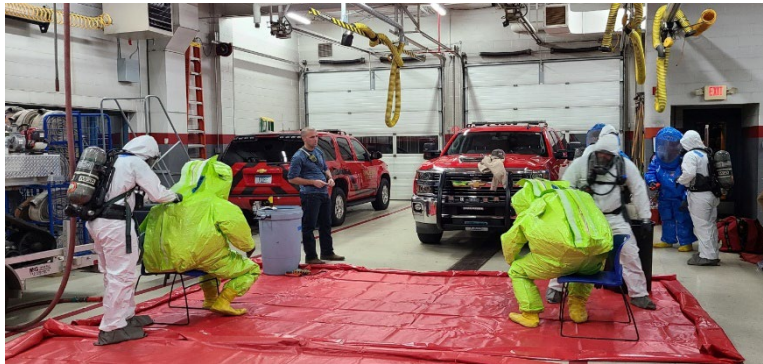


Brainerd Fire Department Monthly Report

November 2023

TRAINING

Brainerd Fire Department, collaborating with Crosslake Fire Department, jointly hosted the Community Wildfire Protection Plan (CWPP) simulation and tabletop exercise. This inclusive exercise involved various public safety partners and stakeholders, contributing to a robust planning process for CWPP and enhancing community resilience in the face of potential wildfires.



Firefighter training included EMS Patient Movement and Loading, North AirCare Landing Zone Safety, and a comprehensive review of procedures to handle hazardous materials commonly found in the community.

INSPECTIONS

Fire Alarm	10
Hood Suppression	17
Knox Box Install Inspection	2
License Inspection	17
Safety Inspection	2
Sprinkler System	25

BRAINERD FIRE COVERAGE AREA INCIDENT REPORT

Type of NFIRS Incident (National Fire Incident Reporting System)	Coverage Area Total Incidents (Includes City of Brainerd)
Fire	8
Rescue & Emergency Medical Service	6
Hazardous Condition	2
Service Calls	12
Good Intent Call	10
Alarm Activation	18
Severe Weather	0
TOTAL	56
Type of NFIRS Incident (National Fire Incident Reporting System)	City of Brainerd Total Incidents
Fire	3
Rescue & Emergency Medical Service	3
Hazardous Condition	1
Service Calls	7
Good Intent Call	5
Alarm Activation	10
Severe Weather	0
TOTAL	29



HR DIRECTOR REPORT

In this report:

- Classification and Compensation Study
- 2024 Open Enrollment
- Union Negotiations
- Employee Policy Manual (EPM) Update
- Personnel
- Wellness Committee

Classification and Compensation Study

Flaherty & Hood (FH) has begun the Job Evaluation Points Review Process. HR staff distributed an email to Staff on November 15th with instructions regarding the process. Job Points Review Process Forms were accepted through the end of the day on Wednesday, November 22, 2023. Meetings will be scheduled with employees to review their appeals. This process needs to be finalized before the updated points are presented to the Council for approval and so we can resubmit our pay equity report.

2024 Open Enrollment

Our 2024 open enrollment came to a close on November 14th. All employees have elected their benefits and will see those adjustments starting January 1st. We want to thank all employees for completing this in a timely manner. The 2024 health insurance election forms will be distributed to the Mayor and Council and BPU Commission members after the Council determines the 2024 Council and BPU Commission health insurance options and premium split.

Union Negotiations

Negotiations are continuing with the IBEW Public Utility and Administrative Support Unions as well as the IUOE Street Union. More sessions are scheduled throughout December. Proposed 2023 wages have been presented to the IBEW Union for our four new positions. The IBEW Union has not accepted those wages at this time. Memorandums of Agreement will be presented to the Council when an agreement is reached.

EPM Update

Our employment law attorney is continuing to review our Employee Policy Manual (EPM) to make necessary revisions to comply with the 2023 Legislative law changes. We are planning to present a draft of the revised EPM to the City Council on December 18th.

Personnel

New Hires/Promotions for City/BPU/HRA:

Mitch Lachelt - Electric Distribution Supervisor (11/7)
Ryan Miller - Lineworker (9/27)
Allyson Timmons - Police Records Management Lead (11/21)
Jon Unger - Community Service Officer (12/4)

Farewell to:

Taylor Lokhorst - Street and Sewer Maintenance I (12/5)
Elaine Kraemer - Admin II Fire Dept. (12/15)
Bradley Holtz - Mechanic/Hydro Relief (12/31)

Current Job Opportunities:

Administrative Specialist II - Fire Department
Interviews are scheduled for first week of December

Police Records Management Technician - Accepting applications through 12/5.

Journey Electrical Lineworker - Accepting applications through 12/8.

Maintenance I Street & Sewer Division - Accepting applications through 12/5.

Recreation Specialist - Interviews took place the last week of November and will have a decision soon.

City Administrator -- First review begins 12/31/23.

Part-time/Internships/Seasonal Positions:

HRA Maintenance Specialist - Open until filled.

Warming House Attendants - Accepting applications until all openings are filled.

There are currently 8 City/HRA/Airport employees with Family & Medical Leave Act (FMLA) issues. 6 of those cases are for intermittent leave when needed.

Wellness Committee

On November 16th, the Wellness Committee organized our annual Chili/Soup Cookoff. This year the theme was CLUE. Each chili/soup that was entered had its own name/special ingredient/and department name that went along with the board game clue. The object of the game was to guess all three items to get your name in a drawing. The 2023 winner was **"Aryn Harbard with the Asphyxiating Gas in the Landlord's Quarters"** which was Ryan Barnett from the HRA with a special ingredient of "smoke". We want to thank all that participated and a special thank you to Mandy Selisker, Shawn Middagh and Toni Gage for putting this together!



City Council Agenda Request

MEETING DATE: December 4, 2023

TITLE OF ITEM: Approval of Transfers of Funds

AGENDA: Consent

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Connie Hillman, Finance Director

DEPARTMENT: Finance

PRESENTER:

ESTIMATED TIME (MIN): N/A

SUMMARY OF ISSUE:

Transfer From	Transfer To	Amount
Public Safety Fund (225)	Fire Capital Fund (Per FAB Agreements) (404)	\$120,331

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION:

FINANCIAL IMPACT:



Communities LEAP (Local Energy Action Program) Cohort 2

The U.S. Department of Energy's (DOE) Communities LEAP (Local Energy Action Program) partners with low income, energy-burdened communities that experience environmental justice challenges and/or direct economic impacts from reducing their historical reliance on fossil fuels to build community-driven action plans for clean energy-related economic development.

Communities LEAP reflects the Biden-Harris Administration's commitment to combat climate change through community-led transitions that decarbonize the economy and build a more equitable and sustainable future.

Opportunities and benefits from the transition to net zero emissions include:

-  Lower local air pollution
-  High-quality, local jobs
-  Lower utility costs and energy burden
-  Enhanced economic productivity
-  Improved access to reliable energy
-  New clean energy supply chain demonstration and manufacturing opportunities

Planning for a Cleaner Future

Through Communities LEAP, DOE provides customized, high quality technical assistance to competitively selected communities to advance approaches for clean energy-related economic development. In each community, coalitions of local partners, including at least one local government partner and one community-based organization, contribute to project oversight and delivery. The National Renewable Energy Laboratory (NREL) is the primary technical assistance provider, delivering technical expertise and supporting community engagement, as well as managing the overall network of TA providers.

“



Communities LEAP has been an invaluable opportunity for Louisville. It has supported us with experts who really care, provided customized approaches to our unique challenges, and facilitated stronger relationships with important community partners.

What's more, our Communities LEAP project managers have proactively helped us identify aligned funding opportunities to build on this work. Communities LEAP is an important catalyst for Louisville's equitable clean energy transition!”

Sumedha Rao,
Executive Director of the Mayor's
Office of Sustainability, Louisville Metro

Many Approaches to a Community Energy Transition

Communities are pursuing various approaches toward clean energy-related economic development, and communities are encouraged to explore integrating multiple approaches to increase community benefits:

- Advanced Nuclear Technology and Support for Existing Reactors
- Carbon Capture and Storage
- Clean Energy Planning and Development
- Clean Transportation Planning and Investment
- Community Resilience Microgrids
- Critical Minerals Resource Potential from Energy Wastes and By-products
- Energy Efficient Buildings and Beneficial Electrification Planning and Investment
- New or Enhanced Manufacturing
- Puerto Rico Community Resilience

Participants may also strategize plans to leverage funding or financing opportunities in collaboration with the public, private, and philanthropic sectors.

Cohort 2 is Now Accepting Applications

Application Deadline: Dec. 14, 2023, at 5 p.m. ET

Learn more, register for informational webinars, and apply at: energy.gov/communitiesLEAP



For more information, visit energy.gov/communitiesLEAP
or email CommunitiesLEAPinfo@hq.doe.gov

Produced for the U.S. Department of Energy by the
National Renewable Energy Laboratory (NREL).
DOE/GO-102023-6071 • September 2023

November 27, 2023

Region Five Development Commission (R5DC)
Cheryal Lee Hills, Executive Director
200 1st Street NE, Suite 2
Staples, MN 56479

Dear Ms. Hills:

The City of Brainerd is pleased to be an engaged stakeholder in the Region Five Development Commission request for Local Energy Action Plan technical assistance entitled, **“2040: A Brainerd Odyssey, Path to Resiliency.”** In order to achieve the shared vision to increase local resiliency, expand clean energy economic development, and improve the quality of life for our low-income neighbors, a significant partnership is needed to create and implement an Action Plan, and we are one of the critical community partners. This proposal aligns with our mission as a city to work along side Brainerd Public Utilities and provide our residents with safe, reliable, environmentally friendly electric, water and sewer services at the lowest reasonable cost.

As a Community Partner, we are committed to helping develop the Local Energy Action Plan, actively participating throughout the 12-18 month planning process, as well as during project execution. Our organization is uniquely positioned to assist in developing and implementing the local clean energy transition plan through identifying infrastructure needs and relevant projects that may contribute towards establishing a more resilient energy plan for the Brainerd community. We are further committed as a Community Member in reducing our own energy consumption and look forward to learning more during this process about available options.

Technical expertise from the National Renewable Energy Lab is essential to our rural community's success. We support DOE's investment in Brainerd. Together, we have the power to achieve this important vision in Region Five and continue building our resilient region.

Many thanks,

Dave Badeaux
Mayor
City of Brainerd

THE Center

November 29, 2023

Dear Brainerd City Council, Mayor and City Administrator,

Enclosed you will find requested information in response to our agreement with the City of Brainerd. The Center's Board of Directors has employed an executive director. The Director has maintained over fifty-four activities, programs and events weekly for individuals age 45 and up.

Funding that was received from the City of Brainerd from January 1, 2023, through September 30, 2023, is \$70,378. Our monthly financials are two months prior so numbers are calculated through the end of September 2023. September Financials are attached. Total Center income for that same time frame was \$304,528. Income includes: room rents, Gift Shop sales, donut sales, greeting card sales, entertainment fundraising events, rummage sale, monthly silent auctions, monthly dinners, newsletter ads, bake sales, plant sale, office and apartment rents, gambling donations: bingo events and raffles, other city, businesses and individual's donations. Expenses for that same time frame, were \$303,307. Expenses include; gas, electric, water, office supplies, insurance, elevator, phone, internet, fire protection, pest control, cleaning supplies, and miscellaneous supplies. The Center fundraises over 70% of our income!!

The following page provides number breakdowns of programs, activities and events, that happen at The Center because of financial support from the City of Brainerd. The number of attendees for each activity, event and program are listed from January 1, 2023 to November 17, 2023. Log in sheets are in every room of The Center. Coordinators of activities beyond The Center provide numbers following their programs.

In addition to our day to day operations, how do the members of The Center give back to the residents of the City of Brainerd and the lakes area? We give back by coordinating free bandstand concerts Thursday evenings from first Thursday in June to the last Thursday of August. Our Toy Makers Group also provides wooden toys and cloth dolls that are given to children in crisis. And our Prayer Quilt group makes quilts that are given to individuals of all ages who have serious medical conditions. The Center's Choir is excited to be performing at senior apartment buildings, assisted living, memory care and nursing facilities.

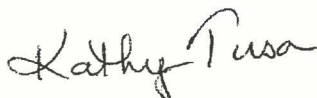
The 2024 Budget is attached also. It was approved at The Center's Annual Meeting that was held on Thursday, November 16, 1 pm.

We cannot thank you enough for the support The Center receives from the City of Brainerd. We look forward to continuing our mission of supporting individuals age 45 and up within City of Brainerd and the lakes area.

Sincerely,



DeAnn Barry
Executive Director



Kathy Tusa
President of the Board of Directors

2023 Programs, Activities, & Event Numbers According to Areas

Health & Wellness

Workout Rooms	797
Bone Builders	1,338
Chair Yoga	138
Line Dancing	249
Walking Group	184
Band & Dancing	1,806
Pickleball	325
Tennis	307
Zumba Gold	56
Golf	60
Belly Dancing	<u>8</u>
Total:	5,268

Art

Watercolor	23
Open Craft	33
Rosemaling	159
Wood Carving	190
Card Recycling	552
Fabric Art	<u>370</u>
Total:	1,327

Mental Health

Dementia Care Givers	55
L& L Depression	<u>15</u>
Total:	70

Exercise Your Mind

Bridge	505
Cribbage	572
500 Cards	535
Whist	208
Scrabble	200
Dominos	92
Pinochle	117
Hand & Foot	157
Billiards	460
Mahjong	<u>897</u>
Total:	3,743

Educational

Lunch & Learns: not on depression	165
Great Decisions	152
AARP Smart Drivers	<u>198</u>
Total:	515

Entertainment

Platinum Players (rehearsals)	67
The Center's Choir (rehearsals)	180
Movie Matinee	138
2nd Monday Dinners	517
Performance in Gregory Park	<u>1,918</u>
Total:	2,820

Multi-Generational

Bingo	2,026
Donut eating	378
Gingerbread House Making	coming up
"Let's Play" Pilot Program	<u>12</u>
Total:	2,416

Giving Back to Brainerd & the Community:

Toy Makers	269
Prayer Quilters	189
Platinum Players actors	13
The Center's Choir Performances	198
Performed 22 times	
Legal Aid	33
Chamber Business After Hours	130
Ageless Expo	<u>155</u>
Total:	987

Total for 2023 January 1 to November 15, 2023

Number of individual users for 2023 17,146

The Center
Proposed Budget for 2024

Revenue

Activities Income	173,000.00
Flow Through Income	21,700.00
Newsletter Advertising Revenue	18,000.00
Tower and LSS Fees	40,600.00
Gambling Donations	8,500.00
City Funding and Donations	114,600.00
Donations and Memberships	30,000.00

Total Revenue	406,400.00
---------------	------------

Disbursements

Payroll Costs	159,202.00
Operating Expenses	9,700.00
Office Expenses	37,843.00
Maintenance	19,600.00
Utilities	51,700.00
Newsletter Costs	26,000.00
Activities Costs	58,900.00
Costs to offset Flow through revenue	20,700.00
Depreciation	53,000.00

Total Disbursements	436,644.80
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Net Operating Revenue (Loss)	(30,244.80)
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Other Revenue

Toymakers	2,000.00
Bandstand project	9,500.00
Brick Building Rent	12,000.00
Quilters	5,040.00

Total other revenue	28,540.00
---------------------	-----------

Other Expenses

Toymakers Expense	1,000.00
Bandstand project	8,200.00
Brick Bldg Expense	7,500.00
Quilters	4,000.00

Total other expense	21,700.00
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Net Other	6,840.00
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Net Income, (Loss)	(23,404.80)
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Non-cash depreciation add back	53,000.00
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Net cash increase	29,595.20
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Lakes Area Senior Activity Center
Statement of Financial Position
As of September 30, 2023

Accrual Basis

	Sep 30, 23
ASSETS	
Current Assets	
Checking/Savings	
Cash - Unrestricted	
1101 · Cash on Hand	200.00
1102 · Petty Cash	222.00
1120 · Bremer Checking 4117	232,343.05
1150 · Reserve for Facilities #2412	153,956.26
1160 · Brick Store-Security Dep #1825	1,053.79
Cash - Unrestricted - Other	4,860.12
Total Cash - Unrestricted	392,635.22
Investments	
1170.5 · Endowment Fund-Brd Comm Fnd	462,958.03
Total Investments	462,958.03
Total Checking/Savings	855,593.25
Total Current Assets	855,593.25
Fixed Assets	
1200 · Fixed Assets	18,475.13
1210 · Donated Building	456,986.20
1230 · Kitchen Renovation 2005	25,874.11
1240 · Tower Windows 2005	31,620.00
1250 · Accumulated Depreciation	-779,386.96
1606 · Center Windows & Sidewalk	125,270.26
1646 · Equipment	87,955.14
1655 · Furniture & Fixtures	56,386.44
1681 · 817 Kingwood Parking Lot	50,087.48
1682 · North 9th Parking Lot	144,618.00
1683 · Elevator	138,989.02
1684 · Brick Store	76,910.15
Total Fixed Assets	433,784.97
TOTAL ASSETS	1,289,378.22
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
2100 · Payroll Liabilities	
2100.1 · SIMPLE Payable-Employer	307.16
2100.2 · SIMPLE Payable-Employee	6,149.24
2205 · Federal W/H Tax Payable	636.00
2210 · Social Security W/H Tax Payable	1,207.80
2212 · Medicare W/H Tax Payable	282.46
2415 · SUTA Payable	121.83
2420 · State W/H Tax Payable	385.00
Total 2100 · Payroll Liabilities	9,089.49
2200 · Employee Health Ins Pay	2,359.93
2450 · Brick Building Security Deposit	880.13
Total Other Current Liabilities	12,329.55
Total Current Liabilities	12,329.55
Total Liabilities	12,329.55
Equity	
1110 · Retained Earnings	880,630.58
3200 · Unrestricted	387,420.68
Net Income	8,997.41
Total Equity	1,277,048.67
TOTAL LIABILITIES & EQUITY	1,289,378.22

Lakes Area Senior Activity Center
Statement of Activities
September 2023

Accrual Basis

	Sep 23	Jan - Sep 23
Ordinary Income/Expense		
Income		
REVENUE - PROGRAMS, PROJECTS		
4113 · Interest Income - All Acct	0.00	1,467.38
4116 · Meeting Room Income	135.00	1,520.00
4117.1 · Legacy Fund.	450.00	11,070.00
4119 · Gift Shop Income	373.53	3,668.66
4120 · Donut Income	8,366.53	76,754.06
4124 · Greeting Cards Income	189.00	1,957.50
4127 · Miscellaneous Income	0.00	1,941.26
4128 · Activity/Event Income	234.29	4,671.04
4128.1 · Ageless Expo	360.00	1,910.00
4130 · Rummage/Silent Auction Sales	3,790.35	9,570.85
4134 · Fundraising Meals	432.00	4,417.00
4140 · Defensive Driving Income	250.00	3,490.00
4170 · Newsletter Ads	0.00	12,968.00
4180 · Bake Sale	20.00	894.80
4181 · Plant Sale	0.00	23,985.92
4192 · Tower User Fees	557.60	7,123.79
4193 · LSS Dining User Fees	2,000.00	18,000.00
Total REVENUE - PROGRAMS, PROJECTS	17,158.30	185,410.26
SUPPORT (DONATIONS)		
4020 · Gambling	0.00	6,083.00
4106 · City of Baxter	0.00	19,600.00
4110 · City of Brainerd	7,819.75	70,377.75
4117 · Donations Income	556.00	3,457.00
4118 · Memberships Income	1,980.00	19,600.00
Total SUPPORT (DONATIONS)	10,355.75	119,117.75
Total Income	27,514.05	304,528.01
Gross Profit	27,514.05	304,528.01
Expense		
OFFICE & BUILDING		
5530 Bank Charges Expense	0.00	18.00
Total OFFICE & BUILDING	0.00	18.00
PERSONNEL		
5200 · Wages & Salaries	9,740.30	90,813.37
5216 · SUTA Expense	53.76	46.93
5226 · SIMPLE-Employer Match	0.00	647.18
5230 · Medicare Expense	141.23	1,316.79
5231 · Social Security Expense	603.90	5,630.43
Total PERSONNEL	10,539.19	98,454.70
5237 · CPA	120.00	2,450.00
5239 · Tax Prep	0.00	1,320.00
5240 · Income Tax - 990T	-227.00	733.00
5270 · Travel/Seminar	0.00	372.76
5271 · Dues/Subscriptions	200.00	1,326.00
5320 · Office Supplies	558.50	2,971.40
5322 · Cleaning Supplies	38.28	1,503.20
5323.1 · Trash Removal	273.50	2,426.97
5323.2 · Elevator Maintenance	1,166.89	3,500.67
5323.3 · Pest Control	66.00	462.00
5323.5 · Fire Protection	0.00	1,758.88
5323.6 · Water Softner Service	0.00	0.00
5330 · Telephone	242.38	2,977.51
5331 · Cable TV	160.44	618.42
5340 · Postage	0.00	73.20

These financial statements were not subjected to an audit, review, or compilation engagement.

Lakes Area Senior Activity Center Statement of Activities

September 2023

Accrual Basis

	Sep 23	Jan - Sep 23
5350 · Electric Water	2,623.66	18,399.16
5351 · Gas	1,422.00	16,447.03
5361 · Printing	0.00	53.85
5370 · Newsletter Printing	2,028.25	17,545.30
5370.1 · Newsletter Mailing	660.68	5,389.15
5375 · Marketing Expense	816.00	5,214.76
5410 · Miscellaneous	0.00	58.00
5509 · Equipment Repairs	2.99	6,984.60
5510 · Repairs & Maintenance-Building	307.47	11,538.04
5620 · Insurance - Bldg & Liab.	2,610.14	13,543.18
5631 · Kitchen	371.59	1,625.47
5650 · Activity	130.17	4,757.48
5650.1 · Ageless Expo	0.00	750.00
5651 · Plant Sale	0.00	2,666.39
5660 · Donut	5,198.57	31,698.15
5665 · Greeting Cards	157.25	980.96
5670 · Defensive Driving	185.00	3,700.00
5690 · Fund Raising Meals	242.48	1,214.50
5690.1 · Ribfest	0.00	0.00
5697 · Depreciation Expense	4,481.00	39,774.34
Total Expense	34,375.43	303,307.07
Net Ordinary Income	-6,861.38	1,220.94
Other Income/Expense		
Other Income		
TEMPORARILY RESTRICTED		
6003 · Toymakers	25.00	695.00
6005 · Quilters	400.00	5,040.00
6014 · Bandstand Project	0.00	9,500.00
Total TEMPORARILY RESTRICTED	425.00	15,235.00
6002 · Brick Building Rent	890.00	10,170.00
Total Other Income	1,315.00	25,405.00
Other Expense		
EXPENSE TEMPORARILY RESTRICTED		
7002.1 · Brick Store - Utilities	0.00	168.20
7014 · Bandstand	0.00	8,257.48
Total EXPENSE TEMPORARILY RESTRICTED	0.00	8,425.68
7002 · Rent Expense	205.83	4,667.89
7003 · Toymakers Expense	59.95	372.63
7004 · Quilters Expense	360.52	3,284.26
7005 · Brick Building Insurance	0.00	878.07
Total Other Expense	626.30	17,628.53
Net Other Income	688.70	7,776.47
Net Income	-6,172.68	8,997.41

**BRAINERD PUBLIC UTILITIES
OPERATING BUDGET FOR THE YEAR
ENDED DECEMBER 31, 2024
AND
CAPITAL IMPROVEMENT BUDGET FOR
THE YEARS 2024 THROUGH 2028**

**BRAINERD PUBLIC UTILITIES
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OPERATING AND CAPITAL BUDGETS**

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Summary of 2024 Capital and Operating Budgets



BRAINERD PUBLIC UTILITIES

8027 Highland Scenic Rd • P.O. Box 373 • Brainerd, Minnesota 56401

Business Office: 218.829.8726 ■ **Repair Service:** 218.829.2193

www.bpu.org

The following is a summary of the 2024 Capital and Operating Budgets.

2024 to 2028 Capital Budgets

Electric Distribution and Hydro Generation Department

1. The total 2024 amount is \$5,665,000, of which \$2,220,000 is anticipated to be funded by Electric Revenue Bonds, \$2,171,800 by operations, and \$1,274,000 by cash reserves.
2. The three largest projects for 2024 are installation of new turbine at hydro of \$1.5 million, upgrade of three substations of \$700,000, and system distribution transformers of \$600,000.
3. It should be noted there are significant lead times in getting delivery for many projects shown on the capital projects summary ranging from one to three years.

Water Department

1. The total 2024 amount is \$4,750,000 of which \$2.7 million is anticipated to be funded by a direct grant received from the State, \$1.3 million to be funded by G.O. Water Revenue Bonds, \$694,000 by operations, and \$56,000 by cash reserves.
2. The three largest projects for 2024 are the start of construction of reclamation/backwash system improvements of \$2.7 million, South Brainerd Street reconstruction projects of \$1.3 million, and purchase of actuators of \$165,000.
3. For the years 2025-2028 there is approximately \$4.9 million in additional Street Reclamation projects scheduled to be completed. It is anticipated the reclamation project will be completed in 2025 for \$2.7 million.

Wastewater Treatment Department

1. Total 2024 amount is \$2,689,000 of which \$500,000 is anticipated to be funded by G.O. Sewer Revenue Bonds, \$1,714,000 by operations, \$475,000 by cash reserves.
2. The three largest projects for 2024 are the preliminary design for biosolids upgrade of \$500,000, Main Lift and Pumping Station improvements of \$691,000, and Wastewater Treatment Facilities improvements of \$995,000.

2024 Operating Budget

Combined All Departments

1. Projected actual total revenue for 2023 is \$33.4 million. Budgeted revenue for 2023 is \$36.4 million and the 2024 budget total revenue is projected to be \$34.1 million which includes \$3.6 million from industrial crypto mining customers.
2. Projected actual total expenses for 2023 is \$32.9 million of which the two largest items are purchased power of \$15.3 million and depreciation of \$5.0 million. Budgeted expenses for 2023 are \$34.7 million of which the two largest items are purchased power of \$17.7 million and depreciation of \$5.0 million. Budgeted

expenses for 2024 are projected to be \$32.9 million with purchased power being \$15.3 million and depreciation being \$5.0 million.

3. Projected actual change in net position for 2023 is \$451,000 while budgeted amount was projected to be \$1.7 million. The budgeted amount for 2024 is projected to be \$1.2 million.

Graphs and Analysis of 2023 Operating Budget

Total Revenue and Expenses for All Departments - The change in net position as a percentage of total revenue for the years 2020 – 2022 is 8.2%, 8.0%, and 2.6%, respectively. The percentage for the 2023 and 2024 operating budget is 1.3% and 3.6%, respectively.

Total Revenue and Expenses for Electric Department - The change in net position as a percentage of total revenue for the years 2020 – 2022 is 10.3%, 4.7%, and 6.0%, respectively. The percentage for the 2023 and 2024 operating budget is 3.1% and 6.2%, respectively.

Total Revenue and Expenses for Water Department - The change in net position as a percentage of total revenue for the years 2020 – 2022 is (3.3%), 32.7%, and (6.9%), respectively. The percentage for the 2023 and 2024 operating budget is (12.6%) and (11.3%), respectively.

Total Revenue and Expenses for Wastewater Treatment Department - The change in net position as a percentage of total revenue for the years 2020 – 2022 is 6.6%, (6.3%), and (6.1%), respectively. The percentage for the 2023 and 2024 operating budget is 3.6% and 2.1%, respectively.

Capital Improvement Budget

Brainerd Public Utilities
Electric Distribution and Hydro Generation Department
Capital Improvement Budget
For the Years 2024 Through 2028

Project Description	2024	2025	2026	2027	2028
Electric Distribution					
<u>Distribution System Improvements</u>					
<u>Distribution Improvements</u>					
OH Improvements	\$ 205,000	\$ 215,000	\$ 225,000	\$ 240,000	\$ 255,000
UG Improvements	215,000	225,000	240,000	255,000	265,000
Capitalized Payroll	320,000	330,000	340,000	350,000	360,000
Directional Drilling Charges	60,000	60,000	65,000	70,000	75,000
Distribution Transformers	600,000	600,000	500,000	500,000	500,000
New Extensions/Expansions	100,000	100,000	100,000	100,000	100,000
Metering Including VFI's	195,000	100,000	105,000	110,000	115,000
<u>Substation Improvements</u>					
Main Substation	100,000	105,000	110,000	115,000	120,000
St. Joe Substation	400,000	-	-	-	-
Downtown Substation	200,000	-	-	-	-
<u>Lighting System Improvements</u>					
City Street Projects	120,000	125,000	130,000	135,000	140,000
<u>Tools and Equipment</u>					
34.5kV Tools	25,000	25,000	30,000	30,000	35,000
Safety Tools	30,000	35,000	40,000	45,000	50,000
Test Equipment	20,000	25,000	30,000	35,000	40,000
Dollies	12,000	-	-	-	-
<u>Vehicles/Trailers</u>					
Digger Derrick Truck	470,000	-	-	-	-
Bucket Truck	250,000	250,000	350,000	-	-
Operations Pickup	50,000	-	-	-	-
Underground Troubleshooting Trailer	-	55,000	-	-	-
Public Education Distribution Trailer	50,000	-	-	-	-
<u>Other</u>					
WWTP Solar Project/CUP Requirements	30,000	-	-	-	-
<u>Administration</u>					
Computer System Improvements	55,000	55,000	55,000	60,000	60,000
Service Center Improvements	50,000	50,000	50,000	50,000	50,000
Total Electric Distribution	3,557,000	2,355,000	2,370,000	2,095,000	2,165,000
Hydro Generation					
<u>PowerHouse Building and Flow Control</u>					
Tainter Gate Controls	55,000	-	-	-	-
Roof Replacement	100,000	200,000	-	-	-
Upgrade of Turbine Decking	100,000	75,000	-	-	-
Upgrade of Bascule Gate Hydraulics	-	-	200,000	-	-
Exterior Painting of Powerhouse	50,000	-	-	-	-
Upgrade of Slide Gates	-	-	-	300,000	-
<u>Generation Equipment</u>					
SCADA System Improvements	40,000	40,000	45,000	45,000	50,000
Relay Controls	75,000	75,000	-	-	-
Design and Replacement of Two Turbines	1,500,000	645,000	1,500,000	645,000	-
Replacement Parts of Older Turbines	50,000	-	50,000	-	50,000
Total Hydro Generation	1,970,000	1,035,000	1,795,000	990,000	100,000
Contingencies	138,000	117,600	113,000	108,000	87,000
Total Electric Department	\$ 5,665,000	\$ 3,507,600	\$ 4,278,000	\$ 3,193,000	\$ 2,352,000
Less: Projects Funded with Bonds	2,220,000	895,000	1,850,000	645,000	-
Net Projects Funded through Operations	3,445,000	2,612,600	2,428,000	2,548,000	2,352,000

**Brainerd Public Utilities
Water Department
Capital Improvement Budget
For the Years 2024 Through 2028**

	2024	2025	2026	2027	2028
Water Department					
<u>Water Production and Treatment</u>					
Well Rehab	\$ 40,000	\$ 42,000	\$ 45,000	\$ 47,000	\$ 50,000
Filter Bed Improvements	60,000	65,000	70,000	75,000	80,000
Actuators	165,000	45,000	-	-	-
Valve Controls for North Plant - Train #2	45,000	-	-	-	-
Pump House Roof	-	30,000	-	-	-
SCADA System Improvements	55,000	45,000	45,000	45,000	50,000
HVAC Improvements	-	25,000	-	-	-
Parking Lot Improvements	-	25,000	-	-	-
Well House Improvements	35,000	35,000	35,000	40,000	40,000
Chlorine Cylinder Storage	40,000	25,000	25,000	25,000	25,000
Chemican Addition Equipment/Improvements	35,000	20,000	20,000	20,000	20,000
Security System Cameras	75,000	10,000	10,000	10,000	10,000
Reclamation/Backwash Construction Project	2,700,000	2,700,000	-	-	-
Pump House Booster Rebuilt	-	120,000	-	-	-
<u>Water Distribution System</u>					
Gates/Valves/Hydrants	50,000	50,000	55,000	55,000	60,000
City Watermain Projects					
South Brainerd Reconstruction (22-08)/Evergreen	1,300,000	-	-	-	-
Willow Roundabout	-	80,000	-	-	-
Beech/Oakridge Reconstruction	-	600,000	-	-	-
South Brainerd including Graydon Avenue	-	600,000	-	-	-
Highway 210/Washington Street	-	-	600,000	600,000	-
Southeast Brainerd Reconstruction	-	-	700,000	-	900,000
Northeast Brainerd Reconstruction	-	-	-	800,000	-
Meters	15,000	15,000	20,000	20,000	25,000
Lum and Riverside Booster Station Improvements	20,000	20,000	75,000	75,000	20,000
Distribution Tower Maintenance	25,000	25,000	25,000	25,000	25,000
<u>Administration</u>					
Computer System Improvements	35,000	35,000	35,000	40,000	40,000
Service Center Improvements	25,000	25,000	25,000	25,000	25,000
Total Water Before Contingencies	4,720,000	4,637,000	1,785,000	1,902,000	1,370,000
Contingencies	30,000	27,000	20,000	21,000	19,000
Total Water Department	\$ 4,750,000	\$ 4,664,000	\$ 1,805,000	\$ 1,923,000	\$ 1,389,000
Less: Projects Funded with Bonds	1,500,000	1,480,000	1,300,000	1,400,000	900,000
Less: Projects Funded with Grants	2,500,000	2,500,000	-	-	-
Net Projects Funded through Operations	750,000	684,000	505,000	523,000	489,000

**Brainerd Public Utilities
Wastewater Department
Capital Improvement Budget
For the Years 2024 Through 2028**

Project Description	2024	2025	2026	2027	2028
Wastewater Treatment Department					
<u>Wastewater Treatment</u>					
Control Building HVAC Upgrade	\$ 130,000	\$ -	\$ -	\$ -	\$ -
Sampling Devices/system Flow Meters	10,000	10,000	15,000	15,000	20,000
PLC Upgrades	60,000	60,000	60,000	-	-
UV Bulbs	35,000	10,000	40,000	15,000	15,000
Storage Tank/Biosolids Upgrades	500,000	10,000,000	10,000,000	-	-
20" Cast Iron Elbows	164,000	-	-	-	-
20" Cast Iron Liners	81,000	-	-	-	-
SBR Parts	35,000	35,000	35,000	35,000	35,000
Digester Cover Upgrade/Flare Regulator	200,000	-	-	-	-
SBR/GBT Air Compressor	40,000	-	-	-	-
GBT Control Panel	150,000	-	-	-	-
SBR Blower Bearings	-	-	-	-	30,000
Hydry Dehumidifiers	10,000	-	-	-	-
Headwork Grit Classifier	-	90,000	-	-	-
Feed Pumps/Digester Feed	80,000	-	-	-	-
<u>Lift Station Improvements</u>					
<u>Main Lift and Pumping Station</u>					
Controls	165,000	-	-	-	-
Motor Control	90,000	-	-	-	-
Grit/Sump Pumps	97,000	-	-	-	-
Pump Station	36,000	-	-	-	-
Pipe Work and Electrical Upgrade	13,000	-	-	-	-
Submersible Pumps	100,000	-	-	-	-
Rake Parts	15,000	15,000	-	-	-
Generator Replacement	-	150,000	-	-	-
Roof	-	-	-	10,000	-
Hydry Dehumidifiers	5,000	-	-	-	-
Main Lift Heat/Air Exchanger	150,000	150,000	-	-	-
Facility Design Study	20,000	-	-	-	-
<u>Evergreen Lift Station</u>					
Grit/Sump Pumps	77,000	-	-	-	-
Motor Control	10,000	-	-	-	-
Roof	-	-	-	-	10,000
Door	15,000	-	-	-	-
Hydry Dehumidifier	5,000	-	-	-	-
<u>Other Lift Stations</u>					
SW 6th Generator	47,000	-	-	-	-
SCADA System Improvements	40,000	40,000	45,000	45,000	50,000
Force Main Mapping	25,000	-	-	-	-
Crack Fill Driveways	15,000	-	-	-	-
Buffalo Hills Pumps and Piping	50,000	-	-	-	-
Tyrol Pumps and Piping	50,000	-	-	-	-
Pump Replacements	25,000	25,000	30,000	30,000	35,000
<u>Vehicles and Trailers</u>					
Truck	-	65,000	-	-	-
Vac-Tron Trailer	-	80,000	-	-	-
<u>Administration</u>					
Computer System Improvements	35,000	35,000	35,000	40,000	40,000
Service Center Improvements	25,000	25,000	25,000	25,000	25,000
Total Wastewater Treatment Before Contingencies	2,605,000	10,790,000	10,285,000	215,000	260,000
Contingencies	84,000	31,200	12,000	8,400	10,800
Total Wastewater Treatment Department	\$ 2,689,000	\$ 10,821,200	\$ 10,297,000	\$ 223,400	\$ 270,800
Less: Projects Funded with Bonds	500,000	10,000,000	10,000,000	-	-
Net Projects Funded through Operations	2,189,000	821,200	297,000	223,400	270,800

Detail of 2024 Operating Budget

Brainerd Public Utilities Summary of 2024 Operating Budget Combined All Departments

	Actual			2023		2023 Favorable (Unfavorable) Variance	2024 Budget
	2020	2021	2022	Projected Actual	Budget		
Utility Revenue							
Residential	\$ 9,084,392	\$ 9,354,559	\$ 9,561,816	\$10,018,508	\$ 9,589,200	\$ 429,308	\$ 10,148,400
Commercial	16,231,562	18,096,016	18,174,299	20,494,301	24,400,800	(3,906,499)	21,378,600
Total Utility Revenue	25,315,954	27,450,575	27,736,115	30,512,809	33,990,000	(3,477,191)	31,527,000
Other Revenue							
Local Option Sales Tax Proceeds - Brainerd	1,217,700	1,331,925	1,539,391	1,472,441	1,344,000	128,441	1,472,400
Local Option Sales Tax Proceeds - Baxter	345,148	383,049	401,500	410,378	394,800	15,578	422,400
Interest Revenue Investments	370,983	(46,660)	(671,411)	180,781	56,800	123,981	73,200
Interest Revenue - Notes Receivable	147,679	135,313	117,505	105,293	108,000	(2,707)	92,400
Federal Grant Revenue - Build America Bond	101,312	88,709	77,558	70,224	70,800	(576)	62,400
Other Revenue	396,997	359,900	1,347,763	650,522	432,000	218,522	447,000
Contributed Capital	-	976,000	-	-	-	-	-
Total Other Revenue	2,579,819	3,228,236	2,812,306	2,889,640	2,406,400	483,240	2,569,800
Total Revenue	27,895,773	30,678,811	30,548,421	33,402,449	36,396,400	(2,993,951)	34,096,800
Expenses							
Purchased Power	10,559,355	12,021,143	12,256,210	15,264,661	17,653,200	2,388,539	15,276,000
Salaries and Wages	4,027,441	4,476,436	4,593,642	4,866,579	4,960,200	97,112	4,910,400
Operations and Maintenance	2,183,097	2,388,074	2,968,458	3,232,984	2,761,160	(471,824)	3,077,400
Employee Benefits	1,374,697	1,270,824	2,000,112	1,791,265	1,715,400	(75,865)	1,850,400
Other Charges	786,548	934,372	974,359	1,188,468	976,800	(211,668)	1,138,200
Depreciation	4,948,247	5,461,105	5,262,875	4,989,600	4,969,200	(20,400)	5,022,000
Interest Expense - Bonds	998,698	926,639	946,648	822,253	820,800	(1,453)	822,800
Cash Transfers to City	734,569	761,150	756,373	795,399	834,000	38,601	816,000
Total Expenses	25,612,652	28,239,743	29,758,677	32,951,208	34,690,760	1,743,043	32,913,200
Change in Net Position	<u>\$ 2,283,121</u>	<u>\$ 2,439,068</u>	<u>\$ 789,744</u>	<u>\$ 451,241</u>	<u>\$ 1,705,640</u>	<u>\$ (1,250,908)</u>	<u>\$ 1,183,600</u>

Brainerd Public Utilities 2024 Operating Budget Electric Department

	Actual			2023		2023 Variance Positive (Negative)	2024 Budget
	2020	2021	2022	Projected Actual	Budget		
Electric Department							
Revenue							
<u>Utility Revenue</u>							
Residential	\$ 6,328,696	\$ 6,471,225	\$ 6,591,857	\$ 6,944,064	\$ 6,558,000	\$ 386,064	\$ 6,960,000
Commercial	7,153,738	9,836,029	10,128,886	10,662,160	10,116,000	546,160	10,620,000
Large Commercial	5,302,067	3,245,975	3,218,293	2,741,237	3,168,000	(426,763)	2,748,000
Industrial	-	-	506,772	2,702,512	6,834,000	(4,131,488)	3,600,000
City of Brainerd	348,270	353,436	349,837	364,319	354,000	10,319	362,400
BPU	771,792	766,335	760,117	815,325	768,000	47,325	780,000
Total Utility Revenue	19,904,563	20,673,000	21,555,762	24,229,617	27,798,000	(3,568,383)	25,070,400
<u>Other Revenues</u>							
Late Payment Penalties	32,657	66,145	111,151	135,539	90,000	45,539	102,000
Permits and Fees	12,179	25,394	36,849	42,100	26,400	15,700	30,000
Bad Debt Recoveries	12,039	15,541	5,329	6,593	6,000	593	6,000
Interest Revenue	149,615	(62)	(235,020)	11,949	24,000	(12,051)	9,600
Rental Revenue	24,199	7,012	74,718	1,067	24,000	(22,933)	12,000
Gain (Loss) on Sale of Capital Assets	(980)	31,522	33,954	413	6,000	(5,587)	1,200
Refunds and Reimbursements	(4,447)	30,532	11,385	13,063	3,600	9,463	3,600
Bond Premium	17,353	15,357	60,589	14,331	13,800	531	13,200
Grant Revenue	62,202	-	-	-	-	-	-
Sale of Renewable Energy Credits	-	-	482,463	-	-	-	-
Other Non-Operating Revenue	38,247	24,816	118,607	191,500	36,000	155,500	46,800
Total Other Revenue	343,064	216,257	700,025	416,554	229,800	186,754	224,400
Total Revenue	20,247,627	20,889,257	22,255,787	24,646,171	28,027,800	(3,381,629)	25,294,800
Expenses							
<u>Purchased Power</u>	10,559,355	12,021,143	12,256,210	15,264,661	17,653,200	2,388,539	15,276,000
Generation and Distribution							
<u>Salaries and Wages</u>							
Regular Wages	1,521,484	1,656,963	1,468,814	1,786,237	2,298,000	511,763	2,028,000
Overtime Wages	153,618	175,955	196,274	197,539	-	(197,539)	-
Double Overtime Wages	21,595	21,439	58,346	38,727	-	(38,727)	-
Vacation Pay	110,348	159,582	163,362	147,465	-	(147,465)	-
Sick Pay	25,399	47,340	45,644	50,009	-	(50,009)	-
Services to the City	61,235	51,269	74,861	69,557	-	(69,557)	-
Less: Wages Capitalized	(337,993)	(264,472)	(175,222)	(325,000)	(220,800)	104,200	(264,000)
	1,555,686	1,848,076	1,832,079	1,964,535	2,077,200	112,665	1,764,000
<u>Operations and Maintenance</u>							
Communications	8,623	11,632	4,630	12,420	6,000	(6,420)	3,600
Utilities	8,260	10,039	12,815	11,355	11,400	45	13,200
Small Tools and Supplies	81,409	47,849	66,767	55,128	67,200	12,072	63,600
Personal Protection Equipment	5,352	27,452	22,780	27,979	22,200	(5,779)	26,400
Motor Fuels	27,825	43,214	65,220	65,264	61,200	(4,064)	63,600
Maintenance and Repair							
Equipment	113,806	41,590	108,083	75,440	76,800	1,360	88,800
Buildings	10,199	16,651	26,810	8,682	15,000	6,318	13,200
Other	69,377	84,183	127,118	57,809	90,000	32,191	60,000
Street Lights	55,365	16,746	28,231	101,870	30,000	(71,870)	37,200
Cleaning and Waste Removal	11,030	6,863	16,014	3,720	9,000	5,280	4,800
Testing and Monitoring	2,505	8,467	9,211	4,523	9,000	4,477	4,800
Consulting Services	6,525	-	2,846	5,760	30,000	24,240	81,600
Other Services	24,221	45,720	65,153	38,990	27,000	(11,990)	37,200
	424,497	360,406	555,678	468,940	454,800	(14,140)	498,000

Brainerd Public Utilities 2024 Operating Budget Electric Department

	2023					Variance Positive (Negative)	2024 Budget
				Projected			
	2020	2021	2022	Actual	Budget		
Electric Department (Continued)							
Generation and Distribution (Continued)							
<u>Employee Benefits</u>							
Employee Benefits	\$ 11,258	\$ 3,332	\$ -	\$ -	\$ 2,400	\$ 2,400	\$ 1,200
Pension	111,068	34,628	132,957	136,877	139,200	2,323	141,600
Health Insurance	229,037	255,234	297,416	272,951	282,000	9,049	232,800
Payroll Taxes	114,367	134,944	135,021	134,827	141,600	6,773	144,000
	465,730	428,138	565,394	544,655	565,200	20,545	519,600
<u>Other Charges</u>							
Licenses and Permits	43,260	37,132	38,511	6,171	38,400	32,229	9,600
Travel and Conferences	40,355	42,315	36,059	58,386	45,600	(12,786)	51,600
Miscellaneous	2,176	372	400	1,300	-	(1,300)	1,200
	85,791	79,819	74,970	65,857	84,000	18,143	62,400
<u>Depreciation and Amortization</u>	2,100,174	2,096,158	2,092,585	2,036,400	2,002,800	(33,600)	2,038,800
Total Generation and Distribution	4,631,878	4,812,597	5,120,706	5,080,386	5,184,000	103,614	4,882,800
Administration							
<u>Salaries and Wages</u>							
Regular Wages	665,323	659,487	634,642	615,040	861,600	246,560	855,600
Overtime Wages	12,367	14,610	20,478	12,992	-	(12,992)	-
Vacation Pay	59,209	73,879	73,656	82,032	-	(82,032)	-
Sick Pay	14,157	38,891	49,247	68,365	-	(68,365)	-
Board Member Salaries	6,466	6,480	6,586	6,533	5,400	(1,133)	7,200
	757,522	793,347	784,609	784,963	867,000	82,037	862,800
<u>Operations and Maintenance</u>							
Communications	38,203	41,356	58,384	65,038	45,600	(19,438)	60,000
Utilities	33,349	38,103	36,345	43,655	40,800	(2,855)	43,200
Small Tools and Supplies	3,571	2,447	13	91	1,200	1,109	1,200
Personal Protection Equipment	128	13	60	123	-	(123)	-
Motor Fuels	3,443	5,033	6,246	-	6,000	6,000	-
<u>Maintenance and Repair</u>							
Equipment	28,433	14,527	5,414	6,851	19,200	12,349	8,400
Buildings	4,170	7,134	12,179	4,577	7,800	3,223	4,800
Other	32,920	288	66	-	-	-	-
Maintenance Agreements	-	89,317	115,351	148,904	91,800	(57,104)	135,600
IT System Services	-	479	33,254	30,888	16,800	(14,088)	25,200
Consulting Services	171,401	126,272	133,843	179,958	99,600	(80,358)	153,600
Human Resource Services	-	-	55,920	38,795	53,360	14,565	48,000
Office Supplies	29,409	22,574	11,624	9,364	12,000	2,636	12,000
Other Services	13,565	16,402	46,287	18,142	25,200	7,058	16,800
	358,592	363,945	514,986	546,385	419,360	(127,025)	508,800
<u>Employee Benefits</u>							
Employee Benefits	15,657	28,306	23,143	8,368	19,800	11,432	9,600
Pension	20	11,783	312,185	144,429	70,200	(74,229)	122,400
Health Insurance	201,891	196,102	192,987	215,543	235,200	19,657	244,800
Payroll Taxes	55,160	57,585	54,977	60,343	66,000	5,657	66,000
	272,728	293,776	583,292	428,682	391,200	(37,482)	442,800
<u>Other Charges</u>							
General and Worker Comp. Insurance	125,201	144,451	170,377	239,781	181,200	(58,581)	226,800
Dues and Subscriptions	84,853	72,149	65,445	110,250	67,800	(42,450)	109,200
Licenses and Permits	36,858	40,124	41,289	8,208	28,200	19,992	12,000
Travel and Conferences	6,673	10,995	12,325	14,603	12,000	(2,603)	14,400
Miscellaneous	1,097	1,306	270	-	600	600	-
Bank Charges	16,136	51,632	4,671	-	5,400	5,400	-
Credit Card Transaction Fees	114,000	111,706	206,031	228,077	192,000	(36,077)	226,800
Interest Expense - Other	7,230	8,385	14,921	19,200	9,000	(10,200)	15,600
Interest Expense - Bonds	261,760	236,517	211,773	183,299	182,400	(899)	156,800
Bond Issuance Costs	-	-	-	-	-	-	-
Cash Transfers to City	734,569	761,150	756,373	795,399	834,000	38,601	816,000
Amortization of Deferred Charges	-	-	-	36,973	-	(36,973)	37,200
Bad Debts	31,227	20,272	13,883	18,000	28,800	10,800	18,000
	1,419,604	1,458,687	1,497,358	1,653,790	1,541,400	(112,390)	1,632,800
<u>Depreciation</u>	158,943	172,489	167,899	130,800	142,800	12,000	132,000
Total Administration	2,967,389	3,082,244	3,548,144	3,544,620	3,361,760	(182,860)	3,579,200
Total Expenses	18,158,622	19,915,984	20,925,060	23,889,667	26,198,960	2,309,293	23,738,000
Change in Net Position	\$ 2,089,005	\$ 973,273	\$ 1,330,727	\$ 756,504	\$ 1,828,840	\$ (1,072,336)	\$ 1,556,800

Brainerd Public Utilities 2024 Operating Budget Water Department

				2023		2023 Variance Positive (Negative)	2024 Budget
	Actual	Actual	Actual	Projected Actual	Budget		
	2020	2021	2022				
Water Department							
Revenue							
<u>Utility Revenue</u>							
Residential	\$ 1,344,748	\$ 1,469,941	\$ 1,564,247	\$ 1,656,400	\$ 1,620,000	\$ 36,400	\$ 1,682,400
Commercial	1,177,962	2,265,451	1,506,912	1,365,100	1,446,000	(80,900)	1,470,000
City of Brainerd	103,076	114,859	124,465	138,400	128,400	10,000	138,000
BPU	68,811	84,865	87,587	105,000	93,000	12,000	96,000
Total Utility Revenue	2,694,597	3,935,116	3,283,211	3,264,900	3,287,400	(22,500)	3,386,400
<u>Other Revenues</u>							
Late Payment Penalties	5,521	13,427	20,861	24,815	18,000	6,815	20,400
Permits and Fees	2,550	2,650	2,400	6,917	3,000	3,917	6,000
Local Option Sales Tax Proceeds - Baxter	278,345	308,891	323,758	348,693	318,000	30,693	349,200
Bad Debt Recoveries	5,423	445	297	3,084	1,800	1,284	1,800
Interest Revenue	42,098	6,765	(24,837)	25,139	4,800	20,339	9,600
Bond Premium	65,781	75,981	302,366	147,768	145,200	2,568	147,600
Gain (Loss) on Sale Capital Assets	70	1,051	11,157	-	-	-	-
Refunds and Reimbursements	543	(1,166)	(59)	(93)	-	(93)	-
Grant Revenue	21,528	-	-	-	-	-	-
Other Revenue	12,586	23,108	590	18,057	18,000	57	14,400
Contributed Capital	-	976,000	-	-	-	-	-
Total Other Revenue	434,445	1,407,152	636,533	574,380	508,800	65,580	549,000
Total Revenue	3,129,042	5,342,268	3,919,744	3,839,280	3,796,200	43,080	3,935,400
Expenses							
Production							
<u>Salaries and Wages</u>							
Regular Wages	236,469	244,904	310,003	390,981	366,000	(24,981)	542,400
Overtime Wages	27,404	30,507	33,035	18,488	-	(18,488)	-
Double Overtime Wages	-	-	11,237	18,230	-	(18,230)	-
Vacation Pay	17,003	19,167	24,180	22,421	-	(22,421)	-
Sick Pay	4,300	2,510	31,763	14,261	-	(14,261)	-
	285,176	297,088	410,218	464,382	366,000	(98,382)	542,400
<u>Operations and Maintenance</u>							
Communications	2,927	3,464	2,554	2,528	3,600	1,072	2,400
Utilities	107,628	139,242	114,201	120,796	123,600	2,804	121,200
Small Tools and Supplies	14,205	28,677	16,951	19,405	15,600	(3,805)	19,200
Maintenance and Repairs							
Equipment	13,253	27,362	18,412	45,788	20,400	(25,388)	26,400
Buildings	2,310	1,808	855	2,861	1,200	(1,661)	1,200
Other	-	530	-	-	-	-	-
Cleaning and Waste Removal	-	70	-	-	-	-	-
Testing and Monitoring	3,943	10,545	7,953	5,709	11,400	5,691	7,200
Printing and Publishing	-	-	1,000	-	-	-	-
Consulting Services	-	-	-	-	-	-	-
Other Commodities	36,793	90,570	100,987	94,934	92,400	(2,534)	94,800
Office Supplies	9	915	1,236	677	600	(77)	1,200
	181,068	303,183	264,149	292,699	268,800	(23,899)	273,600
<u>Employee Benefits</u>							
Employee Benefits	3,940	1,636	-	-	600	600	-
Pension	18,102	6,730	30,213	34,336	27,600	(6,736)	40,800
Health Insurance	83,834	82,879	88,804	105,183	91,200	(13,983)	94,800
Payroll Taxes	20,353	20,707	27,490	32,711	28,800	(3,911)	40,800
	126,229	111,952	146,507	172,229	148,200	(24,029)	176,400
<u>Other Charges</u>							
Licenses and Taxes	542	933	-	757	600	(157)	600
<u>Depreciation</u>	273,618	296,604	278,444	266,400	256,800	(9,600)	267,600
Total Production	866,633	1,009,760	1,099,318	1,196,468	1,040,400	(156,068)	1,260,600

Brainerd Public Utilities 2024 Operating Budget Water Department

	Actual			2023		2023 Variance Positive (Negative)	2024 Budget
	2020	2021	2022	Projected Actual	Budget		
Water Department (Continued)							
Expenses (Continued)							
Distribution							
<u>Salaries and Wages</u>							
Regular Wages	301,891	325,399	433,748	459,800	494,400	34,600	597,600
Overtime Wages	36,320	34,180	36,469	48,763	-	(48,763)	-
Double Overtime Wages	345	7,135	1,164	4,682	-	(4,682)	-
Vacation Pay	27,803	30,122	42,791	55,861	-	(55,861)	-
Sick Pay	15,380	16,217	25,182	10,287	-	(10,287)	-
Less: Wages Capitalized	(29,280)	(13,290)	-	-	(18,000)	(18,000)	-
	352,459	399,763	539,354	579,393	476,400	(102,993)	597,600
<u>Operations and Maintenance</u>							
Communications	3,276	4,167	1,057	4,169	1,200	(2,969)	2,400
Utilities	68,113	85,342	75,982	74,605	78,000	3,395	74,400
Small Tools and Supplies	17,265	14,620	16,841	25,284	18,000	(7,284)	21,600
Personal Protection Equipment	1,055	1,911	5,490	6,332	3,600	(2,732)	4,800
Motor Fuels	13,274	15,690	24,285	18,901	19,200	299	19,200
Maintenance and Repair							
Equipment	25,490	30,413	52,277	20,169	37,200	17,031	36,000
Buildings	4,355	6,399	8,547	4,543	8,400	3,857	4,800
Other	15,864	2,987	45,800	56,275	21,600	(34,675)	46,800
Cleaning and Waste Removal	4,862	4,383	2,560	1,635	3,600	1,965	2,400
Testing and Monitoring	-	174	-	189	-	(189)	-
Printing and Publishing	88	-	-	-	-	-	-
Consulting Services	44,258	41,021	42,230	116,909	116,400	(509)	78,000
Other Commodities	2,923	6,275	13,035	7,341	8,400	1,059	7,200
Office Supplies	108	1,418	-	431	600	169	600
Other Services	770	1,726	743	12,625	1,200	(11,425)	1,200
	201,701	216,526	288,847	349,409	317,400	(32,009)	299,400
<u>Employee Benefits</u>							
Employee Benefits	\$ 1,737	\$ 25	\$ -	\$ -	\$ 600	\$ 600	\$ -
Pension	24,622	9,539	40,690	41,708	37,200	(4,508)	45,600
Health Insurance	72,753	63,165	89,100	85,629	85,200	(429)	108,000
Payroll Taxes	25,244	28,883	40,258	41,013	38,400	(2,613)	45,600
	124,356	101,612	170,048	168,351	161,400	(6,951)	199,200
<u>Other Charges</u>							
Dues and Subscriptions	667	647	300	533	600	67	600
Licenses and Taxes	8,511	17,577	576	6,545	11,400	4,855	7,200
Travel and Conferences	1,425	6,182	14,854	17,285	8,400	(8,885)	8,400
Miscellaneous	-	26	-	-	-	-	-
	10,603	24,432	15,730	24,363	20,400	(3,963)	16,200
<u>Depreciation</u>	809,904	823,709	828,581	814,800	814,800	-	828,000
Total Distribution	1,499,023	1,566,042	1,842,560	1,936,316	1,790,400	(145,916)	1,940,400
Administration							
<u>Salaries and Wages</u>							
Regular Wages	248,780	236,626	230,256	214,875	303,600	88,725	300,000
Overtime Wages	5,627	6,182	7,240	4,488	-	(4,488)	-
Vacation Pay	22,084	26,260	26,824	31,779	-	(31,779)	-
Sick Pay	5,454	13,354	17,307	25,224	-	(25,224)	-
Board Member Salaries	2,155	2,160	2,195	2,160	2,400	240	2,400
	284,100	284,582	283,822	278,525	306,000	27,475	302,400

Brainerd Public Utilities 2024 Operating Budget Water Department

	Actual			2023		2023 Variance Positive (Negative)	2024 Budget
	2020	2021	2022	Projected Actual	Budget		
Water Department (Continued)							
Expenses (Continued)							
Administration (Continued)							
<u>Operations and Maintenance</u>							
Communications	11,969	13,083	20,012	20,239	16,800	(3,439)	19,200
Utilities	12,315	13,888	14,161	16,313	14,400	(1,913)	15,600
Small Tools and Supplies	2,272	1,388	13	76	600	524	-
Personal Protection Equipment	76	13	185	41	-	(41)	-
Maintenance and Repair							
Equipment	10,841	6,633	7,438	2,839	7,200	4,361	3,600
Buildings	4,261	5,550	10,998	4,484	6,000	1,516	4,800
Other	1,105	113	-	-	-	-	-
Maintenance Agreements	9,941	21,270	32,030	42,560	27,600	(14,960)	39,600
IT System Services	-	159	11,766	9,584	9,600	16	9,600
Cleaning and Waste Removal	828	831	733	929	600	(329)	1,200
Printing and Publishing	1,324	1,822	13,604	2,612	3,600	988	3,600
Consulting Services	(14,669)	40,654	78,559	101,500	45,000	(56,500)	86,400
Human Resource Services	-	-	11,990	15,519	15,600	81	15,600
Other Commodities	261	423	888	951	600	(351)	600
Office Supplies	8,843	7,368	3,812	2,392	3,600	1,208	2,400
Other Services	7,222	983	1,143	1,073	1,200	127	1,200
	56,589	114,178	207,332	221,112	152,400	(68,712)	203,400
<u>Employee Benefits</u>							
Employee Benefits	3,816	587	160	4,936	600	(4,336)	-
Pension	2,548	6,016	105,153	57,457	22,800	(34,657)	48,000
Health Insurance	73,659	72,398	71,479	79,512	86,400	6,888	88,800
Payroll Taxes	20,617	20,662	19,059	20,977	24,000	3,023	22,800
	100,640	99,663	195,851	162,883	133,800	(29,083)	159,600
<u>Other Charges</u>							
Insurance and Bonds	48,041	44,301	46,779	68,205	54,000	(14,205)	68,400
Dues and Subscriptions	13,116	8,888	7,523	8,181	7,200	(981)	8,400
Licenses and Taxes	2,234	7,965	9,430	2,225	4,200	1,975	2,400
Travel and Conferences	52	1,220	1,595	7,840	600	(7,240)	2,400
Miscellaneous	2,570	63	498	413	600	187	600
Bank Charges	7,724	17,613	2,158	-	1,800	1,800	-
Credit Card Transaction Fees	31,000	37,235	72,482	80,100	68,400	(11,700)	75,600
Interest - Other	902	1,038	903	6,941	600	(6,341)	2,400
Interest - Bonds	257,525	254,312	355,400	302,500	310,800	8,300	302,400
Bond Issuance Costs	-	87,243	-	-	-	-	-
Amortization of Deferred Charges	-	-	5,008	5,635	-	(5,635)	6,000
Bad Debts	1,995	2,000	1,498	2,400	2,400	-	2,400
	365,159	461,878	503,274	484,441	450,600	(33,841)	471,000
<u>Depreciation</u>	58,539	61,839	60,274	42,000	46,800	4,800	42,000
Total Administration	865,027	1,022,140	1,250,553	1,188,961	1,089,600	(99,361)	1,178,400
Total Expenses	3,230,683	3,597,942	4,192,431	4,321,745	3,920,400	(401,345)	4,379,400
Change in Net Position	\$ (101,641)	\$ 1,744,326	\$ (272,687)	\$ (482,466)	\$ (124,200)	\$ (358,266)	\$ (444,000)

Brainerd Public Utilities 2024 Operating Budget Wastewater Department

				2023		2023 Variance Positive (Negative)	2024 Budget
	2020	Actual 2021	2022	Projected Actual	Budget		
Wastewater Department							
Revenue							
<u>Utility Revenue</u>							
Residential	\$ 1,410,948	\$ 1,413,393	\$ 1,405,712	\$ 1,418,044	\$ 1,411,200	\$ 6,844	\$ 1,506,000
Commercial	721,484	787,350	736,018	806,055	772,800	33,255	810,000
City of Baxter	574,641	630,421	745,875	777,924	711,600	66,324	744,000
City of Brainerd	9,128	10,609	8,852	15,595	8,400	7,195	9,600
BPU	593	686	685	675	600	75	600
Total Utility Revenue	2,716,794	2,842,459	2,897,142	3,018,292	2,904,600	113,692	3,070,200
<u>Other Revenues</u>							
Late Payment Penalties	8,891	17,354	27,385	30,275	25,200	5,075	27,600
Local Option Sales Tax Proceeds - Brainerd	1,217,700	1,331,925	1,539,391	1,472,441	1,344,000	128,441	1,472,400
Local Option Sales Tax Proceeds - Baxter	66,803	74,158	77,742	61,685	76,800	(15,115)	73,200
Bad Debt Recoveries	593	641	972	517	-	517	-
Interest Revenue - Investments	179,270	(53,363)	(411,554)	143,693	28,000	115,693	54,000
Gain (Loss) on Sale Capital Assets	13,494	127	-	-	-	-	-
Refunds and Reimbursements	315	-	44	(3,864)	-	(3,864)	-
Interest Revenue - Notes Receivable	147,679	135,313	117,505	105,293	108,000	(2,707)	92,400
Federal Grant Revenue - Build America Bond	101,312	88,709	77,558	70,224	70,800	(576)	62,400
Bond Premium	9,657	9,657	40,407	8,841	9,000	(159)	8,400
Grant Revenue	43,832	-	-	-	-	-	-
Other Revenue	12,764	(704)	7,657	6,701	6,000	701	6,000
Total Other Revenue	1,802,310	1,603,817	1,477,107	1,895,808	1,667,800	228,008	1,796,400
Total Revenue	4,519,104	4,446,276	4,374,249	4,914,100	4,572,400	341,700	4,866,600
Expenses							
Treatment							
<u>Salaries and Wages</u>							
Regular Wages	329,989	345,830	268,850	345,641	396,000	50,359	412,800
Overtime Wages	70,951	72,442	69,325	59,879	-	(59,879)	-
Doubletime Wages	-	229	13,948	16,205	-	(16,205)	-
Vacation Pay	16,620	21,569	26,633	19,211	-	(19,211)	-
Sick Pay	4,677	4,650	5,296	2,087	-	(2,087)	-
	422,237	444,720	384,052	443,023	396,000	(47,023)	412,800
<u>Operations and Maintenance</u>							
Communications	3,780	6,336	-	5,699	3,600	(2,099)	5,400
Utilities	531,484	498,840	540,953	605,031	540,000	(65,031)	604,800
Small Tools and Supplies	16,385	15,666	13,704	26,069	18,000	(8,069)	21,600
Personal Protection Equipment	180	1,459	1,769	8,024	2,400	(5,624)	3,600
Motor Fuels	13,494	13,832	19,979	19,069	19,200	131	19,200
Maintenance and Repair							
Equipment	73,738	102,328	97,222	115,567	94,800	(20,767)	104,400
Buildings	3,134	14,729	10,828	52,327	10,200	(42,127)	30,000
Other	1,056	497	-	-	600	600	-
Cleaning and Waste Removal	3,857	4,383	5,521	4,571	5,400	829	4,800
Testing and Monitoring	51,964	55,785	69,784	83,115	74,400	(8,715)	81,600
Printing and Publishing	374	420	-	-	-	-	-
Consulting Services	15,355	13,515	2,535	10,864	14,400	3,536	14,400
Other Commodities	41,037	51,996	54,836	86,500	51,600	(34,900)	74,400
Office Supplies	5,873	5,624	2,533	1,057	3,600	2,543	2,400
Other Services	1,354	1,231	313	1,041	-	(1,041)	1,200
	763,065	786,641	819,977	1,018,933	838,200	(180,733)	967,800
<u>Employee Benefits</u>							
Employee Benefits	7,697	2,100	-	-	600	600	-
Pension	31,106	6,999	27,878	32,023	30,000	(2,023)	31,200
Health Insurance	75,088	68,201	65,814	65,324	72,000	6,676	81,600
Payroll Taxes	29,732	31,353	27,613	31,191	30,000	(1,191)	32,400
	143,623	108,653	121,305	128,537	132,600	4,063	145,200
<u>Other Charges</u>							
Licenses and Permits	24,271	26,631	29,840	21,500	26,400	4,900	21,600
Dues and Subscriptions	711	3,954	-	-	1,200	1,200	-
Travel and Conferences	3,694	7,106	15,940	20,667	13,200	(7,467)	18,000
Miscellaneous	50	19	-	-	-	-	-
	28,726	37,710	45,780	42,167	40,800	(1,367)	39,600
<u>Depreciation</u>	1,318,270	1,690,732	1,516,353	1,404,000	1,398,000	(6,000)	1,416,000
Total Treatment	2,675,921	3,068,456	2,887,467	3,036,660	2,805,600	(231,060)	2,981,400

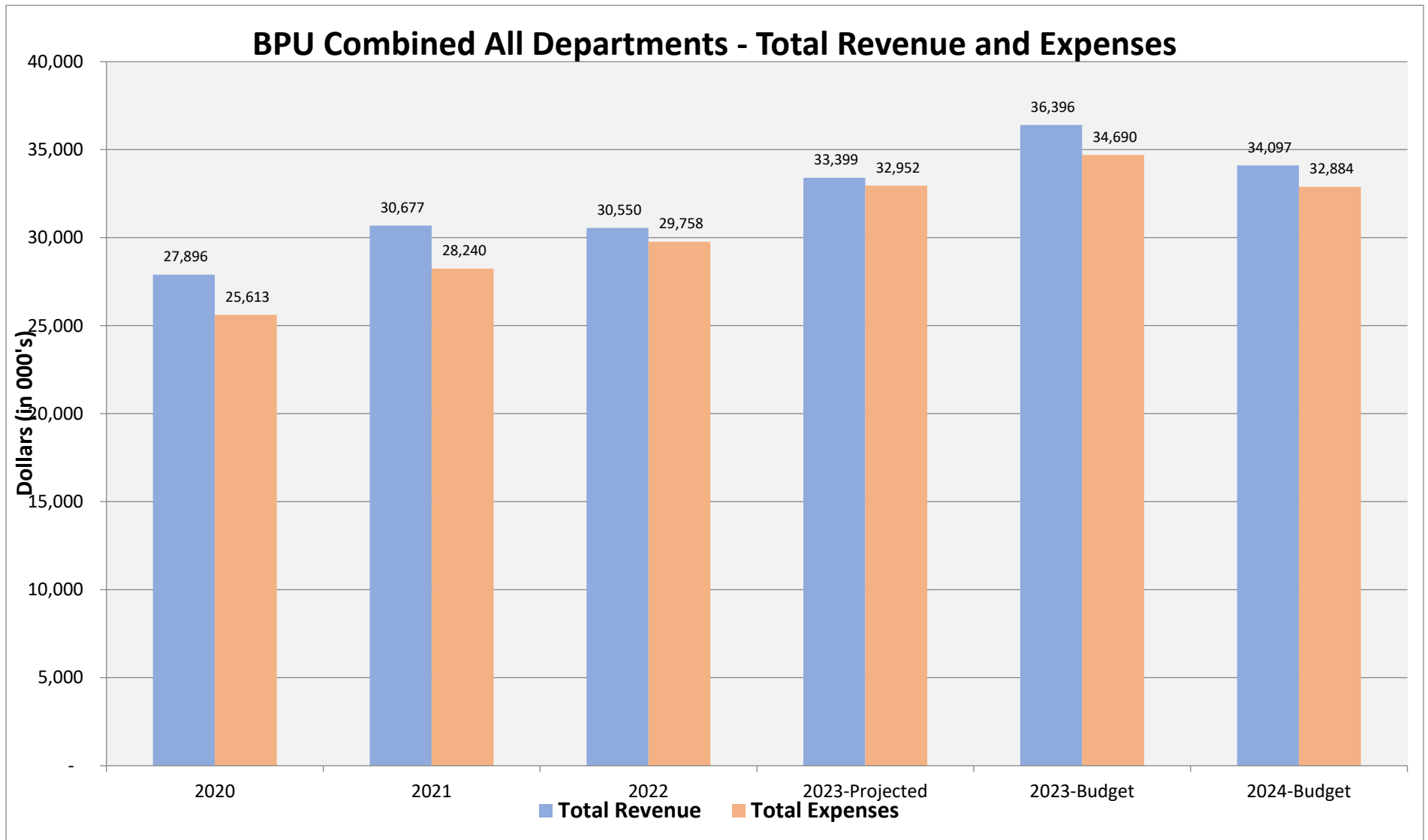
Brainerd Public Utilities 2024 Operating Budget Wastewater Department

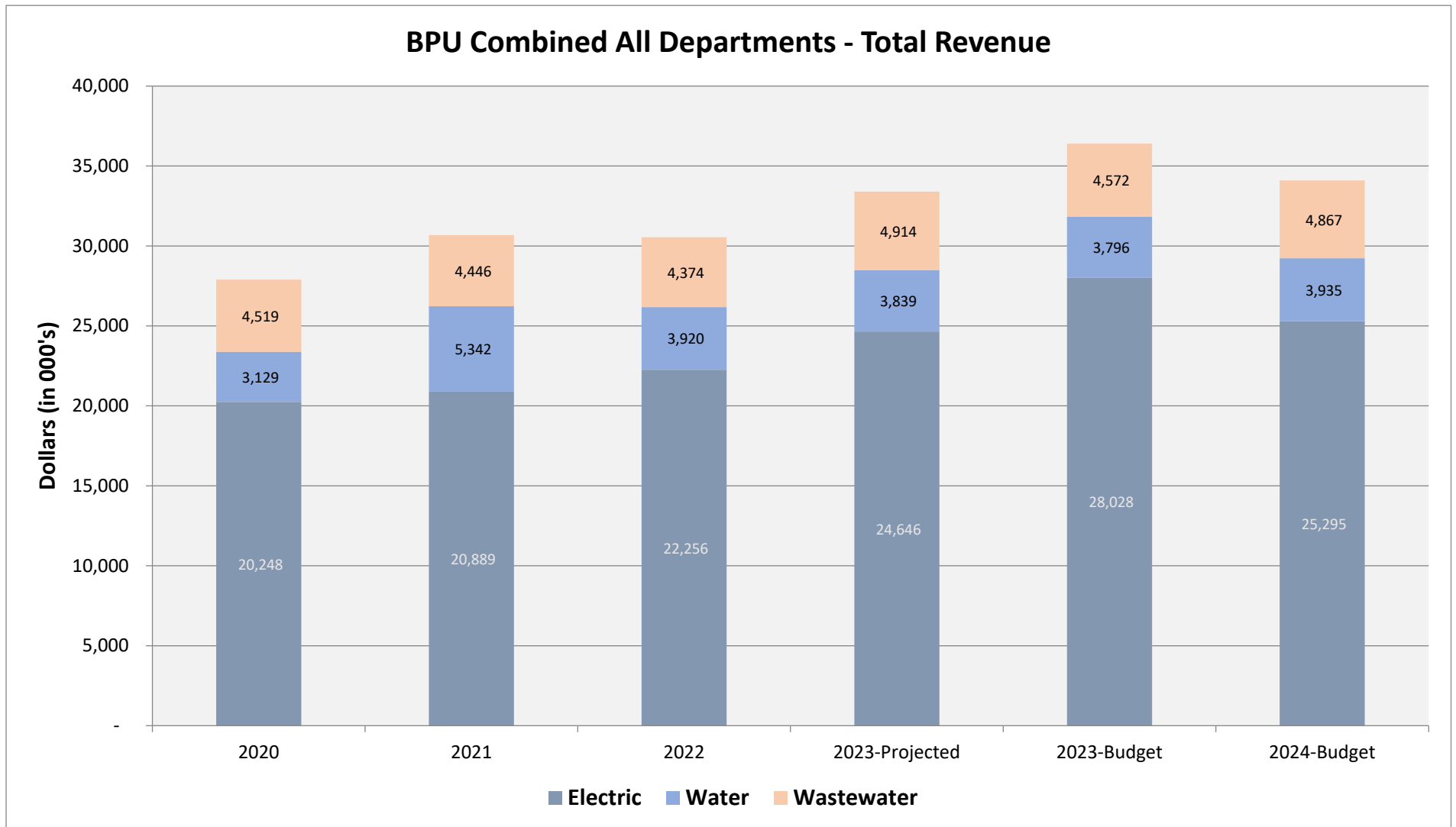
	Actual			2023		2023 Variance Positive (Negative)	2024 Budget
	2020	2021	2022	Projected Actual	Budget		
Wastewater Depart. (Continued)							
Expenses							
Lift Stations							
<u>Salaries and Wages</u>							
Regular Wages	94,031	104,831	57,023	65,579	180,000	114,421	145,200
Overtime Wages	19,306	19,347	16,031	9,377	-	(9,377)	-
Doubletime Wages	-	33	3,618	3,491	-	-	-
Vacation Pay	7,036	8,441	10,644	5,893	-	(5,893)	-
Sick Pay	1,846	1,291	8,414	980	-	(980)	-
	122,219	133,943	95,730	85,320	180,000	98,171	145,200
<u>Operations and Maintenance</u>							
Communications	3,485	3,508	2,849	2,991	3,600	609	3,600
Utilities	106,779	110,646	119,334	128,507	118,800	(9,707)	129,600
Small Tools and Supplies	1,827	1,383	124	163	1,200	1,037	1,200
Motor Fuels	3,443	6,174	6,246	-	7,800	7,800	6,000
<u>Maintenance and Repair</u>							
Equipment	10,621	20,523	24,111	38,081	24,000	(14,081)	28,800
Buildings	46	3,770	9,865	4,560	3,600	(960)	4,800
Other	-	-	-	-	-	-	-
Cleaning and Waste Removal	10,903	9,858	10,605	12,415	10,200	(2,215)	10,800
Testing and Monitoring	620	1,400	-	-	-	-	-
Consulting Services	4,212	7,898	-	1,993	7,200	5,207	3,600
Other Services	373	368	335	1,073	600	(473)	1,200
	142,309	165,528	173,469	189,783	177,000	(12,783)	189,600
<u>Employee Benefits</u>							
Employee Benefits	\$ 774	\$ -	\$ -	\$ -	\$ 1,200	\$ 1,200	\$ -
Pension	9,491	2,231	6,545	7,405	13,800	6,395	10,800
Health Insurance	31,671	26,977	16,350	17,441	28,800	11,359	31,200
Payroll Taxes	8,530	9,370	6,244	7,160	13,800	6,640	10,800
	50,466	38,578	29,139	32,007	57,600	25,593	52,800
<u>Travel and Conferences</u>	-	-	1,914	3,265	-	(3,265)	2,400
<u>Depreciation</u>	193,511	276,130	276,774	266,400	272,400	6,000	268,800
Total Lift Stations	508,505	614,179	577,026	576,775	687,000	113,716	658,800
Administration							
<u>Salaries and Wages</u>							
Regular Wages	218,485	230,896	216,851	208,011	291,600	83,589	280,800
Overtime Wages	3,956	4,277	4,209	2,385	-	(2,385)	-
Vacation Pay	19,190	25,299	24,436	29,289	-	(29,289)	-
Sick Pay	4,256	12,285	16,087	24,593	-	(24,593)	-
Board Member Salaries	2,155	2,160	2,195	2,160	-	(2,160)	2,400
	248,042	274,917	263,778	266,439	291,600	25,161	283,200

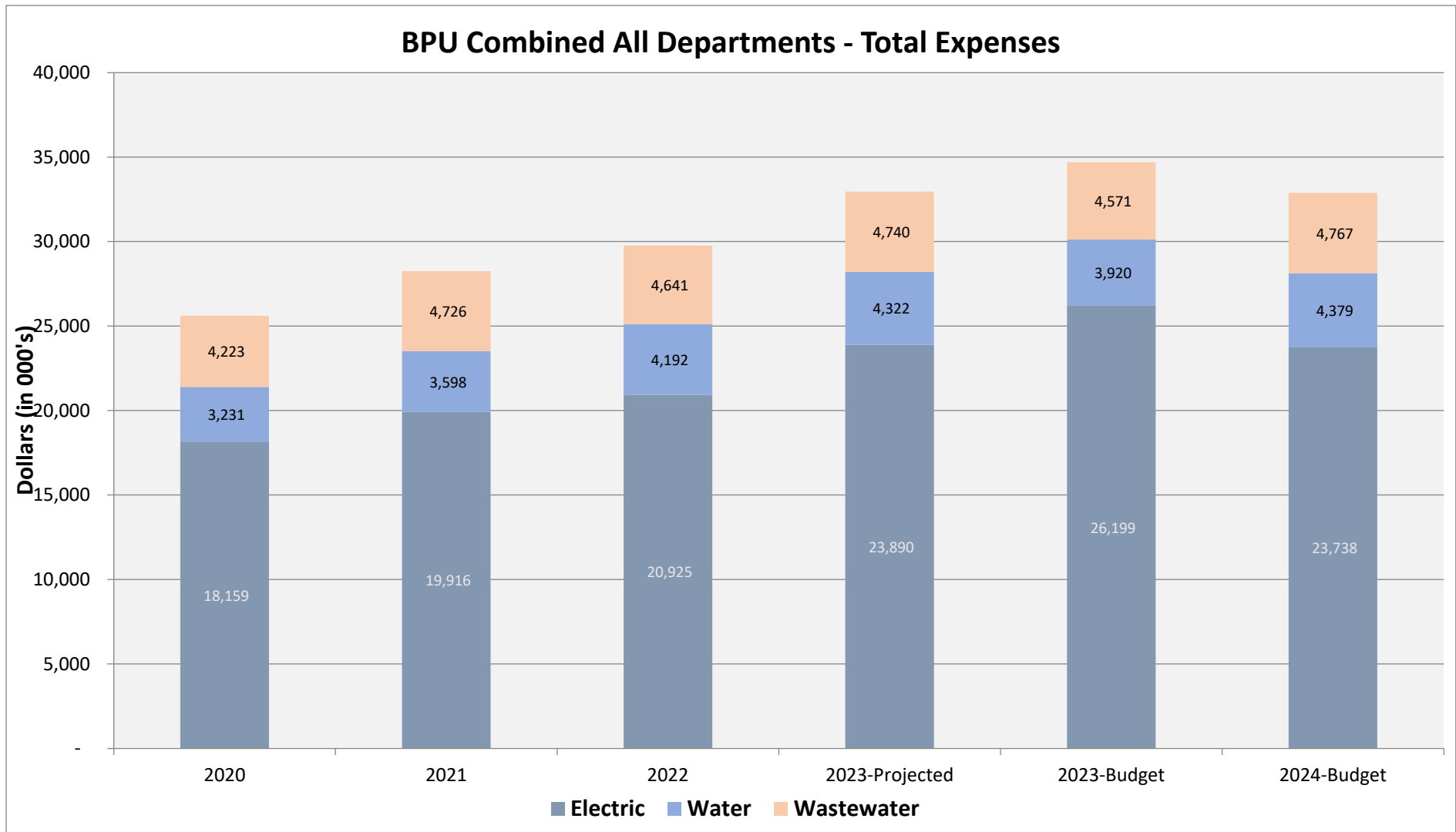
Brainerd Public Utilities 2024 Operating Budget Wastewater Department

	Actual			2023		2023 Variance Positive (Negative)	2024 Budget
	2020	2021	2022	Projected Actual	Budget		
Wastewater Depart. (Continued)							
Administration (Continued)							
Expenses (Continued)							
<u>Operations and Maintenance</u>							
Communications	10,247	10,736	19,997	20,133	18,600	(1,533)	19,200
Utilities	10,305	10,913	9,957	12,600	10,800	(1,800)	12,000
Small Tools and Supplies	213	16	-	9	-	(9)	-
Maintenance and Repair							
Equipment	3,606	846	255	2,107	2,400	293	2,400
Buildings	-	580	-	-	-	-	-
Other	9,917	952	-	-	600	600	-
Maintenance Agreements	-	23,586	32,512	55,516	27,600	(27,916)	39,600
IT System Services	-	628	21,378	7,621	15,600	7,979	8,400
Cleaning and Waste Removal	(655)	198	-	115	-	(115)	-
Printing and Publishing	950	1,403	12,759	2,273	3,600	1,327	3,600
Consulting Services	8,677	22,101	29,781	23,971	32,400	8,429	30,000
Human Resource Services	-	-	11,990	15,519	15,600	81	15,600
Office Supplies	5,280	4,966	4,175	4,220	4,800	580	4,800
Other Services	6,736	742	1,216	1,419	1,200	(219)	1,200
	55,276	77,667	144,020	145,503	133,200	(12,303)	136,800
<u>Employee Benefits</u>							
Employee Benefits	5,290	(1,695)	-	3,689	600	(3,089)	1,200
Pension	(550)	4,005	104,122	56,463	22,200	(34,263)	48,000
Health Insurance	68,717	67,125	66,679	73,764	80,400	6,636	82,800
Payroll Taxes	17,468	19,017	17,775	20,005	22,200	2,195	22,800
	90,925	88,452	188,576	153,921	125,400	(28,521)	154,800
<u>Other Charges</u>							
General and Worker Comp. Insurance	70,239	46,014	61,312	76,484	76,800	316	76,800
Dues and Subscriptions	16,690	12,329	11,607	27,373	12,600	(14,773)	22,800
Licenses and Permits	78	1,450	2,096	227	600	373	600
Travel and Conferences	-	2,439	1,466	6,205	1,200	(5,005)	3,600
Miscellaneous	99	2,864	480	-	-	-	-
Bank Charges	7,724	16,688	1,493	-	2,400	2,400	-
Credit Card Transaction Fees	31,000	37,235	72,482	76,025	68,400	(7,625)	75,600
Interest Expense - Other	902	1,038	903	675	600	(75)	600
Interest Expense Bonds	479,413	435,810	379,475	336,454	327,600	(8,854)	363,600
Bond Issuance Costs	-	-	-	-	-	-	-
Amortization of Deferred Charges	-	-	5,008	5,635	-	(5,635)	6,000
Bad Debts	3,245	2,835	2,032	2,400	3,600	1,200	2,400
	609,390	558,702	538,354	531,478	493,800	(37,678)	552,000
<u>Depreciation</u>	35,288	43,444	41,965	28,800	34,800	6,000	28,800
Total Administration	1,038,921	1,043,182	1,176,693	1,126,141	1,078,800	(47,341)	1,155,600
Total Expenses	4,223,347	4,725,817	4,641,186	4,739,575	4,571,400	(164,685)	4,795,800
Change in Net Position	\$ 295,757	\$ (279,541)	\$ (266,937)	\$ 174,525	\$ 1,000	\$ 177,015	\$ 70,800

Graphical Information









City Council Agenda Request

MEETING DATE: December 4, 2023

TITLE OF ITEM: Award Contract for Police Department HVAC Replacement Project and Amend APRA Budget

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Jessie Dehn, Public Works Director, **DEPARTMENT:** Public Works
Connie Hillman, Finance Director

PRESENTER: Jessie Dehn, Public Works Director

ESTIMATED TIME (MIN): 2 Minutes

SUMMARY OF ISSUE: Staff received 1 bid for the Police Department HVAC Replacement Project. The bid received was from Thelen Heating & Roofing, Inc. in the amount of \$348,000. Staff estimated this work would be \$350,000.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The total estimated project amount, including the bid and estimates from NAC and Widseth, totals \$411,600. Based on feedback from the Council at the November 6th council meeting, the preference was to utilize the remaining ARPA funds towards the project with the remaining funds coming from the Capital fund. The original amount of ARPA funding allocated to the project was \$140,000. The total ARPA funding would be proposed to be \$204,397, with the remaining \$207,203 coming from 2024 Capital.

RECOMMENDED ACTION/MOTION: Staff recommends the following:

1. Award of the Police Department HVAC Replacement project to Thelen Heating & Roofing in the amount of \$348,000.
2. Amend the ARPA Budget to reflect \$204,397 towards the project, an additional \$64,397.

FINANCIAL IMPACT: \$348,000

Brainerd Police Dept. RTU Replacement
Brainerd, MN 56401

SECTION 00 4100
BID FORM

Bid Submitted To: Brainerd City Hall
501 Laurel Street
Brainerd, MN 56401
Attn: Jesse Dehn, City Engineer

Bid From: Thelen Heating & Roofing, Inc.
(Name of Bidder)
1717 13th Street SE, Brainerd, MN 56401
(Address)

The undersigned, in compliance with your construction documents for the Brainerd Police Dept. RTU Replacement dated October 6, 2023, as prepared by Widseth Smith Nolting & Associates, Inc., and being familiar with all of the conditions surrounding the construction of the proposed project, including the availability of materials and labor, hereby proposes to furnish all labor, materials, and supplies, and to construct the project in accordance with the contract documents, within the time set forth herein, and at the prices stated below. These prices are to cover all expenses incurred in performing the work required under the contract documents, of which this proposal is a part.

BID ITEM #1 – BASE BID GME-1

Lump sum bid for the Brainerd Police Dept. RTU Replacement, in accordance with Specifications and Drawings.

BASE BID: 348,000
Dollars (\$)

TIME OF COMPLETION

60 day after receipt of RTU'S I (We) do hereby propose to complete all work described in the plans and specifications within _____ calendar days following the issuance of the Notice to Proceed.

ADDENDA

The undersigned acknowledges receipt of the following addenda:

Addendum # 1 Dated: 11/27/23

Addendum # _____ Dated: _____

Addendum # _____ Dated: _____

SECURITY CLEARANCE:

I (We) hereby acknowledge the inclusion of the Security Clearance information found in Section 00 4115 as required by City of Brainerd. NR NR
(initial)

RESPONSIBLE CONTRACTOR CERTIFICATION AND RESPONSE FORM:

I (We) do hereby acknowledge the inclusion of the Responsible Contractor Certification and Response Form found in Section 00 4114 as required by the State of Minnesota. NR NR

(initial)

CERTIFICATION

I (We) hereby certify that I am (we are) the only person(s) interested in this proposal as principal(s); that this proposal is made and submitted without fraud or collusion with any other persons, firm or corporation whatsoever. The Bidder hereby declares that he has carefully examined all Bidding and Contract Documents, Plans and Specifications, and that he has personally inspected the actual location of the work, and local sources of supply, has satisfied himself as to all the quantities and conditions, and understands that in signing this Bid he waives all right to plead any misunderstanding regarding the same. NR NR

(initial)

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND

I (We) propose to execute the form of Contract and to furnish a Performance Bond and Labor and Material Payment Bond each in the amount of the Contract within ten (10) days of receiving written Notice of Award as security for the construction and completion of the Work in accordance with the terms of the Contract, plans and specifications. NR NR

(initial)

GUARANTEE

I (we) further propose to guarantee all work performed under this Contract to be done in accordance with the plans and specifications in a good and workmanlike manner; and to renew or repair any work which may be rejected, due to defective materials or workmanship, prior to final completion and acceptance of the project. NR NR

(initial)

BID SECURITY

Enclosed herewith is a certified check _____, cashier's check _____, bidder's bond X _____, U.S. Government Bonds _____, (check one) in the amount of: _____ Dollars (\$ _____), being at least 5% of the amount of the proposal, made payable to the Owner as a proposal guarantee which it is agreed by the undersigned will be forfeited to the Owner as Liquidated Damage in the event I (We) fail to enter into a Contract or the furnish the required Performance and Labor and Material Payment Bond within the time period specified after acceptance of the Bid by the Owner.

BID GUARANTEE

The undersigned proposes that the prices stated in this proposal are guaranteed firm for a minimum of 45 consecutive calendar days, Sundays and holidays included, from the date hereof; and if authorized to proceed within that period the undersigned agrees to execute a formal contract with the owner for the performance of the aforementioned work at the stated price.

BID ACCEPTANCE

I (We) acknowledge the Owner's right to accept any bid, reject any or all bids or to waive any informalities or irregularities in bidding. NR NR

(initial)

ADDRESS, LEGAL STATUS AND SIGNATURE OF BIDDER

The undersigned Bidder does hereby designate the address given below as the legal address to which all notices, directions or other communications may be served or mailed.

Street 1717 13th Street SE
City Brainerd State MN Zip 56401

The undersigned Bidder does hereby declare that the Bidder has the legal status checked below:

Brainerd Police Dept. RTU Replacement
Brainerd, MN 56401

____ Individual
____ Co-Partnership
X Corporation, incorporated under the laws of the State of MN

The names and addresses of all persons indicated as partners in this proposal are as follows:

NAME	ADDRESS
<u>Thelen Heating & Roofing, Inc.</u>	<u>1717 13th Street SE, Brainerd, MN 56401</u>
_____	_____
_____	_____

BID SUBMISSION

The sealed bids are to be submitted as indicated in Section 00 1113 Advertisement For Bids.

Bids will be opened publicly immediately thereafter.

This Proposal is submitted in the name of

By Kate Reilly _____
(Signature)

Title Project Manager

Signed and sealed this 29 day of November, 2023.

END OF SECTION

SECTION 00 4114
RESPONSIBLE CONTRACTOR CERTIFICATION AND RESPONSE FORM
BRAINERD POLICE DEPT. RTU REPLACEMENT

NAME OF BIDDER/CONTRACTOR: Thelen Heating & Roofing, Inc.

Minnesota Statute Section 16C.285 requires Contractors to meet minimum criteria to be eligible to be awarded a construction contract as the lowest responsible bidder or best value contractor for projects estimated to exceed \$50,000. This statute also requires subcontractors to meet minimum criteria to be eligible to receive an award for subcontract work on the project.

The term 'Bidder or Contractor' as used in this form means a contractor as defined in Minnesota Statutes, Section 16C.285, subdivision 3.

Minimum Criteria: Bidder/Contractor shall indicate they have read and verified they are in compliance with the following statements:

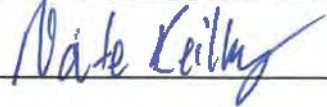
1. Is in compliance with workers' compensation and unemployment insurance requirements Pursuant to the State of Minnesota and as required in the contract documents.
2. Is registered with the Department of Revenue and Department of Employment and Economic Development as we have employees.
3. Has a valid federal tax identification number or a valid Social Security number if an individual.
4. Has filed a certificate of authority to transact business in Minnesota with the Secretary of State if a foreign corporation or cooperative.
5. Is in compliance with and, during the three-year period before submitting the verification, have not violated certain labor and wage laws.
6. Is in compliance with and, during the three-year period before submitting the verification, have not violated certain laws related to construction contractors, construction codes, and licensing.
7. Has not, more than twice during the three-year period before submitting the verification, had a certificate of compliance under Minnesota Statutes, Section 363A.36 (related to affirmative action plans for the employment of minority persons, women, and qualified disabled individuals) revoked or suspended.
8. Has not received a final determination assessing a monetary sanction from the Department of Administration or Transportation for failure to meet targeted group business, disadvantaged business enterprise, or veteran-owned business goals, due to a lack of good faith effort, more than once during the three-year period before submitting this verification.
9. Is not currently suspended or debarred by the federal government or the State of Minnesota or any of its departments, commissions, agencies, or political subdivisions.
10. Has verified that all subcontractors that we intend to use to perform work on this project have verified to us through a signed statement under oath by an owner or officer that they meet the minimum criteria listed above.
11. Understands that any prime contractor or subcontractor that does not meet the minimum criteria in Minnesota Statutes, Section 16C.285, subdivision 3 or fails to verify that it meets those criteria is not a responsible contractor and is not eligible to be awarded the construction contract for the project or to perform work on this project.
12. Contractor shall submit to Owner, upon request copies of the signed verifications of compliance from all subcontractors of any tier pursuant to Minnesota Statutes, Section 16C.285, subdivision 3, clause 7.

RESPONSIBLE CONTRACTOR CERTIFICATION AND
RESPONSE FORM

13. Understands that a false statement under oath verifying compliance with any of the minimum criteria shall render the prime contractor or subcontractor that makes the false statement ineligible to be awarded a construction contract on the project and may result in termination of a contract awarded to a prime contractor or subcontractor that submits a false statement.

The undersigned owner or officer, being first duly sworn on oath, swears the Bidder/Contractor is in compliance with this document and verifies that Bidder/Contractor is a Responsible Contractor as defined by Minnesota Statute Section 16C.285, subdivision 3.

NAME OF BIDDER/CONTRACTOR: Thelen Heating & Roofing, Inc.

AUTHORIZED SIGNATURE:  **DATE:** 11/29/23

PRINTED NAME: Nate Reilley

TITLE: Project Manager

END OF SECTION

RESPONSIBLE CONTRACTOR CERTIFICATION AND
RESPONSE FORM

AIA® Document A310™ – 2010

Bid Bond

CONTRACTOR:

(Name, legal status and address)

Thelen Heating & Roofing, Inc.

1717 SE 13th Street

Brainerd, MN 56401

OWNER:

(Name, legal status and address)

City of Brainerd

501 Laurel Street

Brainerd, MN 56401

BOND AMOUNT: Five Percent of Amount Bid (5%)

PROJECT:

(Name, location or address, and Project number, if any)

Brainerd Police Dept. RTU Replacement

SURETY:

(Name, legal status and principal place of business)

Western Surety Company

151 N. Franklin St.

Chicago, IL 60606

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

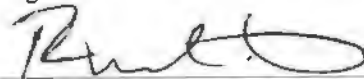
Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

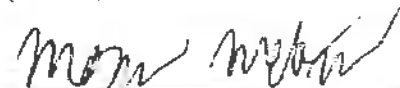
If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 29th day of November, 2023



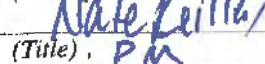
(Witness)



(Witness)

Thelen Heating & Roofing, Inc.

(Principal)



(Title) P.M.

Western Surety Company

(Surety)



(Title) Jessica A. Olson

Attorney-in-fact

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

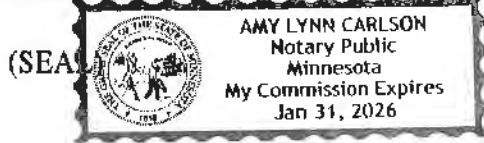
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CORPORATE ACKNOWLEDGMENT

STATE OF Minnesota
COUNTY OF Crow Wing

On the 29 day of November 2023 before me personally appeared, Nate Reilly to me, who being duly sworn, did depose and say: that s/he resides in Minnesota that s/he is the PM of the Thelen Heating & Roofing, Inc. the corporation described in and which executed the foregoing instrument; that s/he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation; and that s/he signed her/his name thereto by like order.



A handwritten signature in cursive script, appearing to read "Nate Reilly", written over a horizontal line.

ACKNOWLEDGMENT OF CORPORATE SURETY

STATE OF MINNESOTA
COUNTY OF Dakota

On the 29th day of November 2023 before me personally appeared, Jessica A. Olson to me known, who being duly sworn, did say: that s/he resides in Minnesota that s/he is the aforesaid officer or attorney in fact of Western Surety Company a corporation, that the seal affixed to the foregoing instrument is the corporate seal of said corporation; and that said instrument as signed and sealed on behalf of said corporation by the aforesaid officer, by authority of its board of directors; and the aforesaid officer acknowledged said instrument to be the free act and deed of said corporation.



A handwritten signature in cursive script, appearing to read "Sierra Joy McQuoid", written over a horizontal line.

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

**Litton E S Field Jr, Nicole M Coty, Mark Alan Thune, Mutya Alvaran Enoksen, Gayle L Thorson, Jeffrey R Skaar, Jessica A Olson, Sierra McQuoid, Individually, of Mendota Heights, MN
Kevin Paulson, Tom Corneil, Chad Christianson, De Ette J Wurm, Debra M Bledsoe, Brenda S Klimstra, Erin Pohlman, Deb Geislinger, Jacqueline Riley, Amanda Plantenberg, Dena Grunhovd, Leslie Seehusen, Individually, of Saint Cloud, MN**

its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law and Resolutions printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 14th day of July, 2023.



WESTERN SURETY COMPANY

Larry Kasten, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 14th day of July, 2023, before me personally came Larry Kasten, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is a Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

March 2, 2026



M. Bent, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law and Resolutions of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 29th day of November 2023



WESTERN SURETY COMPANY

L. Nelson, Assistant Secretary

Form F4280-4-2023

Go to www.cnasurety.com > Owner / Oblige Services > Validate Bond Coverage, if you want to verify bond authenticity.

Authorizing By-Laws and Resolutions

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

This Power of Attorney is signed by Larry Kasten, Vice President, who has been authorized pursuant to the above Bylaw to execute power of attorneys on behalf of Western Surety Company.

This Power of Attorney may be signed by digital signature and sealed by a digital or otherwise electronic-formatted corporate seal under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 27th day of April, 2022:

“RESOLVED: That it is in the best interest of the Company to periodically ratify and confirm any corporate documents signed by digital signatures and to ratify and confirm the use of a digital or otherwise electronic-formatted corporate seal, each to be considered the act and deed of the Company.”



NORTH RISK PARTNERS®

Bid Results Form

Contractor: Thelen Heating & Roofing Inc.

Project Owner: City of Brainerd

Bid Date: November 29, 2023

Project: Brainerd Police Dept. RTU Replacement

Surety: Western Surety Company

*If your bid increases by 10% or more from the estimate given, please contact our office for approval prior to the bid letting.

Please list the first three bidders if known

Contractor's Name	Amount
Low _____	\$ _____
2nd _____	\$ _____
3rd _____	\$ _____
Your Bid if Not Listed Above	\$ _____

Please send by e-mail to bonds@northriskpartners.com

ARPA Budget

	Budget as of	
	12/4/2023	
Total Funding	\$	1,468,098
Allocated to EDA - Mainstreet Grant		80,000
Future Parks Capital **		575,000
2023 Capital		345,000
Police Department HVAC		204,397
Pedestrian Bridge Feasibility Study		35,000
Stairs and Windows - Historic Watertower		200,000
Holiday Decorations		28,701
To Be Determined	\$	(0)
** Future Park Capital Priority Order		
Jaycees Park	\$	200,000
Lum Park Beach		150,000
Kiwanis Park		75,000
Lum Park Campground		150,000
	\$	575,000



City Council Agenda Request

MEETING DATE: December 4, 2023

TITLE OF ITEM: Ratify the Hiring of Kathryn Johansen as Administrative Specialist - Public Works Department

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert, Human Resources Director, Jessie Dehn, Public Works Director

DEPARTMENT: HR

PRESENTER: Kris Schubert, Human Resources Director, Jessie Dehn, Public Works Director

ESTIMATED TIME (MIN): 2 minutes

SUMMARY OF ISSUE: We received 37 applications for the Administrative Specialist - Public Works Department position and 10 candidates were interviewed. Staff offered the position to Kathryn Johansen who will be starting with us on December 20, 2023, at Step 1 of the 2023 Administrative Specialist wage grid (\$21.85)

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: Ratify the hiring of Kathryn Johansen effective December 20, 2023; further, that she be placed on Step 1 of the Administrative Specialist wage grid (\$21.85 per hour).

FINANCIAL IMPACT: This position was included in the 2023 budget.



City Council Agenda Request

MEETING DATE: December 4, 2023

TITLE OF ITEM: Ratify the Hiring of Community Service Officer John Unger

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

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

DEPARTMENT: HR

PRESENTER: Kris Schubert, Human Resources
Director, John Davis, Police Chief

ESTIMATED TIME (MIN): 2 minutes

SUMMARY OF ISSUE: We received 4 applications for the part-time Community Service Officer position. Staff offered the position to John Unger who starts with us on December 4, 2023, at \$16 an hour.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: Ratify the hiring of John Unger effective December 4, 2023, at \$16 an hour.

FINANCIAL IMPACT: This position was included in the City's 2023 budget.



City Council Agenda Request

MEETING DATE: December 4, 2023

TITLE OF ITEM: Discussion of the Statewide Affordable Housing Aid

AGENDA: P&F Committee

ACTION REQUESTED: Discussion Item

SUBMITTED BY: Connie Hillman, Finance Director

DEPARTMENT: Finance

PRESENTER: Connie Hillman, Finance Director

ESTIMATED TIME (MIN): 5 Minutes

SUMMARY OF ISSUE: The 2023 Legislature created the Statewide Affordable Housing Aid. The Aid is to help counties, tribal governments and greater Minnesota local governments develop and preserve affordable housing within their jurisdictions. The Department of Revenue certifies amounts by August 1st each year. The 2023 Aid will be in one installment on December 26th and beginning in 2024, it will be paid in two equal installments on July 20th and December 26th. Brainerd is certified to receive \$96,242 in 2023 and 2024. The funds must be spent by December 31st of the fourth year after the aid was received, the Aid must be spent on a qualifying project, and beginning in 2025 aid recipients must report annually by December 1st to the Minnesota Housing Finance Agency.

Additional information is available using the following link:

<https://www.revenue.state.mn.us/statewide-affordable-housing-aid>. Information on the Use of the Aid and Qualifying Projects from the website is attached to the agenda request.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The HRA is much more equipped to administer this type of program than City staff as housing is what the HRA does.

One of the uses of the aid is that the funds are transferred to a local housing trust fund, which then needs to be spent on a project or household that meeting the requirements of a qualifying project. There was discussion at the November 20th council meeting about the City providing municipal consent to allow the County HRA's Housing Trust fund levy to be applied within the city limites of Brainerd. Staff needs to do research on whether these funds could be considered a municipal contribution to the County HRA's Housing Trust fund.

RECOMMENDED ACTION/MOTION: Discussion of the Statewide Affordalbe Housing Aid and provide direction to Staff.

FINANCIAL IMPACT:

Statewide Affordable Housing Aid

Statewide Affordable Housing Aid helps counties, tribal governments, and greater Minnesota local governments develop and preserve affordable housing within their jurisdictions to keep families from losing housing and to help those experiencing homelessness find housing. Aid will begin in 2023.

About the Program	[+]
2024 Certification	[+]
2023 Certification	[+]
Use of Aid	[-]

Funds distributed under this aid program must be spent on a qualifying project.

Funds will be considered spent if:

- A county or eligible demonstrates to the Minnesota Housing Finance Agency that the city or county cannot expend funds on a qualifying project by the deadline below due to factors outside the control of the city or county
- The funds are transferred to a local housing trust fund

Funds transferred to a local housing trust fund must be spent on a project or household that meets the affordability requirements described below.

Deadline: Funds must be spent by December 31 of the fourth year after the aid was received.

Qualifying Projects



Qualifying projects include:

- Emergency rental assistance for households earning less than 80% of area median income as determined by the United States Department of Housing and Urban Development
- Financial support to nonprofit affordable housing providers in their mission to provide safe, dignified, affordable and supportive housing
- For counties outside the metropolitan counties as defined in Minnesota Statutes, section 473.121, subdivision 4, development of market rate residential rental properties as defined in M.S. 462A.39, subd. 2, para. (d), if the relevant unit of government submits with the report required as described in the Reporting to the Minnesota Housing Finance Agency section a resolution and supporting documentation showing that the area meets the requirements of M.S. 462A.39, subd. 4, para. (a)
- Projects designed for the purpose of construction, acquisition, rehabilitation, demolition or removal of structures, construction financing, permanent financing, interest rate reduction, refinancing, and gap financing of housing to provide affordable housing to households that have incomes which do not exceed:
 - For homeownership projects, 115% of the greater of state or area median income as determined by the United States Department of Housing and Urban Development
 - For rental housing projects, 80% of the greater of state or area median income as determined by the United States Department of Housing and Urban Development
- Housing developed or rehabilitated with funds under this program must be affordable to the local work force.

Projects are prioritized that provide affordable housing to households with incomes that:

- For homeownership projects, do not exceed 80% of the greater of state or area median income as determined by the United States Department of Housing and Urban Development
- For rental housing projects, do not exceed 50% of the greater of state or area median income as determined by the United States Department of Housing and Urban Development.

Priority may be given to projects that:

- Reduce disparities in home ownership
- Reduce housing cost burden, housing instability, or homelessness
- Improve the habitability of homes
- Create accessible housing
- Create more energy- or water-efficient homes

Gap financing is the difference between the costs of the property and either:

- The market value of the property upon sale
- The amount the targeted household can afford for housing, based on industry standards and practices.

If aid received under this program is used for demolition or removal of existing structures, the cleared land must be used for the construction of housing to be owned or rented by persons who meet the income limits described above.

If an aid recipient uses the aid on new construction or substantial rehabilitation of a building containing more than four units, the loan recipient must construct, convert, or otherwise adapt the building to include:

- The greater of:
 - At least one unit
 - At least 5% of units that are accessible units, as defined by section 1002 of the current State Building Code Accessibility Provisions for Dwellings Units in Minnesota, and include at least one roll-in shower
- The greater of:
 - At least one unit
 - At least 5% of units that are sensory-accessible units that include:
 - Soundproofing between shared walls for first and second floor units
 - No florescent lighting in units and common areas
 - Low-fume paint
 - Low-chemical carpet
 - Low-chemical carpet glue in units and common areas

These guidelines do not relieve a project funded by this aid program from meeting other applicable accessibility requirements.

Reporting to the Minnesota Housing Finance Agency	[+]
Tribal Nation Application	[+]
FAQs	[+]

Questions?

If you have questions, email us at PropTax.Admin@state.mn.us.

Last Updated

August 09, 2023

Contact Info

EMAIL

[Contact form](#)

PHONE

[651-556-6091](#)

State Deeds

[651-556-6085](#)

HOURS [\[+\]](#)

ADDRESS [\[+\]](#)



Print Page



City Council Agenda Request

MEETING DATE: December 4, 2023

TITLE OF ITEM: Discussion of 2024 Non-Working Funds Budgets

AGENDA: P&F Committee

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 from Staff and attached proposed budgets for Transit, Library, Recycling, Parking Lot, Permanent Improvement, Mayor's Contingency, Sanitary and Storm Sewer Funds.

The Council also adopts a budget for the EDA fund. It is not included in the packet as the EDA Commission will be meeting on December 7th to finalize the budget and will be presented to the Council at the December 18th council meeting for adoption.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: Review/discussion of budget.

FINANCIAL IMPACT:

MEMO



TO: Mayor and Council

FROM: Finance Director Connie Hillman

DATE: November 30, 2023

RE: Non-Working Funds 2024 Budget Discussion

The Council has had several discussions about the working funds – General, Public Safety, Parks, and Streets – as the operations of these funds are supported by property taxes as well as the capital fund. However, there are other funds that the Council has historically officially adopted a budget for as well.

Transit Fund:

The Transit Fund accounts for government grant revenues which are restricted for the expenditures of the City's dial-a-ride transportation system operation. Transit is funded through state and federal grants and ridership fees. With the adjustment to rates that were implemented in 2023, the budget shares that Brainerd's ridership fees should exceed the budgeted share of its expenditures by about \$64,000.

Library Fund:

The Library Fund accounts for the tax levy revenue requested by the Library from the City and to track the City's cost of maintaining the building. The enclosed budget was approved by the Library Board at the November 29, 2023 meeting.

Recycling Fund:

The Recycling Fund accounts for revenue from Crow Wing County's SCORE funds that are restricted for the City's recycling program. The Fund also accounts for the revenue and costs of the used oil recycling facility located at the fire department. 100% of the SCORE funds received were distributed to the garbage haulers licensed with the City. Since 2020, the City will not receive any SCORE funds from the County. The amount budgeted to be received in free-will offerings, does not cover the cost of the charge for collection of the used anti-freeze and filters as well as the dumpster that is also provided. The facility promotes water quality and reduces the possibility of pollutants entering our waterways from illegal dumping or spills. Therefore, to balance the budget a transfer of \$1,500 will be made from the Storm Sewer fund as done since 2021.

City Parking Lots Fund:

The City Parking Lots Fund accounts for all charges for services from parking lot rentals which are committed to maintaining the City's paid parking lots. The Council increased the rates effective April 2022. The average capacity for the year was at 89% in 2022. The current capacity is 78%, with the peak at 79%. Therefore, we decreased the budgeted revenue amount for 2024.

Permanent Improvement Fund:

The Permanent Improvement Fund is established by authority of the City Charter to account for the property tax levy which is committed for paying the cost of improving streets and alleys. The amount of the property tax collected cannot exceed 9% of the City's previous year's total levy. For 2024, the levy is 6% of the 2023 total levy. The funds are transferred out of the Permanent Improvement fund into the Construction Fund (401).

Mayor's Contingency Fund:

The Mayor's Contingency Fund was established by City Council policy to account for local government aid which is committed for the use of the Mayor in paying expenditures incurred by the Mayor in promoting the best interest of the City. Any funds not used by the end of the year are transferred back to the General Fund.

Sanitary Sewer Collection Fund:

The Sanitary Sewer Collection Fund is a proprietary fund. A proprietary fund is a business-like fund of a local government and uses the full accrual method of accounting. The Sanitary Sewer Collection Fund provides for the operation and maintenance of the wastewater collections. The fund charges user fees to those served by the system.

The Charges for Services is an estimate based on the rate study by USF and implemented by the Council. The budget reflects the R&M portion of the road construction projects that are associated with the sanitary sewer collection system. The capital portion of the construction projects are not in the budget as this fund is a proprietary fund. The cost of these projects as well as associated principal debt payments come into play when we do the rate study and cash flow analysis.

Storm Sewer Collection Fund:

The Storm Sewer Fund is also proprietary fund. The Storm Sewer Fund provides for the maintenance of the City's storm sewer system. The fund charges user fees to those served by the system.

The Charges for Services is an estimate based on the rate study by USF and implemented by the Council. The increase in the Salaries and Benefits line includes the shared Environmental Resources Tech between Brainerd and Baxter. 100% of the estimated cost is included in this line and 50% of the estimated cost from Baxter is part of the Intergovernmental revenue line item. Also included in the Intergovernmental revenue line item is the grant revenue for the gully project. 100% of the cost of the project will be capitalized and expensed through depreciation over the life of the project.

The budget reflects the R&M portion of the road construction projects that are associated with the storm sewer collection system. The capital portion of the construction projects are not in the budget as this fund is a proprietary fund. The cost of these projects come into play when we do the rate study and cash flow analysis.

If you have any questions before the meeting, please contact me.

TRANSIT FUND

	<u>2022 Actual</u>	<u>2023 Budget</u>	<u>2024 Budget</u>
Revenues			
Property Taxes	-	-	-
Grants & Aids	1,303,256	1,451,095	1,488,270
Intergovernmental	-	-	-
Charges for Services	137,214	153,930	192,848
Other Revenue	3,493	5,000	5,000
Total Revenues	1,443,963	1,610,025	1,686,118
Expenditures			
Personnel Services	195,231	120,288	142,453
Supplies	124,309	146,106	114,479
Services	1,241,174	1,294,788	1,255,064
Capital	90,581	117,555	114,904
Total Expenditures	1,651,295	1,678,737	1,626,900
Other Sources (Uses)			
Transfer In (Out)	-	-	-
Other Sources (Uses)	-	-	5,000
Total Other Sources (Uses)	-	-	5,000
Excess of Revenue Over (Under)			
Expenditures and Other Sources (Uses)	(207,332)	(68,712)	64,218
Fund Balance - Jan 1st	531,220	323,888	255,176
Fund Balance - Dec 31st	323,888	255,176	319,394

LIBRARY FUND

	<u>2022 Actual</u>	<u>2023 Budget</u>	<u>2024 Budget</u>
Revenues			
Property Taxes	144,800	149,788	149,788
Other Taxes	2,256	-	-
Interest	2,273	-	-
Contributions & Donations	17,689	-	-
Other Revenue	2,895	-	-
Total Revenues	169,913	149,788	149,788
Expenditures			
Supplies	50,409	8,300	10,300
Services	129,088	141,488	139,488
Capital	-	-	-
Total Expenditures	179,497	149,788	149,788
Other Sources (Uses)			
Transfer In (Out)	-	-	-
Other Sources (Uses)	-	-	-
Total Other Sources (Uses)	-	-	-
Excess of Revenue Over (Under)			
Expenditures and Other Sources (Uses)	(9,584)	-	-
Fund Balance - Jan 1st	362,080	352,496	352,496
Fund Balance - Dec 31st	352,496	352,496	352,496

RECYCLING FUND

	<u>2022 Actual</u>	<u>2023 Budget</u>	<u>2024 Budget</u>
Revenues			
Property Taxes	-	-	-
Intergovernmental	-	-	-
Used Oil Revenue	498	500	500
Other Revenue	4	-	-
Total Revenues	<u>502</u>	<u>500</u>	<u>500</u>
Expenditures			
Services	-	-	-
Used Oil Expenditures	1,646	1,972	1,972
Total Expenditures	<u>1,646</u>	<u>1,972</u>	<u>1,972</u>
Other Sources (Uses)			
Transfer In (Out)	1,500	1,500	1,500
Other Sources (Uses)	-	-	-
Total Other Sources (Uses)	<u>1,500</u>	<u>1,500</u>	<u>1,500</u>
Excess of Revenue Over (Under)			
Expenditures and Other Sources (Uses)	<u>356</u>	<u>28</u>	<u>28</u>
Fund Balance - Jan 1st	3	360	387
Fund Balance - Dec 31st	360	387	415

PARKING LOT FUND

	<u>2022 Actual</u>	<u>2023 Budget</u>	<u>2024 Budget</u>
Revenues			
Property Taxes	-	-	-
Charges for Services	53,345	58,000	51,000
Other Revenue	-	-	-
Total Revenues	<u>53,345</u>	<u>58,000</u>	<u>51,000</u>
Expenditures			
Personnel Services	-	-	-
Supplies	83	200	100
Services	16,420	17,358	17,674
Capital	-	-	-
Total Expenditures	<u>16,503</u>	<u>17,558</u>	<u>17,774</u>
Other Sources (Uses)			
Transfer In (Out)	(36,664)	(29,200)	(30,200)
Other Sources (Uses)	-	-	-
Total Other Sources (Uses)	<u>(36,664)</u>	<u>(29,200)</u>	<u>(30,200)</u>
Excess of Revenue Over (Under)			
Expenditures and Other Sources (Uses)	<u>178</u>	<u>11,242</u>	<u>3,026</u>
Fund Balance - Jan 1st	(27,435)	(27,256)	(16,014)
Fund Balance - Dec 31st	(27,256)	(16,014)	(12,988)

PERMANENT IMPROVEMENT FUND

	<u>2022 Actual</u>	<u>2023 Budget</u>	<u>2024 Budget</u>
Revenues			
Property Taxes	419,281	375,350	386,610
Other Taxes	5,678	-	-
Total Revenues	<u>424,959</u>	<u>375,350</u>	<u>386,610</u>
Expenditures			
Personnel Services	-	-	-
Supplies	-	-	-
Services	-	-	-
Capital	-	-	-
Total Expenditures	<u>-</u>	<u>-</u>	<u>-</u>
Other Sources (Uses)			
Transfer In (Out)	(424,759)	(375,350)	(386,610)
Other Sources (Uses)	-	-	-
Total Other Sources (Uses)	<u>(424,759)</u>	<u>(375,350)</u>	<u>(386,610)</u>
Excess of Revenue Over (Under)			
Expenditures and Other Sources (Uses)	<u>200</u>	<u>-</u>	<u>-</u>
Fund Balance - Jan 1st	6,441	6,641	6,641
Fund Balance - Dec 31st	6,641	6,641	6,641

MAYOR'S CONTINGENCY FUND

Mayor's Contingency Fund

	<u>2022 Actual</u>	<u>2023 Budget</u>	<u>2024 Budget</u>
Revenues			
Property Taxes	-	-	-
Other Taxes	-	-	-
Total Revenues	<u>-</u>	<u>-</u>	<u>-</u>
Expenditures			
Personnel Services	-	-	-
Supplies	-	-	-
Services	369	2,500	2,500
Capital	-	-	-
Total Expenditures	<u>369</u>	<u>2,500</u>	<u>2,500</u>
Other Sources (Uses)			
Transfer In (Out)	2,500	2,500	2,500
Other Sources (Uses)	(2,131)	-	-
Total Other Sources (Uses)	<u>369</u>	<u>2,500</u>	<u>2,500</u>
Excess of Revenue Over (Under)			
Expenditures and Other Sources (Uses)	<u>-</u>	<u>-</u>	<u>-</u>
Fund Balance - Jan 1st	-	-	-
Fund Balance - Dec 31st	-	-	-

SANITARY SEWER ENTERPRISE FUND

	<u>2022 Actual</u>	<u>2023 Budget</u>	<u>2024 Budget</u>
Operating Revenues			
Charges for Services	845,075	849,250	887,616
Total Revenues	<u>845,075</u>	<u>849,250</u>	<u>887,616</u>
Operating Expenditures			
Salaries and Benefits	173,268	175,741	178,925
Professional Services	667	6,200	1,300
Repairs and Maintenance	29,105	60,000	20,000
Insurance	5,395	5,649	5,965
Lease Payments	7,395	7,512	7,512
Depreciation	480,611	490,000	490,000
Materials and Supplies	12,211	10,500	10,500
Miscellaneous	1,701	1,800	2,752
Total Operating Expenses	<u>710,352</u>	<u>757,402</u>	<u>716,954</u>
Operating Income (Loss)	<u>134,723</u>	<u>91,848</u>	<u>170,662</u>
Nonoperating Revenues (Expenses)			
Intergovernmental	246,081	230,000	250,000
Gain (Loss) on Disposal of Asset	-	-	-
Interest Income	6,763	-	-
Interest Expense and Fiscal Charges	14,599	(73,545)	(38,696)
Contributed Capital	-	-	-
Total Nonoperating Revenue (Exp.)	<u>267,443</u>	<u>156,455</u>	<u>211,304</u>
Change in Net Position Before Transfers	<u>402,166</u>	<u>248,303</u>	<u>381,966</u>
Transfers In (Out)	-	-	-
Change in Net Position	<u>402,166</u>	<u>248,303</u>	<u>381,966</u>
Net Position- Beginning of Year	8,409,776	8,811,941	9,060,244
Net Position - End of Year	8,811,941	9,060,244	9,442,210

STORM SEWER ENTERPRISE FUND

	<u>2022 Actual</u>	<u>2023 Budget</u>	<u>2024 Budget</u>
Operating Revenues			
Charges for Services	474,414	497,676	552,594
Total Revenues	474,414	497,676	552,594
Operating Expenditures			
Salaries and Benefits	42,645	45,251	126,019
Professional Services	112,931	55,900	2,500
Repairs and Maintenance	14,432	70,000	50,000
Insurance	2,698	2,825	2,984
Depreciation	275,460	280,000	280,000
Materials and Supplies	-	-	-
Miscellaneous	3,545	3,500	7,600
Total Operating Expenses	451,711	457,476	469,103
Operating Income (Loss)	22,703	40,200	83,491
Nonoperating Revenues (Expenses)			
Intergovernmental	-	731,000	945,941
Interest Income	2,160	-	-
Interest Expense and Fiscal Charges	798	(200)	-
Total Nonoperating Revenue (Exp.)	2,958	730,800	945,941
Change in Net Position Before Transfers	25,661	771,000	1,029,432
Transfers In (Out)	(1,500)	(1,500)	(1,500)
Change in Net Position	24,161	769,500	1,027,932
Net Position- Beginning of Year	7,014,899	7,039,060	7,808,560
Net Position - End of Year	7,039,060	7,808,560	8,836,492



City Council Agenda Request

MEETING DATE: December 4, 2023

TITLE OF ITEM: Discussion of 2024 Operating Budget and 2024 Levy

AGENDA: P&F Committee

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: The preliminary levy was set in September at \$7,121,720. This is a little less than a 10.53% increase from the 2023 levy.

The City determines the levy by estimating expenditures, and non-tax revenues for the year and the difference between the two is the levy dollars needed for the City. Staff has been working on the budget and has brought back portions of the budget to the Council during the last couple of months. Below is a brief summary of the changes that have occurred since September.

- **Operating Expenditures - Personnel Services** have been updated for 27 sworn officers, with 1.5 of the budgeted officers' amount being paid for with Public Safety Aid. This amount is reflected in the (use)/addition to fund balance. All the one-time public safety aid is expected to be received and recognized in 2023 and will be designed as a restricted fund balance at 12/31/2023. Costs have also been updated for recent promotions/resignations, proposed new hires, and 2024 health insurance elections.
- **Operating Expenditures - Services** have been updated for the pass through fire state aid received that is passed onto the relief associations and the lease expenditure budget lines have been updated.
- **Debt Levy:** Updated prepaid assessment collections for the 2023A debt issue, and used 33% of the bond funds that have been paid off to lower the debt levy rather than transferring the funds to the Capital Fund.
- **Other Levies - Airport:** Have lowered the City's contribution to the airport by \$9,420. This is the proposed amount that the County is going to increase their contribution to the airport to essentially eliminate the double taxation of Brainerd residents. The County has not stated this is going to occur for 2024.
- **Revenue - License & Permits:** Updated in anticipation of the Council adoption of proposed ordinance revising the fee schedule.
- **Revenue - Grants & Aids:** The budgeted police and fire state aid have been updated to reflect the amount received in 2023.

- **Revenue - Revenue from Other Gov'ts:** The SRO Contract with the School District has been added, and revenue estimates from the airport for IT services, and from BPU and HRA for HR Services have also been updated based on the personnel service budgets.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The current recap shows the levy at \$6,845,792, about a 6.25% increase over the 2023 levy.

The preliminary tax rate at a levy of \$7,121,720 was calculated by the County at 55.388%. The estimated tax rate with a levy of \$6,845,792 is 53.210%. The chart below compares a residential and commercial property, assuming no change in value, to calculate the cost of the change of the City's levy.

	2024 City					
	2023	2024 City	2024 City	Difference	Difference	Difference
	City Tax	Tax Liability - Preliminary	Tax Liability - Current Proposed	2023 vs 2024	2023 vs 2024	in 2024
	58.664%	55.388%	53.210%	Preliminary	Preliminary	Tax Liability
Residential - EMV of \$150,000	\$741	\$699	\$672	(\$41)	(\$69)	(\$28)
Commercial - EMV of \$500,000	\$5,426	\$5,123	\$4,922	(\$303)	(\$504)	(\$201)

Basically, every 1% change in the levy equates to a change in the tax rate of .533%, which equates to City liability change for the above residential and commercial property of \$7 and \$49 respectively, per year.

RECOMMENDED ACTION/MOTION: Discussion and review of the current 2024 operating budget and 2024 levy.

FINANCIAL IMPACT:

2024 Levy Overview
As of 11/29/2023

	Adopted Budget 2023	2024 Preliminary Budget	2024 Budget as of 11/29/23	Difference in Budgets - Current vs 2023 Budget	% Difference Current vs 2023 Budget
TOTAL OPERATING EXPENDITURES					
Personnel Services	\$ 7,930,206	\$ 8,649,515	\$ 8,597,966	\$ 667,760	8.42%
Supplies	615,400	646,200	646,200	30,800	5.00%
Services	2,834,414	2,906,509	2,960,943	126,529	4.46%
Transfers Out	437,932	428,152	428,142	(9,790)	-2.24%
Total Expenditures	\$ 11,817,952	\$ 12,630,376	\$ 12,633,251	\$ 815,299	6.90%
TOTAL CAPITAL	\$ 1,255,927	\$ 1,255,927	\$ 1,255,927	\$ -	0.00%
TOTAL DEBT LEVY	\$ 920,000	\$ 973,341	\$ 977,193	\$ 57,193	6.22%
OTHER LEVIES					
Perm Improvement	\$ 375,350	\$ 386,610	\$ 386,610	\$ 11,260	3.00%
Sr Activity/Green Space/Comm Fest.	281,511	289,958	289,958	8,447	3.00%
Library	149,788	149,788	149,788	-	0.00%
EDA	152,861	186,812	186,812	33,951	22.21%
Airport	155,500	155,500	146,080	(9,420)	-6.06%
Total Other Levies	\$ 1,115,010	\$ 1,168,668	\$ 1,159,248	\$ 44,238	3.97%
TOTAL ESTIMATED EXPENDITURES	\$ 15,108,889	\$ 16,028,311	\$ 16,025,618	\$ 916,729	6.07%
TOTAL REVENUE - NON-PROPERTY TAX					
Other Taxes	\$ (274,000)	\$ (213,000)	\$ (213,000)	\$ (61,000)	-22.26%
Licenses & Permits	(440,990)	(481,090)	(462,500)	21,510	4.88%
Grants & Aids	(5,197,468)	(5,738,872)	(5,814,872)	617,404	11.88%
Revenue from Other Gov'ts	(324,512)	(258,305)	(347,564)	23,052	7.10%
Charges for Services	(968,036)	(980,390)	(980,390)	12,354	1.28%
Fines & Forfeitures	(127,000)	(129,000)	(129,000)	2,000	1.57%
Other Revenues	(1,032,632)	(944,500)	(944,500)	(88,132)	-8.53%
Transfers In	(315,751)	(128,000)	(128,000)	(187,751)	-59.46%
Total Revenues	\$ (8,680,389)	\$ (8,873,157)	\$ (9,019,826)	\$ 339,437	3.91%
(USE)/ADDITION TO FUND BALANCE					
Election	\$ 15,000	\$ (15,000)	\$ (15,000)	\$ 30,000	
Public Safety Aid		\$ -	\$ (145,000)	\$ 145,000	
Estimated Levy	\$ 6,443,500	\$ 7,140,154	\$ 6,845,792	\$ 402,292	6.24%
Actual Levy / <i>Proposed</i>	\$ 6,443,500	\$ 7,121,720	\$ 6,845,792		
% Increase	3.00%	10.53%	6.24%		
\$ Increase	187,674	678,220	402,292		



City Council Agenda Request

MEETING DATE: December 4, 2023

TITLE OF ITEM: Adopt Resolution of Support - Lowell SRTS Grant

AGENDA: SPW Committee

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: At the November 6th Council meeting, the City Council authorized staff to apply for Safe Routes to School (SRTS) grant funding for the project on H Street NE, adjacent to Lowell Elementary.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: As part of the grant application, staff is required to include a resolution from the Council that the City supports application for SRTS grant funding. The grant application is due February 2, 2024.

RECOMMENDED ACTION/MOTION: Staff recommends adoption of the attached resolution supporting application for SRTS grant funding for adjacent to Lowell Elementary.

FINANCIAL IMPACT: N/A

RESOLUTION

23:xx

RESOLUTION OF SUPPORT H STREET NE IMPROVEMENTS NEAR LOWELL ELEMENTARY 2023 SAFE ROUTES TO SCHOOL INFRASTRUCTURE SOLICITATION

WHEREAS, pursuant to the 2023 solicitation guide, \$10.9 million in Safe Routes to School (SRTS) funding is available, with a minimum of \$50,000 and cap of \$1,000,000 for each project, and;

WHEREAS, the City of Brainerd has adopted subdivision regulations that require SRTS infrastructure in developments authorized on or after June 1, 2016, and;

WHEREAS, SRTS funds can be used to reimburse construction costs on SRTS eligible items, and that construction costs above the SRTS award will need to have alternate funding sources, and;

WHEREAS, through the planning process, the City of Brainerd and Independent School District 181 (ISD 181) have worked together through the Safe Routes to School Plan and Engineering Study to identify safety concerns, both perceived and evident, around all the schools within the Brainerd City limits and associated improvements in which will alleviate these concerns, and;

WHEREAS, the City of Brainerd and Independent School District 181 (ISD 181), through formulation of its Safe Routes to School Plan (2019) and Engineering Study (2021), have determined there are perceived and evident safety issues relating traffic speed and pedestrian crossings on H Street NE between 3rd Avenue NE and 4th Avenue NE near Lowell Elementary, and;

WHEREAS, the improvements identified in the Engineering Study near Lowell Elementary will address these safety concerns by calming traffic with reduced lane widths and bump outs, providing a pedestrian refuge area, installing rapid flashing rectangular beacons (RFRBs), Dynamic Speed Displays (DSDs), and enhancing pavement markings, and;

WHEREAS, the City of Brainerd has been active in providing locally funded SRTS infrastructure in and around Lowell Elementary in previous years, and;

WHEREAS, many user groups across will benefit from the proposed improvements, including students walking and biking to school, bicyclists utilizing H Street NE for travel, and the general public, and;

WHEREAS, the City of Brainerd has been implemented and delivered upwards of \$2.0 million in Safe Routes to School Infrastructure projects since 2014 and has a history of successful projects that have been on time and within budget, and;

WHEREAS, funding for non-SRTS eligible work items including engineering and right-of-way acquisition has been secured for this project.

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

1. The City of Brainerd supports the construction of the project and agrees to maintain such improvements.
2. The City of Brainerd supports submittal of the SRTS Application for infrastructure funding.
3. The City of Brainerd will pay all costs associated with the project beyond the SRTS grant award.

Adopted this 4th day of December 2023

KELLY BEVANS
President of the Council

Adopted this 5th day of December 2023

DAVE BADEAUX
Mayor

ATTEST: _____
PATRICK WUSSOW
Interim City Administrator



City Council Agenda Request

MEETING DATE: December 4, 2023

TITLE OF ITEM: Approve Sale of Backhoe to Oak Lawn Township

AGENDA: SPW Committee

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: In the 2024 Capital plan, the Street and Sewer Department has a Loader/Backhoe planned for replacement. Ziegler Cat has provided a trade-in value of \$26,000 for the existing backhoe. Oak Lawn Township is interested in purchasing the existing backhoe for the same amount of \$26,000 to replace one of their equipment.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: If approved, staff would not accept payment and complete title transfer until the new backhoe was received.

RECOMMENDED ACTION/MOTION: Staff recommends approval to sell the existing backhoe to Oak Lawn Township in the amount of \$26,000.

FINANCIAL IMPACT: \$26,000



City Council Agenda Request

MEETING DATE: December 4, 2023

TITLE OF ITEM: Consider Denial of Tobacco License for Risky Business

AGENDA: SPW Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: John Davis, Police Chief

DEPARTMENT: Police

PRESENTER: John Davis, Police Chief

ESTIMATED TIME (MIN): 5 minutes

SUMMARY OF ISSUE: The city has received an application from Suzanne Milton to renew a tobacco license for Limos Etc., DBA Risky Business. Milton is the Mother of Ronald Beattie, who is recognized as the owner/operator of Risky Business located at 326 Washington Street. Chief Davis is recommending denial of the tobacco license renewal due to a 2023 sales tax violation conviction which stems from illegal business practices at Risky Business along with Risky Business not having current Workers' Compensation insurance and providing fraudulent information on the tobacco license application.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The basis for denial for the 2023 sales tax violation is supported by Brainerd City Code Section 1005.09 and 1005.21 Subd. 3, 4 and 5. The Basis for denial for the Fraudulent application is supported by Brainerd City Code Section 1005.21 Subd. 2 and Section 1135.09 Subd. 1 paragraph B and D. The basis for denial for not having current Workers' Compensation Insurance is supported by MN Statute 176.182.

Refer to the included document detailing the basis for denial elements.

RECOMMENDED ACTION/MOTION: Deny license renewal for Tobacco, Tobacco Products, and Tobacco related Products submitted by Suzanne Milton on behalf of Limos Etc., DBA Risky Business and to request the City Attorney provide the applicant with a notice of denial and their right to a hearing.

FINANCIAL IMPACT: None



**CITY OF BRAINERD
POLICE DEPARTMENT**

225 East River Rd
Brainerd, MN 56401
Ph: 218-829-2805
Fx: 218-825-3489
www.ci.brainerd.mn.us/police/

John Davis
Police Chief

Basis for Denial Elements

Tobacco License Application for Suzanne Milton and Risky Business located at 326 Washington Street

1. **City of Brainerd Municipal Code Section 1005.01 – Licensing procedures** specifies “it is unlawful for any person to engage in any trade, profession, business or privilege in the city for which a license is required by any provision of this code without first obtaining a license from the City in the manner provided in this section.”
2. **City of Brainerd Municipal Code Section 1005.09 – Approval or denial of licenses** specifies “No license may be approved by any city officer or issued by the clerk if it appears that the conduct of the activity for which a license is sought will be contrary to the health, safety, or welfare of the public or any regulation, law, or ordinance applicable to such activity.”
3. **City of Brainerd Municipal Code 1005.21 – Revocation; Denial; Suspension of license** specifies a license issued or to be issued by the city may be denied, suspended, or revoked by the council for the following cause:
 - **Subd. 2.** “Fraud, misrepresentation, or incorrect statement contained in the application for license, or made in carrying on the licensed activity.”
 - **Subd. 3.** “Conviction of any crime, or misdemeanor, pertaining to license held or applied for, subject to the provisions of Minnesota Statutes, Chapter 364.”
 - **Subd. 4.** “Conducting such licensed activity in such a manner as to constitute a breach of the peace, or a menace to the health, safety, and welfare of the public, or a disturbance of the peace or comfort of the residents of the city, upon recommendation of the City Health Authority or the appropriate City Official.”
 - **Subd. 5.** “Expiration or cancellation of any required bond or insurance, or failure to notify the city within a reasonable times of changes in the terms of the insurance or the carriers.”

4. **City of Brainerd Municipal Code 1135.09 Subd. 1.** which regulates basis for denial of a tobacco license identifies the following grounds for denial:
 - **Subd. 1. (a)** “The applicant has been convicted within the past five years of a Federal, State, or Local Law, ordinance/code provision, or other regulation relating to licensed products.”
 - **Subd. 1. (d)** “The applicant fails to provide any information required on the application or provides false or misleading information.”
5. **MN State Statute 176.182 Business Licenses or Permits; coverage required.** “Every state or local licensing agency shall withhold the issuance or renewal of a license or permit to operate a business in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of section 176.181, subdivision 2, by providing the name of the insurance company, the policy number, and dates of coverage or the permit to self-insure.”
6. From 2011 through 2013 Ronald W Beattie Jr., who is recognized as the owner and operator of Risky Business, was the applicant for tobacco licenses issued to Risky Business.
7. In January 2013 Ronald Beattie was convicted of 35 felonies for failure to report, document, and pay or collect taxes while he operated Risky Business at 326 Washington Street in the City of Brainerd.
8. From 2014 through 2023 all applications for tobacco licenses were then applied for by three different applicants under the business name of Limos Etc. DBA Risky Business. From 2019 through 2023 the tobacco license applicant has been Suzanne M. Milton.
9. On August 24, 2023, Ronald Beattie was convicted of Gross Misdemeanor Sales Tax- Cigarettes – Unstamped/Untaxed. This was a result of an investigation started in July 2022 where tobacco product inventory at Risky Business had been purchased from vendors not licensed by the MN Department of Revenue.
10. On October 23, 2023, Suzanne M. Milton submitted an APPLICATION FOR LICENSE TO SELL TOBACCO PRODUCTS OR TOBACCO RELATED DEVICES for Limos ETC.; DBA Risky Business at 326 Washington Street Brainerd, MN.

11. On 11/22/2023 Police Chief Davis spoke with Suzanne M. Milton by telephone. Chief Davis was told the following:
 - a. Milton is Ronald Beattie's Mother.
 - b. Milton isn't a paid employee, nor does she have an ownership interest.
 - c. When asked about Ronald Beattie being the owner of Risky Business Milton isn't sure who "on paper" the owner is now. Milton suggested Ronald Beattie changed ownership on paper because he had a felony and "Did what he had to do to keep the business open."
 - d. Milton wasn't aware of the July 2022 sales tax violation or Ronald Beattie's conviction despite this incident occurring while she was the tobacco license holder.
12. Since 2019, the last six tobacco applications Suzanne Milton has submitted on behalf of Ricky Business has identified Superior Point Insurance Company, policy # MNAR0000367314, as the required MN Worker's Compensation insurance provider.
13. Chief Davis contacted Superior Point to verify the policy and learned this policy hasn't been in effect since October 2020. At this time, there aren't any other policies held by Superior Point in the names of Risky Business, Ronald Beattie, Suzanne Milton, or any businesses located at 326 Washington Street, Brainerd.

#1044

CITY OF BRAINERD APPLICATION FOR LICENSE TO SELL TOBACCO, TOBACCO PRODUCTS, OR TOBACCO RELATED DEVICES

Falsifying answers to the following questions will result in denial of the application. If the applicant is a partnership, one partner shall execute the application on behalf of all members of the partnership. If the applicant is a corporation, a corporate officer with authority to do so shall execute the application on behalf of the corporation.

Please print

Applicant Legal Name (Individual, Partner, Officer of Corporation) Suzanne M. Milton

Date of Birth 12-27-1945

Please list all other names you are or have been known by, to include birth name, previous married names, alias names, and nicknames: _____

Applicant Corporation Name LIMOS ETC. INC.

Doing Business As RISKY BUSINESS NOVELTIES

Business Address 326 WASHINGTON ST.

Business Phone Number 218-829-9361

Home Address 14180 BROADMOOR (APT. 316) BAXTER, MN. 56425

Previous Address _____



\$75 Tobacco License

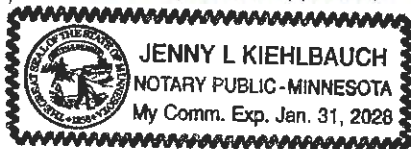
AUTHORIZATION AND RELEASE

The undersigned, having filed an application with the City of Brainerd, realizing that the City has need to investigate the background and history of the applicant in order to better evaluate his or her application, does hereby authorize and request every law enforcement official and every other person, firm, officer, corporation, association, organization, or institution having control of any documents, records and other information pertaining to me to furnish the original or copies of any such documents, records and other, to the city or any of its representatives, and to permit said City or any of its representatives to inspect and make copies of any such documents, records, and other information. I further authorize any such person to answer any inquiries concerning the undersigned which may be submitted to them by the City or its authorized representative. I fully understand that the information so obtained by the City may be used by it in its evaluation of my application.

I hereby release and exonerate any person who shall comply with the authorization and request made herein from any and all liability of every nature and kind growing out of and in any way pertaining to the furnishing or inspection of such documents, records, and other information.

Applicant Signature Suzanne M. Milton Date 10-23-2023

On 10/23/23 Suzanne M. Milton personally appeared before me to be the signer of this document.
(date) (name of applicant)



J. Kiehlbauch
Signature of Notary Public
State of MN County of Crow Wing
My Commission Expires Jan 31, 2028

This is to certify that the applicant hasn't been convicted within the past five years of a Federal, State or Local law, ordinance/code provision, or other regulation relating to licensed products, except as hereinafter stated:

Chief of Police Signature _____ Date _____

Fire Chief Signature _____ Date _____

Council Approval Date _____ License Number 23-0078

Certificate of Compliance Minnesota Workers' Compensation Law

PRINT IN INK or TYPE.

Minnesota Statutes, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in any activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minnesota Statutes, Chapter 176. The required workers' compensation insurance information is the name of the insurance company, the policy number, and the dates of coverage, or the permit to self-insure. If the required information is not provided or is falsely stated, it shall result in a \$2,000 penalty assessed against the applicant by the commissioner of the Department of Labor and Industry.

A valid workers' compensation policy must be kept in effect at all times by employers as required by law.

BUSINESS NAME (Individual name only if no company name used)		LICENSE OR PERMIT NO (if applicable)	
LIMOS ETC., INC.			
DBA (doing business as name) (if applicable)			
RISKY BUSINESS, NOVELTIES AND VIDEO			
BUSINESS ADDRESS (PO Box must include street address)	CITY	STATE	ZIP CODE
326 WASHINGTON	BRAINERD	MN.	56401

YOUR LICENSE OR CERTIFICATE WILL NOT BE ISSUED WITHOUT THE FOLLOWING INFORMATION. You must complete number 1, 2 or 3 below.

NUMBER 1 COMPLETE THIS PORTION IF YOU ARE INSURED:

INSURANCE COMPANY NAME (not the insurance agent)		
Superior Point		
WORKERS' COMPENSATION INSURANCE POLICY NO.	EFFECTIVE DATE	EXPIRATION DATE
MN AR0000367 314		

NUMBER 2 COMPLETE THIS PORTION IF SELF-INSURED:

☐ I have attached a copy of the permit to self-insure.

NUMBER 3 COMPLETE THIS PORTION IF EXEMPT:

I am not required to have workers' compensation insurance coverage because:

- ☐ I have no employees.
- ☐ I have employees but they are not covered by the workers' compensation law. (See Minn. Stat. § 176.041 for a list of excluded employees.) Explain why your employees are not covered: _____
- ☐ Other: _____

ALL APPLICANTS COMPLETE THIS PORTION:

I certify that the information provided on this form is accurate and complete. If I am signing on behalf of a business, I certify that I am authorized to sign on behalf of the business.

APPLICANT SIGNATURE (mandatory)	TITLE	DATE
Suzanne M. Milton	Individual	10 23 2023

NOTE: If your Workers' Compensation policy is cancelled within the license or permit period, you must notify the agency who issued the license or permit by resubmitting this form.

This material can be made available in different forms, such as large print, Braille or on a tape. To request, call 1-800-342-5354 (DIAL-DLI) Voice or TDD (651) 297-4198.

License Application to Make Retail Sales of Cigarette and Other Tobacco Products

To be completed by applicant when applying for a license with a city or county.

Print or Type	Applicant's Minnesota Tax ID Number 2894285	The Minnesota Tax ID must be issued in the same legal name of the licensee below.	FOR MUNICIPAL USE ONLY										
	Cigarettes/tobacco products will be sold (a separate license is required for each location or vending machine): ☒ Over Counter ☐ Through Vending Machine ☐ Both		License Authority										
			License Number										
			Period Covered										
			Date of Issuance										
Business Information	Licensee's Legal Name LIMOS ETC INC		Federal Employer ID Number (FEIN)										
	Business Trade Name (doing business as) RISKY BUSINESS NOVELTIES + VENDING		Daytime Phone										
	Complete Address of Business Location (permit location) 326 WASHINGTON ST CROW WING		Other Phone Number										
	City BRAINERD	State MN	ZIP Code 56401	Fax Number									
	Mailing Address (if different than business address) #		Email Address										
Statement of Understanding	Type of legal organization (check one): ☐ Sole proprietor ☒ Minnesota corporation: Enter date of incorporation 12/4/12 ☐ Partnership ☐ Out-of-state corporation: State of incorporation _____ ☐ Other (describe) _____												
	Are you registered to do business in Minnesota? ☐ Yes ☐ No												
	Corporate officers or partners (attach a list if necessary)												
	Name JEREMY RIDER Title CEO												
	Address 326 WASHINGTON ST City BRAINERD State MN ZIP Code 56401												
	Name SUZANNE MILTON Title COO												
Address 326 WASHINGTON ST City BRAINERD State MN ZIP Code 56401													
Sign Here	As a licensed tobacco products or cigarette retailer, I understand that:												
	1. I can purchase cigarettes and tobacco from a Minnesota distributor or subjobber who holds a license with the Minnesota Department of Revenue. The Cigarette and Tobacco Distributor List is on our website. Go to www.revenue.state.mn.us and type Distributor List in the Search box.												
	2. I must obtain a tobacco products distributor license if I purchase untaxed tobacco products from an out-of-state company.												
	3. I may not sell cigarettes affixed with Minnesota Native American stamps unless my retail business is located on a reservation that has a tax agreement with the State of Minnesota.												
	4. I may not purchase from or exchange cigarettes or tobacco products with another retailer.												
	5. I must keep complete and legible cigarette and tobacco products invoices on the licensed premises, or make invoices available within one hour of request, for at least one year after the date of the purchase.												
6. I know that the Minnesota Department of Revenue and/or law enforcement may conduct cigarette and tobacco inspections of the premises, including inspections of inventory, invoices and licenses, and I understand that a refusal to allow an inspection is grounds for revocation of my license.													
7. I know that failure to comply with all requirements can result in criminal penalties, including the loss of cigarettes and tobacco products.													
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;"> Licensee Signature Suzanne Milton </td> <td style="width: 10%;"> Title COO </td> <td style="width: 30%;"> Print Name SUZANNE MILTON </td> <td style="width: 10%;"> Date 10/23/23 </td> <td style="width: 20%;"> Daytime Phone (218) 829-9361 </td> </tr> <tr> <td> Licensing Agent's Signature </td> <td> Title </td> <td> Print Name </td> <td> Date </td> <td> Daytime Phone </td> </tr> </table>				Licensee Signature Suzanne Milton	Title COO	Print Name SUZANNE MILTON	Date 10/23/23	Daytime Phone (218) 829-9361	Licensing Agent's Signature	Title	Print Name	Date	Daytime Phone
Licensee Signature Suzanne Milton	Title COO	Print Name SUZANNE MILTON	Date 10/23/23	Daytime Phone (218) 829-9361									
Licensing Agent's Signature	Title	Print Name	Date	Daytime Phone									

License applicant: Submit this form to the licensing authority along with the license application.

Licensing authority: Mail, email or fax to:

Minnesota Revenue, Mail Station 3331, St. Paul, MN 55146-3331.

Fax: 651-556-5236. Email: cigarette.tobacco@state.mn.us

Section 1005 – Licensing Procedures

1005.01 Licenses Required. It is unlawful for any person to engage in any trade, profession, business or privilege in the City for which a license is required by any provision of this Code without first obtaining a license from the City in the manner provided in this Section.

1005.03 Application. Application for a license is made to the Clerk-Treasurer upon forms provided by the City. The applicant shall state the location of the proposed activity and such other facts as are required for or applicable to the granting of the license.

1005.05 Payment of Fee. The fees required for a license shall be paid at the office of the clerk before the granting of the license. Unless otherwise specified in this Code no license fee shall be prorated for a portion of a year, and no license fee paid shall be refunded.

1005.07 Bond and Insurance. Required bonds shall be in form satisfactory to the City Attorney. Where policies of insurance are required, the policies shall be approved as to substance and form by the City Attorney. Satisfactory evidence of coverage by bond or insurance shall be filed with the Clerk-Treasurer before the license is issued.

1005.09 Approval or Denial of Licenses. Where the approval of any City or State Officer of the Council is required prior to the issuance of a license, the approval must be presented to the Clerk-Treasurer before the license is issued. No license may be approved by any City Officer or issued by the Clerk if it appears that the conduct of the activity for which a license is sought will be contrary to the health, safety, or welfare of the public or any regulation, law, or ordinance applicable to such activity.

1005.11 License Term. Unless otherwise specified in this Code the term of the license year shall begin on January 1 and end on December 31. Where the issuance of licenses for periods of less than one year is permitted, the effective date of the license is the date of issuance.

1005.13 License Certificates. License certificates shall show the date of issue, the activity licensed, and the term of the license. They shall be signed by the Clerk-Treasurer, and be impressed with the City seal.

1005.15 Exhibition of License Certificate. A licensee shall carry his license certificate upon his person at all times when engaged in the activity for which the license was granted. Where the licensed activity is conducted at a fixed place of business or establishment, the certificate shall be exhibited at all times in some conspicuous place on the premises. The licensee shall present the license certificate when applying for a renewal and upon demand of any Police Officer or authorized representative of the City.

1005.17 Transfer of License. Unless otherwise provided in this Code, no license shall be transferable without the authorization of the Council.

1005.19 Renewal of License. License renewals are issued in the same manner and subject to the same conditions as original licenses.

1005.21 Revocation; Denial; Suspension. Subdivision 1. Grounds. A license issued or to be issued by the City may be denied, suspended, or revoked by the council for any of the causes listed in this Subsection.

Subd. 2. Fraud, misrepresentation, or incorrect statement contained in the application for license, or made in carrying on the licensed activity.

Subd. 3. Conviction of any crime, or misdemeanor, pertaining to license held or applied for, subject to the provisions of Minnesota Statutes, Chapter 364.

Subd. 4. Conducting such licensed activity in such manner as to constitute a breach of the peace, or a menace to the health, safety, and welfare of the public, or a disturbance of the peace or comfort of the residents of the City, upon recommendation of the City Health Authorities or other appropriate City Official.

Subd. 5. Expiration or cancellation of any required bond or insurance, or failure to notify the City within a reasonable time of changes in the terms of the insurance or the carriers.

Subd. 6. Actions unauthorized or beyond the scope of the license granted.

Subd. 7. Failure to continuously comply with all conditions required as precedent to the approval of the license.

1005.23 Hearing. No license may be suspended or revoked until after a hearing is granted to the licensee. Such hearing to be held before the City Council upon due notice to the licensee stating the time and place of such hearing, together with a statement of the violation alleged to be the cause for the revocation or suspension of the license.

1005.25 Temporary Suspensions. The City Council may temporarily suspend a license pending a hearing on revocation or suspension when in its judgment the public health, safety, and welfare is endangered by the continuance of the licensed activity.

1005.27 Inspections. The City Health Authority and other appropriate City Officials may enter upon the premises where any licensed activity is being conducted for the purpose of inspection at any reasonable hour.

Section 1135 – Tobacco, Tobacco Products, and Tobacco Related Products

1135.01 Purpose. The City hereby adopts the Minnesota legislature’s finding, as stated in Minn. Stat. § 144.391, that: (1) smoking causes premature death, disability, and chronic disease, including cancer and heart disease, and lung disease; (2) smoking related diseases result in excess medical care costs; and (3) smoking initiation occurs primarily in adolescence. The City also adopts the legislature’s desire to prevent young people from starting to smoke, to encourage and assist smokers to quit, and to promote clean indoor air. The City recognizes that the sale of tobacco-related products to persons under the age of 21 violates both state and federal law. Because the City recognizes that many persons under the age of 21 years purchase or otherwise obtain, possess, and use tobacco, tobacco products, tobacco related devices, electronic delivery devices, and nicotine or lobelia delivery products and that such sales, possession, and use are violations of State and Federal laws; and pursuant to the mandates contained in state and federal law this ordinance is intended to regulate the sale, possession, and use of tobacco, tobacco products, tobacco related devices, electronic delivery devices, and nicotine or lobelia delivery products for the purpose of enforcing and furthering existing laws and state mandates, and to protect the public against the serious effects associated with the use of tobacco, tobacco products, tobacco related devices, electronic delivery devices, and nicotine or lobelia delivery products. The purpose of this ordinance is to reduce the appeal to youth and young adults and reduce the likelihood that youth and young adults will become users of tobacco-related products later in life, thereby promoting health, safety, and welfare.

1135.03 Definitions and Interpretations. Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. The singular shall include the plural and the plural shall include the singular. The masculine shall include the feminine and neuter, and vice-versa. The term “shall” means mandatory and the term “may” means permissive. The following terms shall have the definitions given to them.

Subd. 1. Tobacco or Tobacco Products. “Tobacco” means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product including but not limited to cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.

Subd. 2. Tobacco Related Devices. “Tobacco Related Devices” means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of aerosol or vapor of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.

Subd. 3. Self-Service Merchandising. “Self-Service Merchandising” means open displays of tobacco, tobacco products, tobacco related devices, electronic delivery devices, and nicotine or lobelia delivery products in any manner where any person shall have access to the tobacco, tobacco products, tobacco related devices electronic delivery devices, and nicotine or lobelia delivery products without the assistance or intervention of the licensee or the licensee’s employee. The assistance or intervention shall entail the actual physical exchange of the tobacco, tobacco product, tobacco related device, electronic delivery devices, or nicotine or lobelia delivery products between the customer and the licensee or employee. Self-service merchandising shall not include vending machines.

Subd. 4. Vending Machine. “Vending Machine” shall mean any mechanical, electric or electronic, or other type of device which dispenses tobacco, tobacco products, tobacco related devices, electronic delivery devices, or nicotine or lobelia delivery products upon the insertion of money, tokens, or other form of payment directly into the machine by the person seeking to purchase the tobacco, tobacco products, tobacco related device, electronic delivery devices, or nicotine or lobelia delivery products. A device by which licensee or licensee’s employee must insert the payment in order to operate the machine is not a vending machines for the purpose of this definition.

Subd. 5. Loosies. “Loosies” shall mean the common term used to refer to a single or individually packaged cigarette.

Subd. 7. Retail Establishment. “Retail Establishment” shall mean any place of business where tobacco, tobacco products, tobacco related devices, electronic delivery devices, or nicotine or lobelia delivery products are available for sale to the general public. Retail establishments shall include, but not be limited to, grocery stores, convenience stores, and restaurants.

Subd. 8. Moveable Place of Business. “Moveable Place of Business” shall refer to any retail business whose physical location is not permanent, including, but not limited to, any retail business that is operated from a kiosk, other transportable structure, or motorized or nonmotorized vehicle.

Subd. 9. Sale. A “sale” shall mean any transfer of goods for money, trade, barter, or other consideration.

Subd. 10. Compliance Checks. “Compliance Checks” shall mean the system the city uses to investigate and ensure that those authorized to sell tobacco, tobacco products, tobacco related devices, electronic delivery devices, or nicotine or lobelia delivery products are following and complying with the requirements of this ordinance. Compliance Checks may involve the use of persons under the age of 21 as authorized by this ordinance. Compliance checks shall also mean the use of person under the age of 21 who attempt to purchase tobacco, tobacco products, tobacco related devices, electronic delivery devices, or nicotine or lobelia delivery products for educational, research and training purposes as authorized by State and Federal laws. Compliance checks may also be conducted by other units of government for the purpose of enforcing appropriate Federal, State, or Local laws and regulations relating to tobacco, tobacco products, tobacco related devices, electronic delivery devices, or nicotine or lobelia delivery products.

Subd. 11. Electronic Delivery Device. “Electronic Delivery Device” means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic,

intended for human consumption through inhalation of aerosol or vapor from the product. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device excludes drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.

Subd. 12. Child-Resistant Packaging. "Child-Resistant Packaging" is packaging that meets the definition as set forth in Code of Federal Regulations, title 16, section 1700.15(b), as in effect on January 1, 2015, when tested in accordance with the method described in Code of Federal Regulations, title 16, section 1700.20, as in effect on January 1, 2015.

Subd. 13. Nicotine or Lobelia Delivery Products. "Nicotine or Lobelia Delivery Products" are any product containing or delivering nicotine or lobelia intended for human consumption, or any part of such a product, that is not tobacco or an electronic delivery device as defined in this section, not including any product that has been approved or otherwise certified for legal sale by the United States Food and Drug Administration for tobacco use cessation, harm reduction, or for other medical purposes, and is being marketed and sold solely for that approved purpose.

1305.05 License. No person shall sell or offer to sell any tobacco, tobacco products, tobacco related device, electronic delivery devices, or nicotine or lobelia delivery products without first having obtained a license to do so from the city.

Subd. 1. Application. An application for a license to sell tobacco, tobacco products, tobacco related devices, electronic delivery devices, or nicotine or lobelia delivery products shall be made on a form provided by the City. The application shall contain the full name of the applicant, the applicant's residential and business addresses and telephone numbers, the name of the business for which the license is sought, and any additional information the City deems necessary. Upon receipt of a completed application, the City Administrator shall forward the application to the City Council for action at its next regularly scheduled council meeting. If the City Administrator shall determine that an application is incomplete, he or she shall return the application to the applicant with notice of the information necessary to make the application complete.

Subd. 2. Action. The City Council may either approve or deny the license, or it may delay action for such reasonable period of time as necessary to complete any investigation of the application or the applicant it deems necessary. If the Council shall approve the license, the City Administrator shall issue the license to the applicant. If the Council denies the license, notice of the denial shall be given to the applicant along with notice of the applicant's right to appeal the Council's decision.

Subd. 3. Term. All licenses issued under this Ordinance shall be valid beginning on the date of issuance and shall expire on December 31 of each year.

Subd. 4. Revocation or Suspension. Any license issued under this ordinance may be revoked or suspended as provided in the Violations and Penalties Sections herein.

Subd. 5. Transfers. All licenses issued under this Section shall be valid only on the premises for which the license was issued and only for the person to whom the license was issued. No transfer of any license to another location or person is allowed.

Subd. 6. Moveable Place of Business. No license shall be issued to a moveable place of business. Only fixed location businesses shall be eligible to be licensed under this Section.

Subd. 7. Display. All licenses shall be posted and displayed in plain view of the general public on the licensed premise

Subd. 8. Renewals. The renewal of a license issued under this Section shall be handled in the same manner as the original application. The request for a renewal shall be made at least thirty days but no more than sixty days before the expiration of the current license.

1135.07 Fees. No license shall be issued under this Section until the appropriate license fee shall be paid in full. The fee for a license issued pursuant to this Section is fixed by Chapter 10 of the City Code.

1135.09 Basis for Denial of License.

Subd. 1. The following shall be grounds for denying the issuance or renewal of a license under this Section.

- A) The applicant is under 21 years of age.
- B) The applicant has been convicted within the past five years of a Federal, State, or Local law, ordinance/code provision, or other regulation relating to licensed products.
- C) The applicant has had a license to sell licensed products suspended or revoked within the preceding twelve months of the date of application.
- D) The applicant fails to provide any information required on the application or provides false or misleading information.
- E) The applicant is prohibited by Federal, State, or other Local law, ordinance, code, or other regulation, from holding such a license.

Subd. 2. Except as may otherwise be provided by law, the existence of any particular ground for denial does not mean that the City must deny the license.

Subd. 3. If a license is mistakenly issued or renewed to a person, it shall be revoked upon the discovery that the person was ineligible for the license under this Section. The City will provide the license holder with a notice of revocation, along with information on the right to appeal.

1135.11 Prohibited Sales and Offers.

Subd. 1. Persons under 21. No person shall sell, offer to sell, or otherwise provide any tobacco, tobacco products, tobacco related device electronic delivery devices, or nicotine or lobelia delivery products to any person under the age of twenty-one (21) years.

A) *Age verification*. Licensee must verify by means of government-issued photographic identification that the purchaser is at least 21 years of age. Verification is not required for a person over the age of 30. That the person appeared to be 30 years or older does not constitute a defense or violation of this subdivision.

B) *Signage*. Notice of the legal sales age and age verification requirement must be posted prominently and in plain view at all times at each location where tobacco, tobacco products, tobacco related device electronic delivery devices, or nicotine or lobelia delivery products are offered for sale. The required signage must be posted in a manner that is clearly visible to anyone who is or is considering making a purchase.

Subd. 2. Self-Service Sales. No person shall sell, offer to sell, or otherwise provide any tobacco or tobacco related devices, electronic delivery devices, or nicotine or lobelia delivery products in open displays which are accessible to the public without the intervention of a store employee that includes a physical exchange of the tobacco products, tobacco devices, electronic delivery devices, or nicotine or lobelia delivery products. This shall not apply to retail establishments which derive at least 90 percent of their revenue from tobacco and tobacco related devices, electronic delivery devices, or nicotine or lobelia delivery products and where the retailer ensures that no person younger than 21 years of age is present or permitted to enter at any time.

Subd. 3. Controlled Substances. No person shall sell, offer to sell, or otherwise provide any tobacco, tobacco products, tobacco related device electronic delivery devices, or nicotine or lobelia delivery products containing opium, morphine, jimson weed, bella donna, strychnos, cocaine, marijuana, or other deleterious, hallucinogenic, toxic, or controlled substances except nicotine or other substances found naturally in tobacco or added as part of an otherwise lawful manufacturing process.

Subd. 4. Sampling. No person shall distribute any tobacco, tobacco related devices, electronic delivery devices, or nicotine or lobelia products free of charge.

Subd. 5. Loosies. No person shall distribute any tobacco, tobacco related devices, electronic delivery devices, or nicotine or lobelia products by means of loosies.

Subd. 6. Vending Machines. No person shall allow the sale of tobacco, tobacco products, tobacco related devices, electronic delivery devices, or nicotine or lobelia delivery products by the means of a vending machine. This subdivision does not apply to vending machines in facilities that cannot be entered at any time by persons under the age of 21 years.

Subd. 7. Liquid Packaging. The sale of any liquid, whether or not such liquid contains nicotine, that is intended for human consumption and use in an electronic delivery device that is not contained in packaging that is child-resistant is prohibited. All licensees under this chapter must ensure that any liquid intended for human consumption and use in an electronic delivery device is sold in child-

resistant packaging. A licensee that fails to comply with this section is subject to administrative penalties as defined in Section 1135.21, subd. 1.

Subd. 8. Kiosk Sales. No person shall sell tobacco, tobacco related devices, or electronic delivery devices as defined in Minn. Stat. § 609.685, subd. 1, or nicotine or lobelia delivery products as described in section 609.6855 from a moveable place of business as defined in Section 1135.03, subd. 8.

Subd. 9. Other Prohibitions. No person shall sell, offer to sell, or otherwise provide any tobacco, tobacco product, tobacco related device, electronic delivery device, or nicotine or lobelia delivery product by any other means, to any other person, or in any other manner or form prohibited by Federal, State, or other Local law.

1135.13 Responsibility. All licensees under this ordinance shall be responsible for the actions of their employees in regard to the sale of tobacco, tobacco products, tobacco related devices, electronic delivery devices, or nicotine or lobelia delivery product on the licensed premises, and the sale of such an item by an employee shall be considered a sale by the license holder. Nothing in this section shall be construed as prohibiting the City from also subjecting the employee to whatever penalties are appropriate under this Ordinance, State or Federal law, or other applicable law or regulation.

1135.15 Compliance Checks and Inspections. All licensed premises shall be open to inspection by the Brainerd Police Department or other authorized City official during regular business hours. From time to time, but at least once per year, the City shall conduct compliance checks by engaging persons over the age 17 years but less than 21 years, with the written consent of their parents or guardians if under the age of 18 years, to enter the licensed premise to attempt to purchase tobacco, tobacco products, tobacco related devices, electronic delivery devices, or nicotine or lobelia delivery products. Persons who are used for the purpose of compliance checks shall be supervised by City designated law enforcement officers or other designated City personnel. Persons under 21 years of age who are used for compliance checks shall not be guilty of unlawful possession of tobacco, tobacco products, tobacco related devices, electronic delivery devices, or nicotine or lobelia delivery products when such items are obtained as a part of the compliance check. No person under 21 years of age who is used in compliance checks shall attempt to use a false identification misrepresenting the person's age, and all persons lawfully engaged in a compliance check shall answer all questions about the person's age asked by the licensee or his or her employee and shall produce any identification, if any exists, for which he or she is asked. Nothing in this section shall prohibit compliance checks authorized by State or Federal laws for educational, research, or training purposes, or required for the enforcement of a particular State or Federal law.

1135.17 Other Illegal Acts. Unless otherwise provided, the following acts shall be a violation of this ordinance.

Subd. 1. Illegal Possession. It shall be a violation of this ordinance for any person under the age of 21 to have in his or her possession any tobacco, tobacco product, tobacco related device electronic delivery device, or nicotine or lobelia delivery product. This subdivision shall not apply to persons under the age of 21 lawfully involved in a compliance check.

Subd. 2. Illegal Use. It shall be a violation of this ordinance for any person under the age of 21 to smoke, chew, sniff, or otherwise use any tobacco, tobacco product, tobacco related device electronic delivery device, or nicotine or lobelia delivery product.

Subd. 3. Prohibited Furnishment or Procurement. It shall be a violation of this ordinance for any person under 21 years of age to purchase or attempt to purchase or otherwise obtain any tobacco, tobacco product, tobacco related device, electronic delivery devices, or nicotine or lobelia delivery products and it shall be a violation of this ordinance for any person to purchase or otherwise obtain such items on behalf of a person under 21 years of age. It shall further be a violation for any person to coerce or attempt to coerce a person under 21 years of age to illegally purchase or otherwise obtain or use any tobacco, tobacco product, tobacco related device electronic delivery devices, or nicotine or lobelia delivery products. This subdivision shall not apply to persons under 21 years of age who are lawfully involved in a compliance check.

Subd. 4. Use of False Identification. It shall be a violation of this ordinance for any person under 21 years of age to attempt to disguise his or her true age by the use of a false form of identification, whether the identification is that of another person or one on which the age of the person has been modified or tampered with to represent an age older than the actual age of the person.

1135.19 Violations.

Subd. 1. Notice. Upon discovery of a suspected violation, the alleged violator shall be issued, either personally or by mail, a citation from the City that sets forth the alleged violation and which shall inform the alleged violator of his or her right to be heard on the accusation, and how and where a hearing may be requested, including a contact address and phone number.

Subd. 2. Hearings. Upon issuance of a citation, a person accused of violating this Section may request in writing a hearing on the matter. Hearing requests must be made within ten business days of the issuance of the citation and delivered to the City Clerk or other designated city officer. Failure to properly request a hearing within ten business days of the issuance of the citation will terminate the person's right to a hearing. If a person accused of violating this Section submits a timely request for a hearing, the City Clerk or other designated city officer will set the time and place for the hearing. Written notice of the hearing time and location will be mailed or delivered to the accused violator at least ten business days prior to the hearing.

Subd. 3. Hearing Officer. The City Council shall serve as the hearing officer.

Subd. 4. Decision. If the hearing officer determines that a violation of this Section did occur, that decision, along with the hearing officer's reasons for finding a violation and the penalty to be imposed under Section 1135.21 of this Section, shall be recorded in writing, a copy of which shall be provided to the accused violator. Likewise, if the hearing officer finds that no violation occurred or finds grounds for not imposing any penalty, such findings shall be recorded, and a copy provided to the acquitted accused violator

Subd. 5. Appeals. Appeals of any decision made by the hearing officer shall be filed in the district court for the City in which the alleged violation occurred within ten business days of the date of the decision.

Subd. 6. Misdemeanor Prosecution. Nothing in this Section shall prohibit the City from seeking prosecution as a misdemeanor for any alleged violation of this Section by a person 21 years of age or older. If the City elects to seek misdemeanor prosecution, no administrative penalty shall be imposed.

Subd. 7. Continued Violation. Each violation, and every day in which a violation occurs or continues, shall constitute a separate offense.

1135.21 Administrative Penalties.

Subd. 1. Licensees. Should any licensee be found to have violated this ordinance, or whose employee shall have violated this ordinance, the licensee shall be charged an administrative fine of \$300 for a first violation; \$600 for a second offense at the same licensed premises within a 36 month period; and \$1,000 for a third or subsequent offense at the same location within a 36 month period. In addition, after the third offense within a 36 month period, the license shall be suspended for not less than 30 consecutive days. Upon a fourth violation within a 36 month period, the license will be revoked.

Subd. 2. Other Individuals and Employees. Employees of licensees and other individuals, other than persons under the age of 21 regulated by Subdivision 3 of this Subsection, found to be in violation of this ordinance shall be charged an administrative fine of \$50

Subd. 3. Persons under the Age of 21. Persons under the age of 21 who use a false identification to purchase or attempt to purchase licensed products may only be subject to non-criminal, non-monetary civil penalties such as tobacco-related education classes, diversion programs, community services, or another penalty that the City determines to be appropriate. The City Council will consult with interested persons, as applicable, including but not limited to court personnel, educators, parents, guardians, and persons under the age of 21 years to determine an appropriate penalty for persons under the age of 21 in the city. The penalty may be established by ordinance and amended from time to time.

Subd. 4. Statutory Penalties. If the administrative penalty authorized to be imposed by [Minn. Stat. § 461.12](#), as it may be amended from time to time, differ from that established in this section, then the higher penalty will prevail.

1135.23 Exceptions and Defenses. Nothing in this Section shall prevent the providing of tobacco, tobacco products, tobacco related devices to a person under 21 years of age as a part of a lawfully recognized religious, spiritual, or cultural ceremony. It is an affirmative defense to the charge of selling tobacco, tobacco-related products, electronic delivery devices, or nicotine or lobelia delivery products to a person under 21 years of age for a person to have reasonably relied on proof of age as described by state law.

1135.25 Severability and Savings Clause. If any section or portion of this Section shall be found unconstitutional or otherwise invalid or unenforceable by a court of competent jurisdiction, that finding shall not serve as invalidation or affect the validity and enforceability of any other section or provision of this Section

1135.26 Signage. All licensees shall post and display in plain view of the general public on the licensed premise, a sign supplied by the City, which shall provide public notice that selling tobacco, tobacco-related devices, electronic delivery devices, or nicotine or lobelia delivery products to any person under the age of 21 is illegal and subject to penalties. The sign shall also provide notice that all persons responsible for selling these products must verify, by means of photographic identification containing the bearer's date of birth, the age of any person under 30 years of age. The sign shall be placed in a conspicuous location in the licensed establishment and shall be readily visible to any person who is purchasing or attempting to purchase these products. Said signs shall be issued to the licensee along with their license.

(Amended Ord. 1035 – 1997, Ord. 1422 – 2014, Ord 1528- 2022)

Filed in District Court
State of Minnesota

Aug 29 2023 8:52 AM

State of Minnesota
Crow Wing County

District Court
Ninth Judicial District

Court File Number: 18-CR-23-1097

Case Type: Criminal

State of Minnesota,
Plaintiff

vs.

RONALD WILLIAM BEATTIE, Jr.,
Defendant
Date of Birth: December 26, 1967
Gender: Male

Sentencing Date: August 24, 2023

Order

CASE CHARGES

Count	Statute	Description	Disposition
1	297F.20.6(c)	Sales tax-Cigarettes-Untaxed-value of \$1400 or more	Dismissed
2	297F.20.6(b)	Sales tax-Cigarettes-Unstamped/Untaxed- 5,000-20,099 or Value >\$350 but <\$1400	Convicted

TERMS OF DISPOSITION OR SENTENCE: COUNT 2

Offense Description: Sales tax-Cigarettes-Unstamped/Untaxed- 5,000-20,099 or Value >\$350 but <\$1400

Offense Date: July 28, 2022

Level of Sentence: Gross Misdemeanor

SENTENCE DETAILS: COUNT 2

Local Confinement

Ordered on August 24, 2023:

- Defendant is sentenced to 364 days in the Crow Wing County Jail.
364 days of that time is stayed for 1 year.

Monitoring

Ordered on August 24, 2023:

- Defendant is placed on unsupervised probation for 1 year, monitored by Administrative Process.

Conditions

Ordered on August 24, 2023:

Defendant must comply with the following conditions:

- Remain law-abiding and of good behavior.
- No same or similar offenses.

FINES / FEES: COUNT 2

Fines/Fees	Amount	Adjustment	Amount Due	Due Date
Restitution	\$ 1,000.00		\$ 1,000.00	August 24, 2023
Fine	\$ 415.00		\$ 415.00	August 24, 2023
Criminal/Traffic Surcharge	\$ 75.00		\$ 75.00	August 24, 2023
Law Library Fees	\$ 10.00		\$ 10.00	August 24, 2023
Subtotal	\$ 1,500.00		\$ 1,500.00	

This Fee information only relates to Count 2. Any Due Date may be affected by a payment plan.

FINANCIAL SUMMARY

Fines/Fees Due: \$ 1,500.00

The amount due may not reflect all payments and credits, or all restitution owed. Visit <https://mncourts.gov/PayFines> to make a payment or to view updated balances or payment information. Contact court administration with any further questions.

The court may refer the entire amount due on this case for collection if you fail to make any scheduled payment, and collection costs will be added. You have the right to contest a referral for collection based on inability to pay by requesting a hearing no later than the due date. Minn. Stat. § 480.15, subd. 10c; 609.104.



Aanes, Patricia
Aug 29 2023 8:29 AM

Date: _____

Patricia A. Aanes
Judge of District Court

State of Minnesota
County of Crow Wing

District Court
9th Judicial District

Prosecutor File No.
Court File No.

CR-2023-412
18-CR-23-1097

State of Minnesota,

Plaintiff,

vs.

RONALD WILLIAM BEATTIE JR DOB: 12/26/1967

14241 Inglewood Dr.
Baxter, MN 56425

Defendant.

COMPLAINT

Summons

The Complainant submits this complaint to the Court and states that there is probable cause to believe Defendant committed the following offense(s):

COUNT I

Charge: Sales tax-Cigarettes-Untaxed-value of \$1400 or more

Minnesota Statute: 297F.20.6(c), with reference to: 297F.20.6(c)

Maximum Sentence: 5 years / \$10,000

Offense Level: Felony

Offense Date (on or about): 07/28/2022

Control #(ICR#): 22000555

Charge Description: A person, other than a licensed distributor or consumer who possesses \$1400 or more worth of untaxed tobacco products is guilty of a felony.

18-CR-23-1097
STATEMENT OF PROBABLE CAUSE

*Filed in District Court
State of Minnesota
3/31/2023*

The Complainant states that the following facts establish probable cause:

On July 28, 2022, Revenue Tax Specialists (RTS) from the Minnesota Department of Revenue (MNDOR) went to a business located at 326 Washington Street in Brainerd, Crow Wing County, MN to conduct a random tobacco retail inspection. RTS True and Johnson entered the store and spoke with M.A.J. who was working in the store. RTS True and Johnson asked M.A.J. for invoices for all tobacco purchases and told her they would inspect the store and its inventory.

Tobacco retailers are required to purchase products from distributors who are licensed by MNDOR to ensure that taxes are collected on the products. Tobacco retailers are also required to keep invoices for all tobacco products on the premises as proof they were purchased from a licensed distributor and properly taxed.

M.A.J. advised she would need to call her boss, who was identified as Ronald William Beattie, Jr., because she was a new employee. M.A.J. called Beattie who spoke to RTS True. Beattie told RTS True he had purchased many tobacco products on "consignment" from vendors he met at trade shows.

RTS True and Johnson located a substantial amount of tobacco products for which there were no invoices located on the premises. RTS Johnson took photographs of the tobacco products and sent them to Beattie. Beattie provided some invoices, but was unable to provide invoices for 152 of the products. Those products were seized and RTS True explained the process to contest the seizure to Beattie and M.A.J..

RTS Johnson and True researched the seized tobacco products and they were valued at \$2063.25. The tax rate is 95% so the unpaid tax is \$1960.13.

MNDOR Investigator Chad Wiener followed up with Beattie after he did not appeal the seizure. Beattie admitted he was the person who purchased tobacco products for the store.

18-CR-23-1097
SIGNATURES AND APPROVALS

Filed in District Court
State of Minnesota
3/31/2023

Complainant requests that Defendant, subject to bail or conditions of release, be:
(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or
(2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

Complainant declares under penalty of perjury that everything stated in this document is true and correct. Minn. Stat. § 358.116; Minn. R. Crim. P. 2.01, subds. 1, 2.

Complainant	Chad Wiener Revenue Special Investigator 600 Robert Street N St. Paul, MN 55146-6590	Electronically Signed: 03/28/2023 06:31 AM Ramsey County, MN
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Being authorized to prosecute the offenses charged, I approve this complaint.

Prosecuting Attorney	Candace Prigge Assistant County Attorney 213 Laurel Street Suite 31 Brainerd, MN 56401 (218) 824-1025	Electronically Signed: 03/24/2023 03:55 PM
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18-CR-23-1097
FINDING OF PROBABLE CAUSE

Filed in District Court
State of Minnesota
3/31/2023

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense(s).

☒ **SUMMONS**

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear as directed in the Notice of Hearing before the above-named court to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

☐ **WARRANT**

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I order, in the name of the State of Minnesota, that the Defendant be apprehended and arrested without delay and brought promptly before the court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

☐ *Execute in MN Only*

☐ *Execute Nationwide*

☐ *Execute in Border States*

☐ **ORDER OF DETENTION**

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \$

Conditions of Release:

This complaint, duly subscribed and sworn to or signed under penalty of perjury, is issued by the undersigned Judicial Officer as of the following date: March 30, 2023.

Judicial Officer

Frank J Kundrat
District Court Judge

Electronically Signed: 03/30/2023 03:39 PM

Sworn testimony has been given before the Judicial Officer by the following witnesses:

COUNTY OF CROW WING
STATE OF MINNESOTA

State of Minnesota

Plaintiff

vs.

Ronald William Beattie Jr

Defendant

LAW ENFORCEMENT OFFICER RETURN OF SERVICE

*I hereby Certify and Return that I have served a copy of this
Summons upon the Defendant herein named.*

Signature of Authorized Service Agent:

18-CR-23-1097
DEFENDANT FACT SHEET

*Filed in District Court
State of Minnesota
3/31/2023*

Name: Ronald William Beattie Jr
DOB: 12/26/1967
Address: 14241 Inglewood Dr.
Baxter, MN 56425

Alias Names/DOB:

SID:

Height:

Weight:

Eye Color:

Hair Color:

Gender: MALE

Race: Unknown

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: No

Driver's License #:

Alcohol Concentration:

18-CR-23-1097
STATUTE AND OFFENSE GRID

Filed in District Court
 State of Minnesota
 3/31/2023

Cnt Nbr	Statute Type	Offense Date(s)	Statute Nbrs and Descriptions	Offense Level	MOC	GOC	Controlling Agencies	Case Numbers
1	Charge	7/28/2022	297F.20.6(c) Sales tax-Cigarettes-Unstamped/Untaxed->2 0,000/value of \$1400 or more	Felony	Y1530	N	MN062025Y	22000555
	Penalty	7/28/2022	297F.20.6(c) Sales tax-Cigarettes-Unstamped/Untaxed->2 0,000/value of \$1400 or more	Felony	Y1530	N	MN062025Y	22000555



City Council Agenda Request

MEETING DATE: December 4, 2023

TITLE OF ITEM: Direction on Active Code Enforcement Cases

AGENDA: SPW Committee

ACTION REQUESTED: Direction Requested

SUBMITTED BY: James Kramvik, Community
Development Director

DEPARTMENT: Community Development

PRESENTER: James Kramvik, Community
Development Director

ESTIMATED TIME (MIN): 5 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 are bringing four (4) properties before the Committee for review. Staff is looking for direction from the Council as to how to proceed with the cases.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Attached are the case files for:

1424 8th St S
823 Willow St
1812 Oak St
15284 Beaver Dam Rd

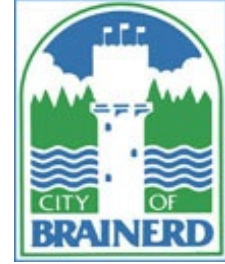
Section 320, action that could be taken against these properties include:

- 1) Continued administrative citations for 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:

MEMO



TO: Mayor and City Council

FROM: James Kramvik, Community Development Director

DATE: December 4, 2023

RE: Direction on Active Code Enforcement Cases

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

- **1424 8th St S**
 - Received one (1) Notice of Violation Letter (10/10/23) and three (3) Citations for Unlicensed/Inoperable Vehicle
 - First citation 10/25/23 – Third citation 11/27/23
 - \$600 in open citations
 - Received one (1) Notice of Violation Letter (10/9/23) and three (3) Citations for Junk/Debris/Blight
 - First citation 10/30/23 – Third citation 11/27/23
 - \$600 in open citations

Staff recommends obtaining a search warrant to abate the junk and debris and unlicensed vehicles.

- **823 Willow St**
 - Received one (1) Notice of Violation Letter (10/9/23) and three (3) Citations for Outdoor Storage
 - First citation 10/30/23 – Third citation 11/27/23
 - \$600 in open citations
 - Received one (1) Notice of Violation Letter (10/10/23) and three (3) Citations for Junk/Debris/Blight
 - First citation 10/25/23 – Third citation 11/16/23
 - \$600 in open citations

Staff recommends obtaining a search warrant and abating the junk/ debris and illegal outdoor storage items.

- **1812 Oak St**
 - Received three (3) Citations for Non-Licensed Rental
 - First citation 11/2/23 – Third citation 11/27/23
 - \$600 in open citations

Staff recommends initiating legal action against the property owner, issuing a \$300 citation each month, and bringing this back to SPW in three months if the property is still non-compliant.

- **15284 Beaver Dam Rd**

- Staff have been investigating this property since 2022 for an illegal rental and uninhabitable structure.
- Issues were resolved in 2022 when tenants moved out of the uninhabitable structure and illegal rental unit.
- Staff saw that both structures were again being advertised for sale or rent in the summer of 2023.
- Staff brought this case to the Safety and Public Works Committee to cite the property owner \$300 per month and to proceed with legal action for the unlicensed rental.
- The property manager contacted the Community Development Department in October and assured staff that no one was living at the property.
- On the next day, the tenants at 15284 Beaver Dam Rd came to City Hall because their power was shut off to the property. They did provide proof of the lease which began September 1, 2023.
- Upon further investigation of the property, staff saw an extension cord and garden hose supplying utilities to the large pole shed that was deemed uninhabitable by staff.
- Staff confirmed with Crow Wing County that no septic system was permitted or installed for the large pole shed. Staff believe gray water and sewage are exiting the structure through a perforated drain tile, as there are active plumbing fixtures in the building.
- Staff has placarded both structures three times in November and in all instances the property manager removes the signs. Staff have reached out multiple times to the property manager with no response.
- The housing inspector performed an inspection on the house where the tenants are residing to ensure that all life safety items are up to code. The tenants performed all the work to bring the house up to code.
- Staff have directed the City Attorney to proceed with legal action against the property owner per City Council Action.
- Property received one (1) Notice of Violation Letter (08/30/2023) and three (3) Citations for Unlicensed Rental.
 - First citation 09/11/23 – Third citation 11/27/23
 - \$900 in open citations
- Received one (1) Notice of Violation and one (1) Citations for illicit discharge of sewage.
 - First citation 11/28/23
 - \$100 in open citations

Staff recommend issuing a final ten-day warning letter to the property owner and manager to bring each structure into compliance or receive a \$100 citation per day for each violation.

Note: If a rental license is obtained for 2023, staff will bring this property for review by City Council for possible denial of a 2024 license.

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 – received administrative warrant 8/14/23 to abate garbage. Abated 8/21/23.

1306 Oak Street – Received administrative warrant 8/14/23 to abate broken fence. Abated 8/21/23.

412 J St NE – Requested administrative warrant 8/18/23 to abate junk/debris. Abated 8/23/23.

1113 Rosewood St – Immediate \$300 fine for garbage - requested administrative warrant 8/1; 8/28 to abate garbage. Abated 9/5/23.

609 11th Ave NE – Sent final 10-day letter to correct 8/22/23. Will obtain an administrative search warrant to abate after the deadline if no action. Requested warrant 9/12/23. Abated 10/2/23.

PID 41191502 – Issuing \$300 citation each month thru 12/1/2023.

PID 41241233 and 301 9th St S – Sent 10-day letters to correct 8/22/23. Will work on abatement after that deadline if no action has been taken. Issue has been resolved.

1623 Emma St – Requested administrative search warrant to abate 9/6/23. Resident resolved-no abatement needed.

1005 3rd Ave NE– Requested administrative search warrant to abate 9/6/23. Abated 9/29/23.

915 Laurel St– Requested administrative search warrant to abate 9/6/23. Abated 9/26/23.

823 Willow St – Issuing \$300 citation monthly for non-licensed rental. Requested legal action from City Attorney 9/6/23.

701 4th St SW– Issuing \$300 citation monthly for non-licensed rental. Requested legal action from City Attorney 9/6/23. The property owner has submitted an application for a short-term rental.

1424 8th St S – Requested administrative search warrant to abate 9/19/23. Property owners complied-no abatement needed.

15284 Beaver Dam Rd – Issuing \$300 citations for non-licensed rental. Have been working with the tenants who signed a lease with the property owner.

303 J St NE – Issuing a \$300 citation each month until the fence is corrected.

1306 Oak St – Repeat garbage issue. Obtained warrant 11/16/23 to abate the garbage.

1113 Rosewood St. – Repeat garbage issue. Obtained warrant 11/22/23 to abate the garbage.

319 9th St N. – Sent 10-day letter of abatement 11/21/23. Will request warrant if not complied with.



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

EN23-0548

Date of Violation: 10/09/2023

Parcel ID: 41360827

Violator(s): LEWIS, KALEEN R
1424 S 8TH ST
BRainerd, MN 56401

Location/Address of Violation: **1424 8TH ST S**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
IPMC308.1	Junk/Debris/Blight	\$100.00

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: \$100.00

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: 10/19/2023

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: 10/09/2023

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

EN23-0548

Date of Violation: 11/27/2023

Parcel ID: 41360827

Violator(s): LEWIS, KALEEN R
1424 S 8TH ST
BRainerd, MN 56401

Location/Address of Violation: **1424 8TH ST S**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
IPMC308.1	Junk/Debris/Blight	\$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: 12/07/2023

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: 11/27/2023

Representative's Signature:

(served via first class mail)



October 10, 2023

LEWIS, KALEEN R
1424 S 8TH ST
BRainerd, MN 56401

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

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. A code violation was 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: 1424 8TH ST S
Real Estate Code: 41360827

Violation: Unlicensed/Inoperable Vehicle
IPMC302.8

Description: Except as provided for in other regulations, inoperative or unlicensed motor vehicles shall not be parked, kept or stored on any premises, and vehicles shall not at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Corrective action is required; 14 days are allowed from the date of this letter.

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

Action should be taken on or before 10/24/2023

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 Housing Inspector Jason Stockinger at 218/454-3416 if you have questions.**

Respectfully,
By Order of:
THE CITY OF BRainerd



10/10/2023 09:01



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

EN23-0552

Date of Violation: 11/16/2023

Parcel ID: 41360827

Violator(s): LEWIS, KALEEN R
1424 S 8TH ST
BRAINERD, MN 56401

Location/Address of Violation: **1424 8TH ST S**

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: 11/26/2023

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: 11/16/2023

Representative's Signature:

(served via first class mail)



11/16/2023 09:36

October 10, 2023

PETERSEN, TROY A
1106 BROADWAY ST
BRainerd, MN 56401

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

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. A code violation was 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: 823 WILLOW ST
Real Estate Code: 41251054

Violation: Junk/Debris/Blight
IPMC308.1

Description: Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage. Rubbish is defined as combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials; furniture, appliances, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

Corrective action is required; 14 days are allowed from the date of this letter.

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

Action should be taken on or before 10/24/2023

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 Housing Inspector Jason Stockinger at 218/454-3416 if you have questions.**

Respectfully,
By Order of:
THE CITY OF BRAINERD





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

EN23-0553

Date of Violation: 11/16/2023

Parcel ID: 41251054

Violator(s): PETERSEN, TROY A
1106 BROADWAY ST
BRainerd, MN 56401

Location/Address of Violation: **823 WILLOW ST**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
IPMC 308.1	Junk/Debris/Blight	\$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: 11/26/2023

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: 11/16/2023

Representative's Signature: 

(served via first class mail)



October 09, 2023

PETERSEN, TROY A
1106 BROADWAY ST
BRainerd, MN 56401

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

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. A code violation was 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: 823 WILLOW ST
Real Estate Code: 41251054

Violation: Zoning Code Violation

515-3-28 Outdoor Storage

2. Outdoor Storage is as regulated by the Appendix A: Table of Uses. Outdoor storage is not permitted in any Residential Zoning District.

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

Action should be taken on or before 11/08/2023

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







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

EN23-0549

Date of Violation: 11/27/2023

Parcel ID: 41251054

Violator(s): PETERSEN, TROY A
1106 BROADWAY ST
BRainerd, MN 56401

Location/Address of Violation: **823 WILLOW ST**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
515-3-28.2	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: 12/07/2023

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.

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Representative: Dylan Edwards, Assistant Planner

Date: 11/27/2023

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

EN23-0580

Date of Violation: 11/02/2023

Parcel ID: 41300814

Violator(s): GOTTWALT, MATTHEW & ERICA
6571 160TH AVE
ROYALTON, MN 56373

Location/Address of Violation: **1812 OAK ST**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
425.3001 Rental License Required	Rental Code Violation	\$100.00

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: \$100.00

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: 11/12/2023

**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.**

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Representative: Jason Stockinger, Building Inspector

Date: 11/02/2023

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

EN23-0580

Date of Violation: 11/27/2023

Parcel ID: 41300814

Violator(s): GOTTWALT, MATTHEW & ERICA
6571 160TH AVE
ROYALTON, MN 56373

Location/Address of Violation: **1812 OAK ST**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
425.3001	Rental 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: 12/07/2023

**For uncorrected or continued violations, the City may correct the violation and assess the charges for doing so.
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Representative: Jason Stockinger, Building Inspector

Date: 11/27/2023

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

EN23-0477

Date of Violation: 11/27/2023

Parcel ID: 41330502

Violator(s): KAIKKONEN, KRISTOPHER
15284 BEAVER DAM RD
BRainerd, MN 56401

Location/Address of Violation: **15284 BEAVER DAM RD**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
425.3001	Rental 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: 12/07/2023

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.

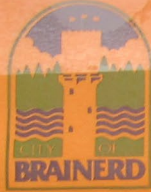
When a citation is issued, you must correct the violation and pay the fine. If you decide to contest the violation, you may request a hearing, responding within 10 days from the date of the citation issuance. The purpose of a hearing is to determine whether or not a violation(s) of the city code existed. 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: 11/27/2023

Representative's Signature: 

(served via first class mail)



CITY OF BRAINERD
Department of Building Safety

Notice of CODE VIOLATION

PROPERTY ADDRESS 15284 Beaver Dam Rd DATE 11.2.23

Ref: City Code 425.3001. **Rental License Required.** No person shall allow to be occupied, or let to another for occupancy, any dwelling unit unless the owner has first obtained a license.

Landlords who rent an unlicensed rental dwelling may not be allowed to accept or collect rent.

Contact the Department of Building Safety

Phone: 218/828-2309 Location: City Hall – 501 Laurel Street

Code references are available online at www.ci.brainerd.mn.us

Issued by:

Jason Stochinger

DO NOT REMOVE THIS PLACARD UNTIL AUTHORIZED BY GOVERNING AUTHORITY

11/06/2023 16:14



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

EN23-0581

Date of Violation: 11/28/2023

Parcel ID: 41330502

Violator(s): KAIKKONEN, KRISTOPHER
15284 BEAVER DAM RD
BRainerd, MN 56401

Location/Address of Violation: **15284 BEAVER DAM RD**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
Section 455.31.a.b	City Code Violation	\$100.00

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: \$100.00

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: 12/08/2023

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: 11/28/2023

Representative's Signature:

(served via first class mail)

November 06, 2023

KAIKKONEN, KRISTOPHER
15284 BEAVER DAM RD
BRainerd, MN 56401

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

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. A code violation was 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: 15284 BEAVER DAM RD
Real Estate Code: 41330502

Violation: City Code Violation

455.31 Prohibitions.

- a) Occupancy or Use of a Building without a Compliant SSTS. It is unlawful for any person to maintain, occupy, or use any building intended for habitation or that contains plumbing fixtures that is not provided with a wastewater treatment system or that disposes of wastewater in a manner that does not comply with the provisions of this Ordinance.
- b) Sewage Discharge to Ground Surface or Surface Water. It is unlawful for any person to construct, maintain, or use any SSTS system regulated under this Ordinance that results in raw or partially treated wastewater seeping to the ground surface or flowing into any surface water. Any surface discharging system must be permitted under the National Pollutant Discharge Elimination System program by the MPCA.

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

Action should be taken on or before 11/16/2023

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

CITY OF BRAINERD
Department of Building Inspection
218-828-2307

THIS STRUCTURE IS

UNINHABITABLE

ADDRESS: 15284 Beaver Dam Rd
REASONS: Not an approved Septic System
Not approved Living quarters
CITY OFFICIAL: James Kramvik
DATE: 11.6.23

CONTACT BUILDING DEPARTMENT BEFORE PROCEEDING WITH ANY WORK

DO NOT REMOVE THIS PLACARD UNTIL AUTHORIZED BY GOVERNING AUTHORITY

BLUE

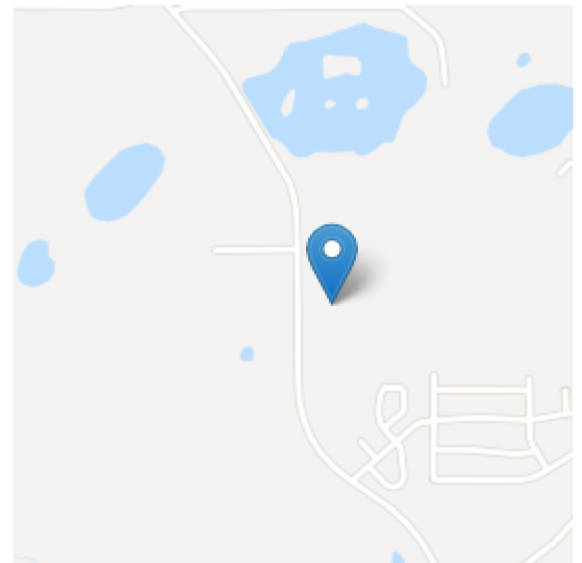
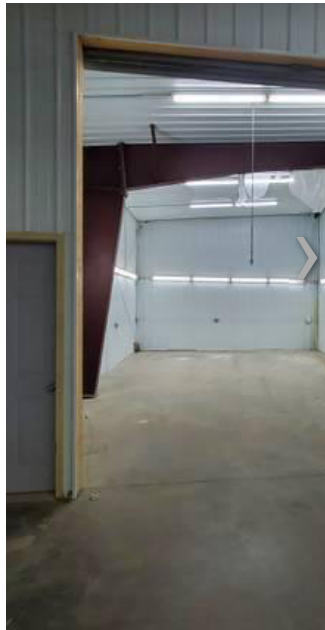
[housing](#)[office & commercial](#)[favorite](#)[hide](#)[flag](#)[share](#)

Posted 10 days ago on: 2023-10-27 13:13

Contact Information:

\$3,500 / 8100ft² - 8100ft² - BUSINESS, SHOP, BUILDING, WAREHOUSE, LEASE OR BUY - \$3,500

image 4 of 21

rent period: **monthly** **8100ft²****HURRY BEFORE IT'S GONE.**

-8,100SF COMMERCIAL BUILDING FOR SALE \$625K +/- 2ACRES OR LEASE \$3,500/MONTH.

-BUILDING IS 60'X120' - 7,200 SF MAIN LEVEL WITH A BONUS 900SF SUITE ABOVE THAT HOSTS 2 SEPARATE ROOMS A FULL KITCHEN + LIVING ROOM/LOUNGE AREA CAN BE USED AS YOUR OWN HOUSING, OFFICE SUITES OR RENT IT OUT FOR EXTRA INCOME.

-BUILDING FEATURES 14' SIDE WALLS WITH OPEN VAULTED CEILINGS, FULLY FINISHED INSIDE AND OUT, VERY WELL LIT WITH NO SHORTAGE OF OUTLETS.

-3 SEPARATE BAYS, 1ST=60'X80' , 2ND=30'X40' , 3RD 20'X35' . EACH WITH IT'S OWN SEPARATE (OFF PEAK ELECTRIC) IN-FLOOR HEATING. FLOOR DRAINS THROUGHOUT WITH FLAMABLE WAIST TRAP, 2 BATHROOMS - ONE WITH SHOWER/SINK, OTHER WITH TOILET/SINK, BUILT IN 2012 HOWEVER IT SHOWS LIKE IT WAS JUST BUILT, GREAT LOCATION IN THE HEART OF THE LAKES AREA NORTH SIDE OF BRAINERD JUST OF THE EAST SIDE OF THE HWY371\ COUNTY 77 " GULL DAM RD INTERSECTION"

QR Code Link to This Post



SOME PRIOR TENANTS HAVE BEEN

- CAR DEALERSHIP/REPAIR SHOP,
- PONTOON MANUFACTURER
- FISH HOUSE MANUFACTURER
- & VARIOUS "CONTRACTORS"

CALL/TEXT

nine4nine-4three6-375seven

.*&\$#@!%VALUE, EQUITY, REPAIR, FREE, LAND, LEASE, COMMERCIAL, RESIDENTIAL, COD, CONTRACT FOR DEED, LEASE TO BUY, OWNER FINANCING, HWY 371, HWY 210, 494, HWY 10, 35W, HWY 62, 94, HWY 94, LOT, FRONTAGE, BUSINESS, CAR DEALER, WAREHOUSE, POLE BARN, FOR SALE, \$1, ACREAGE, GULL LAKE, CROSS LAKE, WHITEFISH CHAIN, SPACE, DISCOUNT, INVESTMENT, CAR, BOAT, MOTORCYCLE, PIZZA, BEER, BREWERY, VACATION, RENTAL, HOME, HOUSE, INCOME,













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

EN23-0477

Date of Violation: 10/25/2023

Parcel ID: 41330502

Violator(s): KAIKKONEN, KRISTOPHER
15284 BEAVER DAM RD
BRainerd, MN 56401

Location/Address of Violation: **15284 BEAVER DAM RD**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
	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: 11/04/2023

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: 10/25/2023

Representative's Signature: 

(served via first class mail)

September 19, 2023

KAIKKONEN, KRISTOPHER
15284 BEAVER DAM RD
BRAINERD, MN 56401

RE: Ordinance No. 425 – Rental Housing Maintenance Code
Street Address: 15284 BEAVER DAM RD
Parcel ID: 41330502

Dear Property Owner:

The City of Brainerd has adopted a housing maintenance code by ordinance, thereby establishing a policy to enhance the supply of safe, sanitary, and adequate housing for its citizens and to prevent the deterioration of existing housing in the city. It has come to our attention that you have once again advertised this property as a rental without proper licensing.

City Code 425.3001: License Required. No person shall allow to be occupied, or let to another for occupancy, any dwelling unit unless the owner has first obtained a license under the terms of this article. Unlicensed rental dwellings or dwelling unit(s) will be fined per City Council Resolution.

Upon the direction of City Council at the September 18, 2023 meeting, if it is discovered this property is being rented or advertised as a rental, it will incur an immediate \$300 fine. The City will also seek legal action for a possible court injunction and/or a misdemeanor charge.

Please contact us as soon as possible if you have any questions regarding this matter.

Respectfully,

CITY OF BRAINERD



James L. Kramvik
Community Development Director

Enclosure



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

EN23-0477

Date of Violation: 09/11/2023

Parcel ID: 41330502

Violator(s): KAIKKONEN, KRISTOPHER
15284 BEAVER DAM RD
BRainerd, MN 56401

Location/Address of Violation: **15284 BEAVER DAM RD**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
515-3-34 425.3001 & 425.3011	Zoning Code Violation Rental code Violation	\$200.00

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: \$200.00

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: 09/21/2023

**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: 09/11/2023

Representative's Signature:

(served via first class mail)



This citation charges you with one or more violations of the
Zoning Code

THIS IS THE ONLY NOTICE YOU WILL RECEIVE

Administrative Citation

Community Development Department – 218/828-2307

EN23-0477

Date of Violation: 08/30/2023

Parcel ID: 41330502

Violator(s): KAIKKONEN, KRISTOPHER
15284 BEAVER DAM RD
BRAINERD, MN 56401

Location/Address of Violation: **15284 BEAVER DAM RD**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
515-3-34 425.3001 & 425.3011	Zoning Code Violation Rental Code Violation	\$100.00

Violation for unlicensed rental and zoning code violation for short-term rental.

Citation Amount Due: \$100.00

Payment Due By: 10 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 Community Development Department, City Hall - 501 Laurel Street; Brainerd, MN
56401.

Re-inspection Date: 09/09/2023

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: James Kramvik, Community Development Director

Date: 08/30/2023

Representative's Signature:

(served via first class mail)

06/15/2022

KAIKKONEN, KRISTOPHER
15284 BEAVER DAM RD
BRAINERD, MN 56401

RE: Ordinance No. 425 – Rental Housing Code
Street Address: 15284 BEAVER DAM RD
Parcel ID: 41330502
Legal Description: NE1/4 OF SW1/4 EXC N 874.74 FT THEREOF.

Dear Property Owner:

The City of Brainerd has adopted a housing maintenance code by ordinance, thereby establishing a policy to enhance the supply of safe, sanitary, and adequate housing for its citizens and to prevent the deterioration of existing housing in the city. It has come to our attention that the above-described property might be a rental property. **If this property is a rental dwelling, it should be registered immediately.**

A license fee has been established, which is \$32.00 per dwelling unit per year. Enclosed is a rental housing license application form for your convenience. The Housing Maintenance Code may be accessed on our website. Go to www.ci.brainerd.mn.us and click on the Building Department link.

If this property is not a rental dwelling: Please complete the declaration of non-rental section on the enclosed application so that we may remove this property from the contact list. **The completed application, with or without payment submittal, should be returned no later than 06/29/2022.**

You may contact Jason Stockinger, Building/Housing Inspector at 218/828-2309 if you have any questions regarding this matter.

Respectfully,

CITY OF BRAINERD



DARRIN DESETH,
Building Official



City of Brainerd
501 Laurel Street
Brainerd, MN 56401

06/15/2022

KAIKKONEN, KRISTOPHER
15284 BEAVER DAM RD
BRAINERD, MN 56401

RE: 15284 BEAVER DAM RD Brainerd, MN 56401
PID Number: 41330502

To Whom It May Concern,

The property referenced above is in a District.

Per Section 515-15-2-D, "Any nonconformity, including the lawful use or occupation of land or premises existing at the time of adoption of an additional control under this Ordinance, may be continued in the same size and manner, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion, except as specifically provided in this Section."

The Community Development Department cannot verify that the property currently complies with all other zoning codes without a current or proposed site plan. The City of Brainerd Department of Building Safety will need to verify whether the property complies with all building, environmental and energy codes.

There are currently no variances, rezoning applications, conditional use permits, or special use permits or other such actions/hearings/requests before the Planning Commission or City Council that may affect this property. There are no outstanding violations on the property.

Respectfully,

David C. Chanski, MPA
Community Development Director

cc: Property file



Inspection Request

06/15/2022

KAIKKONEN, KRISTOPHER
15284 BEAVER DAM RD
BRAINERD, MN 56401

RE: **Hazardous Building Investigation – Brainerd City Code, Section 450**
Address: 15284 BEAVER DAM RD
Parcel Number: 41330502

Structure Description: Single Family Dwelling – Tenant Occupied

Dear Property Owner:

The City of Brainerd has embarked on a program of concentrated code enforcement for the repair or removal of dilapidated buildings under the provisions of the above stated City Codes. This program is a positive effort to remove the blighted and hazardous conditions from our neighborhoods.

It has been brought to the attention of the Building Safety Division that a **structure located at 15284 BEAVER DAM RD** may be in a state of disrepair due to inadequate maintenance, dilapidation, physical damage, or abandonment to such an extent that it constitutes a fire hazard or a hazard to the safety and health of the occupants or the public and may need to be repaired or removed. I am requesting access to the structure to conduct an inspection to determine the extent of the disrepair.

Please contact this office to schedule this inspection. You can contact us one of three ways:

1. Call our office at 218-828-2307
2. Email our office at building@ci.brainerd.mn.us
3. Visit our office located on the second floor in City Hall at 501 Laurel Street.

You are expected to reply to this request as soon as possible but **not more than ten (10) days** from the date of this letter. Please feel free to contact us with any questions or concerns you may have regarding the inspection.

Respectfully,
City of Brainerd

Darrin Deseth
Community Development Department - Building Safety Division

September 8, 2022



Violator(s): KAIKKONEN, KRISTOPHER

Date of Violation: www.ci.brainerd.mn.us continuing

Mailing Address: 15284 BEAVER DAM RD Parcel ID: 41330502
BRAINERD, MN 56401

Location/Address of Violation: 15284 BEAVER DAM RD

Section	Subdivision, Chapter, or Article
425 – 3001	Licensed Required for Rental Property

After multiple attempts to contact you regarding the violations against City Code for an unlicensed rental property, you are hereby given a final 10 days to correct the issues per the motion of the Brainerd City Council at their September 6, 2022 meeting.

On Monday, September 19, 2022, we will be taking action with our attorney in next steps to abate the issue. All fees associated with the abatement will be your responsibility and if not paid, they will be assessed to the property tax roll.

Please contact us immediately at (218) 828-2307.

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.

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.

Representative: Darrin Deseth, Building Official

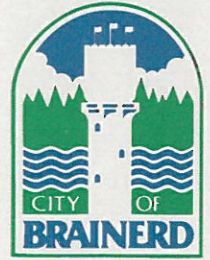
Date: 09/08/2022

Representative's Signature:

(served via first class mail)

May 26th, 2022

KAIKKONEN, KRISTOPHER
829 DIAMOND ST
LAGUNA BEACH, CA 92651



www.ci.brainerd.mn.us

RE: Ordinance No. 425 – Rental Housing Code

Street Address: 15284 BEAVER DAM RD

Parcel ID: 080333100D00009

Legal Description: 09_ANRES - BRAINERD-ANNEXED NORTH RESIDENTIAL

Dear Property Owner:

The City of Brainerd has adopted a housing maintenance code by ordinance, thereby establishing a policy to enhance the supply of safe, sanitary, and adequate housing for its citizens and to prevent the deterioration of existing housing in the city. It has come to our attention that the above-described property might be a rental property. **If this property is a rental dwelling, it should be registered immediately.**

A license fee has been established, which is \$32.00 per dwelling unit per year. Enclosed is a rental housing license application form for your convenience. The Housing Maintenance Code may be accessed on our website. Go to www.ci.brainerd.mn.us and click on the Building Department link.

If this property is not a rental dwelling: Please complete the declaration of non-rental section on the enclosed application so that we may remove this property from the contact list. **The completed application, with or without payment submittal, should be returned no later than JUNE 9TH, 2022.**

You may contact Jason Stockinger, Building/Housing Inspector at 218/828-2309 if you have any questions regarding this matter.

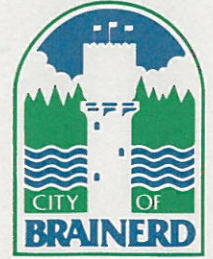
Respectfully,

CITY OF BRAINERD

DARRIN DESETH,
Building Official

APRIL 11TH, 2022

KAIKKONEN, KRISTOPHER
15284 BEAVER DAM RD
BRAINERD, MN 56401



www.ci.brainerd.mn.us

RE: Ordinance No. 425 – Rental Housing Maintenance Code
Street Address: 15284 BEAVER DAM RD
Parcel ID: 080333100D00009

Legal Description: 09_ANRES - BRAINERD-ANNEXED NORTH RESIDENTIAL

Dear Property Owner:

The City of Brainerd has adopted a housing maintenance code by ordinance, thereby establishing a policy to enhance the supply of safe, sanitary, and adequate housing for its citizens and to prevent the deterioration of existing housing in the city. It has come to our attention that the above-described property might be a rental property. **If this property is a rental dwelling, it should be registered immediately.**

A license fee has been established, which is \$32.00 per dwelling unit per year. Enclosed is a rental housing license application form for your convenience. The Housing Maintenance Code may be accessed on our website. Go to www.ci.brainerd.mn.us and click on the Building Department link.

If this property is not a rental dwelling: Please complete the declaration of non-rental section on the enclosed application so that we may remove this property from the contact list. **The completed application, with or without payment submittal, should be returned no later than APRIL 21ST, 2022.**

You may contact Jason Stockinger, Building/Housing Inspector at 218/828-2309 if you have any questions regarding this matter.

Respectfully,

CITY OF BRAINERD

DARRIN DESETH,
Building Official



www.ci.brainerd.mn.us

April 11, 2022

Mr. Brion Hartwig
10251 W Cree Bay Cir
Pequot Lakes, MN 56472

RE: Pole Building located on Premises with living quarters at 15284 Beaver Dam RD.

Dear Mr. Hartwig

An inspection of the property listed above was performed by Building Inspector Jason Stockinger and Assistant Planner James Kramvik from the City of Brainerd on April 1st 2022. Upon arrival, the exterior of the structure appeared to be a standard pole style building. Once Mr. Stockinger and Mr. Kramvik entered the building, they noticed it was constructed with steel I-Beams and tin covered walls. The building is primarily being used as a shop with a small living area located on an upper level of the building. The tenant indicated that this space was leased as a residential living unit.

Upon completion of inspection, the following violations of the City Code were documented.

- Currently an unlicensed rental unit within the city limits of Brainerd
- Needs a means of egress from unit (window too small)
- Graspable handrail on staircase
- Smoke detectors required on all levels
- Carbon monoxide detector located within 10 feet of sleeping area
- Outlet covers missing
- Space heaters used for heating purposes
- Non-conforming septic/waste system

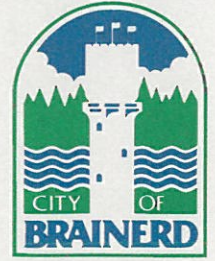
Past records indicate that an accessory structure remodel permit was issued to construct bathrooms and a separate shop within the building. Building inspections were not completed for this remodel. Also, a permit was not issued for an accessory dwelling unit. This property was zoned R-2 (Medium Residential District) at the time of issuance of the accessory structure remodel permit. Accessory dwelling units are not permitted in the R-2 District. As indicated by previous correspondence with the City of Brainerd, this accessory structure cannot be used for commercial purposes. In addition, this building cannot be used as a dwelling unit. The accessory structure pole building can only be used for storage by a tenant residing in the primary dwelling unit or the property owner.

If you have any further questions regarding details of the inspection conduct by Mr. Stockinger and Mr. Kramvik or regarding requirements of the City Code, please contact the Community Development Department at (218) 828-2307.

Sincerely,


Jason Stockinger
Building Inspector

April 8th, 2022



www.ci.brainerd.mn.us

Kristopher Kaikkonen
15284 Beaver Dam Rd.
Brainerd, MN 56401

Dear Mr. Kaikkonen,

You are receiving this letter due to concerns about non-permitted uses, unpermitted building, and unlicensed rentals on your property at 15284 Beaver Dam Rd. This property is zoned in the R-2 (Medium Density Residential) District. It has come to our attention that the large pole building is currently leased for commercial storage and a residential living unit. Both commercial storage and accessory dwelling units are not allowed in the R-2 District. It has also come to our attention that the primary dwelling unit is currently being used as a rental dwelling unit. There are no registered rentals on file with the City of Brainerd regarding this property.

A letter dated 09-18-2017 from the City of Brainerd indicated that a lot-split would be required to build a residential structure on the same lot as the pole barn. There is no recorded lot split on the property or any approved building permits for the installation of a residential accessory dwelling unit. In addition to being an unlicensed rental, multiple code violations were noted on the property by the Housing Inspector on 04-01-2022. The violations include but are not limited to: a means of egress from unit, graspable handrail on staircase, smoke detectors required on all levels, carbon monoxide detector located within 10 feet of sleeping area, outlet covers missing, space heaters used for heating purposes, and non-conforming septic/waste system.

A letter dated 10-24-2011 from the City of Brainerd warned about potential zoning violations related to interior improvements to the pole barn accessory structure. The letter reiterated that the R-2 District does not permit commercial uses. Upon inspection by the Assistant Planner, and discussion with the current tenant, the pole barn is being leased for commercial storage.

Please contact the Community Development Department at (218) 828-2309 to determine the steps going forward to correct, unpermitted zoning uses, unpermitted building projects, and unlicensed rentals.

Failure to comply with the regulations set forth in City Code, Zoning Code, and Rental Code may result in further administrative action.

Respectfully,

David C. Chanski, MPA
Community Development Director



City Council Agenda Request

MEETING DATE: December 4, 2023

TITLE OF ITEM: Discussion regarding Mayor and Council Compensation

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Patrick Wussow, Interim City
Adminstrator

DEPARTMENT: Administration

PRESENTER: Patrick Wussow, Interim City
Adminstrator

ESTIMATED TIME (MIN): 5 Minutes

SUMMARY OF ISSUE: On February 21, 2023, the Council discussed the Employee Policy Manual (EPM) language/practice for the Council and BPU Commission's health insurance. HR Director Schubert had requested clarification from the Council as it was discovered that she had accidentally followed our long-standing practice when providing the Council/BPU Commissioners with their 2023 health plan options for determining the employer and employee's portion of the 2023 premium cost and did not follow the updated 2022 EPM language.

Staff requested direction if the 2022 Employee Policy Manual language should be followed or if the Council wished to follow the past practice instead for 2024 benefits. Please note since the new benefit year had already begun before the issue was noted, benefits changes for 2023 could not be made; further, that four individuals could have been affected in 2023 if we had followed the 2022 EPM language. On February 21st, the Council decided to request that Flaherty & Hood conduct a wage and benefit study for our Mayor and Council. The following documents are attached:

1. Flaherty & Hood's Mayor and Council wage and benefit study findings. As you will see, the Mayor and Council's salary is slightly below our other market communities; however, the benefits provided is significantly higher as Brainerd is the only community that offers medical insurance as a benefit for its elected officials.
2. A comparison to help clarify the 2024 employer and Mayor/Council premium split for health insurance under the current EPM, the past practice and also the premium split for employees.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The Brainerd Public Utilities Commission members also receive compensation of \$175 per month (\$2,100 annually) with the President of the Commission being paid \$200 per month (\$2,400 annually). In addition, the Commissioners also currently receive the same health and life insurance benefits as the Mayor and Council. Attached is the BPU Commission minutes from November 30, 1987, setting the current wages for the Commissioner's salary. Please note that we cannot locate an official Council resolution approving this compensation adjustment as required by the Charter for appointed officials (since that time, the Charter was revised

to require that the compensation for both elected and appointed officials be fixed by Council Ordinance).

RECOMMENDED ACTION/MOTION: Staff does not have a recommendation regarding this matter and is seeking Council clarification regarding the 2024 Mayor and Council as well as BPU Commissioner wage and benefits. Based on Council direction, Staff will update the Health Insurance Exhibit in our EPM and potentially provide a draft Council Ordinance setting the Council and BPU Commission's wages and benefits for Council approval at its December 18, 2023 meeting.

FINANCIAL IMPACT: The 2023 wage and benefit cost for the Mayor and Council under the past practice is estimated at \$155,647. Please note that based on the 2023 health insurance elections and following the past practice, the City incurred about \$3,900 more in expense than if it had followed the EPM language.

The 2023 wage and benefit cost for the BPU Commissioners is approximately \$80,000. Please note that based on the 2023 health insurance elections and following the past practice, the BPU Department would have incurred about \$1,800 more in expense if it had followed the EPM language.

The primary cost difference is because all city contributions under the past practice is based on what the city pays for the \$3,200 deductible health plan and the EPM language pays a % of the premium with single coverage paid at 100% and family coverage paid at 80%. The past practice provides more of a financial incentive for those individuals to elect higher deductibles for both single and family insurance coverage as is customary in the insurance industry.

Elected Official Job Classification and Compensation Study Report

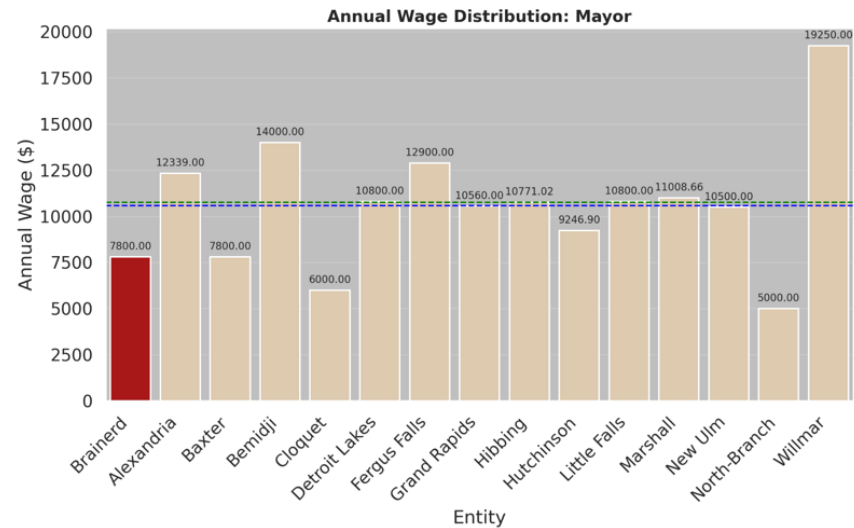
1. Mayor Annual Compensation

2023 Comparable Entities Annual Wage															
City:	Brainerd	Alexandria	Baxter	Bemidji	Cloquet	Detroit Lakes	Fergus Falls	Grand Rapids	Hibbing	Hutchinson	Little Falls	Marshall	New Ulm	North-Branch	Willmar
Comparable Title:	Mayor	Mayor	Mayor	Mayor	Mayor	Mayor	Mayor	Mayor	Mayor	Mayor	Mayor	Mayor	Mayor	Mayor	Mayor
Year:	2023	2023	2023	2023	2023	2023	2023	2023	2023	2023	2023	2023	2023	2023	2023
Annual Wage:	\$ 7,800.00	\$ 12,339.00	\$ 7,800.00	\$ 14,000.00	\$ 6,000.00	\$ 10,800.00	\$ 12,900.00	\$ 10,560.00	\$ 10,771.02	\$ 9,246.90	\$ 10,800.00	\$ 11,008.66	\$ 10,500.00	\$ 5,000.00	\$ 19,250.00

Mean:	\$ 10,585.04
Median:	\$ 10,771.02
10th Percentile:	\$ 6,720.00
25th Percentile:	\$ 8,523.45
75th Percentile:	\$ 11,673.83
90th Percentile:	\$ 13,560.00

\$ City of Brainerd Above / Below Market Sources Mean:	\$ -2,785.04
% City of Brainerd Above / Below Market Sources Mean:	-35.71%
\$ City of Brainerd Above / Below Market Sources Median/50 %ile:	\$ -2,971.02
% City of Brainerd Above / Below Market Sources Median/50 %ile:	-38.09%
Brainerd Maximum Wage %ile	15.30%

# of Responses	14
City of Brainerd Rank:	12



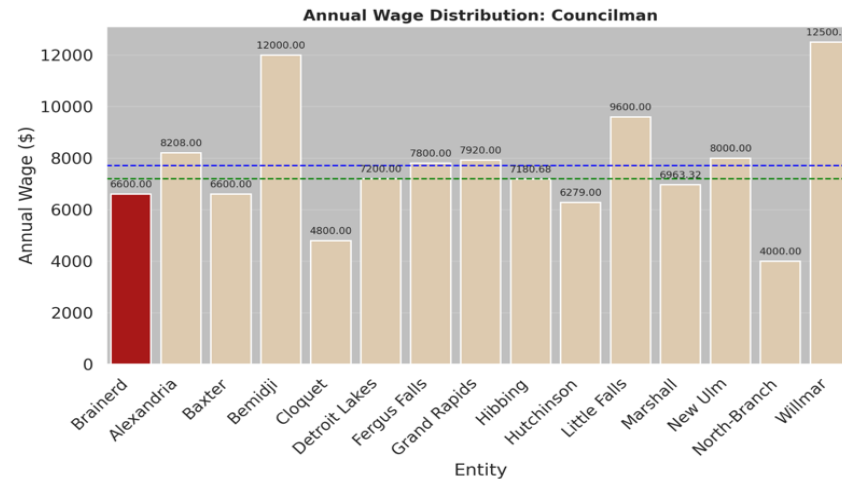
2. Council Member Annual Compensation

2023 Comparable Entities Annual Wage															
City:	Brainerd	Alexandria	Baxter	Bemidji	Cloquet	Detroit Lakes	Fergus Falls	Grand Rapids	Hibbing	Hutchinson	Little Falls	Marshall	New Ulm	North-Branch	Willmar
Comparable Title:	Alderman	Council	City Council	City Council	City Council	Council	City Council	City Council	City Council	City Council	City Council	City Council	City Council	City Council	City Council
Year:	2023	2023	2023	2023	2023	2023	2023	2023	2023	2023	2023	2023	2023	2023	2023
Annual Wage:	\$ 6,600.00	\$ 8,208.00	\$ 6,600.00	\$ 12,000.00	\$ 4,800.00	\$ 7,200.00	\$ 7,800.00	\$ 7,920.00	\$ 7,180.68	\$ 6,279.00	\$ 9,600.00	\$ 6,963.32	\$ 8,000.00	\$ 4,000.00	\$ 12,500.00

Mean:	\$ 7,710.07
Median:	\$ 7,200.00
10th Percentile:	\$ 5,391.60
25th Percentile:	\$ 6,600.00
75th Percentile:	\$ 8,104.00
90th Percentile:	\$ 11,040.00

\$ City of Brainerd Above / Below Market Sources Mean:	\$ -1,110.07
% City of Brainerd Above / Below Market Sources Mean:	-16.82%
\$ City of Brainerd Above / Below Market Sources Median/50 %ile:	\$ -600.00
% City of Brainerd Above / Below Market Sources Median/50 %ile:	-9.09%
Brainerd Maximum Wage %ile:	23.00%

# of Responses	14
City of Brainerd Rank:	11



3. Additional Benefits Collected for the Mayor and Council Members

A. Each wage collected is current for 2023.

B. Based on the collected data:

- 6 of 15 comparable offer additional benefits, including the City of Brainerd.
- 3 of 15 offer Public Employees Retirement Association (PERA) or Deferred Compensation Program (DCP).
- 2 of 15 offer Life Insurance.
- 2 of 15 offer Medical, Vision, Dental and Federal Student Aid.
- 1 of 15 offer \$100 for regular meetings or emergency meetings.
- 9 of 15 comparable provided no additional benefits.

4. Recommendations

The City Council can consider this information in determining whether to change its benefits and annual compensation. In doing so, it must comply with the law providing annual or monthly sum, or a per-meeting rate of salaries. The statute should indicate whether the per-meeting rate applies only to standard meetings or to both standard and special meetings. Cities are restricted from including provisions for vacation or sick leave in the compensation plan. Cities are prohibited from reducing salaries of council members due to absence from official duties because of sickness or vacations.

Plan Options	Monthly Premium Cost	CURRENT POLICY LANGUAGE*		PAST PRACTICE**		Employee	
		Council/BPU Member Cost	City Cost	Council/BPU Member Cost	City Cost	Monthly Cost	Employer ***
\$1,600 Single	1,516.60	-	1,516.60	141.67	1,374.93	75.83	1,440.77
\$1,600 Family	2,561.90	512.38	2,049.52	703.84	1,858.06	512.38	2,049.52
\$3,200 Single	1,374.93	-	1,374.93	-	1,374.93	68.75	1,306.18
\$3,200 Family	2,322.58	464.52	1,858.06	464.52	1,858.06	464.52	1,858.06
\$6,150 Single	1,178.09	-	1,178.09	-	1,178.09	35.34	1,142.75
\$6,150 Family	1,990.07	398.01	1,592.06	132.01	1,858.06	298.51	1,691.56
\$8,050 Single	1,092.18	-	1,092.18	-	1,092.18	-	1,092.18
\$8,050 Family	1,844.94	368.99	1,475.95	-	1,844.94	184.49	1,660.45
Opt Out	N/A	N/A	250.00	N/A	250.00	N/A	400.00

*Single Premiums paid 100% and Family Premiums paid at 80%

**All City contributions for single or family elections are based on this plan

*** Plus a montly HSA contribution

by 174.91 feet by 155.26 feet. (All Commissioners responded yes and the motion was carried)

Mr. Rothenberger, Ms. Brooks and their attorney, Charles Steinbauer, indicated that they would accept the motion as stated. Superintendent Sjolund said he would give the necessary details to City Attorney Dwane Larson for his drafting of the agreement.

In other business Superintendent Sjolund requested authorization to contact Minnesota Power and Light Company to inquire as to the possibility of purchasing capacity from a Minnesota Power substation located on County Road 17, south of Brainerd. W. M. Welton made a motion and it was seconded by L. M. Howard authorizing the above request. (All Commissioners responded yes and the motion was carried)

There being no additional business, L. M. Howard made a motion and it was seconded by O. L. Henderson to adjourn the meeting at 3:50 P. M. (All Commissioners responded yes and the motion was carried)

Attest:

W. D. Klein, President

G. D. Johnson, Secretary

City Attorney to draft agreement

Purchasing capacity-MPL Substation

Adjourned

The regular meeting of the Public Utilities Commission was held on November 30, 1987. Present were Commission Members W. D. Klein, L. M. Howard, W. M. Welton, O. L. Henderson, H. W. Longfellow, Secretary Gary Johnson and Superintendent W. C. Sjolund.

11-30-87

A motion was made by L. M. Howard and seconded by W. M. Welton to approve the minutes of the regular meeting of October 26, 1987 and to approve payment of the current Water and Light bills. All members of the Commission voted yes. (Motion carried)

Jim Peck, Industrial Service Engineer representing Minnesota Power, was present to explain Minnesota Power's October 12, 1987 offer to sell electricity to Brainerd Water and Light and other member utilities of NMMEA. He explained the effects on Brainerd's electric rates due to the Federal Tax Reform Act and the sale of a portion of the Clay-Boswell facility to Northern States Power. Brainerd Water and Light will receive a 10% rate reduction retroactive to July 1, 1987 because of these two rate filings. Mr. Peck also explained that Brainerd Water and Light could receive an additional 3½% rate reduction in the future if Brainerd would extend their contract to December 31, 1999. (The present contract expires on April 20, 1993.) The Commission thanked Mr. Peck and no further action was taken.

MN Power sale of electricity

Secretary Johnson and Superintendent Sjolund reported on the 1988 Operating and Capital Budgets respectively. Upon discussion as to monthly salaries of the Commissioners, it was mentioned that the Commissioners had not received an increase for twelve years and that the national average annual salary for Commissioners of utilities comparable to Brainerd Water and Light is between \$2,100 and \$2,400. A motion was made by L. M. Howard and seconded by W. M. Welton to raise the annual salary of the Commissioners to \$2,100 and to pay the acting president \$2,400 annually. This is to become effective January 1, 1988. All members of the Commission voted yes. (Motion carried)

Budgets

Raise Commissioners Salary

A motion was made by L. M. Howard and seconded by W. M. Welton to include a \$11,000 in the 1988 Capital Budget to be used to purchase a chlorinator. All members of the Commission voted yes. (Motion carried) A motion was made by L. M. Howard and seconded by W. M. Welton to approve the 1988 Operating and Capital Budgets as amended for the two above changes. All members of the Commission voted yes. (Motion carried)

Approve Budgets

O. L. Henderson suggested that the Commission form a building committee to be in charge of the detail work involved in constructing a new building for the Water and Light Department. President W. D. Klein appointed Commissioners Henderson, Howard and Superintendent W. C. Sjolund to serve on the building committee.

Building Committee for new W & L Building

After a brief discussion of CPR classes being offered at Brainerd High School, L. M. Howard made a motion and it was seconded by O. L. Henderson, to send all Water and Light employees to CPR classes being taught by Bruce Smith at the Brainerd High School, December 28th and 29th of this year. Ten employees will attend at a time for 2½ hours and the total cost will not exceed \$240.00. All members of the Commission voted yes. (Motion carried)

CPR Classes

Superintendent Sjolund reported on the benefits of joining the North-eastern Minnesota Municipal Power Agency "NEMMPA" which is an organized municipal power agency. Unlike NMMEA, this agency has the legal authority to negotiate and sign supply contracts on behalf of its members. Upon Superintendent Sjolund's recommendation to join NEMMPA, a motion was made by W. M. Welton and seconded by L. M. Howard to process the required resolutions for application to join NEMMPA. All members of the Commission voted yes. (Motion carries)

NEMMPA



City Council Agenda Request

MEETING DATE: December 4, 2023

TITLE OF ITEM: First Reading - Proposed Ordinance 1561 - Short Term Rentals

AGENDA: Main

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:

Upon discovering several Short-Term Rental properties in the City of Brainerd operating without a valid Interim-Use Permit, staff worked with those property owners to bring their short-term rentals into compliance with the Zoning Code. In addition to working with property owners for compliance, staff received direction from the Planning Commission to discuss further regulations or capping the number of short-term rentals allowed in the City. The concern with short-term rentals is the potential loss of long-term workforce housing, in which the City is experiencing a shortage. The subtraction of long-term housing is a concern in relation to Brainerd's Comprehensive Plan and has an impact on future economic development of the community.

PROPOSED ORDINANCE SUMMARY

- 1) Defines 3 types of Short-Term Rentals.
 - Accessory Home Share (AHS) – Renting a room in an owner-occupied dwelling.
 - Accessory Vacation Dwelling Units, Limited (AVDUL) – Renting an owner-occupied dwelling while the owner is not on premises.
 - Vacation Dwelling Unit (VDU) – Renting a non-owner-occupied dwelling.
- 2) Allows for property owner-occupied residence to be used as an AHS or AVDUL upon receipt of a rental certification and Interim Use Permit for their personal residence.
 - Does not limit AHS's or AVDUL's as they do not affect housing stock.
- 3) Limits the total number of VDU Short-Term Rentals in the City of Brainerd to 20.
 - Limits applicants to ownership of one VDU in the City of Brainerd.
 - Caps the number of VDUs allowed in the Traditional Neighborhood Zoning Districts at 10.
 - Caps the number of VDUs allowed in the Contemporary Neighborhood Zoning Districts at 10.
 - Caps the number of VDUs in any multifamily-dwelling building to one unit.
- 4) Allows for property owners or companies to own only one VDU in the City.

5) Requires all short-term rentals operating prior to the effective date to be compliant by December 31, 2025.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

The following are some of the commissioner's comments regarding the proposed ordinance. The public hearing and all comments can be heard by viewing the meeting at the following link <https://www.youtube.com/watch?v=qHwkeHrRz-A>. The public hearing begins at the 5:35 mark in the video.

Commissioner's Comments

Commissioner Grunenwald stated that we would not like to displace anyone and is in favor of grandfathering in.

Commissioner Stenglein stated that we are trying to think forward with this and agrees that everything is okay currently, but we want to keep it that way, and we don't want to end up with something that we can't fix later. She believes we are on the right track but would be open to changing the compliance date from December 31st, 2024, to December 31st, 2025, to allow extra time for people who are already operational and what might work best for them.

Commission Duval supports Commissioner Stenglein's comments to transition as reasonably possible for the active market to comply with a new regulatory structure. He said he can appreciate the investments made to a property to bring it up to current code standards. Also, he stated he appreciated Mr. Fish's comments that 20 seems like a reasonable number to support.

Commissioner Yeager stated that he is lukewarm about the issue, as he is still fundamentally against short-term rentals overall, mostly because of the work that he does with the HRA and the comprehensive plan. He said that we hear over and over again what we need in Brainerd is sustainable, affordable long-term housing; short-term housing is one-hundred percent counter to that mindset. However, due to the numbers being modest, he is willing to go along with this ordinance.

Commissioner Norwood was in favor of allowing no more than four (4) VDUs per property owner or company and allowing two per platted block.

RECOMMENDED ACTION/MOTION:

Motion to conduct the first reading of Proposed Ordinance 1561 and to dispense with the actual reading.

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

FINANCIAL IMPACT: N/A

**ORDINANCE
NO. 1561**

AN ORDINANCE AMENDING SECTION 515-3-34 OF THE ZONING CODE

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Section 515-3-34 is hereby amended by adding and striking the following:

515-3-34 Short-Term Rentals

A. Definitions: For the purposes of this article, the following definitions apply:

1. Accessory Home Share (AHS): A rental where the property owner is a permanent resident of the homesteaded unit and is present on the premises during the rental period.
2. Accessory Vacation Dwelling Units, Limited (ADVUL): A rental where the property owner permanently resides at the homesteaded unit but does not need to be present during the rental period.
3. Vacation Dwelling Unit (VDU): A rental where the property owner is not a permanent resident of the unit, and the entire unit is rented without the property owner present during the rental period.

B. Short-term rentals are subject to the following length of stay and total number of annual rental days:

1. Accessory Home Share (AHS): May allow a maximum of four (4) guests to stay on the premises a total of one (1) to twenty-eight (28) days.
2. Accessory Vacation Dwelling Units, Limited (ADVUL): May allow a maximum number of guests as determined by Section 515-3-34-C.4 to stay on the premises a total of two (2) to seven (7) consecutive nights. ADVUL's may not be operated more than twenty-one (21) rental days per calendar year.
3. Vacation Dwelling Units (VDU): May allow a maximum number of guests as determined by Section 515-3-34-C.4 to stay on the premises a total of one (1) to twenty-eight (28) days.

C. Regulations: Any short-term rental must comply with the following minimum standards:

~~A. _____~~

~~4. The maximum rental period shall not be more than 28 consecutive nights.~~

1. The permit holder (owner) of a short-term rental must apply for and receive an Interim Use Permit.

a. The duration of the first Interim Use Permit granted to an applicant for a short-term rental at a premises shall be twelve (12) months.

~~2.~~b. Renewal for an Interim Use Permit for an existing short-term rental at a premises shall be granted for a duration not to exceed twenty-four (24) months.

~~3.~~2. The application for an Interim Use Permit shall include:

- a. The number of bedrooms with dimensions and all other sleeping accommodations.
- b. The number of off-street parking spaces available to guests.

- c. All accessory structures and outdoor recreational features available for guest use.
- d. A pet, garbage, noise, and parking policy.
- e. 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.

~~4.3.~~ A permit holder must disclose in writing to their renters the following information regarding property policies and City codes:

- a. **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 accessible to the public at all times on the City of Brainerd website.
- b. **Occupancy.** The maximum number of guests allowed on the property.
- c. **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.
- d. **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.
- e. **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.
- f. **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.

~~5.4.~~ 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, whichever is less.

~~6.5.~~ 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.

~~7.6.~~ 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).

~~8.7.~~ Additional occupancy by use of recreational vehicles, tents, accessory structures, or fish houses is not permitted.

~~9.8.~~ 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.

9. 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.

10. The owner or property manager shall reside within 50 miles of the property. An emergency contact does not constitute a property manager. A property manager shall be a relative or compensated individual or company.

~~10.~~11. 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.

~~11.~~12. A permit holder must post their rental license permit number on all print, poster, or web advertisements.

13. 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.

14. All short-term rentals operating prior to the effective date of these standards shall be compliant with this section by December 31, 2025. All previously issued Interim Use Permits for short-term rentals shall expire December 31, 2025.

D. Ownership, Limitations, and Municipal Caps:

1. Any property owner may utilize their permanent residence as an AHS or ADVUL upon the receipt of a rental housing license and the approval of an Interim Use Permit.

2. Property owners or companies are limited to the operation of one (1) VDU upon approval of an Interim Use Permit in the City at any given time.

3. There are to be no more than twenty (20) operational VDU's at any given time in the City and is granted on a first-come first-serve basis.

a. There shall be no more than ten (10) total VDU's permitted in the Traditional Neighborhood Zoning Districts.

I. Only one (1) VDU may be located on any platted block and shall not abut another property approved for a short-term rental.

b. There shall be no more than ten (10) total VDU's permitted in the Contemporary Neighborhood Zoning Districts.

I. Only one (1) VDU may be located on an platted block and shall not abut another property approved for a short-term rental.

c. A designated city official shall create a waiting list which will be posted on the City of Brainerd website with a recorded date and time of an interested applicant if the City has approved the maximum allotment of VDU's in the City or a zoning district.

I. Applicants on the waiting list shall be contacted and given ten (10) days to submit a complete application and provide payment for their Interim Use Permit.

d. All short-term rentals applying for renewal will be given preference over new applicants if they are compliant with the rental code, are without outstanding violations of the Code, and are not on a required management plan. The property must have an approved Interim Use Permit by City Council prior to expiration of their existing permit.

- I. Upon expiration of the Interim Use Permit, the property owner can no longer operate a short-term rental at the premises and will be required to reapply as a new applicant.
- 4.4. No multi-family dwelling unit may contain more than one (1) short-term rental of any type at any given time.

SECTION TWO: 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: _____
PATRICK WUSSOW
Interim City Administrator

Published: One Time – _____

NOTICE OF HEARING

Notice is hereby given that the City of Brainerd Planning Commission will be conducting a public hearing to consider a proposed ordinance amending Section 515-3-34 of the Brainerd Zoning Code relating to short-term rentals. The proposed ordinance would define short term rentals into three different classifications, Accessory Home Share, Accessory Vacation Dwelling Units, Limited, and Vacation Dwelling Units and regulate the rental duration of each category. Additionally, the proposed ordinance will set the expiration of interim use permits issued for short term rentals and institute limitations on the number allowed in the City of Brainerd to 20 total units. As proposed, individuals and companies cannot own more than one short-term rental and no more than one short-term rental unit can be in a multifamily building.

A Public Hearing will be conducted by the Planning Commission at 6:00 p.m. Wednesday, November 15, 2023, in City Hall Council Chambers, 501 Laurel Street, Brainerd.

The public is invited to attend the hearing to offer input regarding the proposed ordinance. Any individuals needing special accommodations please call (218) 828-2307.

Dated this 1st day of November 2023

Publication Date: November 4th, 2023



James L. Kramvik
Community Development Director

Rick Badeaux
19868 159th St. NW
Elk River, MN
763-607-1523
November 13, 2023

Brainerd City Council
501 Laurel Street
Brainerd, MN 56401

Subject: Petition to Allow Continuation of Three Airbnb Properties in Brainerd

Dear Members of the Brainerd City Council,

I hope this letter finds you well. I am writing to express our sincere appreciation for the work the City Planning Commission does to ensure the prosperity and development of our community. I am also writing to petition for the allowance of three Airbnb properties currently owned and managed by us in the Brainerd area.

We are proud property owners who have diligently worked towards the improvement and revitalization of our properties in Brainerd. Our business model involves acquiring properties in need of attention, using revenue generated through Airbnb to fund renovations and enhancements, and providing affordable and stable housing for long-term tenants.

Currently, we have three long-term renters in our properties, each with unique circumstances that make them vulnerable to potential rent increases. Our long-term tenants include elderly women whose well-being and financial stability we aim to safeguard. The Airbnb platform allows us to subsidize the long-term rents, providing our tenants with stability and a comfortable living environment. We have not raised rents for both renters since acquiring one property 6 years ago, and one 3 years ago.

The proposed regulation of one Airbnb per owner would have an immediate impact on our ability to maintain the current rental rates for our long-term tenants. The additional revenue generated from Airbnb not only allows us to keep rents affordable but also contributes to ongoing property improvements and maintenance.

In Addition, we want to draw your attention to specific points that we believe are crucial to the conversation:

1. Administrative Burden: Limiting Airbnb ownership to one per individual would create an increased administrative burden on the city. The resources required for additional oversight, enforcement, and compliance measures could potentially strain the city's administrative capabilities. We propose that a more flexible approach be considered to streamline administrative processes without compromising the city's regulatory goals. James Norwood on the Planning Commission had raised this as a possibility (allowing four per owner), unfortunately it was quickly shot down by other members. James was correct though; the odds of poor experiences go up with each additional owner. As these policies will quickly increase the number of Airbnbs in Brainerd, and due to the fact that Brainerd's economic

situation isn't ready to support 20 units, I would expect numerous failed attempts which will need to be navigated.

2. Commitment to Quality Management: Our commitment to maintaining high standards for property management and guest experiences is unwavering. We have established a reliable team in Brainerd dedicated to ensuring the safety and satisfaction of our guests. This commitment not only contributes positively to the city's reputation but also fosters a sense of community and hospitality that encourages guests to return. Having gone through the growing pains of setting up functioning support teams, I can share that its very likely 20 individual owners will struggle with the needed infrastructure. Our systems have backups to the backups, ensuring a positive experience for the neighborhood.

3. Grandfathering Consideration: While we understand the need for regulations to evolve with the changing landscape, we kindly request that you consider grandfathering existing, well-performing Airbnb properties into any new ordinance. This approach acknowledges and rewards responsible property owners who have actively contributed to the betterment of the city and ensures that no changes need occur for our established tenants. As we are only three units out of thousands of dwellings, there is virtually zero impact on the city, but major impacts on the tenants who live in these buildings.

We acknowledge the importance of implementing a well-thought-out regulation program to ensure the responsible management of short-term rentals. However, we believe that a collaborative approach can be taken to find a solution that meets the needs of both property owners and the city. We are open to working closely with the city to develop guidelines that preserve the interests of our long-term tenants while allowing us to continue contributing to the improvement of the Brainerd community.

We understand the challenges faced by the Planning Commission and City Council in striking a balance between growth and regulation. We are hopeful that, through open dialogue and cooperation, we can collectively influence a decision that not only benefits property owners like us but also contributes to the overall well-being of the city and its residents.

Thank you for your time and consideration of our petition. We look forward to the opportunity to discuss this matter further and work towards a mutually beneficial solution for all parties involved. I can be reached at 763-607-1523 and would love to connect with any City Council Member that may want more clarity on our business model.

Sincerely,

Rick Badeaux

Rick Badeaux
19868 159th St. NW
Elk River, MN
763-607-1523
November 13, 2023

Brainerd City Planning Commission
501 Laurel Street
Brainerd, MN 56401

Subject: Petition to Allow Continuation of Three Airbnb Properties in Brainerd

Dear Members of the Brainerd City Planning Commission,

I hope this letter finds you well. I am writing to express our sincere appreciation for the work the City Planning Commission does to ensure the prosperity and development of our community. I am also writing to petition for the allowance of three Airbnb properties currently owned and managed by us in the Brainerd area.

We are proud property owners who have diligently worked towards the improvement and revitalization of our properties in Brainerd. Our business model involves acquiring properties in need of attention, using revenue generated through Airbnb to fund renovations and enhancements, and providing affordable and stable housing for long-term tenants.

Currently, we have three long-term renters in our properties, each with unique circumstances that make them vulnerable to potential rent increases. One of our tenants is a 75-year-old retiree from Central Lakes College, and another is a 60-year-old individual whose rent we have not raised in six years. The Airbnb platform allows us to subsidize the long-term rents, providing our tenants with stability and a comfortable living environment.

The proposed regulation of one Airbnb per owner would have an immediate impact on our ability to maintain the current rental rates for our long-term tenants. The additional revenue generated from Airbnb not only allows us to keep rents affordable but also contributes to ongoing property improvements and maintenance.

Since acquiring these properties, we have made significant investments in renovating our units, addressing long-standing issues such as a faulty furnace, replacing water heaters, pouring new concrete, updating appliances, and enhancing security measures around the buildings. These improvements have not only increased the overall quality of our properties but have also positively contributed to the aesthetics and safety of the community. This level of improvement would not have been possible without using our current business model, which includes using Airbnb revenue.

We acknowledge the importance of implementing a well-thought-out regulation program to ensure the responsible management of short-term rentals. However, we believe that a collaborative approach can be taken to find a solution that meets the needs of both property owners and the city. We are open to working closely with the committee to develop guidelines that preserve the interests of our long-term tenants while allowing us to continue contributing to the improvement of the Brainerd community.

We understand the challenges faced by the Planning Commission in striking a balance between growth and regulation. We are hopeful that, through open dialogue and cooperation, we can collectively influence a decision that not only benefits property owners like us but also contributes to the overall well-being of the city and its residents.

Thank you for your time and consideration of our petition. We look forward to the opportunity to discuss this matter further and work towards a mutually beneficial solution for all parties involved.

Sincerely,

Rick Badeaux



City Council Agenda Request

MEETING DATE: December 4, 2023

TITLE OF ITEM: First Reading - Proposed Ordinance 1562 - Revised Fee Schedule and Hold Public Hearing

AGENDA: Main

ACTION REQUESTED: Ordinance

SUBMITTED BY: James Kramvik, Community Development Director

DEPARTMENT: Community Development

PRESENTER: James Kramvik, Community Development Director

ESTIMATED TIME (MIN): 20 min

SUMMARY OF ISSUE:

City Council reviewed and amended City Code Sections 1010 Licensing Fees and 1015 Permit Procedures and Fees in 2019 as part of Ordinance 1492. Rental license fees were last reviewed and changed in 2010 as part of Resolution No. 45:10 which increased the rental license fee to \$32 per rental dwelling unit. Staff were directed by City Council to review surrounding municipalities and update permit and licensing fees in Brainerd. Staff presented a proposed ordinance to the P&F Committee at the last City Council meeting which reorganized fees into one location as an appendix. The appendix will make it easier for the public and staff to review permit and licensing fees required by the City. Staff recommends holding a public hearing at the first reading as multiple individuals were interested in providing input to City Council earlier in the process, specifically regarding rental license fees.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Staff recommends the following fee schedule changes:

- 1) Rental license fee increases from \$32 per unit to \$50 per unit (1-5 unit structure) \$45 per unit (6-12 unit structure) \$40 per unit (12+ unit structure)
- 2) Residential CUP, IUP, variance, and rezoning increase from \$250 to \$350.
- 3) Commercial CUP, IUP, variance, and rezoning increase from \$400 to \$500.
- 4) Fence permit increase from \$35 to \$50.
- 5) Administrative zoning permit from \$0 to \$35.
- 6) Solar panels and window replacement changes from a valuation fee to a set fee of \$80.
- 7) Commercial mechanical fees for furnaces, boilers, and A/C units change from a valuation fee to \$75.
- 8) A certificate of occupancy commercial inspection is added in the amount of \$75.
- 9) Food truck permits have an optional \$50 per day fee.
- 10) The Fire Department will include boxing and wrestling matches in their existing event permit.
- 11) All event and entertainment fees have been removed.
- 12) Chicken and bee permits have a higher initial cost of \$60 and then are reduced to \$20 for annual renewals.

13) SAC, WAC, and Park Dedication Fees will be reviewed at a later time and will be presented to the Park Board and BPU Commission.

RECOMMENDED ACTION/MOTION:

- 1) Hold a public hearing
- 2) Motion to change any sections in Proposed Ordinance 1562: and/or
- 3) Motion to conduct the first reading of Proposed Ordinance 1562 and to dispense with the actual reading.

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

FINANCIAL IMPACT: The proposed rental fee increase will increase the rental fees collected from \$82,000 to \$118,000. The building permit fees collected will be reduced by approximately \$3,000 as a result of changing to set fees for some permit types.

**ORDINANCE
NO. 1562**

AN ORDINANCE AMENDING SECTIONS 1010 LICENSING FEES, 1015 PERMIT PROCEDURES AND FEES, 702 SANITARY SEWER COLLECTION SYSTEM CHARGES, 703 SEWER AVAILABILITY CHARGE, 706 WATER AVAILABILITY CHARGE, 715 STORM SEWER UTILITY AND STORMWATER MANAGEMENT, 425 RENTAL HOUSING CODE, 1100 AMUSEMENTS, 1105 PUBLIC WESTLING, BOXING MATCHES, AND PUBLIC DANCES, 1130 BUILDING AND RELATED TRADES, AND 1000 GENERAL PROVISIONS

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Licensing Fees – Section 1010.01 Fees Set of the City Code is hereby removed in its entirety and replaced with the following new language underlined:

1010.01 Fees Set. The fees for the various licenses required by this code are set forth in Section 1000 Appendix A: Fee Schedule.

SECTION TWO: Permit Procedures and Fees - Section 1015.09 Permit Fees of the City Code is hereby amended as indicated, with deleted language struck out and new language underlined:

1015.09 Permit Fees. The fees and charges for the various permits required by this Code ~~are set forth in this Subsection~~ are set forth in Section 1000 Appendix A: Fee Schedule.

SECTION THREE: Permit Procedures and Fees - Section 1015.11 Building Permits is hereby removed in its entirety and replaced by the following new language underlined:

1015.11 Building Permit, Miscellaneous Permit, and Plumbing Permit Fees. Subdivision 1. Building Permit Fees, Miscellaneous Permit Fees, Plumbing Permit Fees. Building Permits, Miscellaneous Permits, and Plumbing Permit Fees are set forth in Section 1000 Appendix A: Fee Schedule.

Subdivision 2. Building Permit Fees and Plan Review Fees set forth in this Ordinance that require fee calculations based on total valuation of construction costs shall be set forth in Appendix B: Valuation Fee Schedule:

SECTION FOUR: Permit Procedures and Fees - Section 1015.13 Miscellaneous Permit Fees and 1015.17 Plumbing Fees of the City Code is hereby removed in its entirety.

SECTION FIVE: Permit Procedures and Fees – Section 1015.15 Zoning and Subdivision Fees is hereby removed in its entirety and replaced by the following new language underlined:

1015.15 Zoning and Subdivision Fees: Special Provisions.

Subdivision 1. Scope and Application. This Subsection applies to applications for the platting or replatting of land, variances from platting regulations and park dedication fees made pursuant to Sections 500 of this Code, and to applications for Zoning District changes, Zoning Code text amendments, conditional use permits, and variances, made pursuant to the Zoning Code (Appendix 1 of this Code).

Subdivision 2. Zoning and Subdivision Fees are set forth in Section 1000 Appendix A: Fee Schedule.

Subdivision 3. Park Dedication Fees. If any of the fees set forth herein above are determined by any Court to be invalid for any reason whatsoever, the park dedication fee shall be the fair market value of the land to be subdivided. For the purposes of this section, "fair market value" means a price that a willing buyer would pay and a willing seller would accept for the property at the time of acceptance of the final plat including but not limited to zoning, public and subdivider improvements or other factors as determined by the County Assessor but excluding any buildings or structures located thereon

SECTION SIX: Sanitary Sewer Collection System Charges - Section 702.01 of the City Code is hereby amended as indicated, with deleted language struck out and new language underlined:

702.01 That a sanitary sewer charge is hereby imposed for each lot, parcel, building, or premise that is connected to the sanitary sewer collection system based on metered water consumption of water per month. Any change in the sanitary sewer charge as hereinafter set forth shall be by ~~Council resolution~~ ordinance amendment of Section 1000 Appendix A: Fee Schedule.

SECTION SEVEN: Sewer Availability Charge (SAC) - Section 703.02 Subd.1.c of the City Code is hereby amended as indicated, with deleted language struck out and new language underlined:

c) ~~Change by Resolution: Any change in the City sewer availability charge as hereinafter set forth shall be by Council resolution.~~ Sewer Availability Charge shall be set forth in Section 1000 Appendix A: Fee Schedule.

SECTION EIGHT: Water Availability Charge (WAC) - Section 706.02 Subd.1.c of the City Code is hereby amended as indicated, with deleted language struck out and new language underlined:

c) ~~Change by Resolution: Any change in the City water availability charge as hereinafter set forth shall be by Council Resolution.~~ Water Availability Charge shall be set forth in Section 1000 Appendix A: Fee Schedule.

SECTION NINE: Storm Sewer Utility and Storm Water Management - Section 715.01 Subd. 3 and Section 715.03 Subd.2.a of the City Code are hereby amended as indicated, with deleted language struck out and new language underlined:

715.01 Definitions. The following definitions shall apply in the interpretation and enforcement of this ordinance:

Subd. 3. "Single Family Residential Rate" is the rate at which a single family home is charged. This rate is used for parcels that have single family homes on only. This rate is set ~~by council resolution~~ forth in Section 1000 Appendix A: Fee Schedule.

715.03 Storm Water Utility Fees.

Subd. 2. Storm Water Drainage Fees.

a) All single family residential properties will be charged a flat rate regardless of size of parcel. This rate shall be the Single Family Residential Fee which is set ~~by Council resolution~~ forth in Section 1000 Appendix A: Fee Schedule.

SECTION TEN: Rental Housing Code – Sections 425.3001, Section 425.3009, and Section 425.3010 of the City Code are hereby amended as indicated, with deleted language struck out and new language underlined:

425.3001 License Required. No person shall allow to be occupied, or let to another for occupancy, any dwelling unit unless the owner has first obtained a license under the terms of this article. Unlicensed rental dwellings or dwelling unit(s) will be fined per ~~City Council Resolution~~ Section 1000 Appendix A: Fee Schedule.

425.3009 License Fees. (a) An annual license fee shall be assessed on all rental dwelling units. The license fee shall be included with the initial application or renewal statement. Such fee shall be set ~~by resolution of the City Council~~ forth in Section 1000 Appendix A: Fee Schedule. There shall be no fee for a change in ownership. An increase in the number of licensed dwelling units during the license year shall require an amended license application and the payment of an additional license fee to cover the additional units.

425.3010 Reinspection Fee. (a) There shall be no fee charged for an initial inspection and for the re-inspection. If a third inspection is needed for compliance an additional fee will be charged according to ~~City Council resolution~~ Section 1000 Appendix A: Fee Schedule.

SECTION ELEVEN: Section 1100 Amusements of the City Code is hereby removed in its entirety:

SECTION TWELVE: Section 1005 Public Wrestling, Boxing Matches, and Public Dances of the City Code is hereby removed in its entirety:

SECTION THIRTEEN: Section 1130 Building and Related Trades is hereby amended as indicated, with deleted language struck out and new language underlined:

1130.01 Purpose. It is deemed in the interest of the public and the residents of the City that any person who engages in the business of building construction or related work as defined in this Section shall first secure a ~~license~~ contractor registration therefore.

1130.03 General Rule. ~~Licenses~~ Contractor registration shall be obtained by every person engaged in the following businesses or work in accordance with the applicable ordinances of the City:

- a) general contractors, including those involved in erection, alteration, or repair of building;
- b) masonry, cement work, cement block work, block laying, or brick work;
- c) heating and ventilating;
- d) roofing;
- e) plastering, stucco work, and sheet rock taping;
- f) excavations, including excavation for footings, basements, and grading of lots;
- g) wrecking of buildings; (Amended Ord. 833 – 1985)
- h) plumbers; (Added Ord. 855 – 1986)
- i) sign hangers; (Added Ord. 855 – 1986) SEE EXCEPTION IN SECTION 1130.07 (Added Ord. 1274 – 2006)

Nothing herein shall be construed as preventing any such qualified ~~licensee~~ contractor from performing the work by an employee under his supervision and control, or a property owner from performing his own work, providing all provisions of this Code.

1130.05-~~License Contractor Registration~~. Subdivision 1. Applications. Applications for a ~~license contractor registration~~ shall be made to the City Clerk-Treasurer and such ~~license-qualified contractor~~ shall be granted upon proof of the applicant's qualification therefore and ~~upon filing a bond in the amount of \$5,000-conditioned~~ upon compliance with the provisions of this Code and the filing of certificates evidencing the holding of public liability insurance in the limits of \$100,000 per person, \$300,000 per accident or bodily injury, and \$50,000 for property damages and certificates of worker's compensation insurance as required by law.

Subd. 2. Fee. The ~~license-contractor registration~~ fee is set by ~~Chapter X~~ Section 1000 Appendix A: Fee Schedule.

Subd. 3. Scope of ~~License Contractor Registration~~. A ~~license-contractor registration certificate~~ granted to a general contractor shall include the right to perform all of the work included in his general contract. The ~~license-contractor registration certificate~~ shall include any or all persons performing the work which is classified and listed in this Section, provided that each person performing such work is in the regular employ of such general contractor and qualified under state law and the provisions of this code to perform such work. In these cases, the general contractor shall be responsible for all of the work so performed. Subcontractors on any work shall be required to comply with the Sections of this Code pertaining to ~~licenses~~ registration, ~~bonds~~, qualifications, and similar matters, for his particular type of work.

1130.07 Exceptions. Subdivision 1. Public Service Corporations. Public service corporations shall not be required to obtain ~~licenses-contractor registration~~ for work upon or in connection with their own property, except as may be otherwise provided by this Code.

Subd. 2. Manufacturers. Manufacturers shall not be required to obtain ~~licenses-a contractor registration certificate~~ for work incorporated within equipment as a part of manufacturing, except as may be provided by other provisions of this Code.

Subd. 3. Non-Residential Property Owners. A sign installer ~~license-contractor registration certificate~~ is not required upon written notification that the sign will be installed by the property owner or that the property owner authorizes an employee, lessee, or tenant to install the sign.

SECTION FOURTEEN: Section 1000 General Provisions is hereby amended by adding Exhibit A: Section 1000 Appendix A: Fee Schedule in its entirety.

SECTION FIFTEEN: Section 1000 General Provisions is hereby amended by adding Exhibit B: Section 1000 Appendix B: Valuation Fee Schedule in its entirety.

SECTION SIXTEEN: 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: _____
PATRICK WUSSOW
Interim City Administrator

Published: One Time – _____

1000 GENERAL PROVISIONS APPENDIX A: FEE SCHEDULE

EXHIBIT A

Building Dept	Residential	Commercial
Building Permit Fee	Valuation (refer to Appendix B)	Valuation (refer to Appendix B)
Plan Review Fee	65% of Building Permit Fee	65% of Building Permit Fee
Decks	Valuation (refer to Appendix B)	N/A
Accessory Structure	Valuation (refer to Appendix B)	Valuation (refer to Appendix B)
Re-Roofing per structure	\$70 + State Surcharge	Valuation (refer to Appendix B)
Re-Siding per structure	\$70 + State Surcharge	Valuation (refer to Appendix B)
Solar PV Panels	\$80 + State Surcharge	Valuation (refer to Appendix B)
Weatherization	Valuation (refer to Appendix B)	Valuation (refer to Appendix B)
Windows/Doors Replacement	\$80 + State Surcharge	Valuation (refer to Appendix B)
Manufactured (HUD) Installation	\$250 + State Surcharge	N/A
Modular/Manufactured Home Foundation	Valuation (refer to Appendix B)	N/A
Mechanical-New	\$120 + State Surcharge	Valuation (refer to Appendix B)
Mechanical-Remodel	\$80 + State Surcharge	Valuation (refer to Appendix B)
Furnace/Boiler/AC/Fireplace	\$40 + State Surcharge	\$75 + State Surcharge
Garage Heater	\$40 + State Surcharge	\$75 + State Surcharge
Roof Top Unit	N/A	\$150 + State Surcharge
Plumbing-New	\$120 + State Surcharge	Valuation (refer to Appendix B)
Plumbing-Remodel	\$80 + State Surcharge	Valuation (refer to Appendix B)
Water Heater Replacement	\$40 + State Surcharge	\$75 + State Surcharge
Water Softener	\$40 + State Surcharge	N/A
Contractor Registration	\$50 (exempt for State Licensed BC)	\$50
SAC Fee (Sewer Access Charge)	\$1,900 / New Home	\$1,900 / E.R.C.
WAC Fee (Water Access Charge)	\$1,400 / New Home	\$1,400 / E.R.C.
Re-Inspection Fee	\$70 per inspection	\$70 per inspection
E911 Addressing Fee	\$75	N/A
Certificate of Occupancy Inspection	N/A	\$75 per inspection
Demolition	\$50	Valuation (refer to Appendix B)
Planning & Zoning Dept	Residential	Commercial
Fence	\$50	\$50
Sign – Permanent	N/A	Valuation (refer to Appendix B) \$35 minimum
Sign – Temporary(portable)	N/A	\$35/3 months
Conditional Use Permit	\$350	\$500 + \$500 Escrow
Interim Use Permit	\$350	\$500 + \$500 Escrow
Variance Permit	\$350	\$500 + \$500 Escrow
Rezoning Permit	\$350	\$500
Administrative Subdivision (property split, consolidation, or boundary line adjustment)	\$100	\$100
Administrative Zoning Permit	\$35	\$35
Bee Keeping Permit	\$60 initially/\$20 annual renewal	N/A
Chicken/Duck Permit	\$60 initially/\$20 annual renewal	N/A
Food Truck Permit	N/A	\$300 annually + \$50 Parks or \$50 day
Preliminary Plat/Final Plat	\$500 + \$30 per lot + \$1,000 Escrow	\$600 + \$50 per lot + \$1,000 Escrow
Planned Unit Development (PUD)	\$350 + \$1,000 Escrow	\$500 + \$1,000 Escrow
Temporary Seasonal Sales	N/A	\$25/short term or \$150/long term
Zoning Compliance Letter	\$40	\$40
Zoning Text Amendment	\$250	\$400

1000 GENERAL PROVISIONS APPENDIX A: FEE SCHEDULE

EXHIBIT A

Planning & Zoning Dept (cont'd)	Residential		Commercial	
Park Dedication	\$500/single dwelling per buildable lot \$500/double or multi dwelling per unit		\$1,000 per acre or 5% of the fair market value of the subdivision as set forth by valuation fee schedule, whichever is greater.	
Public Right-of-Way Entranceway Sign	\$500		N/A	
Special Meeting	\$200		\$400	
Comprehensive Plan & Zoning Appeals	\$100		N/A	
Rental Housing	Annual Fee June 1 st – May 31 st			
Per Unit Annually	\$50 per unit			
1-5 Units Annually	\$50 per unit			
6-12 Units	\$45 per unit			
13+ Units	\$40 per unit			
Registration Late Fee (July 1-31) (August 1 st - property placarded as non-licensed rental)	Double the per unit fee			
Operating without a Designated Agent in 50-mile radius	\$100 per unit per month			
Operating without Valid Rental License	\$250 per unit per month			
Tenant Complaint based inspection	\$100 each complaint			
Engineering Dept	Residential		Commercial	
Sewer Tap Fee	\$40		\$70	
Excavation Fee	\$45		\$70	
Curb Cut	\$35		\$35	
Billboards	N/A		\$75	
Street Vacation	\$150		\$150	
Sanitary Sewer				
Consumption-Based Monthly Charge	2024	2025	2024	2025
	\$1.37 / 1,000 gal	\$1.34 / 1,000 gal	\$1.37 / 1,000 gal	\$1.34 / 1,000 gal
Fixed Monthly Sewer Charges	2024 Meter Size		2024 Fixed Monthly Customer Charge	
	¾"		\$6.55	
	1"		\$14.00	
	1½"		\$19.85	
	2"		\$36.25	
	3"		\$56.25	
	4"		\$105.00	
	6"		\$140.00	
	2025 Meter Size		2025 Fixed Monthly Customer Charge	
	¾"		\$7.05	
	1"		\$15.00	
	1½"		\$21.10	
Fixed Monthly Sewer Charges	2024 Meter Size		2024 Fixed Monthly Customer Charge	
	2"		\$37.50	
	3"		\$57.50	
	4"		\$105.00	
	6"		\$140.00	
Storm Sewer	2024	2025		
	\$4.60	\$5.30		

1000 GENERAL PROVISIONS APPENDIX A: FEE SCHEDULE

EXHIBIT A

Fire Dept	
Sprinkler System Installation	\$100 + \$1.00 per head up to 25 heads
Fire Sprinkler Testing Permit	\$225
Business Licensing	Annual Fees Unless Indicated Otherwise
Adult Establishment	\$3,000 + investigative fee
Filling Station & Bulk Plant	\$100 per dispensing location or per bulk plant
Pawnbroker	\$150
Peddler, Solicitor, or Transient Merchant	\$200
Secondhand Automobile	\$50 per lot
Secondhand Goods Dealer	\$500 Class A / \$300 Class B
Liquor/Tobacco	Annual Fees Unless Indicated Otherwise July 1 st – June 30 th
Brewery, Taproom	\$500 + initial investigative fee (if applicable)
Growler	\$300 (must be State licensed Brewery or Taproom)
Investigative Fee – New Applicants	\$100
Club On-Sale & Sunday Liquor	\$300 / 200 or less members + investigative fee + Sunday (if applicable) \$500 / 201 or more members + investigative fee + Sunday (if applicable)
Distillery – Cocktail Room	\$300 Off Sale Distillery Spirits + investigative fee + Sunday (if applicable) \$500 Cocktail Room + investigative fee + Sunday (if applicable)
Off-Sale Beer	\$25 + investigative fee (if applicable)
Off-Sale Liquor	\$200 + investigative fee (if applicable)
On-Sale Beer/Wine	\$200 Beer License \$200 Wine License + investigative fee + Sunday (if applicable)
On-Sale & Sunday Liquor	\$3,300 Class 1 Bar \$2,700 Class 2 Restaurant \$3,000 Class 3 Bowling Center/Hotel + investigative fee + Sunday (if applicable)
On-Sale Liquor – Sunday	\$150
Temporary On-Sale Beer	\$20 per day
Temporary On-Sale Liquor	\$135 per day
Tobacco	\$75
Transportation	Annual Fees Unless Indicated Otherwise
Garbage Hauler	\$50 per unit & \$25 per scooter
Taxicab	\$40 per unit
Junk Dealers	\$50
Vending Vehicles	\$75
Auto Salvage	\$25
Miscellaneous	Annual Fees Unless Indicated Otherwise
Dog License/Annual	\$20 \$15/spayed or neutered
Replacement of Dog Tag	\$2.50
Impound Fees for Dogs or Cats	\$25 + additional sum equal to the cost to the City for feeding/housing in a kennel
Kennel License	\$35
Assessment Search Fee	\$10
NSF (non-sufficient funds) Check Fee	\$20

1000 GENERAL PROVISIONS APPENDIX B: VALUATION FEE SCHEDULE

EXHIBIT B

COMMERCIAL BUILDING PERMIT (Includes multifamily dwellings)	
Total Valuation	Fee
\$1.00 to \$500.00	\$40.00
\$501.00 to \$2,000.00	\$40.00 for first \$500.00 plus \$3.25 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$88.75 for first \$2,000.00 plus \$14.75 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$428.00 for first \$25,000.00 plus \$10.75 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$696.75 for first \$50,000.00 plus \$7.50 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$1,071.75 for first \$100,000.00 plus \$6.00 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,471.75 for first \$500,000.00 plus \$5.00 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,000.00 and up	\$5,971.75 for first \$1,000,000.00 plus \$4.00 for each additional \$1,000.00 or fraction thereof

RESIDENTIAL BUILDING PERMIT	
Total Valuation	Fee
\$1.00 to \$500.00	\$30.00
\$501.00 to \$2,000.00	\$30.00 for first \$500.00 plus \$2.00 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$60.00 for first \$2,000.00 plus \$9.50 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$278.50 for first \$25,000.00 plus \$6.50 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$441.00 for first \$50,000.00 plus \$5.00 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$691.00 for first \$100,000.00 plus \$4.50 for each additional \$1,000.00 or fraction thereof

EXHIBIT B

PLAN REVIEW FEES	
Plan Review	Fee
All Building Permits	65% of the building permit fee as calculated in Appendix B
Review Fees for Similar Plans	25% of the building permit fee as calculated in Appendix B

NOTICE OF HEARING

The City of Brainerd City Council will be conducting a public hearing to consider a proposed ordinance amendment to amend Sections 1010 Licensing Fees, 1015 Permit Procedures and Fees, 703 Sewer Availability Charge, 706 Water Availability Charge, 425 Rental Housing Code, 1100 Amusements, 1105 Public Wrestling, Boxing Matches, and Public Dances, 1130 Building and Related Trades, and 1000 General Provisions. The City of Brainerd currently lists fees in both ordinances and resolutions. The proposed ordinance amendment will create an appendix fee schedule to list fees in one location. In addition to a reorganization of fees, staff researched surrounding municipalities and their fee schedules to determine if Brainerd was overcharging or undercharging for license and permit fees. Staff has made recommendations in the proposed ordinance for fee adjustments based on the research performed. Such recommendations include increases to rental license fees, zoning process fees, fence permits, administrative zoning permits, and initial chicken permits.

A Public Hearing will be conducted by the City Council at 7:30 p.m. Monday, December 4th, 2023, in the City Hall Council Chambers, 501 Laurel Street, Brainerd.

The public is invited to attend the hearing to offer input regarding the proposed ordinance. Any individual needing special accommodations please call (218) 828-2307.

Dated this 17th day of November 2023

Publication Date: November 22nd, 2023



James L. Kramvik
Community Development Director

1000 GENERAL PROVISIONS APPENDIX A: FEE SCHEDULE

Building Dept	Residential	Commercial
Building Permit Fee	Valuation (refer to Appendix B)	Valuation (refer to Appendix B)
State Surcharge	.0005 x Valuation/ \$.50 minimum	Refer to Appendix B
Decks	Valuation (refer to Appendix B)	N/A
Accessory Structure	Valuation (refer to Appendix B)	Valuation (refer to Appendix B)
Re-Roofing per structure	\$70 + \$1 State Surcharge	Valuation (refer to Appendix B)
Re-Siding per structure	\$70 + \$1 State Surcharge	Valuation (refer to Appendix B)
Solar PV Panels	\$80 + \$1 State Surcharge	Valuation (refer to Appendix B)
Weatherization	Valuation (refer to Appendix B)	Valuation (refer to Appendix B)
Windows/Doors Replacement	Valuation (refer to Appendix B) \$80 + \$1 State Surcharge	Valuation (refer to Appendix B)
Manufactured (HUD) Installation	\$250 + \$1 State Surcharge	N/A
Modular/Manufactured Home Foundation	Valuation (refer to Appendix B)	N/A
Mechanical-New	\$120 + \$1 State Surcharge	Valuation (refer to Appendix B)
Mechanical-Remodel	\$120 + \$1 State Surcharge \$80 + \$1 State Surcharge	Valuation (refer to Appendix B)
Furnace/Boiler/AC/Fireplace	\$40 + \$1 State Surcharge	\$75 + \$1 State Surcharge
Garage Heater	\$40 + \$1 State Surcharge	\$75 + \$1 State Surcharge
Roof Top Unit	N/A	\$150 + \$1 State Surcharge
Plumbing-New	\$120 + \$1 State Surcharge	Valuation (refer to Appendix B)
Plumbing-Remodel	\$120 + \$1 State Surcharge \$80 + \$1 State Surcharge	Valuation (refer to Appendix B)
Water Heater Replacement	\$40 + \$1 State Surcharge	\$75 + \$1 State Surcharge
Water Softener	\$40 + \$1 State Surcharge	N/A
Contractor License Registration	\$50 (exempt for State Licensed BC)	\$50
SAC Fee (Sewer Access Charge)	\$1,900 / New Home	\$1,900 / E.R.C.
WAC Fee (Water Access Charge)	\$1,400 / New Home	\$1,400 / E.R.C.
Re-Inspection Fee	\$70 per inspection	\$70 per inspection
E911 Addressing Fee	\$75	N/A
Certificate of Occupancy Inspection	N/A	\$75 per inspection
Demolition	\$35 \$50	Valuation (refer to Appendix B)
Planning & Zoning Dept	Residential	Commercial
Fence	\$35 \$50	\$35 \$50
Sign – Permanent	N/A	Valuation (refer to Appendix B) \$35 minimum
Sign – Temporary(portable)	N/A	\$50/month \$35/3 months
Conditional Use Permit	\$250 \$350	\$400 \$500 + \$500 Escrow
Interim Use Permit	\$250 \$350	\$500 + \$500 Escrow
Variance Permit	\$250 \$350	\$400 \$500 + \$500 Escrow
Rezoning Permit	\$300 \$350	\$500
Administrative Subdivision (property split, consolidation, or boundary line adjustment)	\$100	\$100
Minor Subdivision	\$200 +\$30/lot	\$350 +\$50/lot
Administrative Zoning Permit	\$0 \$35	\$0 \$35
Bee Keeping Permit	\$40 \$60 initially/\$20 annual renewal	N/A
Chicken/Duck Permit	\$40 \$60 initially/\$20 annual renewal	N/A
Food Truck Permit	N/A	\$300 annually + \$50 Parks or \$50 day
Planning & Zoning Dept (cont'd)	Residential	Commercial

1000 GENERAL PROVISIONS APPENDIX A: FEE SCHEDULE

Preliminary Plat/Final Plat	\$500 + \$30 per lot + \$1,000 Escrow		\$600 + \$50 per lot + \$1,000 Escrow	
Planned Unit Development (PUD)	\$250 \$350 + \$1,000 Escrow		\$400 \$500 + \$1,000 Escrow	
Temporary Seasonal Sales	N/A		\$25/short term or \$150/long term	
Zoning Compliance Letter	\$40		\$40	
Zoning Text Amendment	\$250		\$400	
Park Dedication	\$500/single dwelling per buildable lot \$500/double or multi dwelling per unit		\$1,000 per acre or 5% of the fair market value of the subdivision as set forth by valuation fee schedule, whichever is greater.	
Public Right-of-Way Entranceway Sign	\$500		N/A	
Special Meeting	\$200		\$400	
Comprehensive Plan & Zoning Appeals	\$100		N/A	
Rental Housing	Annual Fee June 1 st – May 31 st			
Per Unit Annually	\$32			
1-5 Units Annually	\$50 per unit			
6-12 Units	\$45 per unit			
13+ Units	\$40 per unit			
Registration Late Fee (July 1-31) (August 1 st - property placarded as non-licensed rental)	\$25 per unit Double the per unit fee			
Operating without a Designated Agent in 50-mile radius	\$100 per unit per month			
Operating without Valid Rental License	\$250 per unit per month			
Tenant Complaint based inspection	\$100 each complaint			
Engineering Dept	Residential		Commercial	
Sewer Tap Fee	\$40		\$70	
Excavation Fee	\$45		\$70	
Curb Cut	\$35		\$35	
Billboards	N/A		\$75	
Street Vacation	\$150		\$150	
Septic Permit	\$35			
Sanitary Sewer				
Consumption-Based Monthly Charge	2024	2025	2024	2025
	\$1.37 / 1,000 gal	\$1.34 / 1,000 gal	\$1.37 / 1,000 gal	\$1.34 / 1,000 gal
Fixed Monthly Sewer Charges	2024 Meter Size		2024 Fixed Monthly Customer Charge	
	¾"		\$6.55	
	1"		\$14.00	
	1½"		\$19.85	
	2"		\$36.25	
	3"		\$56.25	
	4"		\$105.00	
	6"		\$140.00	
	2025 Meter Size		2025 Fixed Monthly Customer Charge	
	¾"		\$7.05	
	1"		\$15.00	
	1½"		\$21.10	
Engineering Dept (cont'd)	Residential		Commercial	

1000 GENERAL PROVISIONS APPENDIX A: FEE SCHEDULE

Fixed Monthly Sewer Charges	2024 Meter Size		2024 Fixed Monthly Customer Charge
	2"		\$37.50
	3"		\$57.50
	4"		\$105.00
	6"		\$140.00
Storm Sewer	2024	2025	
	\$4.60	\$5.30	
Fire Dept			
Sprinkler System Installation	\$100 + \$1.00 per head up to 25 heads		
Fire Sprinkler Testing Permit	\$225		
Business Licensing	Annual Fees Unless Indicated Otherwise		
Adult Establishment	\$3,000 + investigative fee		
Filling Station & Bulk Plant	\$100 per dispensing location or per bulk plant		
Pawnbroker	\$150		
Peddler, Solicitor, or Transient Merchant	\$200		
Secondhand Automobile	\$50 per lot		
Secondhand Goods Dealer	\$500 Class A / \$300 Class B		
Liquor/Tobacco	Annual Fees Unless Indicated Otherwise July 1 st – June 30 th		
Brewery, Taproom	\$500 + initial investigative fee (if applicable)		
Growler	\$300 (must be State licensed Brewery or Taproom)		
Investigative Fee – New Applicants	\$100		
Club On-Sale & Sunday Liquor	\$300 / 200 or less members + investigative fee + Sunday (if applicable) \$500 / 201 or more members + investigative fee + Sunday (if applicable)		
Distillery – Cocktail Room	\$300 Off Sale Distillery Spirits + investigative fee + Sunday (if applicable) \$500 Cocktail Room + investigative fee + Sunday (if applicable)		
Off-Sale Beer	\$25 + investigative fee (if applicable)		
Off-Sale Liquor	\$200 + investigative fee (if applicable)		
On-Sale Beer/Wine	\$200 Beer License \$200 Wine License + investigative fee + Sunday (if applicable)		
On-Sale & Sunday Liquor	\$3,300 Class 1 Bar \$2,700 Class 2 Restaurant \$3,000 Class 3 Bowling Center/Hotel + investigative fee + Sunday (if applicable)		
On-Sale Liquor – Sunday	\$150		
Temporary On-Sale Beer	\$20 per day		
Temporary On-Sale Liquor	\$135 per day		
Tobacco	\$75		
Transportation	Annual Fees Unless Indicated Otherwise		
Garbage Hauler	\$50 per unit & \$25 per scooter		
Taxicab	\$40 per unit		
Junk Dealers	\$50		
Transportation (cont'd)	Annual Fees Unless Indicated Otherwise		
Vending Vehicles	\$75		

1000 GENERAL PROVISIONS APPENDIX A: FEE SCHEDULE

Auto Salvage	\$25
Events/Entertainment	Annual Fees Unless Indicated Otherwise
Amusement Device	\$15 per device + \$15 per location
Music (Mechanical Amusement Devices)	\$15 per machine + \$15 per location
Boxing or Public Wrestling	\$25
Circus	\$25
Dance (Public)	\$20 per event or \$200 year
Roller Skating Rink	\$25
Theater	\$25
Miscellaneous	Annual Fees Unless Indicated Otherwise
Dog License/Annual	\$20 \$15/spayed or neutered
Replacement of Dog Tag	\$2.50
Impound Fees for Dogs or Cats	\$25 + additional sum equal to the cost to the City for feeding/housing in a kennel
Kennel License	\$35
Assessment Search Fee	\$10
NSF (non-sufficient funds) Check Fee	\$20

Red indicates changes or additions

November 15, 2023

Subject: Request to Reconsider Rental Registration Fee Increase

Dear Council Member's,

We are writing to express our concerns regarding the proposed increase in rental registration fees within our city. As a responsible and engaged member of our city, I understand the importance of adequate funding for essential services and infrastructure development. However, I believe that the proposed increase in rental registration fees may have unintended consequences that could negatively impact both landlords and tenants alike.

Firstly, an abrupt increase in rental registration fees could place an undue financial burden on landlords, especially those with smaller properties or those who are already struggling to maintain affordable housing options. Many landlords operate on thin profit margins, and an increase in fees may lead to an increase in rental prices, thereby affecting the affordability of housing for our residents.

Additionally, the proposed fee hike may discourage property owners from maintaining or investing in their rental properties. This could result in a decline in the overall quality of rental housing in our community, affecting the livability and attractiveness of our city. It is crucial to strike a balance between generating revenue for the city and ensuring that property owners are incentivized to provide safe and well-maintained housing for our residents.

Perhaps we could explore more gradual and phased approach to any fee increases. It would be beneficial to engage in a dialogue with landlords and other stakeholders to find solutions that are fair and sustainable for all parties involved.

In conclusion, we urge you to reconsider the proposed increase in rental registration fees. We believe that a more collaborative and thoughtful approach can help us achieve our shared goals of a vibrant and thriving city without placing undue financial strain on landlords and tenants.

Thank you for your time and consideration of this matter. We look forward to hearing about the decisions made by the City Council and appreciate your dedication to the well-being of our community.

Sincerely,

The Brainerd Rental Property Owner's and Manager's Group

Additional comments, concerns, and questions:

"I understand a bump but that is a large percentage at one time. They are not hurting the landlords as much as the tenants. My two cents :) " – City of Brainerd Rental Property Owner

City of Brainerd Rental Property Owner:

"I am sure the Handbook on the League of Minnesota Cities was consulted regarding licensing fees. But to review best practices, I cite from their handbook, chapter 10 on Licensing.

The shortcut version is:

1. Fee increases should be made by ordinance change, not by resolution Ch 10, p. 10
2. "Cities should not view municipal licensing as a significant source of revenue" Ch 10, p. 12
3. Fees should cover administrative costs: issuing license, inspection & other directly related cost for enforcement (excess is considered unauthorized taxation) Ch 10, p.12

I'll attach the chapter and highlight the sections that seem to have application to the current licensing matter.

I started to paste the supporting passages below, only to realize that attaching the document itself is more helpful. I left them, but they need not be included in any packet info, since they come from the Handbook itself."

From *Handbook for Minnesota Cities* from the League of Minnesota Cities, Chapter 10, page 10-13 on City Licensing:

Section A on Constitutionality and Reasonableness of Licensing Fees:

The terms and conditions set forth in licensing ordinances, like other regulatory ordinances, must be reasonable in their terms and conditions and cannot place unnecessary, unreasonable, or oppressive restrictions that conflict with the state or federal constitution. This represents a question of fact in every case.

From *Handbook for Minnesota Cities* from the League of Minnesota Cities, Chapter 10, page 22 on City Licensing:

Cities have an important interest in ensuring that rental housing does not endanger the health or safety of tenants and the community as a whole. Cities may adopt an ordinance requiring landlords to obtain licenses for rental properties. Some of the goals of a rental housing licensing program include:

- Addressing life, safety, general welfare, and health issues.
- Providing minimum standards for safe housing conditions related to safe living conditions such as cooking,

- heating, light, and ventilation. • Providing minimum standards for building maintenance.
- Preventing blight due to dilapidated or substandard rental housing stock.

Inspections of rental housing represent a common, but often controversial, condition for issuing or renewing rental licenses. If the owner or tenant refuses to consent to the inspection, then a city can pursue an administrative warrant based on reasonableness and a balancing of "the need to search against the invasion which the search entails." The Minnesota Supreme Court has found that, to obtain these warrants, a city need not prove individualized suspicion of a code violation where the warrant issued by a district court satisfies an ordinance containing reasonable standards. Cities should work closely with a city attorney to ensure the reasonableness of all components of a particular rental ordinance.

"I think keeping it at 32 is perfect that's just my
Opinion we are much smaller than a lot of places in the cities figured I'd mention thanks!
" – City of Brainerd Rental Property Owner

- If other cities fees were lower would we have lowered our fees? – City of Brainerd Rental Property Owner

- What is the city using these \$118k in funds for? – City of Brainerd Rental Property Owner

- penalize the bad landlords instead of all landlords. – City of Brainerd Rental Property Owner

- how will you calculate an owner that owns four 4 plexus or someone that has a 4 plex, 8 plex, six plex, etc. – City of Brainerd Rental Property Owner

From: [Michael Duval](#)
To: [Kelly Bevens](#); [James Kramvik](#)
Subject: Opposed to Rental License Fee Structure
Date: Monday, November 6, 2023 5:15:03 PM

Kelly, I'm out of town and cannot attend tonight's council meeting.

Not sure I'm a fan of the sliding scale rental license fee structure. Seems like the amount of work involved with each inspection is the same regardless of how many units are in the rental dwelling/structure if this is a fee for staff time model.

Either put everyone at the highest rate or the lowest rate proposed, otherwise little operators like me are subsidizing bigger ones.

Thanks for not supporting as proposed.

Mike Duval

"Truisms are true, hold onto that!"
- George Orwell, 1984