



CITY COUNCIL AGENDA

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Tuesday, February 20, 2024 @ 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 154 8813

Personnel and Finance Committee meeting held on February 14th at 11:00 AM

Safety and Public Works Committee at 7:00 PM - Meeting Access Code: 2493 848 2824

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

1. **Call To Order**

2. **Roll Call**

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

3. **Pledge of Allegiance**

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

5. **Consent Calendar**

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

A. **Approval of Bills**

B. **Approval of Minutes**

C. **Department Activity Reports**

D. **Minnesota Lawful Gambling Application Submitted by St. Joseph's Catholic Church for an Event to be held at Northern Pacific Center, 1511 Northern Pacific Rd, on May 10, 2024**

6. **Council Committee Reports**

A. **Personnel & Finance Committee**

1. Approve Policy for Donation of Surplus Equipment to a Nonprofit Organization
2. Approval of Sewer Lead Job Description

3. Approve 2024-2026 Contract Terms and Wage Resolution with IUOE Local No. 49 (Street Division) Union
4. Approval of an MOA for IBEW Grievance No. 2023-4 regarding the Reclassification of Ryan Miller
5. Discussion regarding Interim City Administrator Wussow volunteering to continue to serve on the City's Union Negotiation Team effective February 29, 2024, going forward for Implementation of the Flaherty & Hood Recommended Wage Grid.
6. Approval of Modified Fee from GMP Consultants for City Administrator Search

B. Safety & Public Works Committee

1. Approve Event/Street Closure Application - St. Patrick's Day Celebration and Parade
2. Approve Brainerd Restoration Downtown Welcome Bench
3. Approve Plans & Specs and Authorize Bidding - Imp 23-15 and 23-27 - Evergreen Ave and Bluff Ave Rehabilitation
4. Award Contract for Historic Water Tower Rehabilitation Phase 2 Project
5. Discuss TH 210/Washington Street Reconstruction Street Lighting Layout
6. Deny Second Hand Auto Dealer's License for Tower Motors

7. 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)

HRA 1 term (Expire 2029)

Parks & Rec- 1 term (Expire 2029)

Public Utilities- 1 term (Expire 2026)

TAC- 3 terms (Expire 2026)

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) 1 term (Expire 2028)

B. Final Reading - Proposed Ordinance 1561 - Short-Term Rentals

8. New Business

- A. **Public Hearing and Adopt Resolution Ordering Improvement, Approving Plans and Specifications, and Authorizing Advertisement for Bid - Improvement 24-05 - South Brainerd Alley Resurfacing Project**
- B. **Discussion of Posting Personnel and Finance Video Recordings on YouTube**
- 9. **Public Forum**
Time allocated for citizens to bring matters not on the agenda to the attention of the Council -
Time limits may be imposed
- 10. **Staff Reports**
(Verbal: Any Updates since Packet)
- 11. **Mayor's Report**
- 12. **Council Member Reports**
- 13. **Adjourn**

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

MISSION

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

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 01/01/2024 - 01/31/2024

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
Vendor 2969 - ARTSPACE BRAINERD LIMITED PARTNERSH:							
1/30/24							
81276	ARTSPACE BRAINERD LIMITED PARTNERSH	01/30/2024	01/30/2024	2,310.99	0.00	Paid	Y
	REMITTANCE OF TAX INCREMENT DUE 2/1/pziemer						01/30/2024
	277-6517-46602	REPAYMENT - LOAN		2,310.99			
	Total for vendor 2969 - ARTSPACE BRAINERD LIMITED PARTNERSH:			2,310.99	0.00		
Vendor 2740 - AT&T MOBILITY:							
X01032024/FIRE							
80886	AT&T MOBILITY	12/25/2023	01/11/2024	1,999.51	0.00	Paid	Y
	ACCT 287312856222 FIRE DEPT PHONES & pziemer						12/31/2023
	225-2220-43321	TELEPHONE		350.55			
	404-9055-43309	COMPUTER SUPPORT		1,648.96			
X01032024/ADMIN							
80894	AT&T MOBILITY	12/25/2023	01/11/2024	99.54	0.00	Paid	Y
	ACCT 287292136423 ADMIN 11/26-12/25 pziemer						12/31/2023
	101-1400-43321	TELEPHONE		99.54			
X01032024/COMDEV							
80895	AT&T MOBILITY	12/25/2023	01/11/2024	149.31	0.00	Paid	Y
	ACCT 287292136423 COM DEV 11/26-12/25 pziemer						12/31/2023
	101-2400-43321	TELEPHONE		149.31			
X01032024/ENG							
80896	AT&T MOBILITY	12/25/2023	01/11/2024	275.54	0.00	Paid	Y
	ACCT 287292136423 ENG 11/26-12/25 pziemer						12/31/2023
	101-1700-43321	TELEPHONE		275.54			
X01032024/HR							
80897	AT&T MOBILITY	12/25/2023	01/11/2024	49.77	0.00	Paid	Y
	ACCT 287292136423 HR PHONES pziemer						12/31/2023
	101-1400-43321	TELEPHONE		49.77			
X01032024/IT							
80898	AT&T MOBILITY	12/25/2023	01/11/2024	119.54	0.00	Paid	Y
	ACCT 287292136423 IT DEPT 11/26-12/25 pziemer						12/31/2023
	101-1800-43321	TELEPHONE		119.54			
X01032024/PARKS							
80899	AT&T MOBILITY	12/25/2023	01/11/2024	183.96	0.00	Paid	Y
	ACCT 287292136423 PARKS 11/26-12/25 pziemer						12/31/2023
	230-5200-43321	TELEPHONE		183.96			
X01032024/STRTS							
80900	AT&T MOBILITY	12/25/2023	01/11/2024	209.19	0.00	Paid	Y
	ACCT 287292136423 STREETS 11/26-12/25 pziemer						12/31/2023
	235-3100-43321	TELEPHONE		88.00			
	237-3190-43321	TELEPHONE		121.19			

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
X01032024/TRANSIT							
80901	AT&T MOBILITY	12/25/2023	01/11/2024	49.77	0.00	Paid	Y
	ACCT 287292136423 TRANSIT 11/26-12/25 pziemer						12/31/2023
	203-9000-43321 TELEPHONE			49.77			
X01032024/PD							
80912	AT&T MOBILITY	12/25/2023	01/11/2024	2,101.04	0.00	Paid	Y
	ACCT 287287520356 POLICE DEPT 11/26-12/25 pziemer						12/31/2023
	225-2120-43309 COMPUTER TECHNICAL SUPPORT			779.51			
	225-2120-43321 TELEPHONE			1,321.53			
	Total for vendor 2740 - AT&T MOBILITY:			5,237.17	0.00		
Vendor 0296 - BRAINERD PUBLIC UTILITIES:							
NOV 23/PARKS							
80880	BRAINERD PUBLIC UTILITIES	12/01/2023	01/11/2024	3,415.36	0.00	Paid	Y
	10/24/23-11/24/23 PARKS UTILITIES pziemer						12/31/2023
	230-5200-43381 BPU UTILITIES			3,195.17			
	230-5280-43380 UTILITIES			40.11			
	230-5200-43381 BPU UTILITIES			180.08			
NOV 23/LIB							
80907	BRAINERD PUBLIC UTILITIES	12/01/2023	01/11/2024	1,436.56	0.00	Paid	Y
	10/24/23-11/24/23 LIBRARY UTILITIES pziemer						12/31/2023
	211-5500-43381 BPU UTILITIES			1,436.56			
NOV 23/FIRE DEPT							
80908	BRAINERD PUBLIC UTILITIES	12/01/2023	01/11/2024	2,066.94	0.00	Paid	Y
	10/24/23-11/24/23 FIRE DEPT UTILITIES pziemer						12/31/2023
	225-2220-43381 BPU UTILITIES			2,066.94			
NOV 23/PD							
80909	BRAINERD PUBLIC UTILITIES	12/01/2023	01/11/2024	4,759.51	0.00	Paid	Y
	10/24/23-11/24/23 POLICE DEPT UTILITIES pziemer						12/31/2023
	225-2120-43381 BPU UTILITIES			4,759.51			
NOV 23/CITY							
80910	BRAINERD PUBLIC UTILITIES	12/01/2023	01/11/2024	2,055.25	0.00	Paid	Y
	10/24/23-11/24/23 CITY UTILITIES pziemer						12/31/2023
	101-1940-43381 BPU UTILITIES			1,794.54			
	101-9200-43381 BPU UTILITIES			152.76			
	236-3180-43381 BPU UTILITIES			37.50			
	401-1003-43380 UTILITIES			70.45			
NOV 23/STRTS							
80911	BRAINERD PUBLIC UTILITIES	12/01/2023	01/11/2024	24,667.86	0.00	Paid	Y
	10/24/23-11/24/23 STREET DEPT UTILITIES pziemer						12/31/2023
	235-3100-43381 BPU UTILITIES			23,971.30			
	230-5200-43381 BPU UTILITIES			696.56			
	Total for vendor 0296 - BRAINERD PUBLIC UTILITIES:			38,401.48	0.00		

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Vendor 0307 - CENTERPOINT ENERGY:							
92166-0/DEC23/CH							
80925	CENTERPOINT ENERGY	12/21/2023	01/11/2024	833.19	0.00	Paid	Y
	11/15/23-12/13/23 CITY HALL/ANNEX	pziemer					12/31/2023
	101-1940-43380	UTILITIES		509.97			
	101-1940-43380	UTILITIES		323.22			
92166-0/DEC23/ENG							
80926	CENTERPOINT ENERGY	12/21/2023	01/11/2024	863.67	0.00	Paid	Y
	11/15/23-12/13/23 STREETS GARAGE UTIL	pziemer					12/31/2023
	235-3100-43380	UTILITIES		431.84			
	230-5200-43380	UTILITIES		431.83			
92166-0/DEC23/FD							
80927	CENTERPOINT ENERGY	12/21/2023	01/11/2024	466.77	0.00	Paid	Y
	11/15/23-12/13/23 FIRE DEPT UTILITIES	pziemer					12/31/2023
	225-2220-43380	UTILITIES		266.29			
	225-2220-43380	UTILITIES		200.48			
92166-0/DEC23/PD							
80928	CENTERPOINT ENERGY	12/21/2023	01/11/2024	33.40	0.00	Paid	Y
	11/15/23-12/13/23 POLICE DEPT UTILIT	pziemer					12/31/2023
	225-2120-43380	UTILITIES		33.40			
92166-0/DEC23/LIB							
80929	CENTERPOINT ENERGY	12/21/2023	01/11/2024	756.58	0.00	Paid	Y
	11/15/23-12/13/23 LIBRARY UTILITIES	pziemer					12/31/2023
	211-5500-43380	UTILITIES		756.58			
92166-0/DEC23/PARKS							
80930	CENTERPOINT ENERGY	12/21/2023	01/11/2024	26.00	0.00	Paid	Y
	11/15/23-12/13/23 PARKS UTILITIES	pziemer					12/31/2023
	230-5200-43380	UTILITIES		26.00			
Total for vendor 0307 - CENTERPOINT ENERGY:				2,979.61	0.00		
Vendor 1343 - CHARTER COMMUNICATIONS:							
175587701122123							
80968	CHARTER COMMUNICATIONS	12/21/2023	01/11/2024	46.77	0.00	Paid	Y
	BUSINESS TV 12/30/23-1/29/24	pziemer					01/11/2024
	225-2120-43380	UTILITIES		46.77			
0280094011224							
81124	CHARTER COMMUNICATIONS	01/12/2024	01/25/2024	109.98	0.00	Paid	Y
	REDUNDANT INTERNET 1/12/24-2/11/24	pziemer					01/25/2024
	101-1800-43321	TELEPHONE		109.98			
Total for vendor 1343 - CHARTER COMMUNICATIONS:				156.75	0.00		
Vendor 0122 - COMMUNITY ACTION:							

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JAN 2024 81048	COMMUNITY ACTION REMIT JAN 2024 LEVY PAYMENT 101-9200-43460	01/16/2024 pziemer	01/18/2024	8,054.38	0.00	Paid	Y 01/18/2024
	REMIT COMMUNITY ACTION LEVY			8,054.38			
	Total for vendor 0122 - COMMUNITY ACTION:			8,054.38	0.00		

Vendor 0125 - CONSOLIDATED TELEPHONE CO:

21321070/IT 81089	CONSOLIDATED TELEPHONE CO IT PHONES/INTERNET 1/12/24-2/11/24 101-1800-43321	01/12/2024 pziemer	01/25/2024	592.50	0.00	Paid	Y 01/25/2024
	TELEPHONE			592.50			
21321070/CH 81090	CONSOLIDATED TELEPHONE CO 1/12/24-2/11/24 CITY HALL PHONE/INTEF 101-1940-43321	01/12/2024 pziemer	01/25/2024	54.14	0.00	Paid	Y 01/25/2024
	TELEPHONE			54.14			
21321070/PD 81091	CONSOLIDATED TELEPHONE CO 1/12/24/2/11/24 PD PHONE/INTERNET 225-2120-43321	01/12/2024 pziemer	01/25/2024	114.91	0.00	Paid	Y 01/25/2024
	TELEPHONE			114.91			
21321070/FD 81092	CONSOLIDATED TELEPHONE CO 1/12/24-2/11/24 FIRE DEPT PHONES/INTF 225-2220-43321	01/12/2024 pziemer	01/25/2024	68.75	0.00	Paid	Y 01/25/2024
	TELEPHONE			68.75			
21321070/STRTS 81093	CONSOLIDATED TELEPHONE CO 1/12/24-2/11/24 STRTS INTERNET 235-3100-43321	01/12/2024 pziemer	01/25/2024	19.75	0.00	Paid	Y 01/25/2024
	TELEPHONE			19.75			
21321070/AIR 81094	CONSOLIDATED TELEPHONE CO 1/12/24-2/11/24 AIRPORT 260-9020-43321	01/12/2024 pziemer	01/25/2024	128.75	0.00	Paid	Y 01/25/2024
	TELEPHONE			128.75			
21321070/PARKS 81095	CONSOLIDATED TELEPHONE CO 1/12/24-2/11/24 PARKS 230-5200-43321	01/12/2024 pziemer	01/25/2024	49.57	0.00	Paid	Y 01/25/2024
	TELEPHONE			49.57			
	Total for vendor 0125 - CONSOLIDATED TELEPHONE CO:			1,028.37	0.00		

Vendor 0313 - LAKES AREA SENIOR CENTER:

JAN 2024 81049	LAKES AREA SENIOR CENTER REMIT JAN 2024 LEVY PAYMENT 101-9200-43461	01/16/2024 pziemer	01/18/2024	8,054.38	0.00	Paid	Y 01/18/2024
	REMIT SENIOR CITIZEN LEVY			8,054.38			

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
Total for vendor 0313 - LAKES AREA SENIOR CENTER:				8,054.38	0.00		
Vendor 1753 - MARCO:							
INV12071719							
81102	MARCO	01/18/2024	01/25/2024	2,138.40	0.00	Paid	Y 01/25/2024
	CISCO UMBRELLA QTY 80 1/14/24-1/13/25	pziemer					
	101-1800-43309	COMPUTER SUPPORT		1,951.29			
	260-9020-43309	COMPUTER SUPPORT		187.11			
Total for vendor 1753 - MARCO:				2,138.40	0.00		
Vendor 0260 - MN BUREAU OF CRIM APPREHENSION:							
1/8/24							
80977	MN BUREAU OF CRIM APPREHENSION	01/08/2024	01/10/2024	30.00	0.00	Paid	Y 01/10/2024
	QTY 2 BACKGROUND CHECKS	pziemer					
	230-5220-42210	OPERATING SUPPLIES		30.00			
Total for vendor 0260 - MN BUREAU OF CRIM APPREHENSION:				30.00	0.00		
Vendor 1153 - NORTHLAND ARBORETUM:							
JAN 2024							
81050	NORTHLAND ARBORETUM	01/16/2024	01/18/2024	8,054.38	0.00	Paid	Y 01/18/2024
	REMIT JAN 2024 LEVY PAYMENT	pziemer					
	101-9200-43462	REMIT ARBORETUM LEVY		8,054.38			
Total for vendor 1153 - NORTHLAND ARBORETUM:				8,054.38	0.00		
Vendor 2972 - PENTEX MANAGEMENT:							
1/30/24							
81278	PENTEX MANAGEMENT	01/30/2024	01/30/2024	1,309.34	0.00	Paid	Y 01/30/2024
	REMITTANCE OF TAX INCREMENT PAYMENT	pziemer					
	283-6506-46602	REPAYMENT-LOAN		1,309.34			
Total for vendor 2972 - PENTEX MANAGEMENT:				1,309.34	0.00		
Vendor 3576 - SUSO 2 BRAINERD LP:							
1/30/24							
81277	SUSO 2 BRAINERD LP	01/30/2024	01/30/2024	98,963.06	0.00	Paid	Y 01/30/2024
	REMITTANCE OF TAX INCREMENT PAYMENT	pziemer					
	293-6512-46602	REPAYMENT - LOAN		98,963.06			
Total for vendor 3576 - SUSO 2 BRAINERD LP:				98,963.06	0.00		
Vendor 1600 - TIMBERLAND TOWNHOMES OF BRD LP:							
1/30/24							
81279	TIMBERLAND TOWNHOMES OF BRD LP	01/30/2024	01/30/2024	5,571.71	0.00	Paid	Y 01/30/2024
	REMITTANCE OF TAX INCREMENT PAYMENT	pziemer					

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
	292-6503-46602	REPAYMENT - LOAN		5,571.71			
	Total for vendor 1600 - TIMBERLAND TOWNHOMES OF BRD LP:			5,571.71	0.00		

Vendor 2659 - U.S. BANK CORP - ACH:

2466429

81192	U.S. BANK CORP - ACH	12/13/2023	01/30/2024	829,975.00	0.00	Paid	Y 01/30/2024
	MN GO BONDS 2015A, 2015B, 2013A, 2016	pziemer					
	315-7940-46601	PRINCIPAL PYMTS		80,000.00			
	315-7940-46611	INTEREST PAYMENTS		1,700.00			
	101-0000-14100	DUE FROM COMPONENT UNIT		180,000.00			
	101-0000-14100	DUE FROM COMPONENT UNIT		3,881.25			
	320-7100-46601	PRINCIPAL PYMTS		25,000.00			
	320-7100-46611	INTEREST PAYMENTS		893.75			
	317-7960-46601	PRINCIPAL PYMTS		85,000.00			
	317-7960-46611	INTEREST PAYMENTS		1,275.00			
	237-0000-23185	REVENUE NOTES PAYABLE		55,000.00			
	237-3190-46611	INTEREST PAYMENTS		5,050.00			
	302-7700-46601	PRINCIPAL PYMTS		80,000.00			
	302-7700-46611	INTEREST PAYMENTS		7,025.00			
	101-0000-14100	DUE FROM COMPONENT UNIT		280,000.00			
	101-0000-14100	DUE FROM COMPONENT UNIT		25,150.00			

2466734

81193	U.S. BANK CORP - ACH	12/13/2023	01/30/2024	331,200.00	0.00	Paid	Y 01/30/2024
	MN GO BONDS 2020A	pziemer					
	303-7200-46601	PRINCIPAL PYMTS		75,000.00			
	303-7200-46611	INTEREST PAYMENTS		11,150.00			
	307-7600-46601	PRINCIPAL PYMTS		120,000.00			
	307-7600-46611	INTEREST PAYMENTS		11,000.00			
	310-7850-46601	PRINCIPAL PYMTS		105,000.00			
	310-7850-46601	PRINCIPAL PYMTS		9,050.00			

2466736

81194	U.S. BANK CORP - ACH	12/13/2023	01/30/2024	526,507.50	0.00	Paid	Y 01/30/2024
	MN GO BONDS 2021A	pziemer					
	305-7610-46601	PRINCIPAL PYMTS		145,000.00			
	305-7610-46611	INTEREST PAYMENTS		32,547.50			
	101-0000-14100	DUE FROM COMPONENT UNIT		270,000.00			
	101-0000-14100	DUE FROM COMPONENT UNIT		78,960.00			
	Total for vendor 2659 - U.S. BANK CORP - ACH:			1,687,682.50	0.00		

# of Invoices:	43	# Due:	0	Totals:	1,869,972.52	0.00
# of Credit Memos:	0	# Due:	0	Totals:	0.00	0.00
Net of Invoices and Credit Memos:					1,869,972.52	0.00

--- TOTALS BY GL DISTRIBUTION ---

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
101-0000-14100	DUE FROM COMPONENT UNIT			837,991.25			
101-1400-43321	TELEPHONE			149.31			
101-1700-43321	TELEPHONE			275.54			
101-1800-43309	COMPUTER SUPPORT			1,951.29			
101-1800-43321	TELEPHONE			822.02			
101-1940-43321	TELEPHONE			54.14			
101-1940-43380	UTILITIES			833.19			
101-1940-43381	BPU UTILITIES			1,794.54			
101-2400-43321	TELEPHONE			149.31			
101-9200-43381	BPU UTILITIES			152.76			
101-9200-43460	REMIT COMMUNITY ACTION LEVY			8,054.38			
101-9200-43461	REMIT SENIOR CITIZEN LEVY			8,054.38			
101-9200-43462	REMIT ARBORETUM LEVY			8,054.38			
203-9000-43321	TELEPHONE			49.77			
211-5500-43380	UTILITIES			756.58			
211-5500-43381	BPU UTILITIES			1,436.56			
225-2120-43309	COMPUTER TECHNICAL SUPPORT			779.51			
225-2120-43321	TELEPHONE			1,436.44			
225-2120-43380	UTILITIES			80.17			
225-2120-43381	BPU UTILITIES			4,759.51			
225-2220-43321	TELEPHONE			419.30			
225-2220-43380	UTILITIES			466.77			
225-2220-43381	BPU UTILITIES			2,066.94			
230-5200-43321	TELEPHONE			233.53			
230-5200-43380	UTILITIES			457.83			
230-5200-43381	BPU UTILITIES			4,071.81			
230-5220-42210	OPERATING SUPPLIES			30.00			
230-5280-43380	UTILITIES			40.11			
235-3100-43321	TELEPHONE			107.75			
235-3100-43380	UTILITIES			431.84			
235-3100-43381	BPU UTILITIES			23,971.30			
236-3180-43381	BPU UTILITIES			37.50			
237-0000-23185	REVENUE NOTES PAYABLE			55,000.00			
237-3190-43321	TELEPHONE			121.19			
237-3190-46611	INTEREST PAYMENTS			5,050.00			
260-9020-43309	COMPUTER SUPPORT			187.11			
260-9020-43321	TELEPHONE			128.75			
277-6517-46602	REPAYMENT - LOAN			2,310.99			
283-6506-46602	REPAYMENT-LOAN			1,309.34			
292-6503-46602	REPAYMENT - LOAN			5,571.71			
293-6512-46602	REPAYMENT - LOAN			98,963.06			
302-7700-46601	PRINCIPAL PYMTS			80,000.00			
302-7700-46611	INTEREST PAYMENTS			7,025.00			
303-7200-46601	PRINCIPAL PYMTS			75,000.00			
303-7200-46611	INTEREST PAYMENTS			11,150.00			
305-7610-46601	PRINCIPAL PYMTS			145,000.00			
305-7610-46611	INTEREST PAYMENTS			32,547.50			
307-7600-46601	PRINCIPAL PYMTS			120,000.00			
307-7600-46611	INTEREST PAYMENTS			11,000.00			
310-7850-46601	PRINCIPAL PYMTS			114,050.00			
315-7940-46601	PRINCIPAL PYMTS			80,000.00			
315-7940-46611	INTEREST PAYMENTS			1,700.00			
317-7960-46601	PRINCIPAL PYMTS			85,000.00			
317-7960-46611	INTEREST PAYMENTS			1,275.00			
320-7100-46601	PRINCIPAL PYMTS			25,000.00			
320-7100-46611	INTEREST PAYMENTS			893.75			
401-1003-43380	UTILITIES			70.45			

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD
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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						
	404-9055-43309	COMPUTER SUPPORT		1,648.96			

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
--- TOTALS BY FUND ---							
	101 - GENERAL FUND			868,336.49	0.00		
	203 - TRANSIT FUND			49.77	0.00		
	211 - LIBRARY FUND			2,193.14	0.00		
	225 - PUBLIC SAFETY FUND			10,008.64	0.00		
	230 - PARK & RECREATION FUND			4,833.28	0.00		
	235 - STREET & SEWER FUND			24,510.89	0.00		
	236 - PARKING LOT FUND			37.50	0.00		
	237 - SANITARY SEWER FUND			60,171.19	0.00		
	260 - AIRPORT FUND			315.86	0.00		
	277 - ARTSPACE TIF FUND			2,310.99	0.00		
	283 - TACO JOHN'S TIF FUND			1,309.34	0.00		
	292 - TIMBERLAND TWNHMS TIF			5,571.71	0.00		
	293 - BRAINERD MALL TIF FUND			98,963.06	0.00		
	302 - SINKING 302 18A GO			87,025.00	0.00		
	303 - 2020A TAX ABATEMENT BONDS			86,150.00	0.00		
	305 - 2021A DEBT SERVICE FUND			177,547.50	0.00		
	307 - 2020A GO IMPR BONDS			131,000.00	0.00		
	310 - SINKING EQUIP CERTIFICATES			114,050.00	0.00		
	315 - SINKING 315 15A GO FUND			81,700.00	0.00		
	317 - SINKING 317 13A GO FUND			86,275.00	0.00		
	320 - SINKING 320 2015B GO			25,893.75	0.00		
	401 - CONSTRUCTION FUND			70.45	0.00		
	404 - FIRE DEPARTMENT CAPITAL			1,648.96	0.00		
--- TOTALS BY DEPT/ACTIVITY ---							
	0000 -			892,991.25	0.00		
	1003 - 10:03 DWNTWN MAIN CNTRACT			70.45	0.00		
	1400 - ADMINISTRATION			149.31	0.00		
	1700 - ENGINEERING			275.54	0.00		
	1800 - IT/GIS			2,773.31	0.00		
	1940 - CITY HALL			2,681.87	0.00		
	2120 - POLICE DEPARTMENT			7,055.63	0.00		
	2220 - FIRE DEPARTMENT			2,953.01	0.00		
	2400 - COMMUNITY DEVL/INSPECTION			149.31	0.00		
	3100 - S & S MAINTENANCE			24,510.89	0.00		
	3180 - PARKING LOTS EXPENSE			37.50	0.00		
	3190 - SANITARY SEWER EXPENSE			5,171.19	0.00		
	5200 - PARK MAIN/ADMINISTRATION			4,763.17	0.00		
	5220 - OUTDOOR RINKS			30.00	0.00		
	5280 - CAMPGROUND			40.11	0.00		
	5500 - LIBRARY-BUDGETED			2,193.14	0.00		
	6503 - TIMBERLAND TWNHMS TIF			5,571.71	0.00		

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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
--- TOTALS BY DEPT/ACTIVITY ---							
	6506 - TACO JOHN'S TIF			1,309.34	0.00		
	6512 - BRAINERD MALL TIF			98,963.06	0.00		
	6517 - ARTSPACE TIF FUND			2,310.99	0.00		
	7100 - SINKING 156A GO			25,893.75	0.00		
	7200 - SINKING 04A GO			86,150.00	0.00		
	7600 - 2020A GO IMPR BONDS			131,000.00	0.00		
	7610 - 2021A GO IMPR BONDS			177,547.50	0.00		
	7700 - SINKING 302 GO 18A			87,025.00	0.00		
	7850 - SINKING EQUIP CERTIFICATE			114,050.00	0.00		
	7940 - SINKING 15A GO FUND			81,700.00	0.00		
	7960 - SINKING 2013A GO			86,275.00	0.00		
	9000 - TRANSIT FUND			49.77	0.00		
	9020 - AIRPORT M & O			315.86	0.00		
	9055 - FIRE DEPARTMENT CAPITAL			1,648.96	0.00		
	9200 - CITY-WIDE			24,315.90	0.00		

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
Vendor 4263 - A-1 TESTING - JEFF SILKER:							
3240 81450	A-1 TESTING - JEFF SILKER TESTING BEACH HOUSE FOR DEMO 400-9050-45530	02/01/2024 pziemer	02/21/2024	410.00	410.00	Open	N 02/21/2024
	CAPITAL - OTHER			410.00			
	Total for vendor 4263 - A-1 TESTING - JEFF SILKER:			410.00	410.00		
Vendor 0011 - ACE HARDWARE:							
321832/1 81369	ACE HARDWARE CHAINSAW CARB BOX COVER, AIR FILTER, 235-3100-42220	02/06/2024 pziemer	02/21/2024	71.97	71.97	Open	N 02/21/2024
	REPAIR & MAINT			71.97			
321778/1 81407	ACE HARDWARE HYDRAULIC HOSE RACK HARDWARE/EPOXY 235-3100-42220	02/02/2024 pziemer	02/21/2024	35.06	35.06	Open	N 02/21/2024
	REPAIR & MAINT			35.06			
321903/1 81441	ACE HARDWARE CHAINSAW HANDLE SCREW 235-3100-42220	02/08/2024 pziemer	02/21/2024	3.49	3.49	Open	N 02/21/2024
	REPAIR & MAINT			3.49			
321908/1 81444	ACE HARDWARE HOSE NOZZLE 235-3100-42220	02/08/2024 pziemer	02/21/2024	8.99	8.99	Open	N 02/21/2024
	REPAIR & MAINT			8.99			
321977/1 81472	ACE HARDWARE SANDING SPONGE 230-5200-42220	02/12/2024 pziemer	02/21/2024	7.19	7.19	Open	N 02/21/2024
	REPAIR & MAINT			7.19			
321984/1 81493	ACE HARDWARE VACUUM FILTERS 230-5200-42220	02/12/2024 pziemer	02/21/2024	14.99	14.99	Open	N 02/21/2024
	REPAIR & MAINT			14.99			
322031/1 81499	ACE HARDWARE CHAINSAW REPAIR 235-3100-42220	02/14/2024 pziemer	02/21/2024	152.37	152.37	Open	N 02/21/2024
	REPAIR & MAINT			152.37			
322048/1 81501	ACE HARDWARE BACKHOE 116 VINYL NUMBERS 235-3100-42220	02/14/2024 pziemer	02/21/2024	4.80	4.80	Open	N 02/21/2024
	REPAIR & MAINT			4.80			

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
322020/1 81504	ACE HARDWARE CLEANING SUPPLIES 225-2120-42220	02/13/2024 pziemer	02/21/2024	21.54	21.54	Open	N 02/21/2024
	REPAIR & MAINT			21.54			
322022/1 81505	ACE HARDWARE CLEANING SUPPLIES 225-2120-42220	02/13/2024 pziemer	02/21/2024	14.38	14.38	Open	N 02/21/2024
	REPAIR & MAINT			14.38			
	Total for vendor 0011 - ACE HARDWARE:			334.78	334.78		
Vendor 2902 - ADVANCE AUTO PARTS:							
6574333124327 81476	ADVANCE AUTO PARTS OIL FILTER AND ANTI-SEIZE 235-3100-42220	12/01/2023 pziemer	02/21/2024	39.94	39.94	Open	N 12/31/2023
	REPAIR & MAINT			39.94			
	Total for vendor 2902 - ADVANCE AUTO PARTS:			39.94	39.94		
Vendor 1632 - ADVANCED AUTO REPAIR OF BRAINERD:							
82411 81404	ADVANCED AUTO REPAIR OF BRAINERD FD SQD 1 OIL CHANGE 225-2220-42220	02/01/2024 pziemer	02/21/2024	70.30	70.30	Open	N 02/21/2024
	REPAIR & MAINT			70.30			
82405 81405	ADVANCED AUTO REPAIR OF BRAINERD FD SQD 2 OIL CHANGE 225-2220-42220	02/01/2024 pziemer	02/21/2024	70.30	70.30	Open	N 02/21/2024
	REPAIR & MAINT			70.30			
	Total for vendor 1632 - ADVANCED AUTO REPAIR OF BRAINERD:			140.60	140.60		
Vendor 2889 - ALL STATE COMMUNICATIONS:							
341161 81392	ALL STATE COMMUNICATIONS 2024 PD - FIRE ALARM MONITORING 225-2120-43300	01/29/2024 pziemer	02/21/2024	300.00	300.00	Open	N 02/21/2024
	PROFESSIONAL SERVICES			300.00			
	Total for vendor 2889 - ALL STATE COMMUNICATIONS:			300.00	300.00		
Vendor 0533 - ALLEGRA:							
95391 81509	ALLEGRA LETTERHEAD X5000 & ENVELOPE X7500 101-1940-42200	01/05/2024 pziemer	02/21/2024	1,252.02	1,252.02	Open	N 02/21/2024
	OFFICE SUPPLIES			1,252.02			
	Total for vendor 0533 - ALLEGRA:			1,252.02	1,252.02		

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
Vendor 2670 - AMERICAN STEEL SUPPLY INC:							
119191 81362	AMERICAN STEEL SUPPLY INC STEEL STOCK 235-3100-42220	02/05/2024 pziemer	02/21/2024	37.79	37.79	Open	N 02/21/2024
	REPAIR & MAINT			37.79			
118734 81403	AMERICAN STEEL SUPPLY INC PLATE/LASER 230-5200-42220	12/29/2023 pziemer	02/21/2024	51.75	51.75	Open	N 12/31/2023
	REPAIR & MAINT			51.75			
	Total for vendor 2670 - AMERICAN STEEL SUPPLY INC:			89.54	89.54		
Vendor 2846 - AMERICAN WELDING-GAS INC:							
09889166 81399	AMERICAN WELDING-GAS INC WELDING GAS CYLINDER RENTAL 235-3100-43410	01/31/2024 pziemer	02/21/2024	84.85	84.85	Open	N 02/21/2024
	RENTAL EXPENSE			84.85			
	Total for vendor 2846 - AMERICAN WELDING-GAS INC:			84.85	84.85		
Vendor 0039 - ARAMARK UNIFORM SERVICES:							
2530235928 81400	ARAMARK UNIFORM SERVICES RUGS AND OVERALLS 235-3100-43430	02/01/2024 pziemer	02/21/2024	74.94	74.94	Open	N 02/21/2024
	MISCELLANEOUS			74.94			
2530238457 81445	ARAMARK UNIFORM SERVICES RUGS AND OVERALLS 235-3100-43430	02/08/2024 pziemer	02/21/2024	51.65	51.65	Open	N 02/21/2024
	MISCELLANEOUS			51.65			
	Total for vendor 0039 - ARAMARK UNIFORM SERVICES:			126.59	126.59		
Vendor 3343 - ARROW MANAGEMENT:							
32904 81473	ARROW MANAGEMENT ABATEMENT 1306 OAK STREET 101-2400-43405	02/13/2024 pziemer	02/21/2024	565.00	565.00	Open	N 02/21/2024
	NUISANCES			565.00			
	Total for vendor 3343 - ARROW MANAGEMENT:			565.00	565.00		
Vendor 0745 - BATTERIES PLUS:							
P707174020 81447	BATTERIES PLUS BATTERIES 225-2220-42221	02/07/2024 pziemer	02/21/2024	19.98	19.98	Open	N 02/21/2024
	R&M BUILDING			19.98			
	Total for vendor 0745 - BATTERIES PLUS:			19.98	19.98		

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
Vendor 3600 - BESTUL, STEPHANIE:							
2/13/24 81510	BESTUL, STEPHANIE	02/13/2024	02/21/2024	13.57	13.57	Open	N
	REIMB. MEAL EXP. ICC TRAINING	pziemer					02/21/2024
	101-2400-43330	PROFESSIONAL DEVELOPMENT		13.57			
	Total for vendor 3600 - BESTUL, STEPHANIE:			13.57	13.57		
Vendor 3120 - BOLTON & MENK:							
0329069 81430	BOLTON & MENK	01/26/2024	02/21/2024	1,574.10	1,574.10	Open	N
	23:12 4TH ST SW STORMWATER OUTFALL	pziemer					02/21/2024
	401-9030-43300-23:12	PROFESSIONAL SERVICES		1,574.10			
	Total for vendor 3120 - BOLTON & MENK:			1,574.10	1,574.10		
Vendor 3500 - BRAINERD DISPATCH:							
178183917/2024 81429	BRAINERD DISPATCH	02/08/2024	02/21/2024	269.89	269.89	Open	N
	CITY HALL SUBSCRIPTION RENEWAL	pziemer					02/21/2024
	101-9200-43430	MISCELLANEOUS		269.89			
	Total for vendor 3500 - BRAINERD DISPATCH:			269.89	269.89		
Vendor 3906 - BRAINERD FAMILY YMCA:							
167 81370	BRAINERD FAMILY YMCA	02/06/2024	02/21/2024	1,000.00	1,000.00	Open	N
	POND HOCKEY PROGRAMMING	pziemer					02/21/2024
	230-5200-43300	PROFESSIONAL SERVICES		1,000.00			
	Total for vendor 3906 - BRAINERD FAMILY YMCA:			1,000.00	1,000.00		
Vendor 0206 - BRAINERD HOUSING AUTHORITY:							
2023 VACATION 81386	BRAINERD HOUSING AUTHORITY	02/07/2024	02/21/2024	326.65	326.65	Open	N
	2023 WELLNESS VACATION WINNER X2	pziemer					02/21/2024
	278-6515-43430	MISCELLANEOUS		326.65			
	Total for vendor 0206 - BRAINERD HOUSING AUTHORITY:			326.65	326.65		
Vendor 0296 - BRAINERD PUBLIC UTILITIES:							
2/12/24 81497	BRAINERD PUBLIC UTILITIES	02/14/2024	02/21/2024	125,847.37	125,847.37	Open	N
	REMIT LOST THRU 2/12/24	pziemer					02/21/2024
	251-9360-43467	REMIT LOCAL SALES TAX COLLECT		125,847.37			

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
BAXTER 2/24							
81498	BRAINERD PUBLIC UTILITIES	02/12/2024	02/21/2024	408,149.38	408,149.38	Open	N
	REMIT 2/2024 BAXTER SALES TAX REVENUE	pziemer					02/21/2024
	237-0000-33600	REV FROM OTHER GOVTS		408,149.38			
	Total for vendor 0296 - BRAINERD PUBLIC UTILITIES:			533,996.75	533,996.75		
Vendor 4209 - CALLTOWER:							
201812426							
81363	CALLTOWER	02/01/2024	02/21/2024	361.29	361.29	Open	N
	CALLTOWER 2/1/24-2/29/24	pziemer					02/21/2024
	101-1800-43321	TELEPHONE		361.29			
	Total for vendor 4209 - CALLTOWER:			361.29	361.29		
Vendor 1333 - CHAMBERLAIN OIL COMPANY:							
461000-00							
81401	CHAMBERLAIN OIL COMPANY	01/24/2024	02/21/2024	319.36	319.36	Open	N
	GLOVES/BRAKE FLUID	pziemer					02/21/2024
	237-3190-42220	REPAIR & MAINT		319.36			
	Total for vendor 1333 - CHAMBERLAIN OIL COMPANY:			319.36	319.36		
Vendor 0122 - COMMUNITY ACTION:							
FEB 2024							
81436	COMMUNITY ACTION	02/08/2024	02/21/2024	8,054.38	8,054.38	Open	N
	REMIT FEB 24 LEVY PAYMENT	pziemer					02/21/2024
	101-9200-43460	REMIT COMMUNITY ACTION LEVY		8,054.38			
	Total for vendor 0122 - COMMUNITY ACTION:			8,054.38	8,054.38		
Vendor 4258 - CREDIT BUREAU OF ALEXANDRIA:							
JAN 2024							
81474	CREDIT BUREAU OF ALEXANDRIA	02/08/2024	02/21/2024	74.00	74.00	Open	N
	JAN 24 BACKGROUND CHECKS	pziemer					02/21/2024
	101-0000-14100	DUE FROM COMPONENT UNIT		74.00			
	Total for vendor 4258 - CREDIT BUREAU OF ALEXANDRIA:			74.00	74.00		
Vendor 0491 - CUYUNA RANGE FIRE CHIEFS ASSN:							
2024 DUES							
81387	CUYUNA RANGE FIRE CHIEFS ASSN	02/01/2024	02/21/2024	300.00	300.00	Open	N
	2024 CUYUNA RANGE FIRE CHIEF/FF DUES	pziemer					02/21/2024
	225-2220-43433	DUES & SUBSCRIPTIONS		300.00			
	Total for vendor 0491 - CUYUNA RANGE FIRE CHIEFS ASSN:			300.00	300.00		

Vendor 1919 - CWC LAND DEPARTMENT:

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
6706 81380	CWC LAND DEPARTMENT WCA 2024 ANNUAL FEE 238-3160-43300	01/22/2024 pziemer	02/21/2024	2,000.00	2,000.00	Open	N 02/21/2024
	PROFESSIONAL SERVICES			2,000.00			
	Total for vendor 1919 - CWC LAND DEPARTMENT:			2,000.00	2,000.00		
Vendor 0135 - CWC TREASURER:							
6873 81411	CWC TREASURER 2023 AUDIT CONFIRMATION 101-9200-43430	02/05/2024 pziemer	02/21/2024	30.00	30.00	Open	N 02/21/2024
	MISCELLANEOUS			30.00			
6852/CH 81412	CWC TREASURER FEB 2024 CHARED SVCS - CITY HALL 101-9200-43300	02/01/2024 pziemer	02/21/2024	7,975.00	7,975.00	Open	N 02/21/2024
	PROFESSIONAL SERVICES			7,975.00			
6852/LIB 81413	CWC TREASURER FEB 2024 SHARED SERVICES - LIB 211-5500-43300	02/01/2024 pziemer	02/21/2024	675.00	675.00	Open	N 02/21/2024
	PROFESSIONAL SERVICES			675.00			
	Total for vendor 0135 - CWC TREASURER:			8,680.00	8,680.00		
Vendor 3438 - DAHLHEIMER BEVERAGE:							
2111667 81496	DAHLHEIMER BEVERAGE PARKS RESTROOMS - JANITORIAL SUPPLIES 230-5200-42220	02/08/2024 pziemer	02/21/2024	406.80	406.80	Open	N 02/21/2024
	REPAIR & MAINT			406.80			
	Total for vendor 3438 - DAHLHEIMER BEVERAGE:			406.80	406.80		
Vendor MISC - DARREN GROTH:							
1/29/24 81408	DARREN GROTH REIMBURSE TRAVEL EXPENSE -CITY ADMIN 101-9200-43438	01/29/2024 pziemer	02/21/2024	786.66	786.66	Open	N 02/21/2024
	MISC SPECIAL PROJECTS			786.66			
	Total for vendor MISC - DARREN GROTH:			786.66	786.66		
Vendor 4012 - DEFENSE TECHNOLOGY:							
126456 REV 1 81453	DEFENSE TECHNOLOGY 707-LESS LETHAL INSTRUCTOR COURSE 225-2120-43330	02/07/2024 pziemer	02/21/2024	325.00	325.00	Open	N 02/21/2024
	PROFESSIONAL DEVELOPMENT			325.00			
	Total for vendor 4012 - DEFENSE TECHNOLOGY:			325.00	325.00		

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Vendor 4155 - DEHN, JESSIE:							
2/2/24 81409	DEHN, JESSIE CEAM CONFERENCE - REIMB. EXPENSES 101-1700-43330	02/02/2024 pziemer	02/21/2024	216.94	216.94	Open	N 02/21/2024
	PROFESSIONAL DEVELOPMENT			216.94			
	Total for vendor 4155 - DEHN, JESSIE:			216.94	216.94		
Vendor 0921 - DONDELINGER'S:							
141895 81393	DONDELINGER'S SQD 431 RADIATOR REPLACEMENT 225-2120-42221	01/20/2024 pziemer	02/21/2024	939.53	939.53	Open	N 02/21/2024
	SQUAD CAR REPAIR SUPPLIES			939.53			
	Total for vendor 0921 - DONDELINGER'S:			939.53	939.53		
Vendor 1286 - EAST SIDE OIL COMPANY:							
R109718 81451	EAST SIDE OIL COMPANY FILTERS/ANTIFREEZE 227-3230-43428	02/09/2024 pziemer	02/21/2024	105.00	105.00	Open	N 02/21/2024
	USED OIL RECYCLING EXPENSE			105.00			
	Total for vendor 1286 - EAST SIDE OIL COMPANY:			105.00	105.00		
Vendor 1815 - F.I.R.E. CROSSLAKE:							
6670 81448	F.I.R.E. CROSSLAKE OFFICER 1 CLASS - K.GRIMSBY 225-2225-43330	02/05/2024 pziemer	02/21/2024	575.00	575.00	Open	N 02/21/2024
	PROFESSIONAL DEVELOPMENT			575.00			
	Total for vendor 1815 - F.I.R.E. CROSSLAKE:			575.00	575.00		
Vendor 0071 - FORUM COMMUNICATIONS COMPANY:							
295924-1 81365	FORUM COMMUNICATIONS COMPANY NOTICE: SCDP FUNDS 275-6550-43430	02/01/2024 pziemer	02/21/2024	242.74	242.74	Open	N 02/21/2024
	MISCELLANEOUS			242.74			
MP3161230124 81371	FORUM COMMUNICATIONS COMPANY JOB POSTING - ASST, PLANNER 101-2400-43350	01/31/2024 pziemer	02/21/2024	595.50	595.50	Open	N 02/21/2024
	PRINTING/LEGAL PUBLICATION			595.50			
289033-1 81418	FORUM COMMUNICATIONS COMPANY NOH: CUP MY NEIGHBOR TO LOVE 101-2400-43350	01/04/2024 pziemer	02/21/2024	61.28	61.28	Open	N 02/21/2024
	PRINTING/LEGAL PUBLICATION			61.28			

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
289234-1 81419	FORUM COMMUNICATIONS COMPANY 23:06 OPEN HOUSE - LUM PARK PED BRID(pziemer 229-9030-43300-23:06	01/05/2024 PROFESSIONAL SERVICES	02/21/2024	82.49 82.49	82.49	Open	N 02/21/2024
290406-1 81420	FORUM COMMUNICATIONS COMPANY RFB - WATER TOWER PHASE 2 400-1481-43430	01/11/2024 pziemer MISCELLANEOUS	02/21/2024	233.65 233.65	233.65	Open	N 02/21/2024
291909-1 81421	FORUM COMMUNICATIONS COMPANY NOTICE: TAC MTG 1-25-24 203-9000-43350	01/17/2024 pziemer PRINTING/LEGAL PUBLICATION	02/21/2024	17.67 17.67	17.67	Open	N 02/21/2024
288541-1 81422	FORUM COMMUNICATIONS COMPANY NOH: ORD 1563 - ELECTED OFFICIALS 101-9200-43350	01/03/2024 pziemer LEGAL PUBLICATIONS	02/21/2024	121.37 121.37	121.37	Open	N 02/21/2024
286960-1 81423	FORUM COMMUNICATIONS COMPANY NOH: PROP ORD SHORT TERM RENTALS 101-2400-43350	12/26/2023 pziemer PRINTING/LEGAL PUBLICATION	02/21/2024	47.13 47.13	47.13	Open	N 02/21/2024
292192-1 81424	FORUM COMMUNICATIONS COMPANY NOH: IMP 24-05 401-9030-43350-24:05	01/18/2024 pziemer LEGAL PUBLICATIONS	02/21/2024	87.19 87.19	87.19	Open	N 02/21/2024
Total for vendor 0071 - FORUM COMMUNICATIONS COMPANY:				1,489.02	1,489.02		

Vendor 2377 - GRANITE ELECTRONICS:

2240849 81394	GRANITE ELECTRONICS 436 SQUAD RADIO PROGRAMMING 225-2120-42221	02/09/2024 pziemer SQUAD CAR REPAIR SUPPLIES	02/21/2024	67.50 67.50	67.50	Open	N 02/21/2024
Total for vendor 2377 - GRANITE ELECTRONICS:				67.50	67.50		

Vendor 2673 - H & L MESABI COMPANY:

43256 81459	H & L MESABI COMPANY CARBIDE BLADES 235-3125-42220	02/05/2024 pziemer CUTTING EDGES AND CURB GUARDS	02/21/2024	9,966.00 9,966.00	9,966.00	Open	N 02/21/2024
Total for vendor 2673 - H & L MESABI COMPANY:				9,966.00	9,966.00		

Vendor 0200 - HEARTLAND ANIMAL RESCUE:

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JAN 2024							
81402	HEARTLAND ANIMAL RESCUE	02/01/2024	02/21/2024	2,707.33	2,707.33	Open	N
	JAN 24 ADMIN/BOARDING	pziemer					02/21/2024
	225-2700-43430	MISCELLANEOUS		788.00			
	225-2700-43300	PROFESSIONAL SERVICES		1,919.33			
	Total for vendor 0200 - HEARTLAND ANIMAL RESCUE:			2,707.33	2,707.33		

Vendor 2616 - HILLMAN, CONNIE:

2/2/24

81492	HILLMAN, CONNIE	02/02/2024	02/21/2024	221.94	221.94	Open	N
	EHLER'S CONF. REIMBURSE EXPENSES	pziemer					02/21/2024
	101-1400-43330	PROFESSIONAL DEVELOPMENT		221.94			
	Total for vendor 2616 - HILLMAN, CONNIE:			221.94	221.94		

Vendor 0356 - HIRSHFIELD'S DECORATING:

09322074

81483	HIRSHFIELD'S DECORATING	02/02/2024	02/21/2024	413.88	413.88	Open	N
	GREEN PAINT - PARKS R&M	pziemer					02/21/2024
	230-5200-42220	REPAIR & MAINT		413.88			
	Total for vendor 0356 - HIRSHFIELD'S DECORATING:			413.88	413.88		

Vendor 4233 - HOST, JORDAN:

1/19/24

81395	HOST, JORDAN	01/19/2024	02/21/2024	40.80	40.80	Open	N
	DRE SCHOOL - REIMBURSE MEALS	pziemer					02/21/2024
	225-2120-43330	PROFESSIONAL DEVELOPMENT		40.80			

1/12/24

81460	HOST, JORDAN	02/07/2024	02/21/2024	44.53	44.53	Open	N
	DRE SCHOOL - MEAL REIMB.	pziemer					02/21/2024
	225-2120-43330	PROFESSIONAL DEVELOPMENT		44.53			
	Total for vendor 4233 - HOST, JORDAN:			85.33	85.33		

Vendor 3636 - HRGREEN:

171964

81491	HRGREEN	02/13/2024	02/21/2024	122.25	122.25	Open	N
	21:15 BUFFALO HILLS GULLY THROUGH JAL	pziemer					02/21/2024
	401-9030-43300-21:15	PROFESSIONAL SERVICES		122.25			
	Total for vendor 3636 - HRGREEN:			122.25	122.25		

Vendor 3202 - INNOVATIVE OFFICE SOLUTIONS LLC:

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IN4459291 81454	INNOVATIVE OFFICE SOLUTIONS LLC OFFICE SUPPLIES 225-2120-42200	02/09/2024 pziemer	02/21/2024	13.84	13.84	Open	N 02/21/2024
	OFFICE SUPPLIES			13.84			
	Total for vendor 3202 - INNOVATIVE OFFICE SOLUTIONS LLC:			13.84	13.84		

Vendor 4268 - KALIS, RANDY:

2/6/24

81470	KALIS, RANDY TRAINING SYMPOSIUM 225-2220-43330	02/06/2024 pziemer	02/21/2024	105.56	105.56	Open	N 02/21/2024
	PROFESSIONAL DEVELOPMENT			105.56			
	Total for vendor 4268 - KALIS, RANDY:			105.56	105.56		

Vendor 1512 - KIRVIDA FIRE INC:

12143

81388	KIRVIDA FIRE INC E3 REPAIRS 225-2220-42220	01/29/2024 pziemer	02/21/2024	1,711.97	1,711.97	Open	N 02/21/2024
	REPAIR & MAINT			1,711.97			

12142

81389	KIRVIDA FIRE INC T4 REPAIRS 225-2220-42220	01/29/2024 pziemer	02/21/2024	710.21	710.21	Open	N 02/21/2024
	REPAIR & MAINT			710.21			
	Total for vendor 1512 - KIRVIDA FIRE INC:			2,422.18	2,422.18		

Vendor 0313 - LAKES AREA SENIOR CENTER:

FEB 2024

81437	LAKES AREA SENIOR CENTER REMIT FEB 24 LEVY PAYMENT 101-9200-43461	02/08/2024 pziemer	02/21/2024	8,054.38	8,054.38	Open	N 02/21/2024
	REMIT SENIOR CITIZEN LEVY			8,054.38			
	Total for vendor 0313 - LAKES AREA SENIOR CENTER:			8,054.38	8,054.38		

Vendor 0232 - LEAGUE MN CITIES INS TRUS:

8784

81410	LEAGUE MN CITIES INS TRUS CA 309354 - FIRE/WATER DAMAGE 280-9700-43470	01/29/2024 pziemer	02/21/2024	1,000.00	1,000.00	Open	N 02/21/2024
	UNINSURED LOSSES			1,000.00			
	Total for vendor 0232 - LEAGUE MN CITIES INS TRUS:			1,000.00	1,000.00		

Vendor 0239 - MACQUEEN EQUIPMENT INC:

P55459

81442	MACQUEEN EQUIPMENT INC SWEEPER 118 TILT ACTUATOR AND NOZZLE	02/07/2024 pziemer	02/21/2024	1,569.12	1,569.12	Open	N 02/21/2024
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	235-3100-42220	REPAIR & MAINT		1,569.12			
P25512 81452	MACQUEEN EQUIPMENT INC REPAIR BENT STEAM VALVE -CYLINDER 225-2220-42220	02/08/2024 pziemer REPAIR & MAINT	02/21/2024	156.98 156.98	156.98	Open	N 02/21/2024
	Total for vendor 0239 - MACQUEEN EQUIPMENT INC:			1,726.10	1,726.10		
Vendor 0243 - MARCO FINANCING:							
522060722 81462	MARCO FINANCING COPIER LEASE 2ND FLOOR CH 3/1/24-6/1/pziemer 101-1800-43331	02/06/2024 pziemer LEASE PAYMENTS	02/21/2024	1,100.58 1,100.58	1,100.58	Open	N 02/21/2024
	Total for vendor 0243 - MARCO FINANCING:			1,100.58	1,100.58		
Vendor 0889 - MENARDS - BAXTER:							
13993 81428	MENARDS - BAXTER ROOF EDGE/BOARD 230-5200-42220	02/02/2024 pziemer REPAIR & MAINT	02/21/2024	61.08 61.08	61.08	Open	N 02/21/2024
14177 81494	MENARDS - BAXTER LUMBER -PARKS 230-5200-42220	02/05/2024 pziemer REPAIR & MAINT	02/21/2024	213.61 213.61	213.61	Open	N 02/05/2024
14415 81502	MENARDS - BAXTER LUMBER, BRUSHES 230-5200-42220	02/08/2024 pziemer REPAIR & MAINT	02/21/2024	89.86 89.86	89.86	Open	N 02/21/2024
	Total for vendor 0889 - MENARDS - BAXTER:			364.55	364.55		
Vendor 3168 - MOTORS-N-MORE:							
30391 81455	MOTORS-N-MORE SQD 411 OIL CHANGE 225-2120-42221	02/06/2024 pziemer SQUAD CAR REPAIR SUPPLIES	02/21/2024	23.00 23.00	23.00	Open	N 02/21/2024
30397 81456	MOTORS-N-MORE SQD 437 BATTERY 225-2120-42221	02/09/2024 pziemer SQUAD CAR REPAIR SUPPLIES	02/21/2024	280.63 280.63	280.63	Open	N 02/21/2024
30398 81457	MOTORS-N-MORE SQD 435 OIL CHANGE 225-2120-42221	02/09/2024 pziemer SQUAD CAR REPAIR SUPPLIES	02/21/2024	23.00 23.00	23.00	Open	N 02/21/2024

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Total for vendor 3168 - MOTORS-N-MORE:				326.63	326.63		
Vendor 0798 - MR TIRE:							
36120 81495	MR TIRE 18 CHEVY REPAIRS 230-5200-42220	01/31/2024 pziemer REPAIR & MAINT	02/21/2024	261.08 261.08	261.08	Open	N 02/21/2024
Total for vendor 0798 - MR TIRE:				261.08	261.08		
Vendor 0273 - NAPA AUTO PARTS:							
678130 81406	NAPA AUTO PARTS AIR FILTER 225-2220-42220	02/02/2024 pziemer REPAIR & MAINT	02/21/2024	4.16 4.16	4.16	Open	N 02/21/2024
675746 81414	NAPA AUTO PARTS COMPRESSOR LEAF SPRINGS 235-3100-42220	01/24/2024 pziemer REPAIR & MAINT	02/21/2024	167.45 167.45	167.45	Open	N 02/21/2024
679316 81449	NAPA AUTO PARTS HYDRAULIC HOSE FITTINGS 235-3100-42220	02/07/2024 pziemer REPAIR & MAINT	02/21/2024	59.65 59.65	59.65	Open	N 02/21/2024
Total for vendor 0273 - NAPA AUTO PARTS:				231.26	231.26		
Vendor 3018 - NORTH COUNTRY JANITORIAL & SUPPLY I:							
JAN 2024/PD 81432	NORTH COUNTRY JANITORIAL & SUPPLY I JAN 24 PD JANITORIAL 225-2120-43300	02/05/2024 pziemer PROFESSIONAL SERVICES	02/21/2024	1,000.00 1,000.00	1,000.00	Open	N 02/21/2024
JAN 2024 81433	NORTH COUNTRY JANITORIAL & SUPPLY I JAN 24 CITY HALL JANITORIAL 101-1940-43300	02/05/2024 pziemer PROFESSIONAL SERVICES	02/21/2024	985.00 985.00	985.00	Open	N 02/21/2024
JAN 2024/FD 81434	NORTH COUNTRY JANITORIAL & SUPPLY I JAN 24 FIRE DEPT JANITORIAL 225-2220-43300	02/05/2024 pziemer PROFESSIONAL SERVICES	02/21/2024	350.00 350.00	350.00	Open	N 02/21/2024
JAN 2024/PW 81435	NORTH COUNTRY JANITORIAL & SUPPLY I JAN 24 PUBLIC WORKS GARAGE 235-3100-43300 230-5200-43300	02/05/2024 pziemer PROFESSIONAL SERVICES PROFESSIONAL SERVICES	02/21/2024	350.00 175.00 175.00	350.00	Open	N 02/21/2024

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Total for vendor 3018 - NORTH COUNTRY JANITORIAL & SUPPLY I:				2,685.00	2,685.00		
Vendor 1153 - NORTHLAND ARBORETUM:							
FEB 2024							
81438	NORTHLAND ARBORETUM	02/08/2024	02/21/2024	8,054.38	8,054.38	Open	N
	REMIT FEB 24 LEVY PAYMENT	pziemer					02/21/2024
	101-9200-43462	REMIT ARBORETUM LEVY		8,054.38			
Total for vendor 1153 - NORTHLAND ARBORETUM:				8,054.38	8,054.38		
Vendor 0736 - NORTHLAND FIRE PROTECTION:							
56554							
81390	NORTHLAND FIRE PROTECTION	12/28/2023	02/21/2024	940.00	940.00	Open	N
	FD - ANNUAL SPRINKLER INSPECTION	pziemer					12/31/2023
	225-2220-43300	PROFESSIONAL SERVICES		940.00			
57011							
81440	NORTHLAND FIRE PROTECTION	02/07/2024	02/21/2024	94.55	94.55	Open	N
	RECHARGE FIRE EXTINGUISHERS	pziemer					02/21/2024
	225-2120-42209	SAFETY EQUIPMENT SUPPLIES		94.55			
Total for vendor 0736 - NORTHLAND FIRE PROTECTION:				1,034.55	1,034.55		
Vendor 0284 - OFFICE SHOP:							
1137943-0							
81379	OFFICE SHOP	01/30/2024	02/21/2024	59.83	59.83	Open	N
	NOTEPADS/PENS/POST-ITS	pziemer					02/21/2024
	203-9000-42200	OFFICE SUPPLIES		59.83			
1138408-0							
81480	OFFICE SHOP	02/13/2024	02/21/2024	19.05	19.05	Open	N
	LAMINATING POUCHES	pziemer					02/21/2024
	101-1940-42200	OFFICE SUPPLIES		19.05			
1138408-1							
81503	OFFICE SHOP	02/14/2024	02/21/2024	15.67	15.67	Open	N
	PRINTABLE TABS	pziemer					02/21/2024
	101-1940-42200	OFFICE SUPPLIES		15.67			
1138563-0							
81508	OFFICE SHOP	02/14/2024	02/21/2024	75.15	75.15	Open	N
	BATTERIES, PAPER	pziemer					02/21/2024
	101-1410-43430	MISCELLANEOUS		14.29			
	101-1940-42200	OFFICE SUPPLIES		60.86			
Total for vendor 0284 - OFFICE SHOP:				169.70	169.70		
Vendor 2137 - O'REILLY AUTOMOTIVE STORES INC.:							

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1647-252089 81458	O'REILLY AUTOMOTIVE STORES INC. SQD CAR WASH SOAP 225-2120-42221 SQUAD CAR REPAIR SUPPLIES Total for vendor 2137 - O'REILLY AUTOMOTIVE STORES INC.:	02/05/2024 pziemer	02/21/2024	54.31 54.31 54.31	54.31 54.31	Open	N 02/21/2024
Vendor MISC - PATRICK DAME:							
1/29/24 81364	PATRICK DAME REIMBURSE TRAVEL EXPENSE - CITY ADMIN 101-9200-43438 MISC SPECIAL PROJECTS Total for vendor MISC - PATRICK DAME:	01/29/2024 pziemer	02/21/2024	875.39 875.39 875.39	875.39 875.39	Open	N 02/21/2024
Vendor 2487 - RAILROAD MANAGEMENT COMPANY:							
498365 81427	RAILROAD MANAGEMENT COMPANY LIC#302637 5/16/24-5/15/25 238-3160-43430 MISCELLANEOUS Total for vendor 2487 - RAILROAD MANAGEMENT COMPANY:	02/02/2024 pziemer	02/21/2024	379.14 379.14 379.14	379.14 379.14	Open	N 02/21/2024
Vendor 4173 - ROB MUELLER ELECTRIC:							
1205CM 81477	ROB MUELLER ELECTRIC WIRING -2024 PRESSURE WASHER PROJECT 400-9050-45530 CAPITAL - OTHER Total for vendor 4173 - ROB MUELLER ELECTRIC:	02/13/2024 pziemer	02/21/2024	2,500.00 2,500.00 2,500.00	2,500.00 2,500.00	Open	N 02/21/2024
Vendor 3768 - SADUSKY RENOVATIONS:							
63 81506	SADUSKY RENOVATIONS INSPECTION SERVICES THRU 2/9/24 101-2400-43300 PROFESSIONAL SERVICES Total for vendor 3768 - SADUSKY RENOVATIONS:	02/09/2024 pziemer	02/21/2024	7,017.90 7,017.90 7,017.90	7,017.90 7,017.90	Open	N 02/21/2024
Vendor 0317 - SHORT ELLIOTT HENDRICKSON:							
461647 81507	SHORT ELLIOTT HENDRICKSON 21:15 BUFFALO HILLS GULLY 401-9030-43300-21:15 PROFESSIONAL SERVICES Total for vendor 0317 - SHORT ELLIOTT HENDRICKSON:	02/14/2024 pziemer	02/21/2024	8,091.30 8,091.30 8,091.30	8,091.30 8,091.30	Open	N 02/21/2024
Vendor 4185 - SRF CONSULTING GROUP:							

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16359.00-11 81391	SRF CONSULTING GROUP TH 210/LUM PARK PEDESTRIAN BRIDGE 229-9030-43300-23:06	01/31/2024 pziemer	02/21/2024	2,308.27 2,308.27	2,308.27	Open	N 02/21/2024
16811.00-6 81446	SRF CONSULTING GROUP 23:05 TH210/WATERMAIN SAN SWR RELOCAT 401-9030-43300-23:05	01/31/2024 pziemer	02/21/2024	11,293.21 11,293.21	11,293.21	Open	N 02/21/2024
Total for vendor 4185 - SRF CONSULTING GROUP:				13,601.48	13,601.48		

Vendor 0322 - STREICHERS PROF EQUIP:

I1679569 81396	STREICHERS PROF EQUIP CSO 771 - UNIFORM SHIRT 225-2121-41113	01/31/2024 pziemer	02/21/2024	64.98 64.98	64.98	Open	N 02/21/2024
I1679579 81397	STREICHERS PROF EQUIP 709 UNIFORM PANTS 225-2120-41113	01/31/2024 pziemer	02/21/2024	179.98 179.98	179.98	Open	N 02/21/2024
I1681309 81475	STREICHERS PROF EQUIP 720 UNIFORM PANTS 225-2120-41113	02/09/2024 pziemer	02/21/2024	129.18 129.18	129.18	Open	N 02/21/2024
Total for vendor 0322 - STREICHERS PROF EQUIP:				374.14	374.14		

Vendor 0329 - TOMS BACKHOE SERVICE INC:

21:15 PAY REQ 2 81500	TOMS BACKHOE SERVICE INC 21:15 BUFFALO HILLS GULLY PAY REQ 2 401-9030-45530-21:15	02/13/2024 pziemer	02/21/2024	274,985.11 274,985.11	274,985.11	Open	N 02/21/2024
Total for vendor 0329 - TOMS BACKHOE SERVICE INC:				274,985.11	274,985.11		

Vendor 0334 - U.S. BANK:

7195663 81431	U.S. BANK MN GO BONDS 2015A 237-3190-43300 238-3160-43300	01/25/2024 pziemer	02/21/2024	500.00 200.00 300.00	500.00	Open	N 02/21/2024
Total for vendor 0334 - U.S. BANK:				500.00	500.00		

Vendor 0344 - WASTE PARTNERS INC:

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
41X01004 81372	WASTE PARTNERS INC JAN 24 FIRE DEPT WASTE REMOVAL 225-2220-43380 UTILITIES	01/31/2024 pziemer	02/21/2024	117.00 117.00	117.00	Open	N 02/21/2024
41X01006 81373	WASTE PARTNERS INC JAN 24 DOWNTOWN WASTE REMOVAL 401-1003-43300 PROFESSIONAL SERVICES	01/31/2024 pziemer	02/21/2024	204.75 204.75	204.75	Open	N 02/21/2024
41X01007 81374	WASTE PARTNERS INC JAN 24 POLICE DEPT WASTE REMOVAL 225-2120-43380 UTILITIES	01/31/2024 pziemer	02/21/2024	146.00 146.00	146.00	Open	N 02/21/2024
41X01008 81375	WASTE PARTNERS INC JAN 24 WASTE OIL REMOVAL 227-3230-43428 USED OIL RECYCLING EXPENSE	01/31/2024 pziemer	02/21/2024	64.35 64.35	64.35	Open	N 02/21/2024
41X01009 81376	WASTE PARTNERS INC JAN 24 PARKS DEPT WASTE REMOVAL 230-5200-43380 UTILITIES	01/31/2024 pziemer	02/21/2024	462.15 462.15	462.15	Open	N 02/21/2024
41X01005 81377	WASTE PARTNERS INC JAN 24 CITY HALL WASTE REMOVAL 101-1940-43380 UTILITIES	01/31/2024 pziemer	02/21/2024	157.20 157.20	157.20	Open	N 02/21/2024
41X01003 81378	WASTE PARTNERS INC JAN 24 PW GARAGE WASTE REMOVAL 235-3100-43380 UTILITIES 230-5200-43380 UTILITIES	01/31/2024 pziemer	02/21/2024	117.00 58.50 58.50	117.00	Open	N 02/21/2024
41X00287 81439	WASTE PARTNERS INC JAN 24 LIBRARY WASTE REMOVAL 211-5500-43380 UTILITIES	01/31/2024 pziemer	02/21/2024	116.83 116.83	116.83	Open	N 02/21/2024
Total for vendor 0344 - WASTE PARTNERS INC:				1,385.28	1,385.28		
Vendor 3199 - WEX BANK:							
94812851/CD 81484	WEX BANK JAN 2024 COM DEV FUEL 101-2400-42212 MOTOR FUELS	01/31/2024 pziemer	02/21/2024	118.25 118.25	118.25	Open	N 02/21/2024

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
94812851/FD 81485	WEX BANK JAN 2024 FIRE DEPT FUEL 225-2220-42212	01/31/2024 pziemer	02/21/2024	1,537.09 1,537.09	1,537.09	Open	N 02/21/2024
	MOTOR FUELS			1,537.09			
94812851/PARKS 81486	WEX BANK JAN 2024 PARKS FUEL 230-5200-42212	01/31/2024 pziemer	02/21/2024	1,045.11 1,045.11	1,045.11	Open	N 02/21/2024
	MOTOR FUELS			1,045.11			
94812851/POLICE 81487*	WEX BANK JAN 2024 POLICE DEPT FUEL 225-2120-42212 225-2120-42212	01/31/2024 pziemer	02/21/2024	4,755.88 4,843.18 (87.30)	4,755.88	Open	N 02/21/2024
	MOTOR FUELS			4,843.18			
	MOTOR FUELS			(87.30)			
94812851/TRANSIT 81488*	WEX BANK JAN 2024 TRANSIT DEPT FUEL 203-9000-42212 203-9000-42212	01/31/2024 pziemer	02/21/2024	6,258.21 6,280.83 (22.62)	6,258.21	Open	N 02/21/2024
	MOTOR FUELS			6,280.83			
	MOTOR FUELS			(22.62)			
94812851/STRTS 81489	WEX BANK JAN 2024 STREET DEPT FUEL 235-3100-42212 237-3190-42212	01/31/2024 pziemer	02/21/2024	6,309.47 6,066.74 242.73	6,309.47	Open	N 02/21/2024
	MOTOR FUELS			6,066.74			
	MOTOR FUELS			242.73			
94812851/ADM 81490	WEX BANK JAN 2024 WEX EDGE REBATE 101-0000-36299	01/31/2024 pziemer	02/21/2024	(39.39) (39.39)	(39.39)	Open	N 02/21/2024
	MISCELLANEOUS REVENUE (NONTAX)			(39.39)			
	Total for vendor 3199 - WEX BANK:			19,984.62	19,984.62		
Vendor 3899 - WEX HEALTH INC:							
0001900108-IN 81443	WEX HEALTH INC JAN 24 COBRA 101-9200-43300	01/31/2024 pziemer	02/21/2024	41.00 41.00	41.00	Open	N 02/21/2024
	PROFESSIONAL SERVICES			41.00			
	Total for vendor 3899 - WEX HEALTH INC:			41.00	41.00		
Vendor 0346 - WIDSETH SMITH NOLTING:							
228603 81425	WIDSETH SMITH NOLTING 23:10 LUM PARK CAMPGROUND 229-0000-43300-23:10	01/29/2024 pziemer	02/21/2024	1,481.26 1,481.26	1,481.26	Open	N 02/21/2024
	PROFESSIONAL SERVICES			1,481.26			

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
228602 81426	WIDSETH SMITH NOLTING 23:09 JAYCEES PARK THRU 1/12/24 229-0000-43300-23:09	01/29/2024 pziemer	02/21/2024	449.20 449.20	449.20	Open	N 02/21/2024
228551 81478	WIDSETH SMITH NOLTING 23:26 POLICE DEPT RTU REPLACEMENT 229-0000-43300-23:26	01/29/2024 pziemer	02/21/2024	311.25 311.25	311.25	Open	N 02/21/2024
228286 81479	WIDSETH SMITH NOLTING 21:17 LUM PARK ROAD/BOAT LAUNCH 401-9030-43300-21:17	01/25/2024 pziemer	02/21/2024	294.50 294.50	294.50	Open	N 02/21/2024
Total for vendor 0346 - WIDSETH SMITH NOLTING:				2,536.21	2,536.21		

Vendor 1159 - WINNERS TROPHY:

13126 81398	WINNERS TROPHY OFFICER OF THE YEAR PHOTO/FRAMING 225-2120-43300	02/03/2024 pziemer	02/21/2024	74.95 74.95	74.95	Open	N 02/21/2024
13133 81461	WINNERS TROPHY NAMEPLATE CHAMBERS - N.BROYLES 101-1400-42210	02/12/2024 pziemer	02/21/2024	30.00 30.00	30.00	Open	N 02/21/2024
13128/CD 81481	WINNERS TROPHY QTY 2 PLANNING NAME SIGNS 101-2400-43430	02/07/2024 pziemer	02/21/2024	60.00 60.00	60.00	Open	N 02/21/2024
13128/PARKS 81482	WINNERS TROPHY QTY 1 PARKS NAME SIGN 230-5200-43430	02/07/2024 pziemer	02/21/2024	30.00 30.00	30.00	Open	N 02/21/2024
Total for vendor 1159 - WINNERS TROPHY:				194.95	194.95		

Vendor 1712 - WSB & ASSOCIATES:

R-022575-000-8 81366	WSB & ASSOCIATES 21:16 MSP RIVERBANK RESTORATION NOV 401-9030-43300-21:16	12/29/2023 pziemer	02/21/2024	7,452.50 7,452.50	7,452.50	Open	N 12/31/2023
Total for vendor 1712 - WSB & ASSOCIATES:				7,452.50	7,452.50		

# of Invoices:	130	# Due:	130	Totals:	946,323.98	946,323.98
# of Credit Memos:	1	# Due:	1	Totals:	(39.39)	(39.39)

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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

Net of Invoices and Credit Memos:

946,284.59

946,284.59

* 2 Net Invoices have Credits Totalling:

(109.92)

--- TOTALS BY GL DISTRIBUTION ---

101-0000-14100	DUE FROM COMPONENT UNIT	74.00
101-0000-36299	MISCELLANEOUS REVENUE (NONTAX)	(39.39)
101-1400-42210	OPERATING SUPPLIES	30.00
101-1400-43330	PROFESSIONAL DEVELOPMENT	221.94
101-1410-43430	MISCELLANEOUS	14.29
101-1700-43330	PROFESSIONAL DEVELOPMENT	216.94
101-1800-43321	TELEPHONE	361.29
101-1800-43331	LEASE PAYMENTS	1,100.58
101-1940-42200	OFFICE SUPPLIES	1,347.60
101-1940-43300	PROFESSIONAL SERVICES	985.00
101-1940-43380	UTILITIES	157.20
101-2400-42212	MOTOR FUELS	118.25
101-2400-43300	PROFESSIONAL SERVICES	7,017.90
101-2400-43330	PROFESSIONAL DEVELOPMENT	13.57
101-2400-43350	PRINTING/LEGAL PUBLICATION	703.91
101-2400-43405	NUISANCES	565.00
101-2400-43430	MISCELLANEOUS	60.00
101-9200-43300	PROFESSIONAL SERVICES	8,016.00
101-9200-43350	LEGAL PUBLICATIONS	121.37
101-9200-43430	MISCELLANEOUS	299.89
101-9200-43438	MISC SPECIAL PROJECTS	1,662.05
101-9200-43460	REMIT COMMUNITY ACTION LEVY	8,054.38
101-9200-43461	REMIT SENIOR CITIZEN LEVY	8,054.38
101-9200-43462	REMIT ARBORETUM LEVY	8,054.38
203-9000-42200	OFFICE SUPPLIES	59.83
203-9000-42212	MOTOR FUELS	6,258.21
203-9000-43350	PRINTING/LEGAL PUBLICATION	17.67
211-5500-43300	PROFESSIONAL SERVICES	675.00
211-5500-43380	UTILITIES	116.83
225-2120-41113	UNIFORM ALLOWANCE	309.16
225-2120-42200	OFFICE SUPPLIES	13.84
225-2120-42209	SAFETY EQUIPMENT SUPPLIES	94.55
225-2120-42212	MOTOR FUELS	4,755.88
225-2120-42220	REPAIR & MAINT	35.92
225-2120-42221	SQUAD CAR REPAIR SUPPLIES	1,387.97
225-2120-43300	PROFESSIONAL SERVICES	1,374.95
225-2120-43330	PROFESSIONAL DEVELOPMENT	410.33
225-2120-43380	UTILITIES	146.00
225-2121-41113	UNIFORM ALLOWANCE	64.98
225-2220-42212	MOTOR FUELS	1,537.09
225-2220-42220	REPAIR & MAINT	2,723.92
225-2220-42221	R&M BUILDING	19.98
225-2220-43300	PROFESSIONAL SERVICES	1,290.00
225-2220-43330	PROFESSIONAL DEVELOPMENT	105.56
225-2220-43380	UTILITIES	117.00
225-2220-43433	DUES & SUBSCRIPTIONS	300.00
225-2225-43330	PROFESSIONAL DEVELOPMENT	575.00
225-2700-43300	PROFESSIONAL SERVICES	1,919.33
225-2700-43430	MISCELLANEOUS	788.00
227-3230-43428	USED OIL RECYCLING EXPENSE	169.35

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
	229-0000-43300-23:09	PROFESSIONAL SERVICES		449.20			
	229-0000-43300-23:10	PROFESSIONAL SERVICES		1,481.26			
	229-0000-43300-23:26	PROFESSIONAL SERVICES		311.25			
	229-9030-43300-23:06	PROFESSIONAL SERVICES		2,390.76			
	230-5200-42212	MOTOR FUELS		1,045.11			
	230-5200-42220	REPAIR & MAINT		1,520.24			
	230-5200-43300	PROFESSIONAL SERVICES		1,175.00			
	230-5200-43380	UTILITIES		520.65			
	230-5200-43430	MISCELLANEOUS		30.00			
	235-3100-42212	MOTOR FUELS		6,066.74			
	235-3100-42220	REPAIR & MAINT		2,150.63			
	235-3100-43300	PROFESSIONAL SERVICES		175.00			
	235-3100-43380	UTILITIES		58.50			
	235-3100-43410	RENTAL EXPENSE		84.85			
	235-3100-43430	MISCELLANEOUS		126.59			
	235-3125-42220	CUTTING EDGES AND CURB GUARDS		9,966.00			
	237-0000-33600	REV FROM OTHER GOVTS		408,149.38			
	237-3190-42212	MOTOR FUELS		242.73			
	237-3190-42220	REPAIR & MAINT		319.36			
	237-3190-43300	PROFESSIONAL SERVICES		200.00			
	238-3160-43300	PROFESSIONAL SERVICES		2,300.00			
	238-3160-43430	MISCELLANEOUS		379.14			
	251-9360-43467	REMIT LOCAL SALES TAX COLLECT		125,847.37			
	275-6550-43430	MISCELLANEOUS		242.74			
	278-6515-43430	MISCELLANEOUS		326.65			
	280-9700-43470	UNINSURED LOSSES		1,000.00			
	400-1481-43430	MISCELLANEOUS		233.65			
	400-9050-45530	CAPITAL - OTHER		2,910.00			
	401-1003-43300	PROFESSIONAL SERVICES		204.75			
	401-9030-43300-21:15	PROFESSIONAL SERVICES		8,213.55			
	401-9030-43300-21:16	PROFESSIONAL SERVICES		7,452.50			
	401-9030-43300-21:17	PROFESSIONAL SERVICES		294.50			
	401-9030-43300-23:05	PROFESSIONAL SERVICES		11,293.21			
	401-9030-43300-23:12	PROFESSIONAL SERVICES		1,574.10			
	401-9030-43350-24:05	LEGAL PUBLICATIONS		87.19			
	401-9030-45530-21:15	CAPITAL-PYMTS TO CONTRACTS		274,985.11			

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
--- TOTALS BY FUND ---							
	101 - GENERAL FUND			47,210.53	47,210.53		
	203 - TRANSIT FUND			6,335.71	6,335.71		
	211 - LIBRARY FUND			791.83	791.83		
	225 - PUBLIC SAFETY FUND			17,969.46	17,969.46		
	227 - RECYCLING FUND			169.35	169.35		
	229 - PANDEMIC GRANTS			4,632.47	4,632.47		
	230 - PARK & RECREATION FUND			4,291.00	4,291.00		
	235 - STREET & SEWER FUND			18,628.31	18,628.31		
	237 - SANITARY SEWER FUND			408,911.47	408,911.47		
	238 - STORM SEWER FUND			2,679.14	2,679.14		
	251 - LOCAL OPTION SALES TAX			125,847.37	125,847.37		
	275 - LOCAL INCOME - SCDP			242.74	242.74		
	278 - HEALTHY EMPLOYE INITIATIVE			326.65	326.65		
	280 - PACKAGE INSURANCE FUND			1,000.00	1,000.00		
	400 - CAPITAL PROJECTS FUND			3,143.65	3,143.65		
	401 - CONSTRUCTION FUND			304,104.91	304,104.91		
--- TOTALS BY DEPT/ACTIVITY ---							
	0000 -			410,425.70	410,425.70		
	1003 - 10:03 DWNTWN MAIN CNTRACT			204.75	204.75		
	1400 - ADMINISTRATION			251.94	251.94		
	1410 - ELECTIONS			14.29	14.29		
	1481 - HISTORIC WATER TOWER REPA			233.65	233.65		
	1700 - ENGINEERING			216.94	216.94		
	1800 - IT/GIS			1,461.87	1,461.87		
	1940 - CITY HALL			2,489.80	2,489.80		
	2120 - POLICE DEPARTMENT			8,528.60	8,528.60		
	2121 - COMMUNITY SERVICE			64.98	64.98		
	2220 - FIRE DEPARTMENT			6,093.55	6,093.55		
	2225 - PAID ON-CALL FIRE DEPT			575.00	575.00		
	2400 - COMMUNITY DEVL/INSPECTION			8,478.63	8,478.63		
	2700 - ANIMAL CONTROL			2,707.33	2,707.33		
	3100 - S & S MAINTENANCE			8,662.31	8,662.31		
	3125 - SNOW REMOVAL			9,966.00	9,966.00		
	3160 - STORM SEWER EXPENSE			2,679.14	2,679.14		
	3190 - SANITARY SEWER EXPENSE			762.09	762.09		
	3230 - RECYCLING EXPENSE			169.35	169.35		
	5200 - PARK MAIN/ADMINISTRATION			4,291.00	4,291.00		
	5500 - LIBRARY-BUDGETED			791.83	791.83		
	6515 - HEALTHY EMPLOYE INITIATIVE			326.65	326.65		
	6550 - LOCAL INCOME - SCDP			242.74	242.74		
	9000 - TRANSIT FUND			6,335.71	6,335.71		

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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						
--- TOTALS BY DEPT/ACTIVITY ---							
	9030 - CONSTRUCTION PROJ-MISC			306,290.92	306,290.92		
	9050 - CAPITAL PROJECTS-MISC			2,910.00	2,910.00		
	9200 - CITY-WIDE			34,262.45	34,262.45		
	9360 - LOCAL OPTION SALES TAX			125,847.37	125,847.37		
	9700 - PACKAGE INSURANCE			1,000.00	1,000.00		

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

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

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND CZECZOK,
DULY CARRIED, TO APPROVE THE AGENDA.

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

- A. Approval of Bills**
- B. Approval of Minutes**
 - a. Special City Council Meeting Minutes January 8th, 2024**
 - b. Regular City Council Meeting Minutes January 16th, 2024**
 - c. Special City Council Meeting Minutes January 22nd, 2024**
 - d. Special City Council Meeting Minutes January 29th, 2024**
- C. Department Activity Report**
- D. Approve Temporary On-Sale Liquor License Application for Jackpine Brewery for an Event to be held at Essentia Health Sports Center, 502 Jackson Street, on March 22 & 23, 2024-- Contingent upon approvals**
- E. Approve Temporary On-Sale Liquor License Application Submitted by the Brainerd Sports Boosters for an Event to be held at the Essentia Health Sports Center, 502 Jackson St on April 20, 2024**
- F. Minnesota Lawful Gambling Application to Conduct Excluded Bingo- Submitted by the Knights of Columbus for an Event to be held at St. Francis Catholic Church, 404 9th St, on April 7 and 21, 2024**
- G. Minnesota Lawful Gambling Application- Submitted by Central Lakes College Foundation for an Event to be held at CLC, 501 W College Dr, on May 1, 2024**
- H. Minnesota Lawful Gambling Application to Conduct Excluded Bingo - Submitted by St. Andrew's Catholic Church for Bingo Events to be held at St. Andrew's Church, 1108 Willow St, March 16, 2024, and November 16, 2024.**
- I. CC's Bar - Approve Change of Ownership and Expanded Premises**
- J. Resolution Adopting Policies and Plans for Small Communities Development Program (SCDP) Grant No. CDAP-23-0018-O-FY24**

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

Council Committee Reports

Personnel and Finance Committee

Approve Quote for Public Works Maintenance Facility Gate Operator

Committee Chair Johnson stated that the gate was more expensive than anticipated. However, there were other cost savings in the 2024 capital items that will cover the extra cost.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE THE QUOTE FROM ELITE FENCE FOR THE AMOUNT OF \$22,275.

Accept the Resignation of Water Plant Relief Operator Tanner Josephson

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND TERRY, DULY CARRIED, TO ACCEPT TANNER JOSEPHSON'S RESIGNATION EFFECTIVE JANUARY 30, 2024.

Ratify the Hiring of Police Records Management Technician Michelle Mendoza

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO RATIFY THE HIRING OF MICHELLE MENDOZA FOR THE POLICE RECORDS MANAGEMENT TECHNICIAN POSITION EFFECTIVE JANUARY 16, 2024; FURTHER, THAT SHE BE PLACED ON STEP 1 OF THE POLICE RECORDS MANAGEMENT TECHNICIAN WAGE GRID (\$22.28 PER HOUR).

Approval of the City Administrator Employment Contract

HR Director Schubert stated that Mr. Broyles could potentially start on February 26th to work with Interim Administrator Wussow.

Member Czczok asked Mr. Wussow to clarify whether he will be staying until March 1st.

Interim Administrator Wussow stated that he will be staying until March 1st, utilizing ESST hours designated to him by the State.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND TERRY, DULY CARRIED, TO APPROVE MR. BROYLE'S CITY ADMINISTRATOR EMPLOYMENT CONTRACT WITH AN ANTICIPATED START DATE OF FEBRUARY 26TH AND AUTHORIZE THE MAYOR TO SIGN SAID AGREEMENT.

Adopt a Resolution Setting 2024 Wages for Non-Union Exempt Employees

Committee Chair Johnson stated that there were four appeals. The Police Chief is ranked the same as the Public Utilities Director, therefore is now placed on the same pay scale.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK TO ADOPT RESOLUTION ESTABLISHING THE WAGES, STEP PLACEMENT AND LUMP SUM PAYMENTS EFFECTIVE JANUARY 1, 2024, FOR NON-UNION EXEMPT EMPLOYEES CONSISTING OF THE CITY ADMINISTRATOR, DEPARTMENT HEADS, MUNICIPAL UTILITY DIVISION MANAGERS AND NON-UNION SUPERVISORS.

RESOLUTION 13:24

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

Annual Review and Approval of Investment Policy

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND TERRY, DULY CARRIED, TO APPROVE THE INVESTMENT POLICY AS PRESENTED.

Safety and Public Works Committee

Consider Approval of Risky Business Tobacco License

Committee Chair O'Day stated that the Police Chief is now comfortable with the changes the company has made.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO APPROVE THE ISSUANCE OF A TOBACCO LICENSE TO LIMOS ETC., DBA RISKY BUSINESS, CONTINGENT ON A SUCCESSFUL FIRE INSPECTION.

Approve Event/Street Closure Application - CLC 5K Mental Health Awareness Run

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND STENGLEIN, DULY CARRIED, TO THE EVENT/STREET CLOSURE APPLICATION THE CONDITION THAT THE EVENT ORGANIZER PROVIDE A CERTIFICATE OF INSURANCE TO CITY HALL PRIOR TO THE EVENT, REQUEST TRAFFIC CONTROL MATERIALS ONE WEEK PRIOR TO THE EVENT, AND SIGNS ARE REMOVED AFTER THE EVENT IS COMPLETE.

Adopt Resolution of Support for LCCMR Grant Application and Authorize Staff to Apply For LCCMR Grant Funding - TH 210/Lum Park Pedestrian Bridge

Committee Chair O'Day stated that the City will apply for \$3.75 million. The grant has a 25% match.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND STENGLEIN TO ADOPT RESOLUTION AUTHORIZING APPLICATION FOR THE LCCMR GRANT PROGRAM AND FURTHER AUTHORIZING SRF TO PREPARE THE APPLICATION ON THE CITY'S BEHALF.

RESOLUTION 14:24

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

Approve Final Layout for TH 371B/Willow Street Roundabout

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO APPROVE THE FINAL LAYOUT AS PRESENTED AND AUTHORIZES STAFF TO PROCEED WITH DESIGN AND RIGHT-OF-WAY ACQUISITION.

Authorize Staff to Request LPP Funds for TH 371B/Willow Street Roundabout Project

Committee Chair O'Day stated that the grant would go towards MNDOT's share of the project.

Member Johnson asked about the estimated local share and how it will be funded.

City Engineer/Public Works Director Dehn stated that a preliminary estimate of about \$2 million for the project. The City previously was awarded \$750,000 in HSIP funding which would cover most of the City cost.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO AUTHORIZE \$1.5 MILLION REQUEST IN LPP FUNDS FOR THE TH 371B/ WILLOW STREET ROUNDABOUT PROJECT.

Approve Brainerd Restoration Downtown Welcome Bench

Committee Chair O'Day stated that the committee would like the full Council input. He gave an overview of the item. The committee was concerned about tripping hazards, the design, and ADA accessibility.

Mayor Badeaux stated that the tripping hazard concern is valid. He likes the unique ideas for seating downtown.

Chair Bevans had similar concerns about the existing quarter wall, there should be a definite plan for placement, and to make sure that the chairs are more user-friendly to sit either way. His recommendation is to send it back to Downtown Restoration.

Member Johnson stated that through the construction the ADA accessibility questions could be resolved. The curb could be removed after installation, if need be, by the Street Department.

MOVED BY COUNCIL MEMBER JOHNSON TO APPROVE THE BENCH FOR DOWNTOWN.

The Chair declared the motion defeated due to lack of a second.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND TERRY TO SEND THE DESIGN BACK TO BRAINERD DOWNTOWN RESTORATION TO REVIEW THE DESIGN OF THE BENCH FOR ACCESSIBILITY, PLACEMENT, AND USER-FRIENDLY SEATING.

Members Terry, Stenglein, Czeczok, O'Day, Stunek, and Bevans voted "aye". Member Johnson voted "nay". The Chair declared the motion carried.

Unfinished Business

Commission Appointments

Mayor Badeaux recommended Katie Deblock to the Brainerd HRA Board.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO APPOINT KATIE DEBLOCK TO THE BRAINERD HRA BOARD.

Chair Bevans recommended David Peterson and Colin Francis to the Planning Commission.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND CZECZOK, DULY CARRIED, TO APPOINT DAVID PETERSON AND COLIN FRANCIS TO THE PLANNING COMMISSION.

Call for Applicants – Informational:

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

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

Parks & Rec- 1 term (Expire 2029)

Public Utilities- 1 term (Expire 2026)

TAC- 3 terms (Expire 2025)

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) 1 term (Expire 2028)

New Business

First Reading – Proposed Ordinance 1564 – Replacement of City Code 700

City Engineer/Public Works Director Dehn stated that the guidance is aimed at bringing the City in compliance with requirements related to a delegated pre-treatment program from the MPCA.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND O'DAY, DULY CARRIED, TO CONDUCT THE FIRST READING OF PROPOSED ORDINANCE 1564 AND DISPENSE WITH THE ACTUAL READING.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO SCHEDULE THE PUBLIC HEARING FOR MARCH 4TH AT 7:30 P.M. IN THE CIYT COUNCIL CHAMBERS.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO RE-APPOINT MEMBERS O'DAY AND CZECZOK TO THE JOINT WASTEWATER TREATMENT BOARD.

First Reading - Proposed Ordinance 1561 - Short-Term Rentals

Community Development Director Kramvik gave an overview of the revisions to the ordinance made since December.

Member Johnson asked about the grandfathered properties and the caps that the owners would be subject to.

Community Development Director Kramvik stated that grandfathered in properties would not be subject to the caps. This was a direction by Planning Commission and Council.

Member O'Day asked about the changes requested for City Center.

Community Development Director Kramvik stated that the Planning Commission did not recommend multiple units in the City Center due to most of Brainerd's affordable housing being downtown. The Planning Commission would like to see how the short-term rental ordinance affects the housing stock and review the ordinance in the future for those units in the City Center.

Member Stenglein stated that this ordinance is to get a handle on the need for short-term rentals in the City. It is not meant to be the final say on the short-term rental matter.

Member O'Day stated he will be voting against the ordinance, also that he feels strongly that affordable housing being downtown isn't a good enough reason not to include short-term rentals downtown in the future.

Member Czczok asked about flexibility in the number of short-term rentals. He asked about the livability of homes that are vacant. Is it possible that if these vacant homes were turned into short-term housing that the property would be improved. He does not agree with the restrictions on these properties, it goes against individual property rights.

Member Johnson stated that he does not think he will approve the ordinance as it stands. He doesn't understand the individual owner caps. He agrees that downtown should be included at some point. He stated that this will never be an ordinance that everyone agrees on.

Mayor Badeaux stated that he has an issue with the caps on owners, as it would be better to have fewer owners with multiple properties.

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND TERRY, DULY CARRIED, TO CONDUCT THE FIRST READING OF PROPOSED ORDINANCE 1561 AND DISPENSE WITH THE ACTUAL READING.

Public Forum

Chair Bevans reviewed the purpose of the Public Forum time. If a citizen has a question of procedure, Staff are available during the weekdays to answer questions. Public Forum is a time to share opinions and suggestions for items for Council.

The Chair opened the public forum at 8:09 p.m.

No one came forward.

The Chair closed the public forum at 8:10 p.m.

Staff Reports

Police Chief Davis stated that he and Fire Chief Holmes are in the process of working with a mental health professional to continue to implement the "check up from the neck up" program.

Finance Director Hillman stated that she handed out forms for the audit that all of the Council members need to fill out, sign, and return to her.

Community Development Director Kramvik gave an overview of the Planning Commission itinerary. They will hold an administrative subdivision public hearing at its next meeting.

Interim City Administrator Wussow stated that Staff met with the County regarding the Airport consolidation. Staff will review the information and bring it forward to the Council at a future meeting. The Public Utilities Commission includes Council Liaison reports in their agenda, it may be helpful to include this on the City Council agenda as well.

Mayor's Report

Mayor Badeaux stated that St. Patrick's Day celebration will take place on March 16th downtown Brainerd. It will be a family friendly event. He attended the comedy show for the

Jaycees Extravaganza, there were concerns about the consumption of alcohol in the past by the School Board. He believes the school board made the right decision in broadening the policy, there were no problems at the event. He thanked the School Board and Brainerd Jaycees for the event. It was a great event that brought many downtown.

Council Member Reports

Member Johnson thanked the community, especially Crow Wing County Sheriff's Office, MNDNR, Brainerd Dispatch, and B93.3 on behalf of the Brainerd Jaycees. The collaboration was fun to see. He cannot say enough about the Dispatch and B93.3 for their communication before, during, and after the event to get information out.

Member O'Day stated that the EDA is meeting on February 8th.

Member Stenglein stated that Region 5 had their organizational meeting. Doug Kern was elected as Chair. She will be a part of the Transit Committee.

Member Czczok stated that the RFP for Transit was posted on January 30th. Public Utilities Commission met and approved water main replacement for the alley in South Brainerd. He stated that Commissioners made comments about false statements by Council Members regarding the Utilities Department staff. The Commission asked that when the Council makes comments, to be careful about unsubstantiated comments.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO SET THE NEXT PERSONNEL AND FINANCE COMMITTEE MEETING FOR FEBRUARY 14TH AT 11:00 AM IN THE CITY COUNCIL CHAMBERS.

Member Czczok requested that the meeting be noticed in the paper as a legal notice. He also stated that he would be submitting an agenda item regarding recording the Personnel and Finance Committee meetings again.

Adjourn

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

The Chair adjourned to the closed session at 8:21 p.m.

The Council took a five-minute break.

The Chair reconvened the meeting at 8:45 p.m.

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND JOHNSON, DULY CARRIED, TO ADJOURN THE MEETING.

The Chair adjourned the meeting at 8:45 p.m.



BRAINERD POLICE DEPARTMENT MONTHLY REPORT



BOOYAH AWARD



Records Management Technician Alex Korte was this month's Booyah winner. When citations were unable to be automatically submitted for three weeks due to a problem with our records management system, Alex took it upon himself, without being asked, to manually submit three weeks' worth of citations. The next day he took it upon himself again to go onto the state court portal and check the court status of each citation individually (three weeks' worth) to make sure the citations had gone through to the courts.

BOOYAH, Alex!

STAFFING & ASSIGNMENTS

Michelle Mendoza started in January as a Records Management Technician for the Police Department. Michelle came to the Brainerd Lakes Area from Chula Vista, California. She was previously employed at an elementary school district in San Diego and worked as an Administrative Assistant.



TRAINING & STAFF DEVELOPMENT

Interview and Interrogation Training

Investigator Middleton along with Officers Johnson, Kostreba, and Engst attended the Interview and Interrogation training hosted by the Crow Wing County Sheriff's Office. Participants learned to identify and overcome three barriers the subconscious mind uses to avoid cooperation or inhibit dialogue and understand the basics of factoring information and the rules for detecting deception in conversation.

Overdose Response Training

Records Lead/Evidence Technician Allyson Timmons attended the Overdose Response Training provided by the Steve Rummeler HOPE Network. Allyson learned the signs to watch for that indicate an overdose and how to administer NARCAN.

Drug Evaluation and Classification Training

Officer Host attended Drug Recognition Expert school. Attendees learned how to distinguish whether an individual is under the influence of drugs other than alcohol, under the combined influence of alcohol and other drugs, or if the individual is suffering from an injury or illness that produces signs similar to alcohol/drug impairment. Attendees learned to identify the broad category or categories of drugs inducing the signs of impairment.

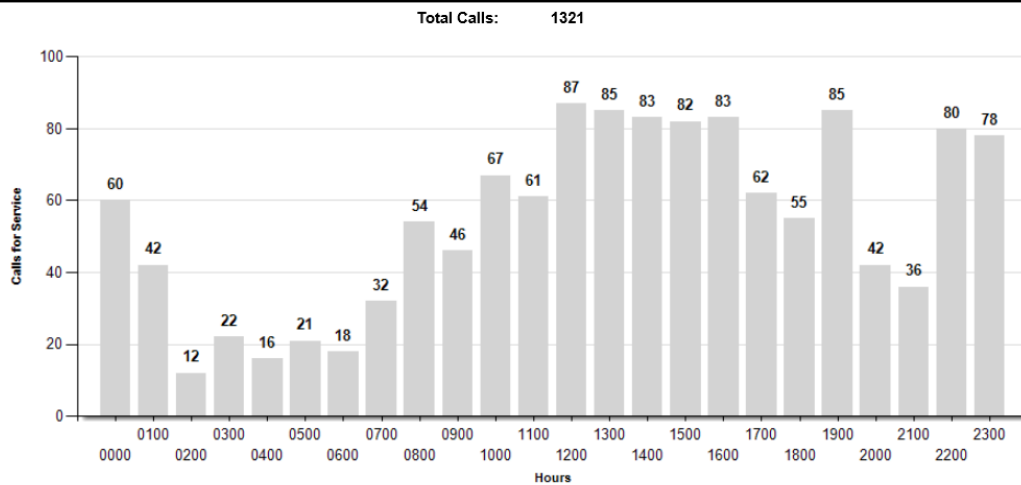
OVERALL CALLS FOR SERVICE

January	2024	2023
Number of Calls for Service	1321	1730



Calls for Service Hourly

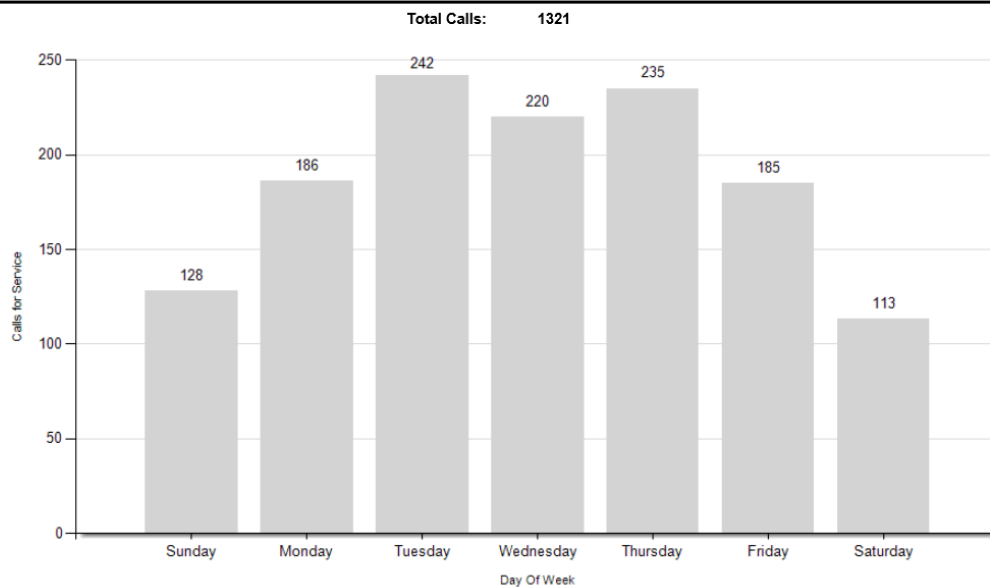
1/1/2024 to 1/31/2024



Calls for Service Day Of Week

Start Date: 1/1/2024

End Date: 1/31/2024



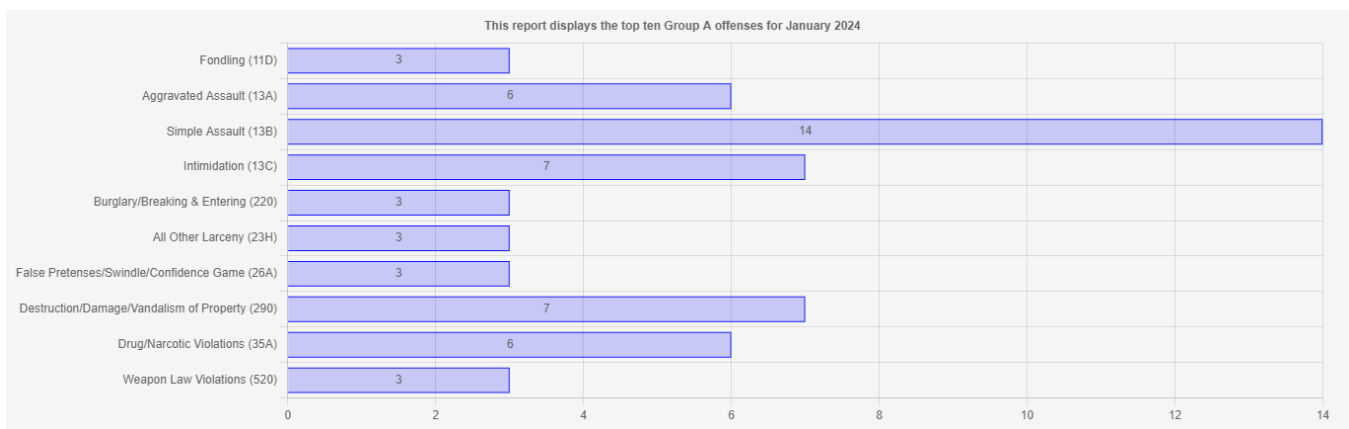
CRIME STATISTICS

Year to Date through January	2024	2023
Group A Offenses Known or Reported to Police	55	111
Group A and B Arrests	54	61

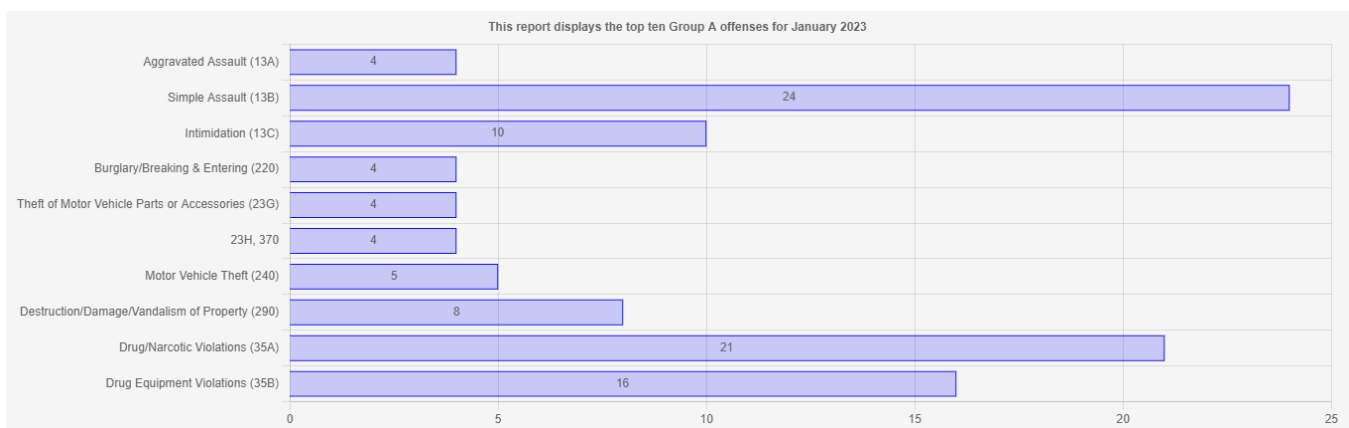
**** Note: 2024 totals do not include case files that have not yet been coded.**

TOP 10 GROUP A OFFENSES

January 2024

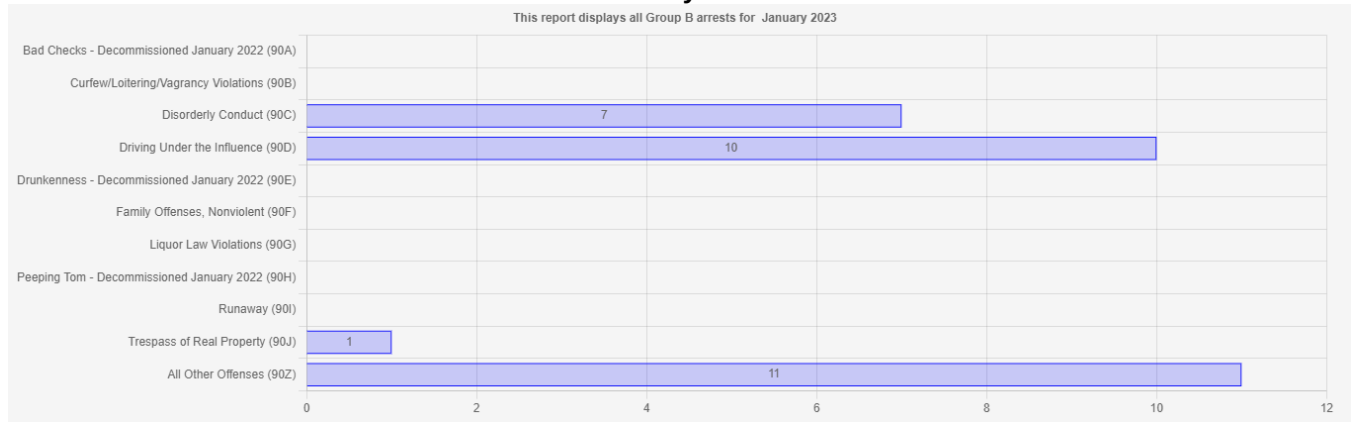


January 2023

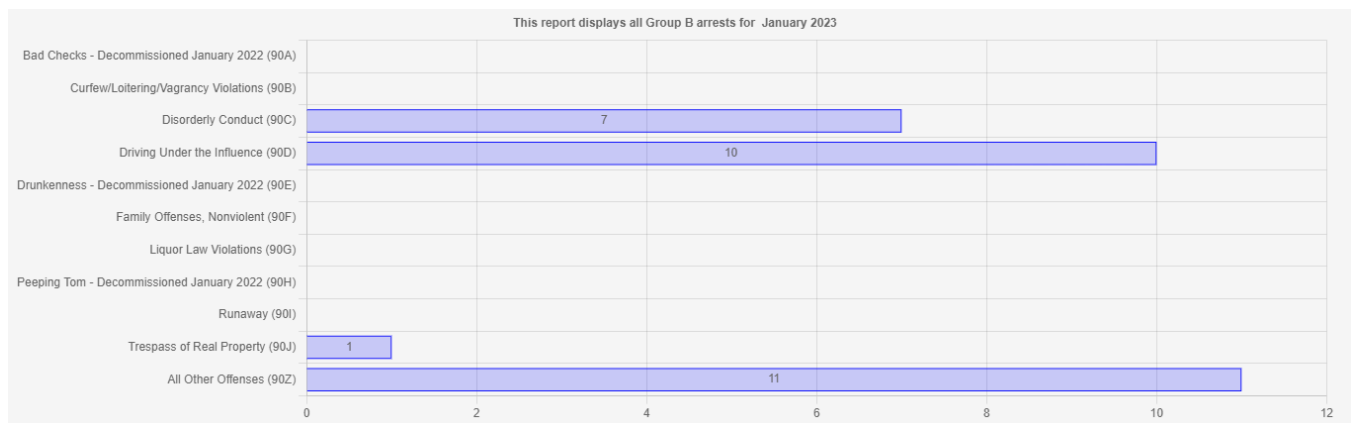


GROUP B ARREST DATA

January 2024



January 2023



CITATIONS, PARKING TICKETS, & WRITTEN WARNINGS

Month	2024	2023
Citations (Inc. Parking Tickets & Written Warnings)	167	526

68 parking tickets were issued in the month of August, with the following dispositions.

2	Dismissed
27	Paid in Full
1	Partial Payments Received
38	No Payment Received

Revenue Recapture Receipts:

2023 Total:	\$8,046.99
2024 To Date:	\$300.00

CONDUCT ON PREMISES ACTIVITY REPORT

ICR	Date Reported	Title	Address
24000011	01/01/24	Conduct on Premises	2213 Breilly Court
24000072	01/02/24	Conduct on Premises	712 SE 13 th Street
24000154	01/04/24	Conduct on Premises	1023 SE 13 th Street

BODY WORN CAMERA DATA REPORT

Month	Number of Videos	Hours of Video	GB of Videos	Average MB per Video	Average Time Length of Videos	Average Number of Videos Per Day
January	1,654	345	602	373	12.52 Minutes	53



COMMUNITY OUTREACH

Active Threat Training

Sergeant Reed provided active threat training to employees of Woodland Good Samaritan Society. Sergeant Reed's course covered topics involving workplace safety such as procedures when faced with an active threat.

**Reading with Cops**

Officer Walkowiak participated in a community outreach program called "Reading with Cops" at the Relationship Safety Alliance in Brainerd. The Brainerd Police Department will be reading to children at the shelter twice a month while their mother is attending other programming.



City of Brainerd
IT/GIS Department Monthly Report
January 2024

Projects

- Researched and submitted documentation for GASB 96 SBITA (subscription based IT arrangements)
- Airport – Met with Crow Wing County IT staff (1/10) to show them technology situation at Airport. Telephone connection to ARFF paging system (web hosted phones to on premise paging).
- BCA security audit – working on final tasks include VPN and VLAN changes

Software

- Training of new staff on BS&A, CivicRec, and various other softwares used in their positions
- Setup and testing of system use notification (CJIS requirement) to be implemented in Feb
- Significant updating of police dept webpages
- Continued implementation of IT asset tracking software and ticketing system
- Testing and planning for likely eventual migration from Webex to Teams for online meetings

Hardware

- Updated security camera software for City Hall, Police, Fire, FireNE, Public Works, and Airport
- Fire dept exterior door hardware issues, diagnosed, replacements ordered/scheduled
- Various police squad issues – video, printing, connectivity, etc

Other

- Technical support for numerous meetings – City Council, Park Board, Planning Comm, EDA, etc
- Annual CJIS security training
- Participated in City Administrator hiring process
- Staff added: Fire Admin 1/16, Police Records 1/16, Parks Coordinator 1/17
- Staff departed: none

Statistics

Website: 22,144 total views by 8,831 users. Top pages: employment, parks, agendas

YouTube: City channel views 1,741 (up from 972), 165 hours watched (up from 97.6)

Facebook (city) : 3.1k followers, reach 11.8k (down from 23.6K), interactions 286 (down from 857)

Email: sent 8,605 or 277/day (up from 7,871), received 33,733 or 1,088/day (up from 32,676)

Telephone: 8,588 calls – Police 3213, City Hall 3106, Transit 1859, Fire 329, Public Works 81

Cisco Secure Endpoint: 7.73M files scanned (up from 7.72M), 850K IPs scanned (up from 721K)



COMMUNITY DEVELOPMENT DEPARTMENT REPORT

James Kramvik, CDD

January 2024



BUILDING PERMITS

The Community Development Department issued 31 building permits with a total project valuation of \$41,780 in the month of January. Within the River-to-Rail Corridor, four (4) permits were issued. These improvements resulted in \$705.36 being waived in permit fees.

*Note: project valuation does not include all projects as some permits, such as residential mechanical permits, have a flat fee and are not based on valuation. Therefore, the listed total project valuation is solely based on the permits whose fees are determined by valuation.

Issued Permits for December 2023		
Type Of Permit	# Issued	Total Project Valuation
Commercial – Building – Remodel	1	\$1,000
Commercial – Mechanical – Furnace/Boiler	4	\$19,000
Commercial – Mechanical – Remodel	1	\$600
Commercial – Plumbing – Remodel	2	\$11,000
Commercial – PLBG – Water Heater	2	N/A
Engineering - Excavation	1	N/A
Engineering – Sewer/Water Repair	1	N/A
Fence	1	N/A
Residential – Building – Deck	1	\$400
Residential – Building – Remodel	1	\$3,800
Residential – Building – Windows/Doors	4	N/A
Residential - Mechanical - Furnace/Boiler	3	N/A
Residential - Plumbing – Water Heater	7	N/A
Sign	2	\$5,980

There were zero (0) single-family home building permits in the month of January.

BUILDING INSPECTIONS

The Community Development Department conducted 52 building inspections in January.

CODE ENFORCEMENT

The Community Development Department conducted 33 code enforcement inspections in January resulting in violations across the following categories:

CODE ENFORCEMENT INSPECTIONS	
Junk and Debris	5
Unlicensed/Inoperable Vehicles	6
Outdoor Storage	2
Garbage	2
Nuisance on Public Sidewalk	9
Zoning Code Violation	9
Total = 33	

**Note: With the adoption of Ordinance No. 1524 on April 4th, 2022, Community Development staff have moved to complaint driven enforcement only.*

Direction on Active Code Enforcement Cases

Staff executed one (1) search warrant for abatement of properties in the month of January as directed by City Council for 823 Willow St.

Staff continue to send citations to the following properties as directed by City Council.

- 1) **823 Willow St** – Unlicensed Rental - Issuing \$300 citation monthly for non-licensed rental. Requested legal action from City Attorney 9/6/23.
- 2) **303 J St NE** – Fence - Issuing a \$300 citation each month until the non-permitted fence is corrected.
- 3) **1812 Oak St** – Unlicensed Rental – Issuing a \$300 citation each month for non-licensed rental. Requested legal action from City Attorney 12/4/23.
- 4) **15284 Beaver Dam Rd** – Illegal discharge of sewage from pole building - Issuing a \$100 citation each day for non-compliant septic. Requested legal action from City Attorney 9/18/23. The property manager applied for and received a rental license on 12/5/23 for the 5-bedroom house that a family was already living in.
- 5) **319 N 9th St** – Property Maintenance/ Roof – Issuing a \$300 citation each month until roof is corrected.

RENTAL INSPECTIONS

The Community Development Department issued two (2) rental licenses in the month of January.

The Housing Inspector has completed 29 rental property inspections in January.

CONTRACTOR REGISTRATION

The Community Development Department issued 17 contractor registrations in January.

PLANNING AND ZONING

Administrative Subdivisions

The Planning Commission reviewed the proposed administrative subdivision ordinance at the January 17th meeting. The proposed ordinance will make it easier for engineering firms and developers to interpret the code benefit future development by creating clear definitions for each type of administrative subdivision, allow for the consolidation or adjustment of three properties rather than two, and state a timeline on when a parcel can be administratively subdivided in the future. The Planning Commission did not recommend any changes to the proposed ordinance and directed staff to bring the ordinance back to the February 21st Planning Commission for final review and to conduct a public hearing.



February Planning Commission Meeting Agenda Items

- 1) Administrative Subdivision Ordinance
- 2) Cannabis Dispensary Discussion
- 3) Conditional Use Permit Amendment for a 12-plex – Creekside Community Development
- 4) Conditional Use Permit to operate a Day Care Facility at 418 8th Ave NE.

Tree Ordinance and Policy

Community Development Staff is drafting an updated tree ordinance and policy as directed by City Council. Language in the new ordinance will clearly state that the City is responsible for the removal of trees in the right-of-way. In addition to boulevard trees, staff will begin to work on an Emerald Ash Borer tree policy and draft language to require the diversification of trees based on the Tree Inventory collected by the City.

ECONOMIC DEVELOPMENT

The EDA and consultants Visit Brainerd and SHC are finalizing website content for the EDA website. The website is planned to go online at the end of February along with a promotional video. The EDA website will give developers or future businesses information on available land that is both city owned and privately owned, allow developers to view concept plans, provide information on City policies and programs to attract businesses, and explain what the City of Brainerd has to offer. Along with the website, the EDA entered into a brokerage agreement with Kamp Real Estate and Development to market vacant City owned properties which include the Wright Street extension, the Brainerd Industrial Park land, and the City Hall parking lot.

PLANNING AND ZONING PROCESSES – CURRENT PROGRESS UPDATE

Address: 1202 6th St S

PZE Process: Conditional Use Permit **Date Issued:** 8/2/22

Project Description: Demolish restaurant and install a self-serve ice machine. A conditional use permit was needed for a building under 1,000 SQFT.

The applicant has completed the following steps:

- Demolished existing restaurant.
- Cleared the lot of impermeable surfaces.
- Built foundation and installed the self-service Ice Machine.
- Several items are required before certificate of occupancy.

Address: 1918 & 1911 Thiesse Dr.

PZE Process: Interim Use Permit **Date Issued:** 9/07/22

Project Description: The operation of a cryptocurrency mining facility, specifically for outdoor storage as a principal use.

Project Progress: No construction has begun at the property and building plans have not been submitted. VCV submitted alternate plans for the construction of a building and was approved by the EDA for the proposed design alteration. VCV will no longer make use of the Interim Use Permit unless a change of scope is approved by the EDA.

Address: PID 41040504

PZE Process: Conditional Use Permit **Date Issued:** 10/5/22

Project Description: The applicant proposed the construction of a 12-unit apartment complex.

Project Progress: The applicant has not begun construction. The applicant is proposing a CUP amendment for the 12-unit apartment complex at the February 21st Planning Commission meeting.

Address: PID 41040501

PZE Process: Conditional Use Permit **Date Issued:** 10/5/22

Project Description: The construction of a health club and boarding house.

Project Progress: The applicant has not begun construction of the facility but has begun site grading.

Address: 15770 Dellwood Dr

PZE Process: Conditional Use Permit **Date Issued:** 1/9/23

Project Description: Application to allow for the construction of mini-storage units on the premises.

Project Progress: The applicant has applied for a building permit, but the permit has not yet been issued. The applicant may be exploring other options for the property.

Address: PID 41160504

PZE Process: Rezoning **Date Issued:** 1/11/23

Project Description: The purpose of this rezoning was to prepare this section of Parcel 41160504

for a consolidation with the contiguous parcel 41170515 which is also zoned Rural Living One (RL1) Zoning District.

Project Progress: The consolidation was completed and recorded with the County.

Address: PID 41040504

PZE Process: Final Plat **Date Issued:** 1/12/23

Project Description: The consolidation of 11 parcels to accommodate the space needed for the 12-unit apartment complex described in the Conditional Use Permit PZ22-0032

Project Progress: The plat has been recorded with Crow Wing County.

Address: 2307 Crestview Ln

PZE Process: Conditional Use Permit **Date Issued:** 3/1/23

Project Description: The applicant proposed a 5-unit apartment complex which received considerable opposition from the neighborhood.

Project Progress: Upon denial of the conditional use permit by the City Council, the applicant redesigned the site plan and submitted a 4-unit complex as a permitted use on the parcel. The permit for this project was issued on 8/08/23 and is currently under construction.

Address: 1021 Madison St

PZE Process: Conditional Use Permit **Date Issued:** 3/30/23

Project Description: The operation of a recycling facility in the General Industrial District.

Project Progress: The property continues to operate as a recycling facility and is working with the fire department on the conditions added to the permit.

Address: 2424 Business 371

PZE Process: Variance **Date Issued:** 5/18/23

Project Description: The variance requested was to exceed the 12' height limit on signs in the PSP zoning district by 3'.

Project Progress: Upon passage, a permit was filed and issued. The sign has been installed and passed all inspections.

Address: 3 Washington St NE

PZE Process: Variance **Date Issued:** 6/2/23

Project Description: Construction of a new Dunkin Donuts:

The first variance request is to allow their main entrance to face the rear yard of the property. Section 515-2-14.C requires the principal façade to front onto an avenue/street for properties in the CC District. The second variance request is to allow a 27'1" principal building front yard setback, a 24' side yard corner setback, and a 66'7" rear yard setback.

Project Progress: The applicant has applied for permits and we are awaiting contractor assignment in order to issue.

Address: 431 B St NE

PZE Process: Variance **Date Issued:** 5/3/22

Project Description: Requested a 7' corner yard setback for an accessory structure addition.

Project Progress: The applicant has not yet applied for a permit.

Address: 703 Oak St

PZE Process: Conditional Use Permit **Date Issued:** 6/8/23

Project Description: The operation of a Commercial Day Care Facility.

Project Progress: On August 22nd, 2023, Brainerd Family YMCA submitted a Commercial Building New/Addition permit for a \$701,000 renovation in accordance with the conditions set in the Conditional Use Permit. This property is in the River-to-Rail area and qualified for a \$150,000 reduction in the assessed valuation. The permit has been issued and is nearing completion.

Address: 515 9th St. S

PZE Process: Interim Use Permit **Date Issued:** 6/22/23

Project Description: The operation of a short-term rental in one unit of the duplex at 515 9th St S.

Project Progress: This permit was denied by the Council in August and currently no alternative uses other than long-term housing has been proposed by the applicant.

Address: 219 W Laurel St

PZE Process: Variance **Date Issued:** 7/03/23

Project Description: A variance to allow a second accessory structure and to exceed the accessory structure square footage limit of 500 Sq Ft for the construction of a new 24' x 24' garage.

Project Progress: Upon passage of this variance the applicant submitted a permit to construct this accessory structure at the premises on September 1st, 2023. The project was completed and closed 12/15/23.

Address: 203 Hawkins Dr

PZE Process: Interim Use Permit **Date Issued:** 7/20/23

Project Description: The utilization of the property as a short-term rental.

Project Progress: The IUP was approved by the Council on August 21st, the applicants have resumed operation of the short-term rental at the premises.

Address: 11617 Andrew St.

PZE Process: Variance **Date Issued:** 7/31/23

Project Description: A variance to allow the construction of a 6000 SQFT accessory structure, which exceeds the allowed 500 SQFT in the General Commercial Zoning District. The structure will serve as the classroom facility for the American Institute of Nondestructive Testing.

Project Progress: The commercial building permit was issued on 8/31/2023 and is under construction.

Address: 502 Juniper St

PZE Process: Interim Use Permit **Date Issued:** 10/2/23

Project Description: The utilization of the property as a short-term rental.

Project Progress: The IUP was approved by the Council on October 2nd, the applicants have resumed operation of the short-term rental at the premises.

Address: 1202 6th St S

PZE Process: Variance **Date Issued:** 11/03/23

Project Description: Allowing the existing Ice producing machine at the premises to be 100% metal sided.

Project Progress: The City Council approved this at their 11/20/23 meeting. Staff will work with the applicant in the winter to produce a final landscape plan as required by the variance.

Address: 701 4th St SW

PZE Process: Interim Use Permit **Date Issued:** Denied

Project Description: The utilization of the property as a short-term rental.

Project Progress: The IUP application was denied at the January 2nd City Council meeting. The applicant has been approved for a rental license upon proof of a property manager residing within 50 miles of the property.

Address: 100 Washington St.

PZE Process: Conditional Use Permit **Date Issued:** 1/2/2024

Project Description: The utilization of the property as an auto repair shop.

Project Progress: The applicant has applied for a sign permit. The Fire Marshal is working with the property owner and business to bring the building up to fire code.

Address: 524 N 8th St

PZE Process: Interim Use Permit **Date Issued:** 1/2/2024

Project Description: The utilization of the property as a short-term rental.

Project Progress: The applicant has obtained a rental license and is now allowed to operate a short-term rental at the subject property.



City Council Agenda Request

MEETING DATE: February 20, 2024

TITLE OF ITEM: Approve Policy for Donation of Surplus Equipment to a Nonprofit Organization

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

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

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

SUMMARY OF ISSUE: In October, the Park Board approved the donation of much of the City's surplus sporting equipment related to recreation programs that are no longer administered by the City. Equipment includes youth baseball equipment such as bats, bat bags, balls, helmets, gloves (used and new), catcher pads and masks, pants (new), shirts/jerseys (used and new, sponsors and Brainerd names), and cleats. Per State Statute 471.3459, the City may donate surplus equipment to one or more nonprofit organizations. However, before making any donations, it must adopt a policy on how it will determine what equipment is surplus eligible for donation and how it will determine which nonprofit organizations may receive donations. The policy must address the obligations of the City to disclose to the nonprofit(s) that the surplus equipment may be defective and cannot be relied upon for safety purposes.

Attached to this item is a draft policy for Donation of Surplus Equipment to a Nonprofit Organization. Some key points of the policy are as follows:

- All surplus equipment would be brought to the City Council to declare eligible for donation.
- Surplus equipment would be posted on the website for 30 days, allowing for eligible organizations to apply for the donations.
- For donations under \$1,000, the City Administrator can approve the donations. Donations over \$1,000 require a majority vote of Council.
- The City can prioritize the donations to eligible organizations based on several factors.
- No City employees/officials can take possession of any surplus equipment.
- All equipment is donated "as-is" with no guarantees or warranties.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Staff would also request Council feedback on the fair market value of the surplus equipment that would require City Council approval for donation. Staff has included \$1,000 in the draft. However, Council could elect to raise this amount to a different amount, such as \$5,000.

RECOMMENDED ACTION/MOTION: Staff recommends approval of the draft policy as presented with direction from the Council on the fair market value amount.

FINANCIAL IMPACT: N/A

City of Brainerd, Minnesota

Policy for Donation of Surplus Equipment to a Nonprofit Organization

Purpose

The purpose of this Policy is to establish procedures for the Donation of Surplus Equipment by the City to a Nonprofit Organization as required by Minnesota Statute § 471.3459.

Scope

This policy applies to all City departments that generate Surplus Equipment and governs the actions of all City employees and officials.

Definitions

“City” means the City of Brainerd, Minnesota.

“City Council” means the governing body of the City.

“Donation” means to contribute, donate or give Surplus Equipment at no cost to a Nonprofit Organization that serves a public purpose and benefits its community as a whole.

“Eligible Organization” means a Nonprofit Organization serving one or more of the following functions: cultural, historical, educational, safety, social services, environmental or economic.

“Fair Market Value” means the price at which property would change hands between a willing buyer and a willing seller, neither being under any compulsion to buy or to sell and both having reasonable knowledge of all relevant facts.

“Nonprofit Organization” means an organization formed under Section 501(c)(3) of the Internal Revenue Code.

“Policy” means this Policy adopted by the City Council.

“Surplus Equipment” means equipment used by the City that is no longer needed by the City and, has minimal or no resale value.

“Surplus Equipment Form” means the form attached as Exhibit I to this Policy that must be filled out by a Nonprofit Organization requesting a Donation of Surplus Equipment.

Procedure

The City shall determine all Surplus Equipment and may offer it for Donation in conformance with the following guidelines:

1. Identify Surplus Equipment. Department supervisors are responsible for monitoring their equipment and shall identify and report all Surplus Equipment to the City Administrator on at least an annual basis.

2. Determine the Fair Market Value of Surplus Equipment. The City Administrator shall work with City staff to determine the Fair Market Value of the Surplus Equipment.

3. City Council Declaration. The City Administrator will forward a list of the Surplus Equipment with each item's Fair Market Value to the City Council who shall approve or deny the Surplus Equipment as eligible for Donation. The City has no obligation to make a Donation of Surplus Equipment. Surplus Equipment that is not donated may be sold, recycled or discarded in the discretion of the City Administrator.

4. Donation. After the City Council has determined the Surplus Equipment is eligible for Donation, the City Administrator is responsible for coordinating the Donation of the Surplus Equipment in accordance with the terms of this Policy.

5. Transfer between Departments. All Surplus Equipment must first be considered for transfer between departments for the benefit of the City.

6. Advertisement. Surplus Equipment shall be posted as eligible for Donation on the City's website. The City may also use other reasonable means to notify Eligible Organizations about the availability of Surplus Equipment. The City shall wait at least 30 days after advertising Surplus Equipment before approving any Donation.

7. Surplus Equipment Form. Eligible Organizations interested in Surplus Equipment shall fill out a Surplus Equipment Form and submit the form to the City Administrator.

8. Approval of Donation. If the Surplus Equipment has a Fair Market Value less than \$1,000, the City Administrator shall approve the Donation to an Eligible Organization, subject to review by the City Council. If the Surplus Equipment has a Fair Market Value greater than \$1,000, the City Council must approve the donation by a majority vote of the City Council.

9. Prioritization of Donations. If more than one Eligible Organizations requests a Donation for the same Surplus Equipment, the City shall consider factors it deems relevant including how the Surplus Equipment will be used, the benefit to the Eligible Organization, the impact on the City, how the Donation will accomplish goals of the City Council, and any previous Donation to the Eligible Organization.

10. Conflict of Interest. All City employees and officials are prohibited from taking possession of any Surplus Equipment on behalf of an Eligible Organization.

11. As Is. A Donation of Surplus Equipment is made "as is" with no warranty, guarantee or representation of any kind, express or implied, as to the condition, utility, or usability of the Surplus Equipment offered. The Surplus Equipment may be defective and cannot be relied upon for safety purposes.

12. Title. The City Administrator shall cause any title or other ownership documents to be transferred to the Eligible Organization at the time of transfer. Any fees required to transfer the Surplus Equipment are the responsibility of the Eligible Organization.

13. Transportation. In the Surplus Equipment Form, the Eligible Organization must provide a detailed plan for transporting the Surplus Equipment from the City to the Eligible Organization. The Eligible Organization must pay all expenses associated with the transportation of the Surplus Equipment.

14. Delegation. The City Administrator may delegate specific responsibilities for implementing this Policy.

15. Documentation. The City Administrator shall document the Donation of all Surplus Equipment and shall keep such records in accordance with the City's Records Retention Schedule.

16. Review of Policy. The City Administrator is responsible for maintaining and reviewing this Policy. Any changes to this Policy must be approved by the City Council.

Exhibit I
Surplus Equipment Form

Organization Name: _____

Organization Address:

Organization Website: _____

(Attach proof of status as a nonprofit corporation under Section 501(c)(3) of the Internal Revenue Code.)

Organization Purpose: _____

Point of Contact

Name: _____

Address: _____

Email: _____

Phone: _____

City Surplus Equipment of Interest: _____

How will the requested Surplus Equipment benefit your organization?

How do you plan to transport the surplus property from the City to your location?

DISCLAIMER OF WARRANTIES. The City makes no agreement, warranty or representation, either express or implied, as to the value, design, condition, merchantability or fitness for any particular purpose or use of the Surplus Equipment by the recipient or any other user.

The recipient acknowledges the Surplus Equipment may be defective and that it cannot be relied upon for safety purposes. The recipient has a duty to inspect the Surplus Equipment before it is used for any purpose.

The recipient acknowledges that the City is not a manufacturer of the Surplus Equipment or a dealer therein; that the Surplus Equipment is being provided “as-is” and “with all faults,” it being

agreed and understood that all of the aforementioned risks are to be borne by the recipient or user of the Surplus Equipment.

In no event shall the City be liable for any damages in connection with or arising out of the recipient's or any other person's or entity's use of the Surplus Equipment.

I acknowledge that the Donation of any Surplus Equipment to my organization is subject to the City's Policy for Donation of Surplus Equipment to a Nonprofit Organization.

I have authority to request a Donation from the City and to bind my organization to the terms of this form.

Signature of Applicant _____

Date _____















City Council Agenda Request

MEETING DATE: February 20, 2024

TITLE OF ITEM: Approval of Sewer Lead Job Description

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

ESTIMATED TIME (MIN): 2 minutes

SUMMARY OF ISSUE: When completing our Classification and Compensation Study, Flaherty & Hood recommended that our Maintenance III/Sewer Lead position become its own Job Classification. It was noted that the Sewer Lead must possess and maintain an MPCA Collector's License (other Street Maintenance III employees are not required to possess that license) and the Sewer Lead also has the additional responsibility for overseeing the use of the City's vac truck.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: This new classification was negotiated with the IUOE Street Division Union and the wage for said position is included in the 2024-2026 IUOE Street Union Contract.

RECOMMENDED ACTION/MOTION: Motion to approve the Sewer Lead Job Description as presented.

FINANCIAL IMPACT: This position and wage was included in the 2024 budget as recommended by the Flaherty & Hood Classification and Compensation Study.



Sewer Lead – Street & Sewer Division

Department: Public Works

FLSA Status: Non-Exempt

General Definition of Work

Performs a variety of semi-skilled maintenance work, and operates a variety of trucks, heavy equipment and tools in the construction, operation, repair, maintenance, and replacement of City street and storm drainage facilities and systems; performs related duties as required or apparent. Work is performed under the immediate supervision of the Street Foreman. May act as lead worker over other personnel as assigned.

Qualification Requirements

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

Essential Functions

- Performs maintenance to sanitary and storm sewer system including repairs, flushing, jetting and cleaning utilizing sewer vactor and CCTV televising equipment; Prepares field reports.
- Operates a backhoe, pay loader, grader and dump truck with attachments to plow city streets and parking lots, and to haul material, salt and sand streets, and clean streets.
- Removes snow from alleys, sidewalks, intersections, municipal parking lots, and around city buildings; places no-parking signs as needed for snow removal.
- Performs preventative and corrective maintenance repair for department vehicles and heavy and light equipment including repairing or adjusting hydraulic systems, motors, brakes, disc drives, steering, electrical and cooling systems, alternators, starters, etc.
- Operates a cutting torch, rosebud, cutting tips and torque wrench as needed in repairing equipment and fabricating parts; makes some repairs to vehicle and equipment bodies.
- Cleans storm and sanitary sewers, catch basins, grates and manholes; cleans, installs, repairs, and replaces utility covers; cleans and repairs culverts, installs storm sewer lines from utility hole to catch basin.
- Assists with data collection for GIS mapping and updates information as appropriate.
- Coordinates with IT/GIS Department staff on necessary map updates including information gathered from field reports and measurements.
- Performs utility locating and marking for the sanitary and storm sewer system; responds to emergency locates when notified.
- Performs installation and tiling of sewer mains; hauls gravel and dirt, excavates dirt using a backhoe and fills in or repairs the holes after the work is complete. Maintains street department buildings; may perform some welding, cement work, carpentry, painting, and plumbing on City buildings, fixtures, and/or equipment as needed.
- Supervises subordinate personnel and provides instructions regarding safety, methods of operation and maintenance of equipment.
- Order supplies and parts for sanitary & storm sewer system; assists in determining equipment needs and purchases;
- Attendance at continuing education events applicable to the position is required.
- Must be willing to work flexible hours and weekends as needed.
- Performs other duties when assigned or when necessary.

Sewer Lead – Street & Sewer Division

Page 2

Knowledge, Skills, and Abilities

- Comprehensive knowledge of materials, methods and techniques used to successfully repair and maintain public streets, storm sewer system, and sanitary sewer collection system.
- Considerable knowledge of vehicle and equipment maintenance and repair.
- Considerable knowledge of materials, methods, and practices used in street, storm sewer and grounds maintenance including snow removal.
- Working knowledge of traffic laws as applied to operating trucks and heavy equipment.
- Considerable skill in the safe operation of motor vehicles as well as light and heavy equipment including in and alongside traffic.
- Considerable ability to operate heavy and light equipment to maintain and repair streets, haul material, remove snow, clean streets, mow grass and apply salt and sand to City streets.
- Considerable ability to follow oral and written instructions.
- Basic knowledge of GIS mapping including how to interpret and read information.
- Ability to supervise work crews independently.
- Ability to read infrastructure maps and engineering record drawings for the purpose of locating and marking underground utility mains and laterals.
- Considerable ability to establish and maintain effective working relationships with others and communicate effectively with City staff and the public.

Education, Experience and Special Requirements

- Possess a valid Minnesota Class B commercial driver's license or have the ability to obtain one prior to employment.
- Three (3) years of experience operating and maintaining vehicles and equipment used in street and or sewer maintenance. Completion of vocational training in heavy equipment or sewer maintenance field can substitute for one year of experience.
- Possess and maintain an MPCA Collector's License

Physical Requirements

This work requires the regular exertion of up to 10 pounds of force, frequent exertion of up to 25 pounds of force and occasional exertion of up to 100 pounds of force; work regularly requires speaking or hearing and using hands to finger, handle or feel, frequently requires standing, walking, sitting, stooping, kneeling, crouching or crawling, reaching with hands and arms, pushing or pulling, lifting and repetitive motions and occasionally requires climbing or balancing and tasting or smelling; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception, night vision and peripheral vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires visual inspection involving small defects and/or small parts, using of measuring devices, assembly or fabrication of parts within arm's length, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work regularly requires working near moving mechanical parts and exposure to outdoor weather conditions, frequently requires exposure to fumes or airborne particles and exposure to vibration and occasionally requires wet, humid conditions (non-weather), working in high, precarious places, exposure to toxic or caustic chemicals, exposure to extreme heat (non-weather) and exposure to the risk of electrical shock; work is generally in a loud noise location (e.g. grounds maintenance, heavy traffic). The worker may be exposed to blood borne pathogens. May be required to wear specialized personal protective gear.

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

Last revised: February 6, 2024



City Council Agenda Request

MEETING DATE: February 20, 2024

TITLE OF ITEM: Approve 2024-2026 Contract Terms and Wage Resolution with IUOE Local No. 49 (Street Division) Union

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert, Human Resources
Director, Patrick Wussow, Interim City
Administrator

DEPARTMENT: HR

PRESENTER: Kris Schubert, Human Resources
Director, Patrick Wussow, Interim City
Administrator

ESTIMATED TIME (MIN): 2 minutes

SUMMARY OF ISSUE: The City has reached a Tentative Agreement (TA) with the IUOE Local No. 49 Union representing the Street Division employees for the 2024-2026 Union Contract. The attached summary includes the items agreed to by the City and Union during negotiations. The contract includes the below Across the Board Increases (ABI) for the 2024-2026 contract.

1/1/2024	7/1/2024	1/1/2025	7/1/2025	1/1/2026
2.5%	2%	3.75%	2%	2%

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: One of the items noted in the TA is approval of a Memorandum of Agreement (MOA) with the Union regarding the new Earned Sick and Safe Time (ESST) law. Please note we are still working with the City Attorney and all seven unions to finalize the ESST MOAs and that the MOAs will be presented to Council for approval when finalized.

RECOMMENDED ACTION/MOTION: 1. Motion to approve the attached 2024-2026 Tentative Agreement Summary between the City and IUOE Local No. 49 Union representing the Street Division employees; and

2. Adopt the attached resolution setting the IUOE Local No. 49 Street Division wages for 2024-2026.

FINANCIAL IMPACT: The 2024 wage adjustments are included in the City's 2024 budget.

City of Brainerd – IUOE Local #49 (Street) Union
Tentative Agreement Terms
February 1, 2024

The following is the tentative agreement package terms reached between the City of Brainerd and the IUOE Local #49 (Street) Union during 2024 - 2026 contract negotiations. This package is for Union and City Council consideration/approval:

1. Article VIII. Holidays

Section 1. The following holidays, or days observed as such, shall be considered as paid holidays for all Employees covered by this Agreement:

New Year's Day	Veteran's Day	Thanksgiving Day
President's Day	Independence Day	Friday after Thanksgiving
Memorial Day	Labor Day	Juneteenth (Unpaid)
Martin Luther King Day	Christmas Day	
	2 Floating Holidays	

2. Article XII. Hospitalization

The city contribution amount will not fall below the capped dollar amount of ~~\$1420.00~~ **\$1475.00** per month.

3. Article XV. Central Pension Fund

An employee's annual CPF contributions cannot exceed ~~Five~~ **Ten** Thousand Dollars (~~\$5000.00~~ **10,000**) in a year to comply with limitations set forth under Minnesota Statue §356.24, subd. 1(10) as amended in 2005. January 1, ~~2023~~ **2024**, the employee's contribution amount will be ~~\$2.40~~ **(hourly amount will be determined by the Local #49 Group)** per hour. The Union will also determine the January 1, 2025 and 2026 contribution amount per hour.

4. ARTICLE XI. Wages.

1/1/2024: 2.5%
7/1/2024: 2%
1/1/2025: 3.75%
7/1/2025: 2%
1/1/2026: 2%

5. ARTICLE XVI. Period of Agreement - Approval.

January 1, 2024, to December 31, 2026 (three-year Duration).

6. **HCSP – Union will verify contribution for next contract period with its members and provide language.**
7. **Approval of a Joint Memorandum of Agreement between the City and Union as proposed by the City regarding the new Earned Sick and Safe Time (ESST) law.**
8. **Holiday Pay Clarification - Discussion clarifying intent for employees that must report on holidays versus a day observed as. As an example, if Christmas Day is on a Saturday and employees are required to come into work on both Friday and Saturday, which day is considered the holiday for worked holiday double-time pay? Per Union, double-time holiday pay should be on the actual holiday.**
9. **In the event that the Contract is approved by the Union, but not signed before February 28, 2024, retroactive pay to January 1, 2024, will be allowed if the Union votes and approves this Tentative Agreement package so it is ready for Council's public consideration on 2/20/24.**
10. **Union will vote on this tentative agreement and provide the City a response by 3 pm on Wednesday, February 7, 2024.**
11. **Clarification regarding an Exceeds Rating on an Employee's 2022-2023 Annual Performance Review: NOTE: The following language is under review by the IUOE Attorney:**

One Time Preservation of "Exceeds" Rating for Qualifying Employees

The parties agreed to a new wage grid for the 2024-2026 Agreement. Due to the realignment of the wage grid, some employees were placed on a lower step on the 2024 wage grid than they had been placed on the previous wage grid. In order to preserve those employees' possibility for advancement to Step 7 on the Wage Grid, employees who were placed on Step 4 or higher on the Wage grid on the 2023 Agreement and who received an "exceeds expectations" rating on their 2022-2023 annual performance evaluation ("Eligible Employees") will have the opportunity to use their 2022-2023 annual performance evaluation rating for purposes of advancement to Step 7 on the Wage grid in accordance with the following conditions:

1. The Eligible Employee may utilize his or her 2022-2023 performance evaluation in place of any "meets expectations" rating on any performance evaluation during the three-year period prior to the date that the Eligible Employee is otherwise first eligible to advance to Step 7 on the Wage Grid; and

2. The Eligible Employee remains continuously employed by the City from January 1, 2024, until the date that the Eligible Employee is first eligible to advance to Step 7 on the Wage Grid; and
3. The Eligible Employee does not receive a “does not meet expectations” rating on any annual performance review in the three-year period before the Eligible Employee would otherwise be eligible for advancement to Step 7 in the Wage Grid.

This is a one-time opportunity to allow the Eligible Employees to preserve an “exceeds expectation rating” earned on the 2022-2023 performance review. It does not apply to any rating on any other performance review and does not apply to any employees other than the Eligible Employees. Each Eligible Employee may only use the 2022-2023 performance rating preserved by this clause for purposes of their first advancement to Step 7 on the Wage Grid. The 2022-2023 performance rating shall not apply toward any advancement to Step 8 on the Wage Grid.

RESOLUTION

No. :24

BE IT RESOLVED by the Council of the City of Brainerd to set the hourly wages for City employees who are members of the IUOE Local #49 (Street) Union as provided in its 2024-2026 Union Contract as described below.

Below is the eight-step wage grid referenced above, and incorporated in Article XI, Section 1, as approved by the Council:

	<i>Step 1</i>	<i>Step 2</i>	<i>Step 3</i>	<i>Step 4</i>	<i>Step 5</i>	<i>Step 6</i>	<i>Step 7</i>	<i>Step 8</i>
Maintenance I								
1/1/2024	24.70	25.64	26.58	27.52	28.46	29.40	31.75	32.93
7/1/2024	25.19	26.15	27.11	28.07	29.03	29.99	32.39	33.59
1/1/2025	26.13	27.13	28.13	29.12	30.12	31.11	33.60	34.85
7/1/2025	26.65	27.67	28.69	29.70	30.72	31.73	34.27	35.55
1/1/2026	27.18	28.22	29.26	30.29	31.33	32.36	34.96	36.26
Maintenance II								
1/1/2024	28.34	29.42	30.50	31.58	32.66	33.74	36.44	37.79
7/1/2024	28.91	30.01	31.11	32.21	33.31	34.41	37.17	38.55
1/1/2025	29.99	31.14	32.28	33.42	34.56	35.70	38.56	40.00
7/1/2025	30.59	31.76	32.93	34.09	35.25	36.41	39.33	40.80
1/1/2026	31.20	32.40	33.59	34.77	35.96	37.14	40.12	41.62
Maintenance III								
1/1/2024	30.36	31.51	32.67	33.83	34.98	36.14	39.03	40.48
7/1/2024	30.97	32.14	33.32	34.51	35.68	36.86	39.81	41.29
1/1/2025	32.13	33.35	34.57	35.80	37.02	38.24	41.30	42.84
7/1/2025	32.77	34.02	35.26	36.52	37.76	39.00	42.13	43.70
1/1/2026	33.43	34.70	35.97	37.25	38.52	39.78	42.97	44.57
Sewer Lead								
1/1/2024	31.42	32.62	33.81	35.01	36.21	37.41	40.40	41.89
7/1/2024	32.05	33.27	34.49	35.71	36.93	38.16	41.21	42.73
1/1/2025	33.25	34.52	35.78	37.05	38.31	39.59	42.76	44.33
7/1/2025	33.92	35.21	36.50	37.79	39.08	40.38	43.62	45.22
1/1/2026	34.60	35.91	37.23	38.55	39.86	41.19	44.49	46.12
Street & Sewer Foreman								
1/1/2024	38.62	40.10	41.57	43.04	44.51	45.98	49.66	51.50
7/1/2024	39.39	40.90	42.40	43.90	45.40	46.90	50.65	52.53
1/1/2025	40.87	42.43	43.99	45.55	47.10	48.66	52.55	54.50
7/1/2025	41.69	43.28	44.87	46.46	48.04	49.63	53.60	55.59
1/1/2026	42.52	44.15	45.77	47.39	49.00	50.62	54.67	56.70

Adopted this ____ day of February, 2024.

KELLY BEVANS
President of the Council

Approved this ____ day of February, 2024.

DAVE BADEAUX
Mayor

ATTEST: _____
PATRICK WUSSOW
Interim City Administrator



City Council Agenda Request

MEETING DATE: February 20, 2024

TITLE OF ITEM: Approval of an MOA for IBEW Grievance No. 2023-4 regarding the Reclassification of Ryan Miller

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert, Human Resources
Director

DEPARTMENT: HR

PRESENTER: Kris Schubert, Human Resources
Director

ESTIMATED TIME (MIN): 2 Minutes

SUMMARY OF ISSUE: On November 6th, the Council approved the reclassification of Ryan Miller from an Apprentice Lineworker to Lineworker as he had successfully completed his apprenticeship program. The reclassification was effective September 27, 2023, and he was placed on Step 4 (\$43.54 per hour) on the Lineworker Wage Grid. The IBEW Public Utility Union filed Grievance No. 2023-4 on November 20, 2024. The Union felt Mr. Miller should be considered, and compensated, at the Journeyman Lineworker rate upon notification from the administering body that he completed all related training, and on-the-job hours - not when he received his official certification document from the School. The Union also felt that since the Apprenticeship Progression schedule was based on Step 5 of the Lineworker Grid, he should receive the full Step 5 rate upon completion of the apprenticeship. Since these items were not specifically identified in the union contract, the issues were subject to interpretation by both the City and the Union. After discussing this with our Employment Law Attorney, we agreed that a settlement as provided in the attached Memorandum of Agreement (MOA) would resolve the current issue and also clarify how this should be handled in the future.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: As noted in #4 of the MOA, when an employee completes an apprenticeship program in the future, the employee shall be placed on the Wage Grid at the lowest step that constitutes a raise of at least three percent (3%) above the rate the employee was paid at the time of completion of the apprenticeship program (this language follows our Employee Policy Manual). In addition, the date of completion of the apprenticeship program shall be the date certified by the MN Department of Labor and Industry (DOLI) as the date that the employee completed the apprenticeship program. Since BPU Staff provides that date to DOLI as the sponsor of our apprenticeship program, our internal process will be for Staff to provide the date noted on the official certification document from the school/apprenticeship program.

RECOMMENDED ACTION/MOTION: Motion to approve the MOA between the City of Brainerd and the International Brotherhood of Electrical Workers Local Union #31 resolving IBEW Grievance No. 2023-4 regarding the reclassification of Ryan Miller as presented.

FINANCIAL IMPACT: Staff will calculate the backpay as required by the MOA.

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (“MOA”) is entered into between the City of Brainerd (“City”) and International Brotherhood of Electrical Workers Local Union #31 (“Union”). The City and the Union are collectively referred to herein as the “Parties,” and each individually as a “Party.”

WHEREAS, the City and the Union are parties to the 2021-2023 collective bargaining agreement (“CBA”) governing the terms and conditions of employment for employees of Brainerd Public Utilities (“BPU”);

WHEREAS, the City and the Union are currently in the process of negotiating a successor agreement to the CBA (“successor CBA”);

WHEREAS, on November 22, 2023, the Union filed Grievance No. 2023-4, alleging that the City failed to place Ryan Miller on Step 5 of the 2023 Lineworker Wage Grid (“Wage Grid”) in the CBA as of July 27, 2023;

WHEREAS, the City denied that it violated the CBA, specifically denied that it placed Ryan Miller on the wrong step of the Wage Grid, and asserted that the date of completion of the apprenticeship program was the date identified in the certificate issued by the apprenticeship program;

WHEREAS, the City and the Union desire to settle this dispute through negotiations rather without further proceedings.

NOW, THEREFORE, the parties hereto have agreed as follows:

1. **Dismissal of Grievance with Prejudice.** The Union hereby withdraws Grievance No. 2023-4, said grievance deemed settled and resolved.
2. **Placement on the Wage Grid.** The City shall place Ryan Miller on Step 5 of the Wage Grid, as identified in the 2021-2023 CBA effective July 27, 2023.
3. **Backpay.** The City shall pay Ryan Miller the difference between his Apprentice Lineworker Wage as of July 26, 2023 (\$43.54 per hour) and Step 5 on the Wage Grid (\$48.38 per hour), for the hours worked from July 27, 2023, through November 5, 2024. In addition, the City shall pay Ryan Miller the difference between his Step 4 Lineworker Wage (\$46.37 per hour) and Step 5 on the Wage Grid (\$48.38 per hour) for the hours worked from November 6, 2023, to the date of placement on Step 5 of the Wage Grid. Such payment will be made within thirty (30) days of the execution of this CBA by both parties, in conjunction with a regular City payroll payment. The payment pursuant to this Section shall be

subject to all customary withholdings, including, but not limited to, income tax withholdings.

4. **Modification of CBA Language.** Effective February 1, 2024, Article 12, Section 4 of the CBA is amended to include the following language:

Upon completion of an apprenticeship program, the employee shall be placed on the Wage Grid at the lowest step that constitutes a raise of at least three percent (3%) above the rate the employee was paid pursuant to this Section at the time of completion of the apprenticeship program. For purposes of this Section, the date of completion of an apprenticeship program is the date certified by the Minnesota Department of Labor and Industry as the date that the employee completed the apprenticeship program.

5. **Effective Date and Duration.** The Parties agree that the language identified in Paragraph 4 shall be added to the successor CBA currently being negotiated. The Parties agree that this MOA shall remain in effect until such time as the successor CBA, containing the language identified in Section 4 of this MOA, has been ratified by the City and the Union.
6. **Equal Drafting.** In the event any party asserts that a provision in this MOA is ambiguous, this MOA must be construed to have been drafted equally by the parties.
7. **Choice of Law and Severability.** This MOA shall be construed and interpreted in accordance with the laws of the State of Minnesota. Any term or condition of this MOA found to be invalid, illegal or unenforceable shall not render this MOA void or unenforceable. If any particular provision of this MOA shall be adjudicated to be invalid or unenforceable, the parties specifically authorize the tribunal making such determination to sever and/or replace the invalid or unenforceable provision of this MOA to allow this MOA and the remaining provisions thereof, to be valid and enforceable to the fullest extent allowed by law.
8. **Entire Agreement.** This Memorandum of Agreement contains the full and complete agreement between the parties relative to the subject matter addressed herein. No promises, guarantees, or representations relative to the subject matter addressed herein exist outside the terms of this document. No party has relied upon any oral statements or promises that are not set forth in this MOA. This MOA controls to the extent that it conflicts with the terms of the CBA. No changes to this MOA are valid unless they are in writing and signed by both parties.

Memorandum of Agreement

9. **Voluntary Agreement.** The parties acknowledge that they have read the foregoing Agreement and by signing below affirm that they fully understand and voluntarily agree to be bound by its terms and conditions.

IN WITNESS THEREOF, the parties hereto have hereunto set their hands the date and year affixed below.

FOR THE CITY OF BRAINERD

FOR INTERNATIONAL
BROTHERHOOD OF ELECTRICAL
WORKERS LOCAL UNION #31

Patrick Wussow, Interim City Administrator

Will Keyes
Will Keyes, Business Manager

Date:

2/8/2024
Date:

Memorandum of Agreement



City Council Agenda Request

MEETING DATE: February 20, 2024

TITLE OF ITEM: Discussion regarding Interim City Administrator Wussow volunteering to continue to serve on the City's Union Negotiation Team effective February 29, 2024, going forward for Implementation of the Flaherty & Hood Recommended Wage Grid.

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Patrick Wussow, Interim City Administrator

DEPARTMENT: HR

PRESENTER: Patrick Wussow, Interim City Administrator

ESTIMATED TIME (MIN): 5 minutes

SUMMARY OF ISSUE: Interim City Administrator Wussow signed an agreement with the Brainerd City Council to serve as the Interim City Administrator from November 1, 2023 to February 28, 2024. Mr. Wussow sat in on the initial union negotiations at the end of October as a volunteer. The new City Administrator is under contract and will start his employment on February 26, 2024. Interim Administrator Wussow will have several days to assist in his acclimation to the City and the position. The City still has two of three union contracts open and currently in mediation. Mr. Wussow is proposing that he continue to assist the City in these negotiations until the contracts are settled at no expense to the City for this process. Because this is mediation lead by the Bureau of Mediation, it is a more formal process Interim Administrator Wussow wouldn't want there to be any misunderstanding for the mediator or the unions.

If, in the future, the new City Administrator or City Council, or himself wish to end services, they can do that in writing at any time.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: It is his hope that his experiences during our negotiations will continue to be positive.

RECOMMENDED ACTION/MOTION: The recommendation is to make a motion to appoint Patrick Wussow to the City of Brainerd Union Negotiation team, effective until the Flaherty and Hood wage grid is adopted system wide.

FINANCIAL IMPACT: none



City Council Agenda Request

MEETING DATE: February 20, 2024

TITLE OF ITEM: Approval of Modified Fee from GMP Consultants for City Administrator Search

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Patrick Wussow, Interim City
Administrator, Kris Schubert, Human Resources
Director

DEPARTMENT: HR

PRESENTER: Patrick Wussow, Interim City
Administrator

ESTIMATED TIME (MIN): 2 Minutes

SUMMARY OF ISSUE: On November 6, 2024, the Council approved retaining GMP Consultants for our City Administrator Search in the amount of \$16,500. That approval was based on the following language in the GMP proposal:

"The fee for conducting a City Administrator recruitment is \$16,500. The professional fee covers all consultant and staff time required to conduct the recruitment. Professional fees are billed in three equal installments: at the beginning, halfway, and upon completion of the final interviews. The City will be responsible for reimbursing expenses incurred on the City's behalf.

Expenses include:

- Websites, job boards and other advertising (est. \$1,600 - 1,900)
- Direct mail announcements (est. \$1,400 - 1,900)
- Consultant travel: Hotel, Mileage at IRS rate and \$65 per hour
- Background checks (est. \$225 per candidate)"

Since the language appeared to contradict, HR Director Schubert emailed Mr. Prothman on November 2, 2024, to verify if the bulleted expenses were included in the \$16,500 fee or not. Mr. Prothman confirmed they were so that was the recommended agreement amount.

When the third invoiced installment was received on January 30th, HR Director Schubert contacted Mr. Prothman inquiring about additional charges over the \$16,500 fee. He clarified that the charges were for the above expenses; further, that the above expenses were clarified as being excluded from the \$16,500 fee in the GMP Engagement Letter which was signed by Interim City Administrator Wussow on 11/7/23.

To summarize, there was miscommunication on both sides. Interim City Administrator Wussow contacted Mr. Prothman to discuss this. Mr. Wussow offered to compromise and that the City would pay GMP \$20,000 for their City Administrator Search services and that GMP would absorb any

additional cost over that amount. As of today, the total fee is around \$24,000 so the additional amount for GMP to absorb is approximately \$4,000. Staff also plans to submit the invoices in the amount of \$20,000 to Sourcewell for a requested \$10,000 reimbursement. With the Sourcewell funding, the City would actually only be paying an additional \$1,750.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Last fall, Staff contacted Sourcewell Staff who verified that this agreement would be eligible for its Consultant Services Reimbursement Program and that Sourcewell will reimburse 50% of the costs incurred up to \$10,000 per fiscal year per entity for hiring a third-party company for HR services.

RECOMMENDED ACTION/MOTION: Motion to increase the City's payment to GMP Consulting to \$20,000 for our recent City Administrator search.

FINANCIAL IMPACT: Overall, this would cost the City an additional \$1,750.

GMP Consultants

7041 Cascade Ave SE
Snoqualmie, WA 98065 US
Greg@GMPHR.com



INVOICE

BILL TO
City of Brainerd
501 Laurel St
Brainerd, MN 56401

INVOICE 24-441
DATE 02/14/2024
TERMS Net 30
DUE DATE 03/15/2024

DATE	DESCRIPTION	QTY	RATE	AMOUNT
	Invoice 1 of 1 per contract			16,500.00
	Consultant Expenses Invoice 1 of 1 per agreement with Greg and the Interim City Admin			3,500.00
	W-9 Attached			

Make checks payable to:
GMP Consulting LLC
7041 Cascade Ave SE
Snoqualmie, WA 98065
206 714 9499

BALANCE DUE **\$20,000.00**



City Council Agenda Request

MEETING DATE: February 20, 2024

TITLE OF ITEM: Approve Event/Street Closure Application - St. Patrick's Day Celebration and Parade

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: Attached to this request is an event/street closure application for the 2024 St. Patrick's Day Parade, to be held on Saturday, March 16, 2024 from 11:30 a.m. - 2:00 p.m.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The event consists of a medallion hunt (in which begins a few days before the parade), a kids costume contest hosted by the VFW, and a parade in downtown. The applicant, through the application, has indicated there will be amplified sound. Fliers and banners will be distributed to the downtown businesses and schools so that they are aware of the event. The applicant is requesting the closure of downtown streets per the attached map on the event application, including Maple Street, S. 7th Street, Front Street, S. 9th Street, and Laurel Street. The sidewalks will remain open during the event. The Police Chief has indicated that he will have some staffing available for the event to assist with closures and any other items that come up during the festivities.

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

FINANCIAL IMPACT: N/A



SPECIAL EVENT APPLICATION

Date of Application: 2/7/2024

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

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

Name of event: 2024 St. Patrick's Day Parade

Organizer Information

Organizer's Name: Cody Shepherd/Dave Badeaux
Organizer's Address: 315 S. 6th Street / 321 S. 7th Street
Event Contact Person: Cody Shepherd
Event Contact Daytime Phone: 218-820-6527
Event Contact E-mail Address: Shepherd2017@gmail.com
Contact Name/Number Day of Event: Same
For Profit/Nonprofit Status (type): 501c3 Brainerd Community Action

Applicant information (if different from the event organizer):

Applicant Name: Dave Badeaux
Applicant Address: 321 S. 7th Street Suite 105
Applicant Phone: 218-829-5278
Applicant E-mail Address: info@BrainerdCommunityAction.org

Event Information

Event Details (list each date separately)

Event Date	Start Time	End Time	Event Location(s) – see locations listed below
3/16/2024	11:30am	2:00pm	See Route Map

☐ Recurring event (requires only one application submittal per year)

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

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

Description of Activities

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

Medallion hunt starting a few days prior to parade

12pm - Kids Costume contest at VFW

1pm - Parade

Site Information

Electrical usage

☐

Yes

☐

No

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

Amplified Sound

☒

Yes

☐

No

Describe any recording and sound amplification equipment to be used in your event along with the times:

Restrooms provided

☐

Yes

☒

No

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

Company contracted for restrooms: _____

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

Signs, banners, and/or posters/flyers

☒

Yes

☐

No

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

8.5 x 11 color flyers to be distributed to downtown businesses

1/2 sheet flyers will be distributed to schools

Trash Receptacle Disposal

☐

Yes

☒

No

Company contracted for trash receptacle disposal: _____

Additional Event Information

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

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

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

Street Closure Request Information

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

Please see route map.

Date and time for beginning of street closures: **3/16/24 11:30 am**

Date and time for reopening of streets: **3/16/24 2:00 pm (completion of parade)**

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

Sidewalks will remain open, with city parking lots available nearby.

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

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

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

Hold Harmless Agreement and Insurance Information

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

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

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

Signature of Event Applicant

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



Signature of Applicant

Dave Badeaux

Print Name

Contacts, Permits, and Fees Checklist

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

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

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

Contact Information

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

For Official Use Only

Department Sign-offs Required

Department	Date/Initials	Comments
Brainerd Public Utilities	_____	_____
City Administration	_____	_____
Engineering Department	2/9 JD	See conditions below
Fire Department	_____	_____
Fire Support/EMS	_____	_____
Parks Department	_____	_____
Planning Department	_____	_____
Police Department	_____	_____

Event Application Approval

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

City Administrator

Date

Approval Conditions

Request traffic control materials one week prior to the event.

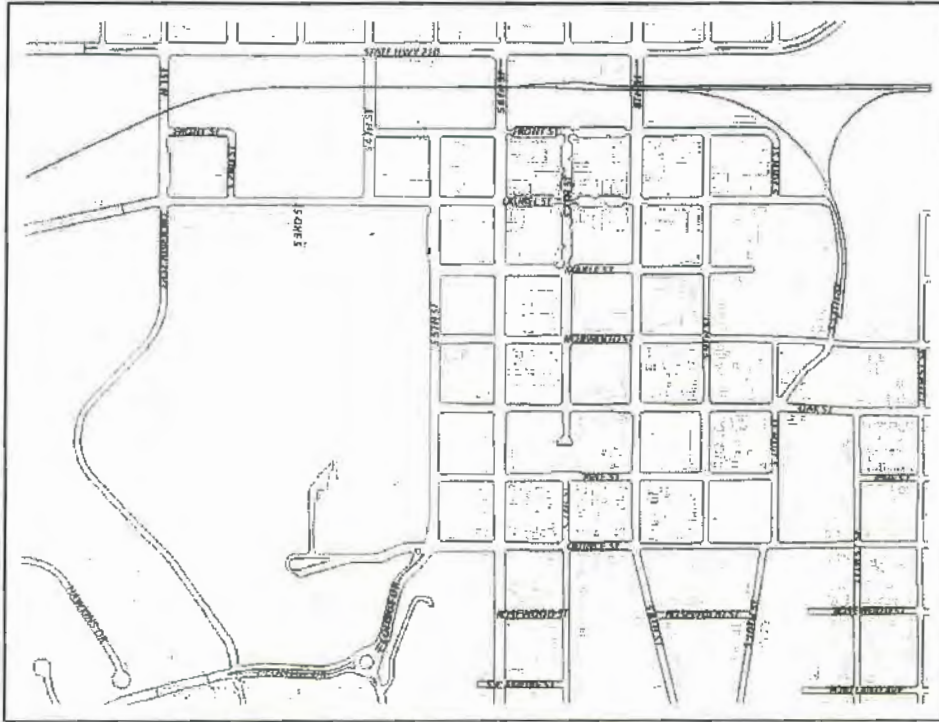
Submit required insurance to City Hall prior to the event.

Certification of Street Closure Approval

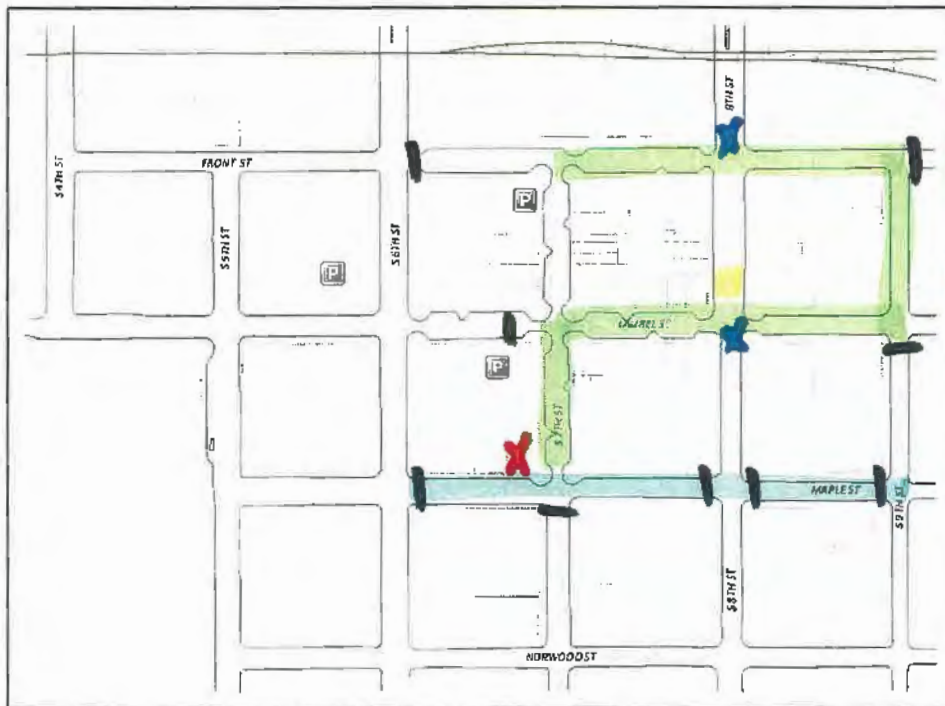
The street closure request as described herein was approved by the City Council at their _____, 20__ meeting. Approval is subject to the following condition(s):

Route Maps

Greater Downtown Area



Historic Downtown Area



- Staging
- Parade Route
- Parade Check in
- Judging
- Police
- Barricade



City Council Agenda Request

MEETING DATE: February 20, 2024

TITLE OF ITEM: Approve Brainerd Restoration Downtown Welcome Bench

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: Brainerd Restoration, in cooperation with the CLC Welding Program and Hy-Tec Construction, are proposing to install outdoor bench seating and table in one of the planter areas in downtown. The project would remove the plantings, tree, and mulch, replace with a paved concrete surface and install the new bench seating. It is intended that the installation would be ADA accessible. In addition, they are proposing a sign that would include decorative metal inserts. This sign could be sponsored by downtown businesses or other uses to promote downtown and local culture. Materials would include composite for the table tops and seating and painted steel for the framing and seat legs. This was brought for consideration by the City Council at the February 5th meeting.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: There were several comments received by the City Council that were incorporated into the design and clarifications received by Brainerd Restoration.

1. Consider removing the sections of black railing as well. This has been included in the updated drawings.
2. Consider adjusting the seating to encourage seating in either direction. Plans have been updated to reflect this comment.
3. Location remains as shown in the drawings as the southeast corner of S. 7th and Laurel Streets.

RECOMMENDED ACTION/MOTION: Staff recommends approval of the drawings as presented and to work with Brainerd Restoration on installation this spring.

FINANCIAL IMPACT: N/A



City Council Agenda Request

MEETING DATE: February 20, 2024

TITLE OF ITEM: Approve Plans & Specs and Authorize Bidding - Imp 23-15 and 23-27 - Evergreen Ave and Bluff Ave Rehabilitation

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: Attached to this request is the plans and project estimate for Improvements 23-15 and 23-27 – Evergreen Ave and Bluff Ave Rehabilitation Project (State Aid Project 108-116-003).

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The project consists of full-depth patching of severely distressed sections of Evergreen Avenue, replacement of heaved curb on Bluff Avenue, and seal coating of both Evergreen (N. 10th to 1st NE) and Bluff (Terrace to Evergreen) Avenues. The scope of work is intended to preserve and repair the pavement surface for the time being until reconstruction and utility replacement can occur. The project estimate based on estimated quantities is \$156,896.60, \$138,512.25 of which are State Aid eligible costs. \$18,384.35 of costs on Bluff would be locally funded through the Construction Fund 401. Bids are intended to be presented to the City Council at the March 18th, 2024 Council meeting for review and recommendation of award.

RECOMMENDED ACTION/MOTION: Staff recommends approval of the plans and specifications as presented and authorizing bidding of Improvements 23-15 and 23-27 – Evergreen Ave and Bluff Ave Rehabilitation Project (State Aid Project 108-116-003).

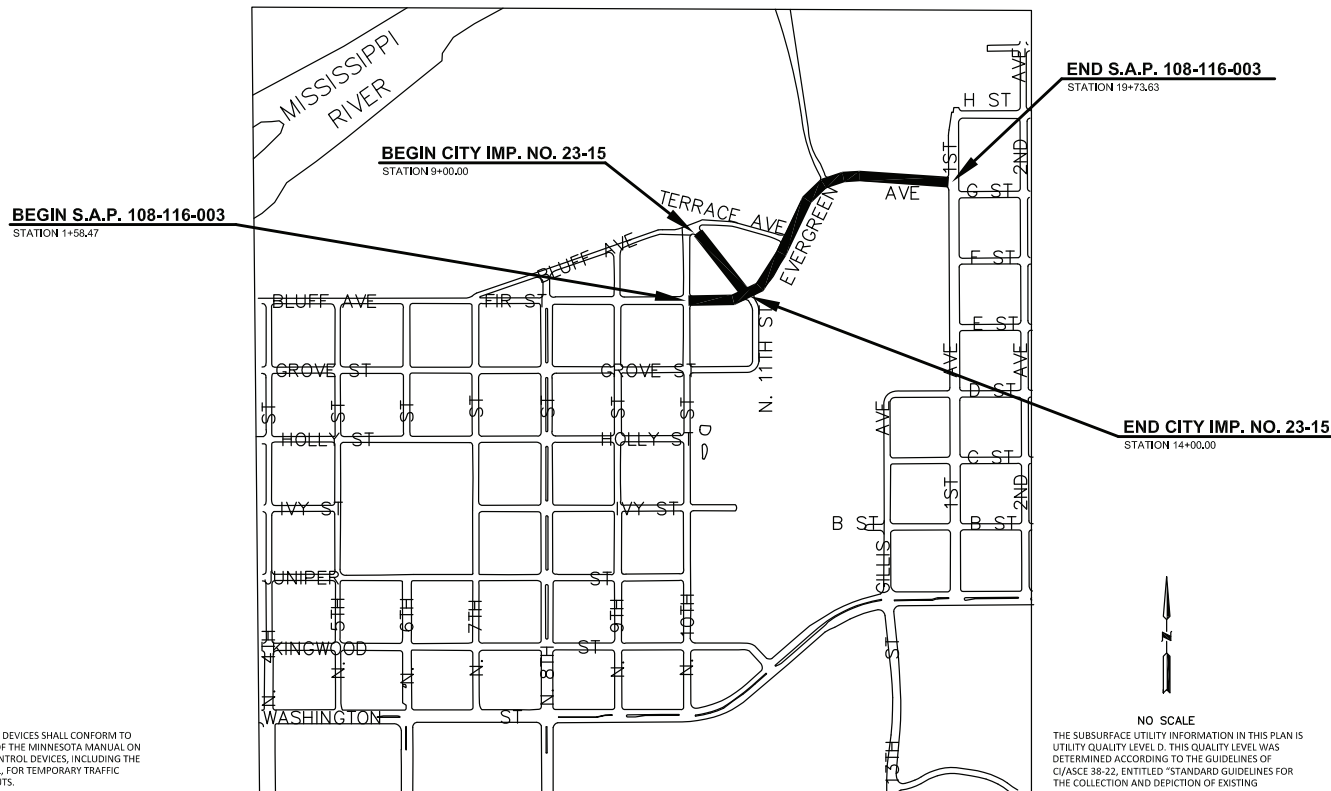
FINANCIAL IMPACT: N/A

MINNESOTA DEPARTMENT OF TRANSPORTATION

CITY OF BRAINERD, MINNESOTA

CONSTRUCTION PLAN FOR: BITUMINOUS SURFACING AND SEAL COAT
LOCATED ON EVERGREEN AVENUE (MSAS 116) BETWEEN NORTH 10TH STREET AND NE 1ST AVENUE

S.A.P. 108-116-003
GROSS LENGTH 1815.16 FEET 0.344 MILES
BRIDGES - LENGTH FEET MILES
EXCEPTIONS - LENGTH FEET MILES
NET LENGTH 1815.16 FEET 0.344 MILES



ALL TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE LATEST EDITION OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, INCLUDING THE LATEST FIELD MANUAL FOR TEMPORARY TRAFFIC CONTROL ZONE LAYOUTS.

SEC. 23, T. 45 N. - R. 31 W.

NO SCALE
THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL D. THIS QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF C/ASCE 38-22, ENTITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA."

GOVERNING SPECIFICATIONS
THE 2020 EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION
"STANDARD SPECIFICATIONS FOR CONSTRUCTION" SHALL GOVERN.

INDEX
SHEET NO. 1 TITLE SHEET
SHEET NO. 2 ESTIMATED QUANTITIES
SHEET NO. 3-5 EVERGREEN AVENUE PATCHING PLAN
SHEET NO. 6-8 EVERGREEN AVENUE SEAL COAT PLAN
SHEET NO. 9 BLUFF AVENUE PLAN
THIS PLAN CONTAINS 9 SHEETS.

DESIGN DESIGNATION EVERGREEN AVENUE (MSAS 116)
R-VALUE 70 ASSUMED ESALS 171,810
ADT (CURRENT YEAR) 2019 = 1,800
ADT (FUTURE YEAR) 2039 = 2,700
PROJECTED HCADT 2039 = 160
SOIL FACTOR 10 TON DESIGN
FUNCTIONAL CLASSIFICATION MAJOR COLLECTOR
NO. OF TRAFFIC LANES 2+12 NO. OF PARKING LANES 2+8,0
DESIGN SPEED 30 MPH
BASED ON STOPPING SIGHT DISTANCE:
HEIGHT OF EYE 3.5' HEIGHT OF OBJECT 2.0'
DESIGN SPEED NOT ACHIEVED AT:
TOTAL G.E. REQUIRED = 10,0"
1.5" 2360 WEARING COURSE = 3.4"
2.0" 2360 WEARING COURSE = 4.5"
4" 2211 CLASS 5 AGGREGATE BASE (EXISTING) = 4.0"
TOTAL G.E. ACHIEVED = 11.9"

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
APPROVED: Jesse Dehn, P.E., CITY ENGINEER
Digitally signed by Andjela Tomovic
Andjela Tomovic, LIC. NO. 57747, DATE: 2/8/24
Reviewed for compliance with State Aid Rules/Policy: District State Aid Engineer
Digitally signed by Andjela Tomovic
Andjela Tomovic, DATE: 2024.02.12 10:58:40 -06'00'
APPROVED FOR STATE AID FUNDING: FOR
STATE AID ENGINEER

STATE AID PROJECT NO. SAP 108-116-003
CITY IMPROVEMENT NO. 23-27, 23-15 SHEET NO. 1 OF 9 SHEETS

ENGINEER'S ESTIMATE - SAP 108-116-003 EVERGREEN AVENUE PAVEMENT REHABILITATION										
Item No.	Spec. No.	Description	Unit	Total Estimated Quantity	Unit Price	Total Estimated Cost	EVERGREEN AVENUE S.A.P. 108-116-003 (CITY IMP. 23-27)		BLUFF AVENUE CITY IMP. 23-15	
							Quantity	Cost	Quantity	Cost
1	2021.501	MOBILIZATION	LUMP SUM	1	\$ 15,000.00	\$ 15,000.00	0.88	13200.00	0.12	\$ 1,800.00
2	2101.502	CLEARING	EACH	1	\$ 2,000.00	\$ 2,000.00			1	\$ 2,000.00
3	2101.502	GRUBBING	EACH	1	\$ 2,000.00	\$ 2,000.00			1	\$ 2,000.00
4	2104.503	REMOVE CONCRETE CURB & GUTTER	LIN FT	110	\$ 10.00	\$ 1,100.00			110	\$ 1,100.00
5	2104.503	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	LIN FT	505	\$ 7.00	\$ 3,535.00	385	2695.00	120	\$ 840.00
6	2104.504	REMOVE BITUMINOUS PAVEMENT	SQ YD	3099	\$ 8.00	\$ 24,792.00	3050	24400.00	49	\$ 392.00
7	2355.506	BITUMINOUS MATERIAL FOR FOG SEAL	GAL	1095	\$ 2.20	\$ 2,409.00	915	2013.00	180	\$ 396.00
8	2356.504	BITUMINOUS SEAL COAT	SQ YD	9108	\$ 2.75	\$ 25,047.00	7615	20941.25	1493	\$ 4,105.75
9	2356.506	BITUMINOUS MATERIAL FOR SEAL COAT	GAL	3188	\$ 2.20	\$ 7,013.60	2665	5863.00	523	\$ 1,150.60
10	2360.509	TYPE SP 9.5 WEARING COURSE MIXTURE (2,C)	TON	627	\$ 100.00	\$ 62,700.00	620	62000.00	7	\$ 700.00
11	2531.503	CONCRETE CURB & GUTTER DESIGN B618	LIN FT	110	\$ 30.00	\$ 3,300.00			110	\$ 3,300.00
12	2563.601	TRAFFIC CONTROL	LUMP SUM	1	\$ 5,000.00	\$ 5,000.00	0.88	4400.00	0.12	\$ 600.00
13	2582.503	4" SOLID LINE MULTI COMP	LIN FT	300	\$ 3.00	\$ 900.00	300	900.00		
14	2582.503	4" BROKEN LINE MULTI COMP	LIN FT	320	\$ 3.00	\$ 960.00	320	960.00		
15	2582.503	4" DBLE SOLID LINE MULTI COMP	LIN FT	190	\$ 6.00	\$ 1,140.00	190	1140.00		

TOTAL ESTIMATED COSTS = \$ 156,896.60 \$ 138,512.25 \$ 18,384.35



City Council Agenda Request

MEETING DATE: February 20, 2024

TITLE OF ITEM: Award Contract for Historic Water Tower Rehabilitation Phase 2 Project

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): 5 Minutes

SUMMARY OF ISSUE: Staff received 3 bids for the Historic Water Tower Rehabilitation Phase 2 project. Bids received were as follows:

1. Hy-Tec Construction = \$436,000.00
2. Eagle Construction = \$574,400.00
3. TMI Coatings = \$646,000.00

The bids for Phase 2 of the water tower rehab work included replacement of the windows, sandblasting and spot repairs on the staircase, and electrical work including installation of additional lighting and heat tape. As a reminder, there is approximately \$235,000 remaining in the budget for this work, of which \$200,000 is ARPA funding which needs to be expended in 2024.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: In discussion with Hy-Tec Construction, the stair sandblasting was a significant expense. Roughly \$160,000. Some potential options for the Council to consider would be as follows:

1. Award Bid to Hy-Tec Construction in the amount of \$436,000. Allocate approximately \$200,000 in additional capital dollars to account for the difference.
2. Remove the stair sandblasting from the scope of work. Award contract to Hy-Tec Construction with the adjusted scope of work. Allocate approximately \$40,000 in additional capital dollars to account for the difference.
3. Make no award. Re-allocate the \$200,000 of ARPA funding to other City capital expenditures.

RECOMMENDED ACTION/MOTION: Staff requests direction from the Council on one of the options listed or an alternative option.

FINANCIAL IMPACT: Dependent on Council direction.

PROJECT TEAM

CLIENT	ARCHITECT	ELECTRICAL ENGINEER
CITY OF BRAINERD 501 LAUREL STREET BRAINERD, MN 56401 PHONE: (21) 828-2307 CONTACT: PAUL SANDY CITY ENGINEER PSANDY@CI.BRAINERD.MN.US	LHB, INC. 701 N WASHINGTON AVE SUITE 201 MINNEAPOLIS, MN PHONE: (612) 766-2811 CONTACT: MIKE LOVATO, AIA MIKE.LOVATO@LHBCORP.COM	CAIN THOMAS ASSOCIATES 3433 BROADWAY STREET NE, SUITE 475 MINNEAPOLIS, MN 55413 PHONE: (612) 279-4200 CONTACT: JAY CAIN JCRAIN@CTAMEP.COM

This project has been financed in part with funds provided by the State of Minnesota from the Arts and Cultural Heritage Fund through the Minnesota Historical Society. Post a project identification sign in a prominent location while work is in progress on a historic property.



BRAINERD WATER TOWER

PHASE 2 IMPROVEMENTS

624 WASHINGTON ST, BRAINERD, MN 56401

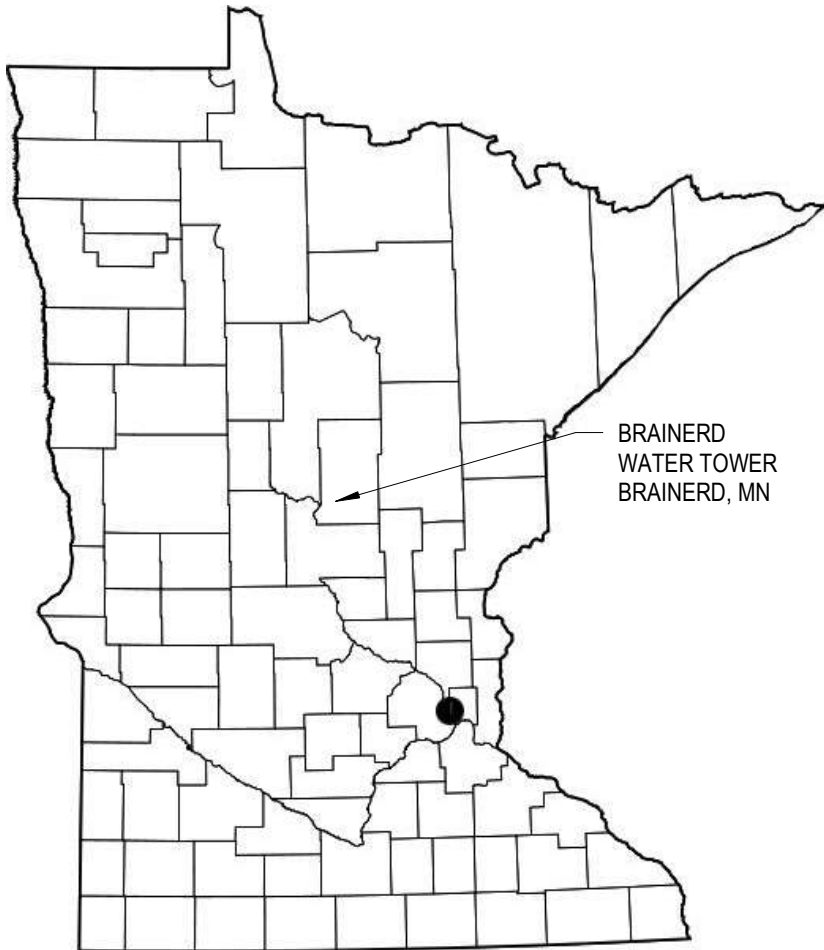


21 W. Superior St., Ste 500 | Duluth, MN 55802 | 218.727.8446

CLIENT:
CITY OF BRAINERD

501 LAUREL STREET
BRAINERD, MN 56401

STATE MAP



SHEET INDEX

#	SHEET NAME
G001	PROJECT TITLE SHEET
G002	NOTES, LEGENDS, ABBREVIATIONS, AND CODE SUMMARY
A101	PLAN
A201	EXTERIOR ELEVATIONS
A301	BUILDING SECTION
A601	WINDOW & STAIR REPAIRS
E000	ELECTRICAL TITLE SHEET
E001	ELECTRICAL SPECIFICATIONS
E200	ELECTRICAL DEMOLITION PLANS
E300	ELECTRICAL FLOOR PLANS
E800	ELECTRICAL SCHEDULES & DETAILS

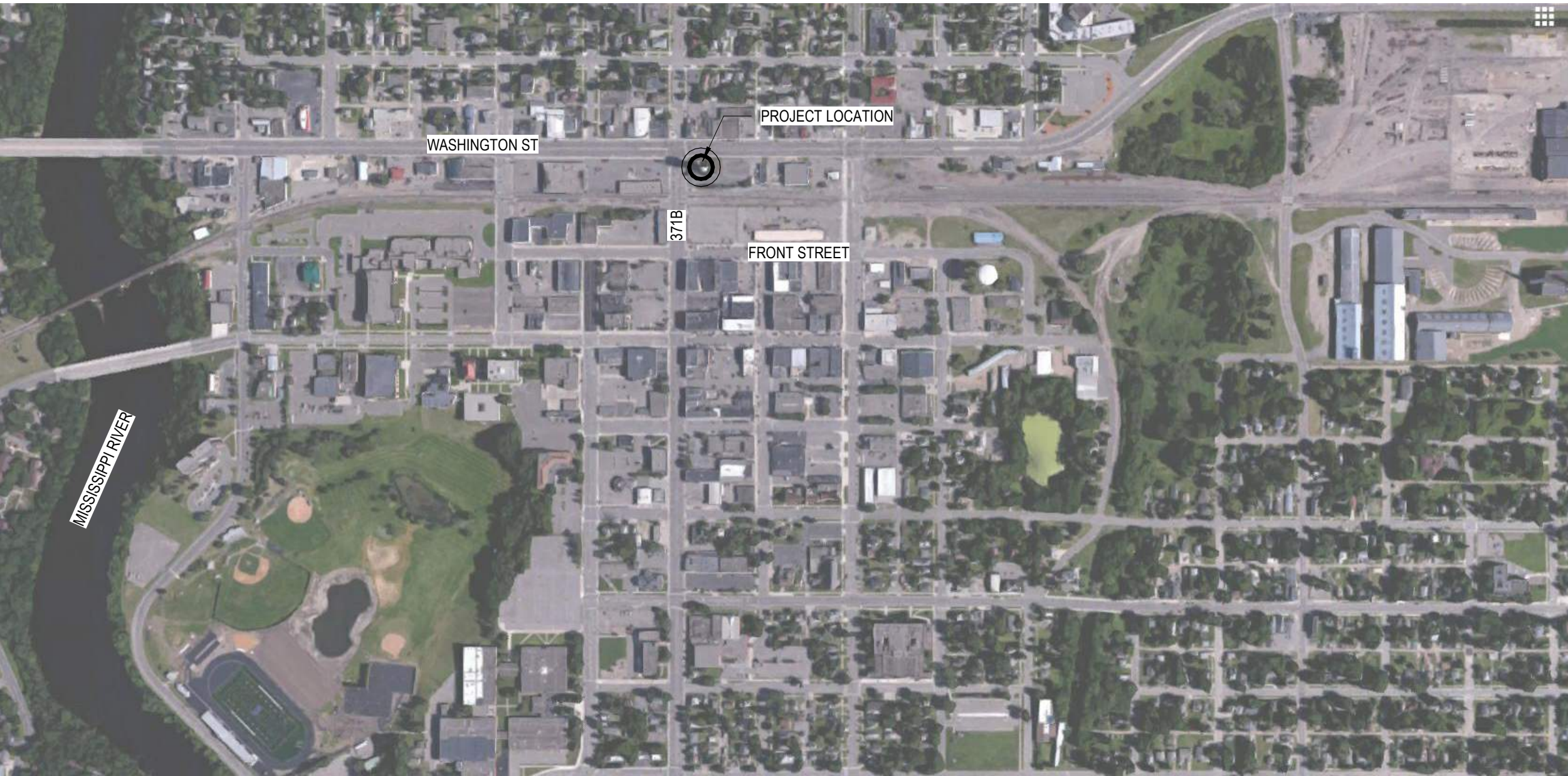
PROJECT PHASING

PHASE 1) IMPROVEMENTS RELATED TO THE INSTALLATION OF A NEW BOWL ROOF STRUCTURE.

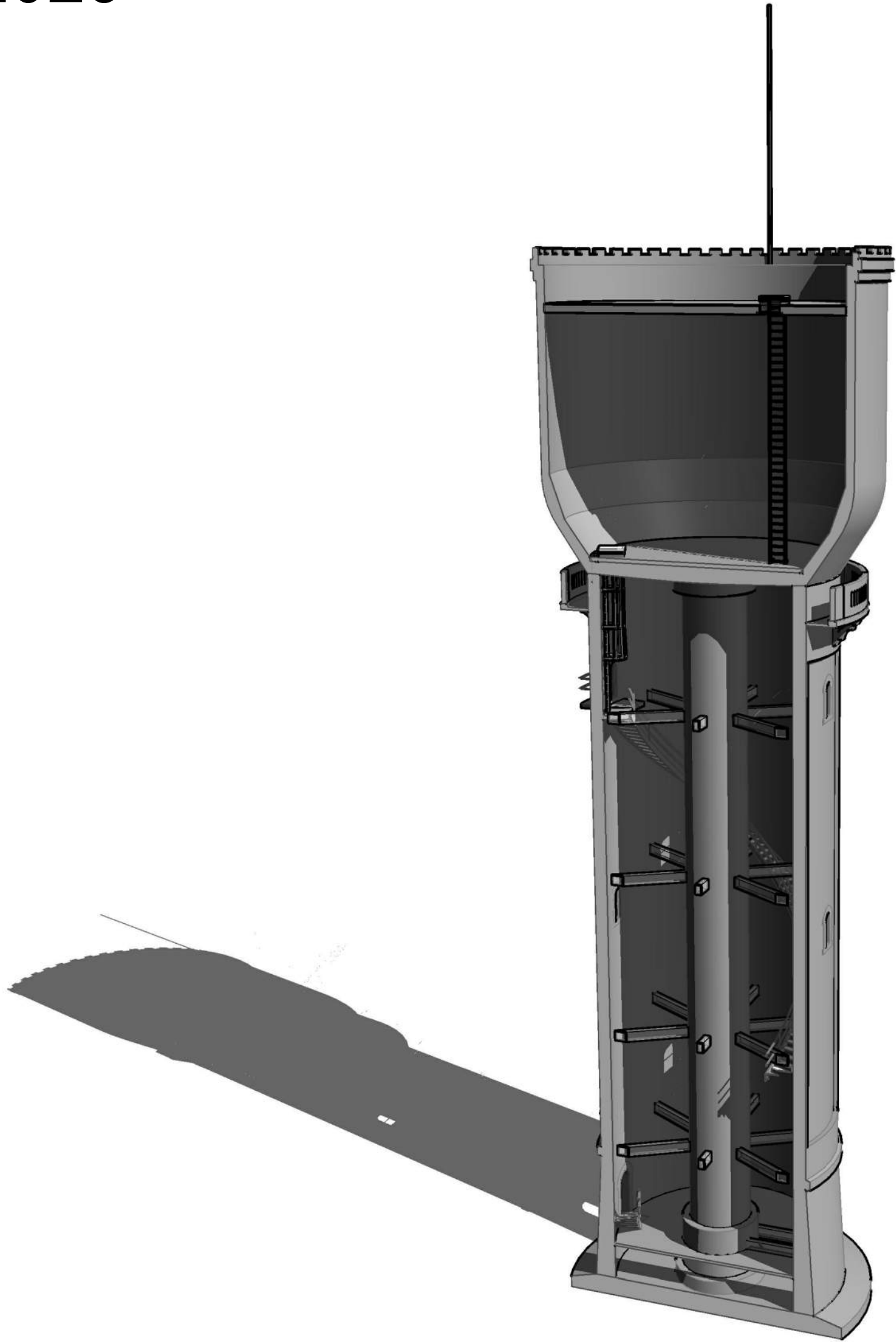
PHASE 2) ELECTRICAL, WINDOW REHABILITATION, AND STAIR PAINTING.

PHASE 3) EXTERIOR REHABILITATION

LOCATION MAP



BID SET 12/20/2023



THIS SQUARE APPEARS 1/2"x1/2"
ON FULL SIZE SHEETS

NO	DATE	ISSUED FOR
8	12/20/2023	PH2 BID SET
7	9/20/2022	PH1 CONSTRUCTION SET
6	3/11/2022	PH1 BID SET

NO	DATE	REVISION
----	------	----------

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

Signature: _____

Typed or Printed Name: MICHAEL LOVATO

Date: 12/20/2023 Reg. No.: 56482

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PROJECT NAME:
BRAINERD WATER
PHASE 2
IMPROVEMENTS

624 WASHINGTON ST,
BRAINERD, MN 56401

DRAWING TITLE:
PROJECT TITLE SHEET

DRAWN BY: Author
CHECKED BY: Checker
PROJ. NO: 190190
DRAWING NO:

G001

Autodesk Docs://190190 Brainerd Water Tower/190190 Brainerd Water Tower A20.rvt
12/21/2023 2:33:00 PM

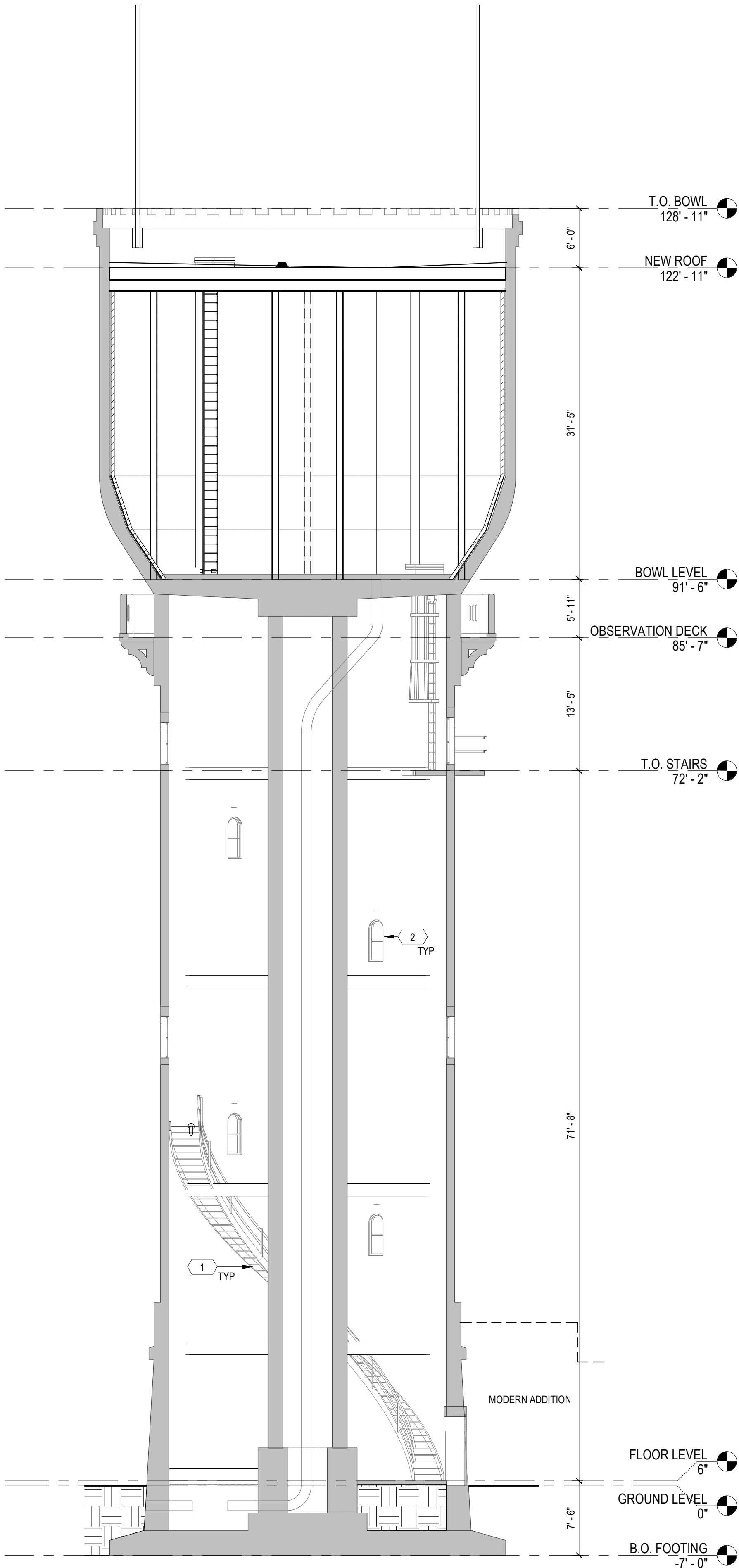
GENERAL SHEET NOTES

- A. GENERAL NOTES APPLY TO ALL DRAWING SHEETS.
- B. PROTECT ALL AREAS AND FEATURES ADJACENT TO WORK.
- C. SEE ELECTRICAL DRAWINGS FOR ELECTRICAL SCOPE. ELECTRICAL SPECIFICATIONS ARE ON DRAWINGS SHEETS.

KEYED SHEET NOTES



- 1 (E) STL STAIRS. CLEAN AND PREP EXISTING STEEL. AFTER CLEANING, IF ANY SECTIONS OF STEEL HAVE LOSS GREATER THAN 20% OF THE ORIGINAL THICKNESS, BY EXAMINATION OF ADJACENT AREAS, STRENGTHEN PER DETAIL 2/A6.01. FOLLOWING PREP AND REPAIRS, PAINT WITH HIGH PERFORMANCE COATING. SCOPE INCLUDES PLATFORM AND LADDER TO BOWL, AND EXTERIOR STAIRS.
- 2 REHABILITATE WOOD CASEMENT WINDOW. REPOINT BRICK SURROUND. WINDOW MAY BE REMOVED IF REQUIRED TO FACILITATE REHABILITATION. SEE WINDOW SCHEDULE.



1 EAST WEST SECTION LOOKING SOUTH
1/8" = 1'-0"



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CITY OF BRAINERD

**501 LAUREL STREET
BRAINERD, MN 56401**

THIS SQUARE APPEARS 1/2"x1/2"
ON FULL SIZE SHEETS

8	12/20/2023	PH2 BID SET
7	9/20/2022	PH1 CONSTRUCTION SET
6	3/11/2022	PH1 BID SET
NO	DATE	ISSUED FOR

NO	DATE	REVISION
----	------	----------

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Signature: _____

Typed or Printed Name: MICHAEL LOVATO

Date: 12/20/2023 Reg. No.: 56482

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PROJECT NAME:

**BRAINERD WATER
PHASE 2
IMPROVEMENTS**

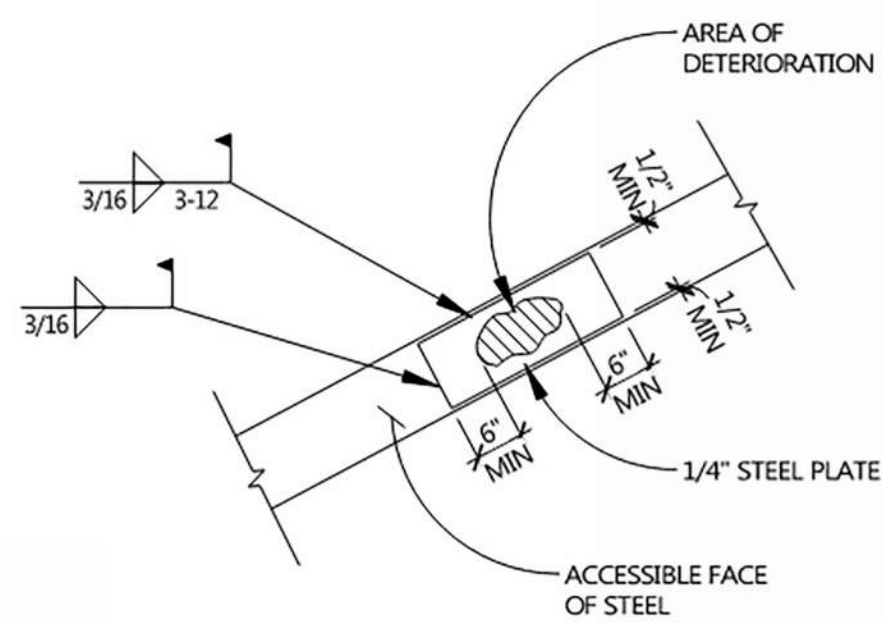
**624 WASHINGTON ST,
BRAINERD, MN 56401**

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BUILDING SECTION

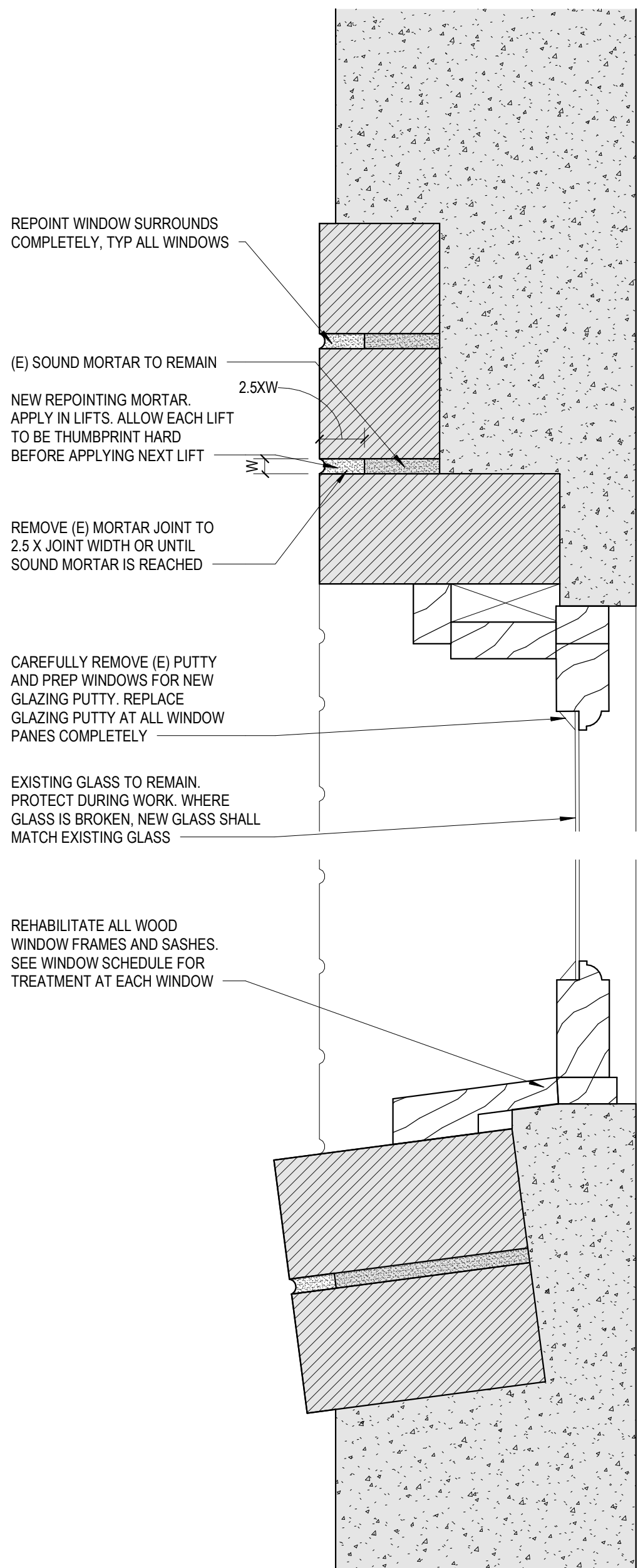
DRAWN BY: Author
CHECKED BY: Checker
PROJ. NO: 190190
DRAWING NO:

A301



2 STEEL PATCH
1/2" = 1'-0"

Window Schedule					
WINDOW #	TYPE	HEIGHT	WIDTH	WINDOW REPAIR CLASS	COMMENTS
01	A	4' - 6"	2' - 0"	2	LARGER WINDOW SERVES AS ACCESS FOR OBSERVATION DECK STAIR
02	B	4' - 2"	1' - 8"	2	
03	B	4' - 2"	1' - 8"	2	
04	B	4' - 2"	1' - 8"	2	
05	B	4' - 2"	1' - 8"	2	
06	B	4' - 2"	1' - 8"	2	
07	B	4' - 2"	1' - 8"	2	
08	B	4' - 2"	1' - 8"	2	
09	B	4' - 2"	1' - 8"	2	
10	B	4' - 2"	1' - 8"	3	SIGNIFICANT WOOD DAMAGE AT TOP OF EXTERIOR CASING
11	B	4' - 2"	1' - 8"	2	
12	B	4' - 2"	1' - 8"	2	



1 TYPICAL WINDOW SECTION (PHASE 2)

WINDOW REPAIR NOTES (PHASE 2)

ABBREVIATIONS
(E) EXISTING
(N) NEW
PT PAINT
WD WOOD

GENERAL NOTES

- A. WINDOW SIZES INDICATED ARE NOMINAL. VIF ACTUAL SIZE.
- B. CONTRACTOR TO SURVEY WINDOWS AND VERIFY SCOPE PRIOR TO WORK.
- C. ALL EXISTING WINDOW SASHES AND FRAMES ARE WOOD. STORM WINDOWS ARE AS SCHEDULED.
- D. REPLACE ALL TYPE FF STORM WINDOWS WITH NEW TYPE DD STORM WINDOWS.
- E. PATCH, SCRAPE, PRIME, AND PAINT ALL WOOD WINDOWS AND TRIM.
- F. REPAIR OR RESTORE (E) WOOD STORMS, SASHES AND FRAMES, REPLACING GLAZING COMPOUND, REPAIR DETERIORATED WOOD WITH EPOXY CONSOLIDANT, IF AN ENTIRE PORTION OF A WINDOW COMPONENT MUST BE REPLACED, USE A WOOD BUTCHMAN. IF A COMPONENT IS TOO DETERIORATED TO USE A BUTCHMAN, THEN REPLACE ENTIRE RAISE, STYLE, ETC. MATCH EXISTING MATERIALS, DIMENSIONS, PROFILES, AND FINISHES.
- G. (E) WINDOW LITES TO REMAIN UON. IF A WINDOW LITE MUST BE REPLACED, MATCH HISTORIC GLASS APPEARANCE AND SURFACE QUALITY.
- H. A QUALIFIED LEADED GLASS SPECIALIST SHALL PERFORM ALL WORK RELATED TO DECORATIVE LEADED GLASS WINDOWS.
- I. ALL WINDOWS TO BE PAINTED TO MATCH EXISTING.
- J. SEE DETAIL 414.02 FOR WEATHERSTRIPPING DETAIL.

REPAIR CLASS
REPAIR CLASS IS BASED UPON THE US DEPARTMENT OF INTERIOR, NATIONAL PARK SERVICE, TECHNICAL NOTES 9: THE REPAIR OF HISTORIC WOOD WINDOWS AS MODIFIED TO BE APPROPRIATE FOR THIS PROJECT. SEE SPECIFICATION FOR ADDITIONAL DETAIL. WINDOWS SHALL BE EASILY OPERABLE AND IN SOUND CONDITION UPON COMPLETION OF WORK. REPAIR CATEGORY ARE BEST ESTIMATIONS OF WORK REQUIRED.

- REPAIR CLASS I: ROUTINE MAINTENANCE
1. REMOVE GLAZING COMPOUND
2. REMOVE AND REPAIR SASH RAIL & STILE, CLEAN PAINT OFF OF GLASS
3. REMOVE PUTTY AND REGLAZE SASHES
4. REPLACE BROKEN GLASS
5. REPAIR FRAME AND HARDWARE, REPLACE SASH CORD ROPES
6. REPAIR INTERIOR TRIM
7. WEATHERSTRIP AND REINSTALL SASH
8. APPLY NEW GLAZING COMPOUND
9. REPAINT TO MATCH EXISTING.

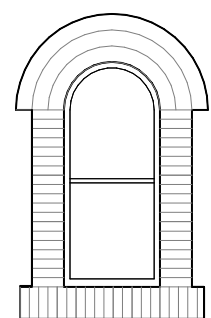
REPAIR CLASS II: STABILIZATION (WOOD IS SPLIT, CHECKED, SHOWS SIGNS OF ROT)

1. DRY WOOD
2. TREAT DECAYED AREAS WITH FUNGICIDE
3. WATERPROOF
4. FILL CRACKS AND HOLES
5. ALL ITEMS IN CLASS I

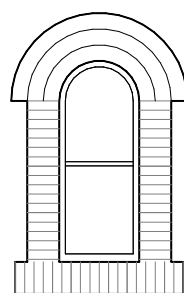
REPAIR CLASS III: SPLICES AND PARTS REPLACEMENT

1. REPLACE PARTS OF FRAME, SASH, OR TRIM WHICH ARE MISSING, WHERE MORE THAN 50% OF A MEMBER IS DETERIORATED, OR CANNOT BE STABILIZED.
2. SPICE OR REPLACE MEMBER WHERE A PORTION IS MISSING.
3. MATCH EXISTING MILLWORK MOULDING PROFILE
4. ALL ITEMS IN CLASS I & II

WINDOW TYPES



TYPE A
LARGE CASEMENT



TYPE B
SMALL CASEMENT



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CLIENT:

CITY OF BRAINERD

501 LAUREL STREET
BRAINERD, MN 56401

THIS SQUARE APPEARS 1/2"x1/2"
ON FULL SIZE SHEETS

NO	DATE	REVISION
----	------	----------

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

Signature: _____

Typed or Printed Name: MICHAEL LOVATO

Date: 12/20/2023 Reg. No.: 56482

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PROJECT NAME

BRAINERD WATER PHASE 2 IMPROVEMENTS

624 WASHINGTON ST,
BRainerd, MN 56401

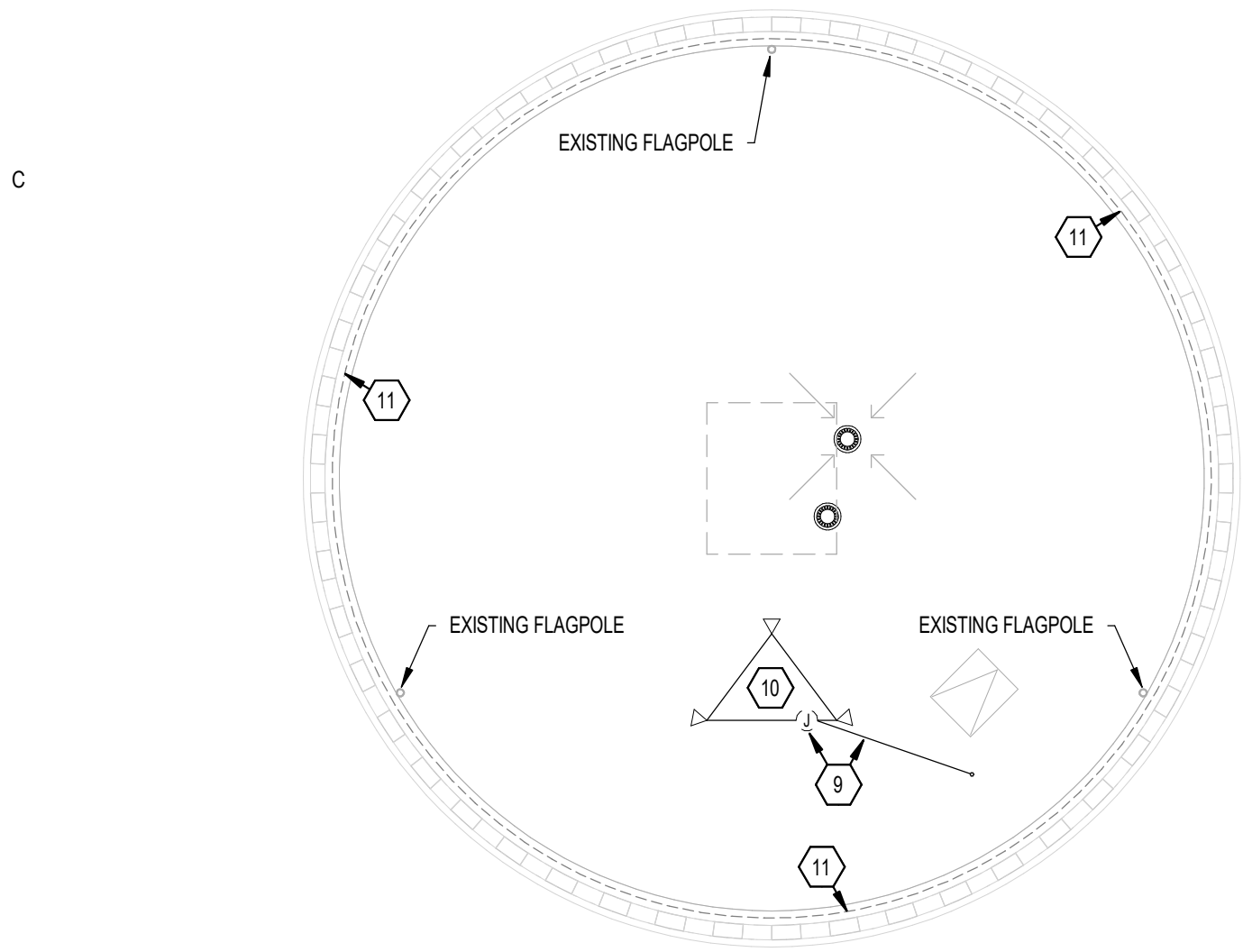
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WINDOW & STAIR REPAIRS

DRAWN BY: Author
CHECKED BY: Checker
PROJ. NO: 190190
DRAWING NO:

A601

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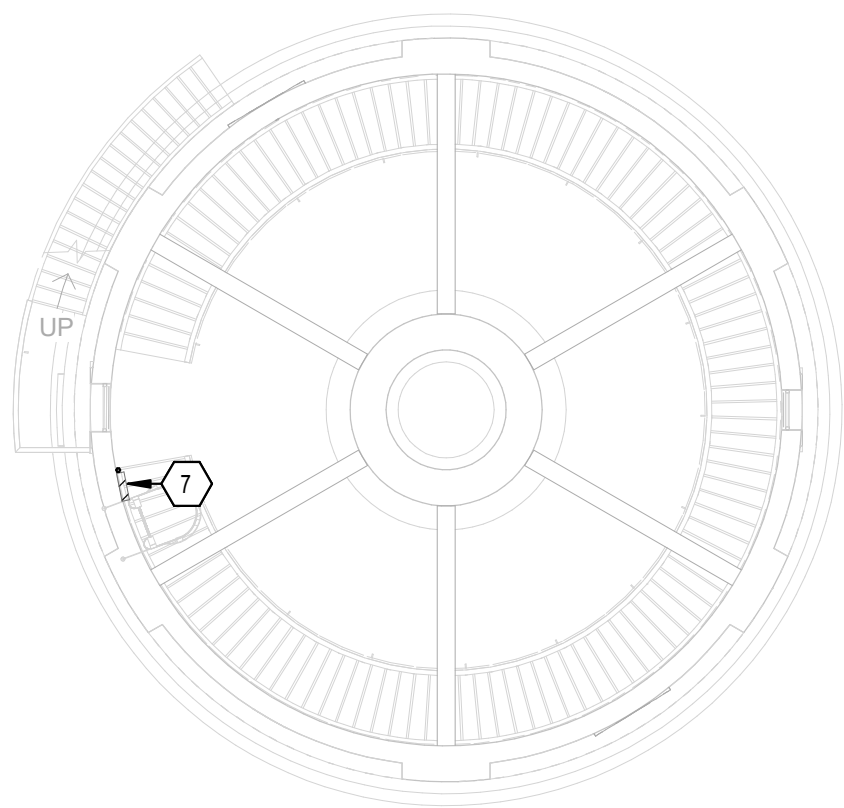
4 ROOF - ELECTRICAL DEMOLITION PLAN

1/8" = 1'-0"



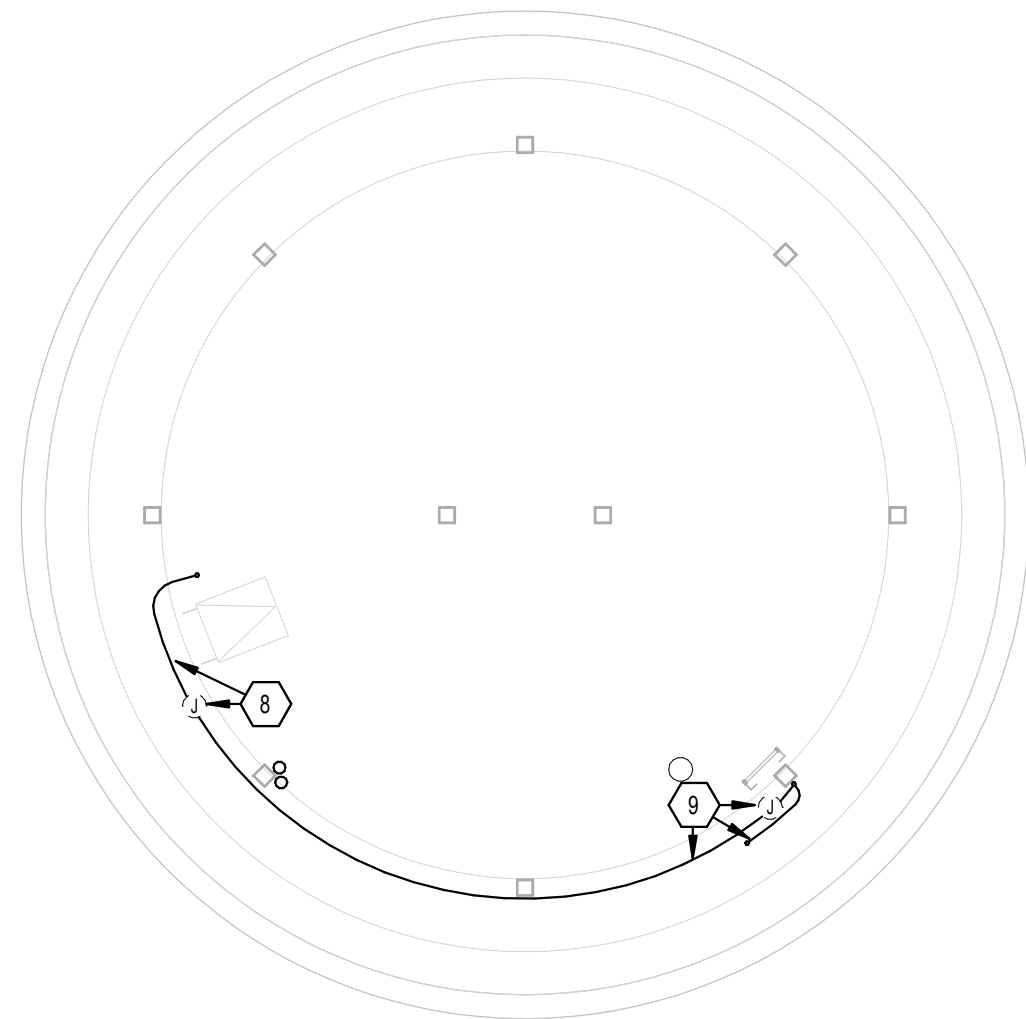
1 GROUND LEVEL - ELECTRICAL DEMOLITION PLAN

1/8" = 1'-0"



2 TOWER TOP OF STAIRS - ELECTRICAL DEMOLITION PLAN

1/8" = 1'-0"



3 BOWL LEVEL - ELECTRICAL DEMOLITION PLAN

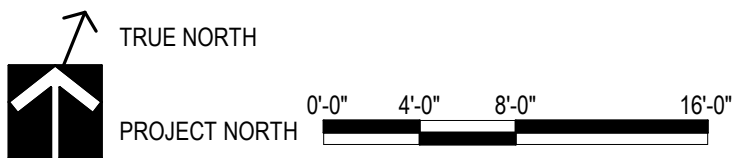
1/8" = 1'-0"

GENERAL NOTES

- A. REFER TO ARCHITECTURAL DRAWINGS FOR DEMOLITION REQUIREMENTS. DEMOLITION WORK INDICATED BY THESE DRAWINGS IS PROVIDED FOR COORDINATION PURPOSES ONLY AND MAY NOT INDICATE THE COMPLETE SCOPE OF THE DEMOLITION WORK.
- B. INFORMATION REGARDING EXISTING CONDITIONS, SHOWN ON THESE DRAWINGS, HAS BEEN OBTAINED FROM FIELD OBSERVATION NOTES. THE ELECTRICAL CONTRACTOR SHALL VISIT THE SITE PRIOR TO BIDS AND VERIFY THE ITEMS SHOWN. ANY DISCREPANCIES BETWEEN THE DRAWINGS AND THE FIELD CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO BID.
- C. EXTRAS WILL NOT BE AWARDED FOR WORK ASSOCIATED WITH MEETING THE INTENT OF THESE DOCUMENTS, WHICH CAN BE DETERMINED BY THE REQUIRED FIELD OBSERVATION.
- D. LIGHTING, RECEPTACLES, COMMUNICATION DEVICES, EQUIPMENT CONNECTIONS, ETC. SHOWN DASHED BY THIS DRAWING, ARE TO BE REMOVED IN THEIR ENTIRETY TO A PREVIOUS POINT OF USE. THOSE ITEMS SHOWN IN A SOLID (LIGHT LINE WEIGHT) ARE EXISTING TO REMAIN, UNLESS DESIGNATED OTHERWISE.
- E. WHERE EXISTING WIRING IS TO BE REUSED FOR CONNECTION OF NEW, RELOCATED, OR REINSTALLED EQUIPMENT TO REMAIN, WIRING SHALL BE REWORKED, RELOCATED, ETC. AS REQUIRED TO PROVIDE A CLEAN ORGANIZED INSTALLATION.
- F. THE ELECTRICAL CONTRACTOR SHALL BE RESPONSIBLE FOR PATCHING EXISTING WALL OPENINGS RELATED TO THE ELECTRICAL CONTRACT - COORDINATE WITH THE GENERAL CONTRACTOR FOR APPROVED METHODS AND MEANS.

KEYED NOTES

- 1 EXISTING UTILITY METER TO REMAIN.
- 2 EXISTING UTILITY SERVICE AND FEEDER TO EXTERIOR FACADE LIGHTING TO REMAIN. FACADE LIGHTING TO BE RECONNECTED TO NEW ELECTRICAL PANEL AND NEW LIGHTING CONTROLS.
- 3 EXISTING ELECTRICAL ENCLOSURE WITH ELECTRICAL PANEL AND LIGHTING CONTROLS TO BE DISCONNECTED, REMOVED AND REPLACED AT SAME LOCATION.
- 4 EXISTING INTERIOR LIGHTING AND ASSOCIATED BRANCH CIRCUIT CONDUITS AND WIRING TO BE DISCONNECTED AND REMOVED TO THE PANEL.
- 5 EXISTING ELECTRICAL POWER AND ASSOCIATED BRANCH CIRCUIT CONDUITS AND WIRING TO BE DISCONNECTED AND REMOVED TO THE PANEL.
- 6 EXISTING ELECTRICAL ENCLOSURE WITH CIRCUIT BREAKER, AND CONTROL DEVICES SERVING EXISTING FLAGPOLE LIGHTING TO BE DISCONNECTED AND REMOVED. DISCONNECT AND REMOVE CONDUIT AND WIRING TO PANEL AND TO ELECTRICAL ENCLOSURES AT TOP OF STAIRS.
- 7 EXISTING ELECTRICAL ENCLOSURES (2) WITH CIRCUIT BREAKER(S), AND CONTROL DEVICES SERVING EXISTING FLAGPOLE LIGHTING TO BE DISCONNECTED AND REMOVED. DISCONNECT AND REMOVE CONDUIT AND WIRING TO ELECTRICAL ENCLOSURES AT GROUND LEVEL AND 1ST PULLBOX IN TOWER BOWL ABOVE.
- 8 EXISTING FLAGPOLE LIGHTING BRANCH CIRCUIT PULLBOX TO REMAIN. CONDUIT AND WIRE TO BE REMOVED TO ELECTRICAL ENCLOSURES BELOW.
- 9 EXISTING FLAGPOLE LIGHTING BRANCH CIRCUIT PULLBOX(S), CONDUIT AND WIRE TO REMAIN.
- 10 EXISTING FLAGPOLE LIGHTING ASSEMBLY, ASSOCIATED LIGHTING AND BRANCH CIRCUITING TO REMAIN. RECONNECT TO NEW ELECTRICAL SERVICE PANEL AND LIGHTING CONTROLS AS INDICATED BY THE REMODELING PLANS.
- 11 EXISTING NON-OPERATIONAL LIGHTNING PROTECTION SYSTEM (EQUIPMENT & CABLING) TO BE DISCONNECTED AND REMOVED IN ITS ENTIRETY.



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501 LAUREL STREET
BRAINERD, MN 56401



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MAIN: 612.279.4209 | FAX: 612.279.4201 | www.ctamep.com
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ON FULL SIZE SHEETS

NO	DATE	ISSUED FOR
----	------	------------

1	11/10/2023	PHASE 2 FINAL
NO	DATE	REVISION

I Hereby Certify That This Plan, Specification or Report Was Prepared By Me or Under My Direct Supervision and That I Am a Duly Licensed Professional Engineer Under the Laws of the State of Minnesota.

Signature:

Typed or Printed Name: JAY J. CAIN

Date: 11.10.2023 Reg. No.: 12637

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PROJECT NAME:
BRAINERD WATER
TOWER IMPROVEMENTS
PHASE 2

624 WASHINGTON ST,
BRAINERD, MN 56401

DRAWING TITLE:
ELECTRICAL
DEMOLITION PLANS

DRAWN BY: CAP
CHECKED BY: CAP
PROJ. NO: 2023-181
DRAWING NO:

E200

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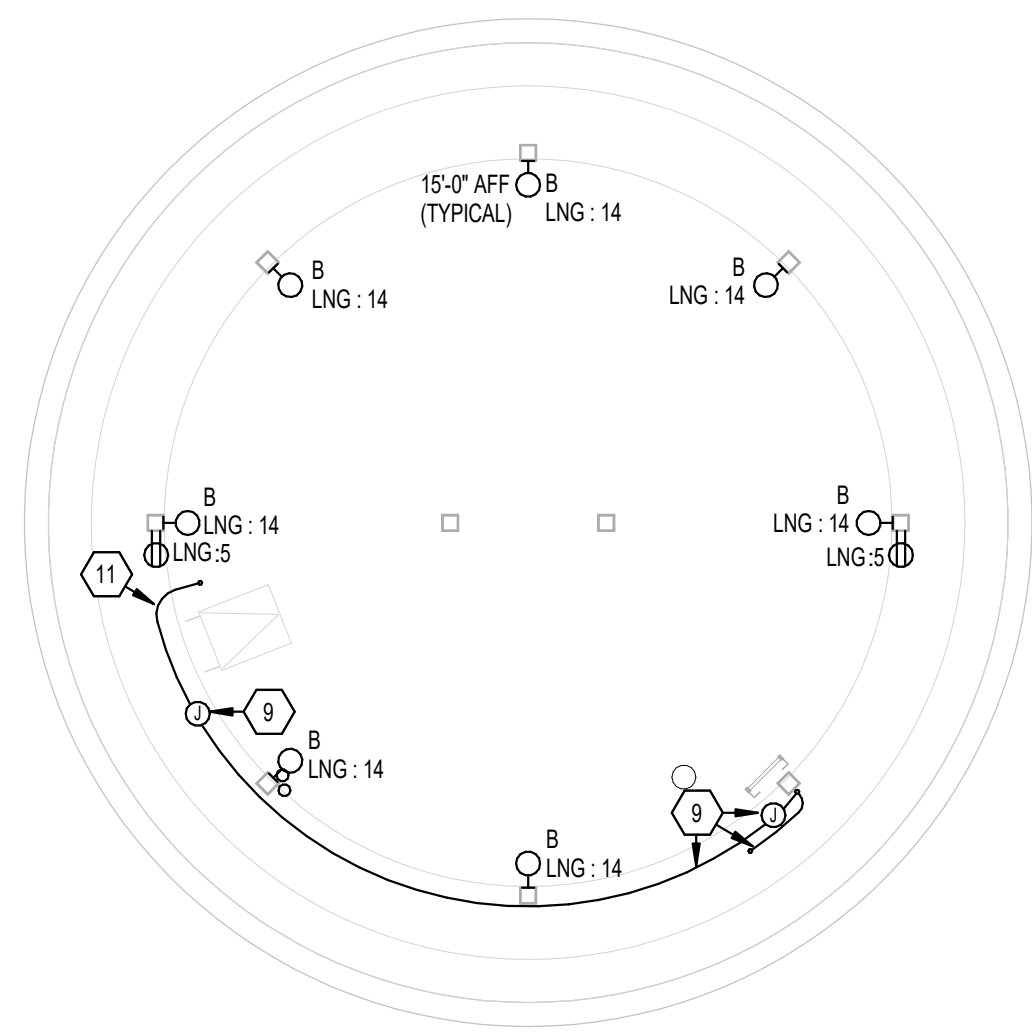
1 | GROUND LEVEL - ELECTRICAL PLAN

1/8" = 1'-0"



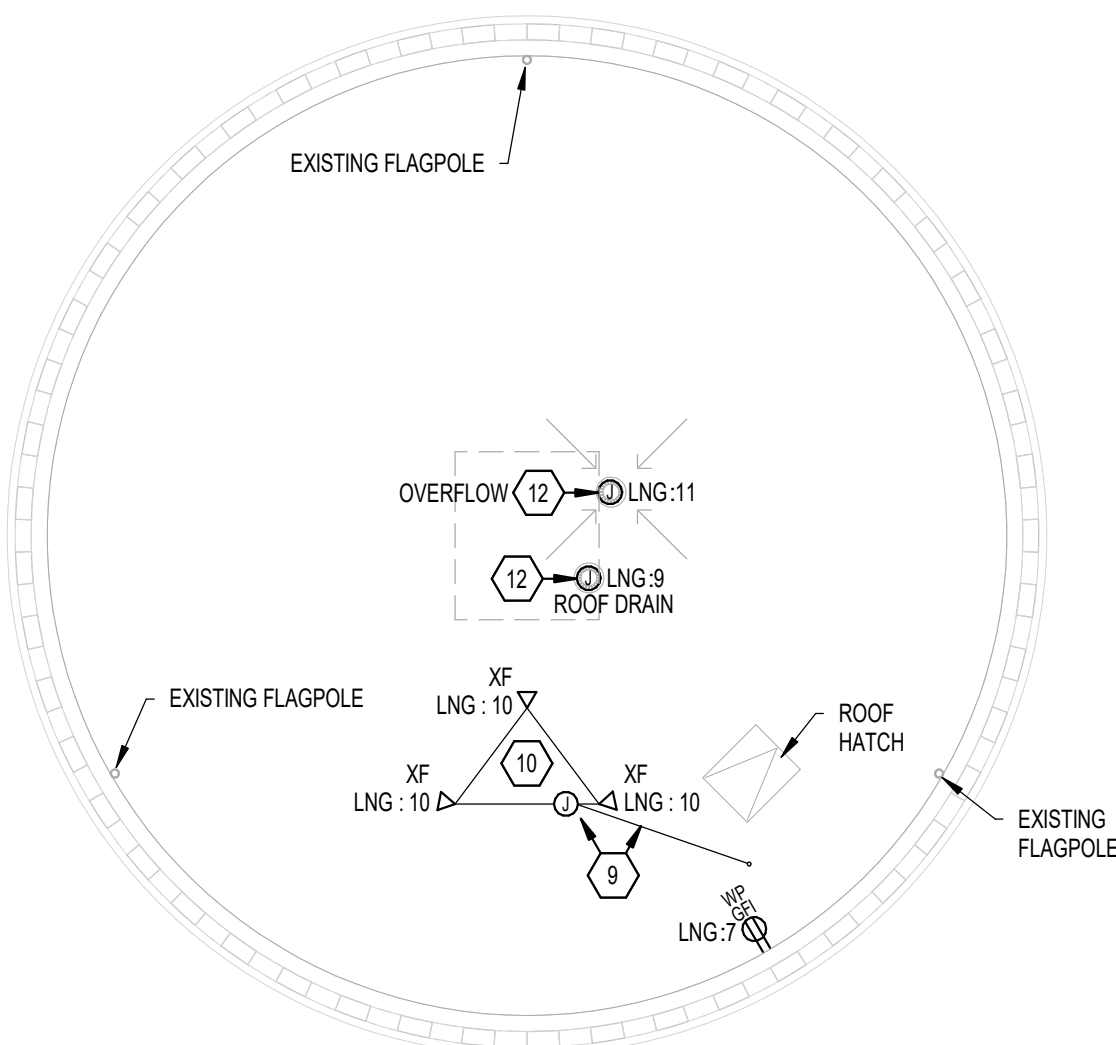
4 | BOWL LEVEL - ELECTRICAL PLAN

1/8" = 1'-0"



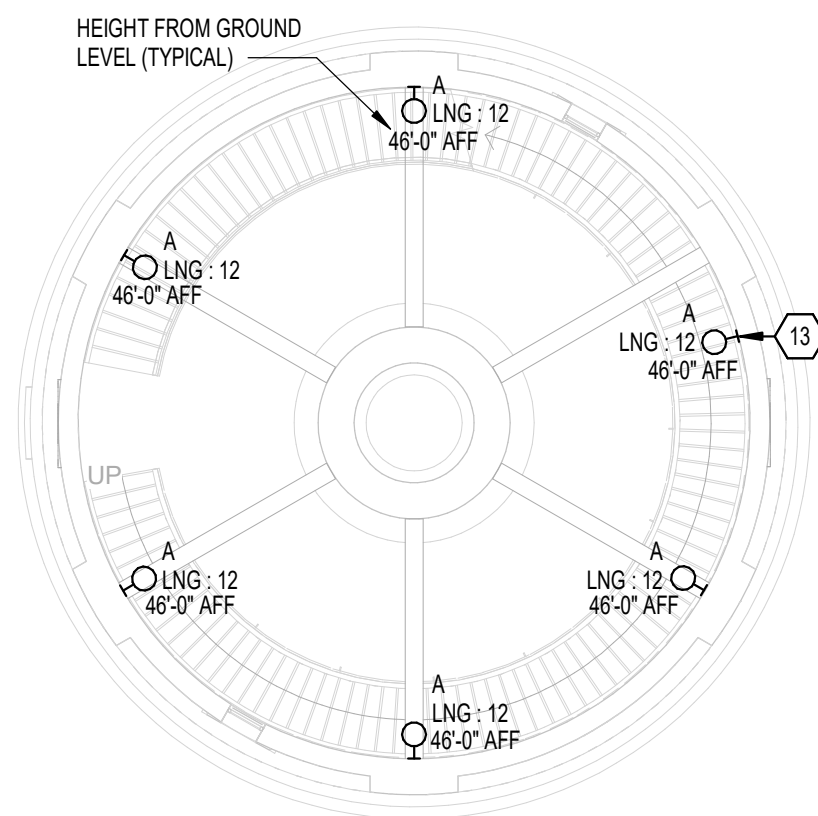
5 | ROOF - ELECTRICAL PLAN

1/8" = 1'-0"



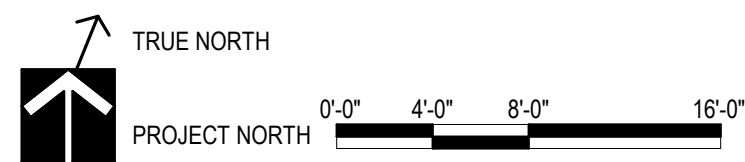
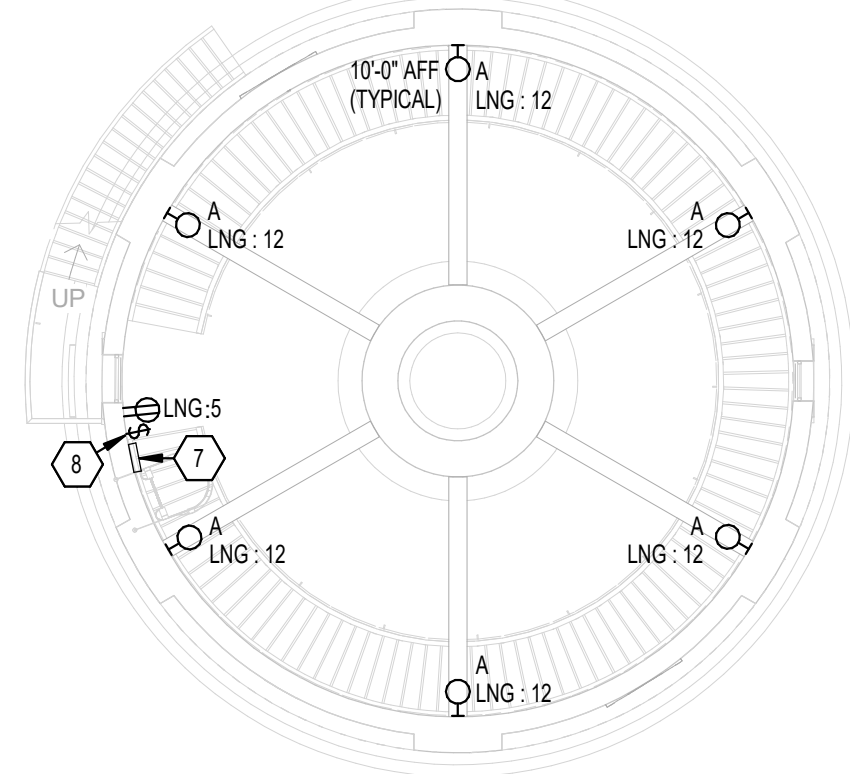
2 | MID-TOWER - ELECTRICAL PLAN

1/8" = 1'-0"



3 | TOWER TOP OF STAIRS - ELECTRICAL PLAN

1/8" = 1'-0"



GENERAL NOTES

- A. ALL BRANCH CIRCUITING IS PERMITTED TO BE SURFACE MOUNTED AND MAY UTILIZE EMT (THINWALL) RACEWAY. PVC WILL NOT BE PERMITTED WITHOUT WRITTEN PERMISSION FROM THE ENGINEER.
- B. BRANCH CIRCUIT ARE TO BE ROUTED TO PANELS AS INDICATED. DESIGNATION(S) ARE INDICATED ADJACENT TO EACH DEVICE WITH THE PANEL DESIGNATION INDICATED FIRST AND THE CIRCUIT DESIGNATION INDICATE SECOND (I.E. LM1F.2, DESIGNATES PANEL LM1F, CIRCUIT 2).
- C. EXTERIOR LIGHTING (EXISTING FACADE AND FLAGPOLE LIGHTING) SHALL BE CONTROLLED VIA PHOTOCELL INITIATED MULTI-ZONE ELECTRONIC TIMECLOCK SYSTEM. PHOTOCELL TO BE LOCATED IN THE FIELD ALONG THE NORTH FACE AT A LOCATION TO ACCOMMODATE FIELD CONDITIONS.
- D. DEVICE LOCATIONS, MOUNTING HEIGHTS, ETC. SHALL BE COORDINATED WITH THE ARCHITECTURAL SECTIONS AND ELEVATIONS, PRIOR TO ROUGH-IN INSTALLATION.
- E. ELECTRICAL CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION OF ALL EQUIPMENT CONNECTIONS AND/OR PROVISIONS. POWER AND COMMUNICATIONS CONNECTIONS SHALL BE INSTALLED PER THE EQUIPMENT MANUFACTURER'S SHOP DRAWINGS AND INSTALLATION GUIDELINES, AS A MINIMUM.
- F. ALL EMPTY CONDUITS PROVIDED FOR FUTURE USE SHALL BE PROVIDED WITH NYLON PULL CORDS.

KEYED NOTES

- 1 EXISTING UTILITY METER TO REMAIN.
- 2 EXISTING UTILITY SERVICE AND FEEDER TO EXTERIOR FACADE LIGHTING. RECONNECT EXISTING FACADE LIGHTING TO NEW ELECTRICAL PANEL VIA NEW LIGHTING CONTROLS. (REFER TO PANELBOARD SCHEDULE).
- 3 NEW ELECTRICAL PANEL - RECONNECT EXISTING LOADS TO REMAIN AS INDICATED AND / OR REQUIRED.
- 4 NEW PHOTOCELL INITIATED MULTI-ZONE ELECTRONIC LIGHTING CONTROLS FOR CONTROL OF EXISTING FACADE AND EXISTING FLAGPOLE LIGHTING. REWORK EXISTING BRANCH CIRCUITS AS INDICATED AND / OR REQUIRED. PROGRAM LIGHTING ON-OFF SCHEDULES PER THE CITY OF BRAINERD.
- 5 NEW PULLBOX AND BRANCH CIRCUIT WIRING PULLBOX AT TOP OF STAIRS. BOXES, CONDUIT, WIRING, ETC. SHALL BE PROVIDED AS REQUIRED FOR EXISTING FLAGPOLE LIGHTING (POWER & CONTROL), NEW BOWL LIGHTING & POWER, NEW ROOF POWER, ETC.
- 6 NEW WALL SWITCH FOR CONTROL OF INTERIOR TOWER LIGHTING (GROUND LEVEL TO TOP OF STAIRS).
- 7 NEW PULLBOX AND BRANCH CIRCUIT WIRING PULLBOX AT BOTTOM OF STAIRS. BOXES, CONDUIT, WIRING, ETC. SHALL BE PROVIDED AS REQUIRED FOR EXISTING FLAGPOLE LIGHTING (POWER & CONTROL), NEW BOWL LIGHTING & POWER, NEW ROOF POWER, ETC.
- 8 WALL SWITCH WITH LIGHTED PILOT FOR CONTROL OF TOWER BOWL LIGHTING ABOVE - PILOT LIGHT SHALL BE ILLUMINATED WHEN BOWL LIGHTING IS "ON".
- 9 EXISTING FLAGPOLE LIGHTING BRANCH CIRCUIT PULLBOX(S), CONDUIT AND WIRE. REWORK IF, AND AS REQUIRED.
- 10 EXISTING FLAGPOLE LIGHTING ASSEMBLY, ASSOCIATED LIGHTING AND BRANCH CIRCUITING TO BE RECONNECTED TO NEW ELECTRICAL SERVICE PANEL AND LIGHTING CONTROLS AS INDICATED AND / OR REQUIRED.
- 11 NEW CONDUITS AND WIRING AS REQUIRED TO SERVE EXISTING FLAGPOLE LIGHTING (POWER & CONTROL), NEW BOWL LIGHTING & POWER, NEW ROOF POWER, ETC.
- 12 ROOF DRAIN HEAT TRACING - PROVIDE SELF-REGULATING TYPE HEAT TRACE AROUND ROOF DRAIN, AND DOWN ENTIRE LENGTH OF THE DRAIN PIPE TO DAYLIGHT. HEAT TRACE SHALL BE SUITABLE FOR INSTALLATION ON THE INTERIOR OF THE DRAIN PIPING AND INCLUDE ALL NOMINAL 8W/LF 120V SELF-REGULATING CABLES, CONTROLS, THERMOSTATS, ETC. FOR A COMPLETE AND OPERABLE SYSTEM. (ROOF DRAIN SYSTEM LENGTH = APPROXIMATELY 140'; OVERFLOW ROOF DRAIN SYSTEM LENGTH = APPROXIMATELY 50')
- 13 FIXTURE EXACT LOCATION TO BE COORDINATED WITH FIELD CONDITIONS - ADJUST CLOCKWISE ALONG THE CIRCLE SUCH THAT BOTTOM OF FIXTURE IS APPROXIMATELY 6' ABOVE STAIR TREAD.



PERFORMANCE
DRIVEN DESIGN.
LHBcorp.com

21 W. Superior St., Ste 500 | Duluth, MN 55802 | 218.727.8446

CLIENT:
CITY OF BRAINERD

**501 LAUREL STREET
BRAINERD, MN 56401**



SUSTAINABLE MEP ENGINEERING
3433 BROADWAY STREET NE - SUITE 475, MINNEAPOLIS, MN 55413
MAIN: 612.275.4200 | FAX: 612.275.4201 | www.ctamep.com
© 2022 CAIN THOMAS ASSOCIATES, INC.

THIS SQUARE APPEARS 1/2"x1/2"
ON FULL SIZE SHEETS

NO	DATE	ISSUED FOR
----	------	------------

1	11/10/2023	PHASE 2 FINAL
NO	DATE	REVISION

I Hereby Certify That This Plan, Specification or Report Was Prepared By Me or Under My Direct Supervision and That I Am a Duly Licensed Professional Engineer Under the Laws of the State of Minnesota.

Signature:

Typed or Printed Name: JAY J. CAIN

Date: 11.10.2023 Reg. No.: 12637

COPYRIGHT 2020 BY LHB, INC. ALL RIGHTS RESERVED.

PROJECT NAME:

**BRAINERD WATER
TOWER IMPROVEMENTS
PHASE 2**

**624 WASHINGTON ST,
BRAINERD, MN 56401**

DRAWING TITLE:

**ELECTRICAL FLOOR
PLANS**

DRAWN BY: CAP
CHECKED BY: CAP
PROJ. NO: 2023-181
DRAWING NO:

E300

SECTION 00 4100

BID FORM

THE PROJECT AND THE PARTIES

TO: CITY OF BRAINERD

FOR: BRAINERD WATER TOWER PHASE 2 IMPROVEMENTS

DATE: 02/14/2024 (BIDDER TO ENTER DATE)

SUBMITTED BY: (BIDDER TO ENTER NAME AND ADDRESS)

Bidder's Full Name: TMI Coatings, Inc.

Address: 3291 Terminal Drive

City, State, Zip: St. Paul, MN 55121

1.01 OFFER

- A. Having examined the Place of The Work and all matters referred to in the Instructions to Bidders and the Bid Documents prepared by LHB, Inc. for the above mentioned project, we, the undersigned, hereby offer to enter into a Contract to perform the Work for the Sum of: Six hundred forty six thousand dollars (\$ 646,000), in lawful money of the United States of America.
- B. We have included the required security deposit as required by the Instruction to Bidders.
- C. We have included the required Responsible Contractor Verification Forms.
- D. All applicable federal taxes are included and State of Minnesota taxes are included in the Bid Sum.

1.02 ACCEPTANCE

- A. This offer shall be open to acceptance and is irrevocable for 30 days from the bid closing date.
- B. If this bid is accepted by Owner within the time period stated above, we will:
1. Execute the Agreement within seven days of receipt of Notice of Award.
 2. Furnish the required bonds within seven days of receipt of Notice of Award.
 3. Commence work within seven days after written Notice to Proceed of this bid.
- C. If this bid is accepted within the time stated, and we fail to commence the Work or we fail to provide the required Bond(s), the security deposit shall be forfeited as damages to Owner by reason of our failure, limited in amount to the lesser of the face value of the security deposit or the difference between this bid and the bid upon which a Contract is signed.
- D. In the event our bid is not accepted within the time stated above, the required security deposit shall be returned to the undersigned, in accordance with the provisions of the Instructions to Bidders; unless a mutually satisfactory arrangement is made for its retention and validity for an extended period of time.

1.03 CONTRACT TIME

- A. If this Bid is accepted, we will:
- Complete the Work by October 31, 2024.

1.04 ADDENDA

- A. The following Addenda have been received. The modifications to the Bid Documents noted below have been considered and all costs are included in the Bid Sum.
1. Addendum # _____ Dated _____.
 2. Addendum # _____ Dated _____.
 3. Addendum # _____ Dated _____.

1.05 ATTACHMENTS

- A. Non-Collusion Affidavit
- B. Bid Bond
- C. Responsible Contractor Verification Form
- D. Attachment A-1 First Tier Subcontractor List

1.06 BID FORM SIGNATURE(S)

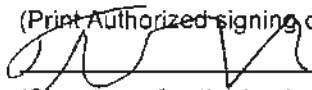
The Corporate Seal of
TMI Coatings, Inc.

(Bidder - print the full name of your firm)

was hereunto affixed in the presence of:

President

(Print Authorized signing officer, Title)

 Tracy Giffoni

(Signature of authorized signing officer)

- 1.06 IF THE BID IS A JOINT VENTURE OR PARTNERSHIP, ADD ADDITIONAL FORMS OF EXECUTION FOR EACH MEMBER OF THE JOINT VENTURE IN THE APPROPRIATE FORM OR FORMS AS ABOVE.**

END OF SECTION

**SECTION 00 4200
NON-COLLUSION AFFIDAVIT**

PART 1 GENERAL

- 1.01 BIDDERS SHALL INCLUDE A SIGNED COPY OF THE ATTACHED "NON-COLLUSION AFFIDAVIT" ALONG WITH THEIR BID.**

This page intentionally left blank

NON-COLLUSION AFFIDAVIT

The following Non-Collusion Affidavit shall be executed by the bidder:

State Project No. _____

Federal Project No. _____

State of Minnesota _____)
) ss

County of Dakota _____)

I, Tracy Giori, do state under penalty of
(name of person signing this affidavit)

perjury under 28 U.S.C. 1746 of the laws of the United States:

(1) that I am the authorized representative of _____

TMI Coatings, Inc.

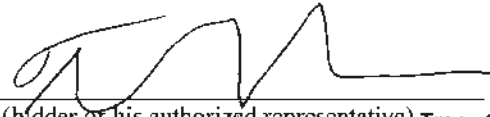
(name of person, partnership or corporation submitting this proposal)

and that I have the authority to make this affidavit for and on behalf of said bidder;

(2) that, in connection with this proposal, the said bidder has not either directly or indirectly entered into any agreement, participated in any collusion or otherwise taken any action in restraint of free competitive bidding;

(3) that, to the best of my knowledge and belief, the contents of this proposal have not been communicated by the bidder or by any of his/her employees or agents to any person who is not an employee or agent of the bidder or of the surety on any bond furnished with the proposal and will not be communicated to any person who is not an employee or agent of the bidder or of said surety prior to the official opening of the proposal, and

(4) that I have fully informed myself regarding the accuracy of the statements made in this affidavit.

Signed: 
(bidder or his authorized representative) Tracy Giori

SECTION 00 4550
RESPONSIBLE CONTRACTOR VERIFICATION AND CERTIFICATION OF COMPLIANCE

PART 1 GENERAL

1.01 THE RESPONSIBLE CONTRACTOR VERIFICATION AND CERTIFICATION OF COMPLIANCE FORMS ARE ATTACHED FOLLOWING THIS PAGE.

- A. Attachment A - Responsible Contractor and Certification of Compliance
- B. Attachment A-1 - First-Tier Subcontractor List
- C. Attachment A-2 - Additional Subcontractor List

This page intentionally left blank

RESPONSIBLE CONTRACTOR CERTIFICATE

Applies to all prime contracts in excess of \$50,000.00

PROJECT: BRAINERD WATER TOWER PHASE 2 IMPROVEMENTS

A responsible contractor is defined in Minnesota Statutes §16C.285, subdivision 3.

Any prime contractor or subcontractor who does not meet the minimum criteria under Minnesota Statute §16C.285, subdivision 3, or who fails to verify that it meets those criteria, is not a responsible contractor and is not eligible to be awarded a construction contract for the project or to perform work on the project.

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 for the project and may result in termination of a contract awarded to a prime contractor or subcontractor that makes a false statement.

A prime contractor shall submit to the contracting authority upon request copies of the signed verifications of compliance from all subcontractors of any tier pursuant to subdivision 3, clause 7.

By signing this statement, I,

Tracy Gliori
(type or print name)

President
(title) certify that I am an owner or officer of the company

and do verify under oath that my company is in compliance with each of the minimum criteria listed in the law.

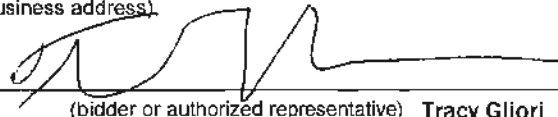
TMI Coatings, Inc.

(name of the person, partnership, or corporation submitting this proposal)

3291 Terminal Drive, St. Paul, MN 55121

(business address)

Signed:


(bidder or authorized representative) Tracy Gliori

Date: February 14, 2024

ATTACHMENT A-1

FIRST-TIER SUBCONTRACTOR LIST
(Prime Contractor Submit with Bid)

PROJECT: BRAINERD WATER TOWER PHASE 2 IMPROVEMENTS

Minn. Stat. §16.285, Subd. 5: A prime contractor or subcontractor shall include in its verification of compliance under subdivision 4 a list of all of its first-tier subcontractors that it intends to retain for work on the project.

First-Tier Subcontractor Names (Legal name of company as registered with the Secretary of State)	Name of city where company home office is located
Window Galaxy of Minnesota	Brainerd
Mears Electric, Inc.	Slayton

**Office of the Minnesota Secretary of State
Certificate of Good Standing**

I, Steve Simon, Secretary of State of Minnesota, do certify that: The business entity listed below was filed pursuant to the Minnesota Chapter listed below with the Office of the Secretary of State on the date listed below and that this business entity is registered to do business and is in good standing at the time this certificate is issued.

Name:	TMI Coatings, Inc.
Date Filed:	05/02/1985
File Number:	4X-875
Minnesota Statutes, Chapter:	302A
Home Jurisdiction:	Minnesota

This certificate has been issued on: 02/02/2024



Steve Simon

Steve Simon
Secretary of State
State of Minnesota



PAINTING &
RESTORATION
CONTRACTORS

3291 Terminal Drive
St. Paul, Minnesota 55121
P: 651 452 6100 F: 651 452 0598

UNANIMOUS SHAREHOLDER'S AND DIRECTOR'S RESOLUTION
OF
TMI COATINGS, INC.

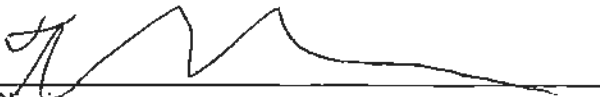
Tracy M. Giori, the corporation's sole director, hereby adopts the following resolution for the corporation's operation.

The following persons are elected as officers of the corporation and have the authority to bind TMI Coatings, Inc. in signing bids, proposals, and contracts:

President
Secretary

Tracy Marie Giori
Jared Matthew Wiese

The above resolution was adopted on January 2, 2024.

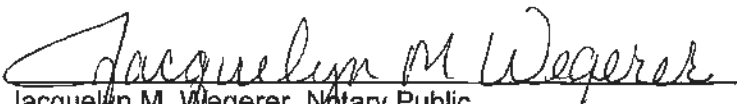

Tracy M. Giori

STATE OF Minnesota

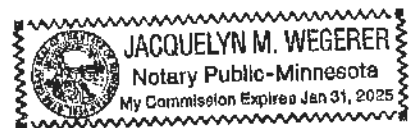
COUNTY OF Dakota

Tracy M. Giori, being duly sworn, deposes and says that she is the
President of TMI Coatings, Inc.

Subscribed and sworn to before me this 2nd day of January, 2024.


Jacquelyn M. Wegerer, Notary Public
Dakota County

My commission expires January 31, 2025.



AIA[®] Document A310[™] – 2010

Bid Bond

CONTRACTOR:

(Name, legal status and address)

TMI Coatings, Inc.

3291 Terminal Drive
St. Paul, MN 55121

OWNER:

(Name, legal status and address)

City of Brainerd

501 Laurel Street

Brainerd, MN 56401

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

PROJECT:

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

Brainerd Water Tower Phase 2 Improvements, Brainerd, MN

SURETY:

(Name, legal status and principal place of business)

Swiss Re Corporate Solutions America Insurance Corporation
1200 Main Street, Suite 800
Kansas City, MO 64105

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

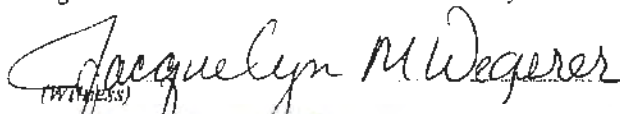
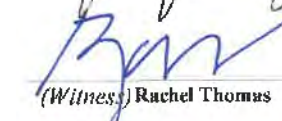
Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

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 7th day of February, 2024


(Witness)

(Witness) Rachel Thomas

TMI Coatings, Inc.

(Principal)

By:

(Title) Tracy M. Giori, President

Swiss Re Corporate Solutions America Insurance Corporation

(Surety)

By:

(Title) Lin Ulven, Attorney-in-Fact

(Seal)

(Seal)

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.



Init.

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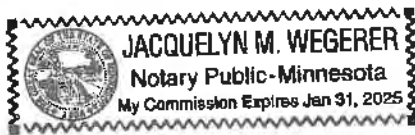
ACKNOWLEDGEMENT OF PRINCIPAL

STATE OF Minnesota)

COUNTY OF Dakota)

On this 12th day of February, in the year 2024, before me personally appeared Tracy M. Gllori,
President of
TMI Coatlngs, Inc., known to me to be
the person whose name is subscribed to the instrument, and acknowledge that he/she executed the same.

In WITNESS WHEREOF, I have hereunto set my hands and affixed my official seal, the day and year in
this certificate first above written.



Jacquelyn M Wegerer, Notary Public
My Commission Expires: 01/31/2025

ACKNOWLEDGEMENT OF SURETY

STATE OF Wisconsin)

COUNTY OF Polk)

On this 7th day of February, in the year 2024, before me personally come(s)
Lin Ulven, Attorney-in-Fact of
Swiss Re Corporate Solutions America Insurance Corporation, with whom
I am personally acquainted, and who, being by me duly sworn, says that he/she is the Attorney-in-Fact of
Swiss Re Corporate Solutions America Insurance Corporation, the company described in and
which executed the within instrument; that he/she know(s) the corporate seal of such Company; and that the seal
affixed to the within instrument is such corporate seal and that it was affixed by order of the Board of Directors of
said Company, and that he/she signed said instrument as Attorney-in-Fact of the said Company by like order.

In WITNESS WHEREOF, I have hereunto set my hands and affixed my official seal, the day and year in
this certificate first above written.



Rachel Thomas, Notary Public
My Commission Expires: 06/21/2025

SWISS RE CORPORATE SOLUTIONS

SWISS RE CORPORATE SOLUTIONS AMERICA INSURANCE CORPORATION ("SRCSAIC")
SWISS RE CORPORATE SOLUTIONS PREMIER INSURANCE CORPORATION ("SRCSPIC")
WESTPORT INSURANCE CORPORATION ("WIC")

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, THAT SRCSAIC, a corporation duly organized and existing under laws of the State of Missouri, and having its principal office in the City of Kansas City, Missouri, and SRCSPIC, a corporation organized and existing under the laws of the State of Missouri and having its principal office in the City of Kansas City, Missouri, and WIC, organized under the laws of the State of Missouri, and having its principal office in the City of Kansas City, Missouri, each does hereby make, constitute and appoint:

R. W. FRANK, JOSHUA R. LOFTIS, TINA L. DOMASK, ROSS S. SQUIRES, RACHEL THOMAS, NICOLE STILLINGS, SANDRA M. ENGSTRUM,
BRIAN J. OESTREICH, LIN ULVEN, EMILY WHITE, TED JORGENSEN, MELINDA C. BLODGETT, R.C. BOWMAN, COLBY WHITE, ALLISON HILL,
and NATTIAN WEAVER JOINTLY OR SEVERALLY

Its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver, for and on its behalf and as its act and deed, bonds or other writings obligatory in the nature of a bond on behalf of each of said Companies, as surety, on contracts of suretyship as are or may be required or permitted by law, regulation, contract or otherwise, provided that no bond or undertaking or contract or suretyship executed under this authority shall exceed the amount of:

TWO HUNDRED MILLION (\$200,000,000.00) DOLLARS

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Boards of Directors of both SRCSAIC and SRCSPIC at meetings duly called and held on the 18th of November 2021 and WIC by written consent of its Executive Committee dated July 18, 2011.

"RESOLVED, that any two of the President, any Managing Director, any Senior Vice President, any Vice President, the Secretary or any Assistant Secretary be, and each or any of them hereby is, authorized to execute a Power of Attorney qualifying the attorney named in the given Power of Attorney to execute on behalf of the Corporation bonds, undertakings and all contracts of surety, and that each or any of them hereby is authorized to attest to the execution of any such Power of Attorney and to attach therein the seal of the Corporation; and it is

FURTHER RESOLVED, that the signature of such officers and the seal of the Corporation may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be binding upon the Corporation when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached."



By Erik Janssens, Senior Vice President of SRCSAIC & Senior Vice President of SRCSPIC & Senior Vice President of WIC

By Gerald Jagrowski, Vice President of SRCSAIC & Vice President of SRCSPIC & Vice President of WIC



IN WITNESS WHEREOF, SRCSAIC, SRCSPIC, and WIC have caused their official seals to be hereunto affixed, and these presents to be signed by their authorized officers

this 10 day of NOVEMBER, 2022

State of Illinois
County of Cook

☒ SS

Swiss Re Corporate Solutions America Insurance Corporation
Swiss Re Corporate Solutions Premier Insurance Corporation
Westport Insurance Corporation

On this 10 day of NOVEMBER, 2022, before me, a Notary Public personally appeared Erik Janssens, Senior Vice President of SRCSAIC and Senior Vice President of SRCSPIC and Senior Vice President of WIC and Gerald Jagrowski, Vice President of SRCSAIC and Vice President of SRCSPIC and Vice President of WIC, personally known to me, who being by me duly sworn, acknowledged that they signed the above Power of Attorney as officers of and acknowledged said instrument to be the voluntary act and deed of their respective companies.



Christina Manisco
Christina Manisco, Notary

I, Jeffrey Goldberg, the duly elected Senior Vice President and Assistant Secretary of SRCSAIC and SRCSPIC and WIC, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney given by said SRCSAIC and SRCSPIC and WIC, which is still in full force and effect. IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Companies this 7th day of February, 2024.

Jeffrey Goldberg, Senior Vice President & Assistant Secretary of SRCSAIC and SRCSPIC and WIC

SECTION 00 4100

BID FORM

THE PROJECT AND THE PARTIES

TO: CITY OF BRAINERD

FOR: BRAINERD WATER TOWER PHASE 2 IMPROVEMENTS

DATE: 2-14-2024 (BIDDER TO ENTER DATE)

SUBMITTED BY: (BIDDER TO ENTER NAME AND ADDRESS)

Bidder's Full Name: Eagle Construction Company, Inc.

Address: 515 9th Avenue NW

City, State, Zip: Little Falls, MN 56345

1.01 OFFER

- A. Having examined the Place of The Work and all matters referred to in the Instructions to Bidders and the Bid Documents prepared by LHB, Inc. for the above mentioned project, we, the undersigned, hereby offer to enter into a Contract to perform the Work for the Sum of:

Five Hundred Seventy-Four Thousand Four Hundred dollars (\$ 574,400 -),
in lawful money of the United States of America.

- B. We have included the required security deposit as required by the Instruction to Bidders.
C. We have included the required Responsible Contractor Verification Forms.
D. All applicable federal taxes are included and State of Minnesota taxes are included in the Bid Sum.

1.02 ACCEPTANCE

- A. This offer shall be open to acceptance and is irrevocable for 30 days from the bid closing date.
B. If this bid is accepted by Owner within the time period stated above, we will:
1. Execute the Agreement within seven days of receipt of Notice of Award.
2. Furnish the required bonds within seven days of receipt of Notice of Award.
3. Commence work within seven days after written Notice to Proceed of this bid.
C. If this bid is accepted within the time stated, and we fail to commence the Work or we fail to provide the required Bond(s), the security deposit shall be forfeited as damages to Owner by reason of our failure, limited in amount to the lesser of the face value of the security deposit or the difference between this bid and the bid upon which a Contract is signed.
D. In the event our bid is not accepted within the time stated above, the required security deposit shall be returned to the undersigned, in accordance with the provisions of the Instructions to Bidders; unless a mutually satisfactory arrangement is made for its retention and validity for an extended period of time.

1.03 CONTRACT TIME

- A. If this Bid is accepted, we will:
Complete the Work by October 31, 2024.

1.04 ADDENDA

- A. The following Addenda have been received. The modifications to the Bid Documents noted below have been considered and all costs are included in the Bid Sum.
1. Addendum # _____ Dated _____
2. Addendum # _____ Dated _____
3. Addendum # _____ Dated _____

1.05 ATTACHMENTS

- A. Non-Collusion Affidavit
- B. Bid Bond
- C. Responsible Contractor Verification Form
- D. Attachment A-1 First Tier Subcontractor List

1.06 BID FORM SIGNATURE(S)

The Corporate Seal of
Eagle Construction Company, Inc.

(Bidder - print the full name of your firm)

was hereunto affixed in the presence of:

Brandon Freudenrich, Vice President

(Print Authorized signing officer, Title)



(Signature of authorized signing officer)

1.06 IF THE BID IS A JOINT VENTURE OR PARTNERSHIP, ADD ADDITIONAL FORMS OF EXECUTION FOR EACH MEMBER OF THE JOINT VENTURE IN THE APPROPRIATE FORM OR FORMS AS ABOVE.

END OF SECTION

**SECTION 00 4200
NON-COLLUSION AFFIDAVIT**

PART 1 GENERAL

- 1.01 BIDDERS SHALL INCLUDE A SIGNED COPY OF THE ATTACHED “NON-COLLUSION AFFIDAVIT” ALONG WITH THEIR BID.**

NON-COLLUSION AFFIDAVIT

The following Non-Collusion Affidavit shall be executed by the bidder:

State Project No. 190190.03 _____

Federal Project No. _____

State of Minnesota _____)
_____) ss

County of Crow Wing _____)

I, Brandon Freudenrich _____, do state under penalty of
(name of person signing this affidavit)

perjury under 28 U.S.C. 1746 of the laws of the United States:

(1) that I am the authorized representative of _____

Eagle Construction Company, Inc.

(name of person, partnership or corporation submitting this proposal)

and that I have the authority to make this affidavit for and on behalf of said bidder;

(2) that, in connection with this proposal, the said bidder has not either directly or indirectly entered into any agreement, participated in any collusion or otherwise taken any action in restraint of free competitive bidding;

(3) that, to the best of my knowledge and belief, the contents of this proposal have not been communicated by the bidder or by any of his/her employees or agents to any person who is not an employee or agent of the bidder or of the surety on any bond furnished with the proposal and will not be communicated to any person who is not an employee or agent of the bidder or of said surety prior to the official opening of the proposal, and

(4) that I have fully informed myself regarding the accuracy of the statements made in this affidavit.

Signed: _____



-Brandon Freudenrich

(bidder or his authorized representative)

SECTION 00 4550

RESPONSIBLE CONTRACTOR VERIFICATION AND CERTIFICATION OF COMPLIANCE

PART 1 GENERAL

1.01 THE RESPONSIBLE CONTRACTOR VERIFICATION AND CERTIFICATION OF COMPLIANCE FORMS ARE ATTACHED FOLLOWING THIS PAGE.

- A. Attachment A - Responsible Contractor and Certification of Compliance
- B. Attachment A-1 - First-Tier Subcontractor List
- C. Attachment A-2 - Additional Subcontractor List

RESPONSIBLE CONTRACTOR CERTIFICATE

Applies to all prime contracts in excess of \$50,000.00

PROJECT: BRAINERD WATER TOWER PHASE 2 IMPROVEMENTS

A responsible contractor is defined in Minnesota Statutes §16C.285, subdivision 3.

Any prime contractor or subcontractor who does not meet the minimum criteria under Minnesota Statute §16C.285, subdivision 3, or who fails to verify that it meets those criteria, is not a responsible contractor and is not eligible to be awarded a construction contract for the project or to perform work on the project.

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 for the project and may result in termination of a contract awarded to a prime contractor or subcontractor that makes a false statement.

A prime contractor shall submit to the contracting authority upon request copies of the signed verifications of compliance from all subcontractors of any tier pursuant to subdivision 3, clause 7.

By signing this statement, I,

Brandon Freudenrich

(type or print name)

Vice President

(title)

certify that I am an owner or officer of the company

and do verify under oath that my company is in compliance with each of the minimum criteria listed in the law.

Eagle Construction Company, Inc.

(name of the person, partnership, or corporation submitting this proposal)

515 9th Avenue NW Little Falls, MN 56345

(business address)

Signed:



-Brandon Freudenrich

(bidder or authorized representative)

Date: 2-14-2024

ATTACHMENT A-1

FIRST-TIER SUBCONTRACTOR LIST
(Prime Contractor Submit with Bid)

PROJECT: BRAINERD WATER TOWER PHASE 2 IMPROVEMENTS

Minn. Stat. §16.285, Subd. 5: A prime contractor or subcontractor shall include in its verification of compliance under subdivision 4 a list of all of its first-tier subcontractors that it intends to retain for work on the project.

First-Tier Subcontractor Names (Legal name of company as registered with the Secretary of State)	Name of city where company home office is located
<i>HOLDEN ELECTRIC</i>	<i>B.F. BARBER, MN</i>

OHIO FARMERS INSURANCE COMPANY

Westfield Group® 1 Park Circle, P O Box 5001, Westfield Center, Ohio 44251-5001

Conforms to Document A310™ - 2010

Bid Bond

CONTRACTOR:

(Name, legal status and address)

Eagle Construction Company, Inc.
515 9th Avenue NW
Little Falls, MN 56345

SURETY:

(Name, legal status and principal place of business)

OHIO FARMERS INSURANCE COMPANY
1 Park Circle, PO Box 5001
Westfield Center, OH 44251-5001

OWNER:

(Name, legal status and address)

City of Brainerd
501 Laurel Street
Brainerd, MN 56401

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

PROJECT:

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

Brainerd Water Tower Phase 2 Improvements
Project No. 190190.03
Brainerd, MN

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 9th day of February, 2024

Kimberly Fochler

(Witness)

Eagle Construction Company, Inc.

(Principal)

(Seal)

By: *Brandon Freudenrich*

Brandon Freudenrich, Vice-President

(Title)

Brenda Wilcox

(Witness)

OHIO FARMERS INSURANCE COMPANY

(Surety)

(Seal)

By: *Christine Lang*

Christine Lang, Attorney-in-Fact

(Title)

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BD5084 OFWWN (10/2010)

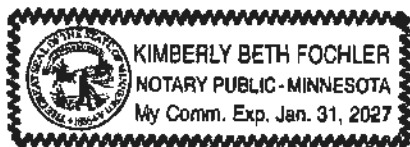
CORPORATE ACKNOWLEDGEMENT

STATE OF MINNESOTA

COUNTY OF MORRISON

On the 9th day of February, 2024, before me, personally appeared Brandon Freudenrich, to me known, who being by me duly sworn, did depose and say that (s)he resides in Little Falls, MN, that (s)he is the Vice- President of Eagle Construction Company, 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 his/her name thereto by like order.

(Notarial Seal)



Kimberly Fochler
(Notary Signature)

ACKNOWLEDGEMENT OF CORPORATE SURETY

STATE OF MINNESOTA

COUNTY OF STEARNS

On the 9th day of February, 2024, before me, appeared Christine Lang, to me personally known, who being by me duly sworn, did say that (s)he is the aforesaid officer or attorney in fact of the Ohio Farmers Insurance Company, a corporation; that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in 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.



K. Brophy
(Notary Signature)

THIS POWER OF ATTORNEY SUPERCEDES ANY PREVIOUS POWER BEARING THIS SAME POWER # AND ISSUED PRIOR TO 02/07/24, FOR ANY PERSON OR PERSONS NAMED BELOW.

POWER NO. 2260812 09

General
Power
of Attorney

Westfield Insurance Co.
Westfield National Insurance Co.
Ohio Farmers Insurance Co.
Westfield Center, Ohio

CERTIFIED COPY

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint
CAROL WEBER, KATHRYN BROPHY, CHRISTINE M. LANG, JOINTLY OR SEVERALLY

of SAINT CLOUD and State of MN its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings, or other instruments or contracts of suretyship in any penal limit.

LIMITATION: THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

"Be it Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact, may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents cancelling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

"Be it Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000).

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their **National Surety Leader** and **Senior Executive** and their corporate seals to be hereto affixed this 07th day of FEBRUARY A.D., 2024.

Corporate
Seals
Affixed



WESTFIELD INSURANCE COMPANY
WESTFIELD NATIONAL INSURANCE COMPANY
OHIO FARMERS INSURANCE COMPANY

By:

Gary W. Stumper, National Surety Leader and Senior Executive

State of Ohio
County of Medina ss.:

On this 07th day of FEBRUARY A.D., 2024, before me personally came Gary W. Stumper to me known, who, being by me duly sworn, did depose and say, that he resides in Medina, OH; that he is National Surety Leader and Senior Executive of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial
Seal
Affixed



David A. Kotnik, Attorney at Law, Notary Public
My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

State of Ohio
County of Medina ss.:

I, Frank A. Carrino, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Westfield Center, Ohio, this 9th day of February A.D., 2024.



Frank A. Carrino, Secretary

BPOAC2 (combined) (03-22)

SECTION 00 4100

BID FORM

THE PROJECT AND THE PARTIES

TO: CITY OF BRAINERD

FOR: BRAINERD WATER TOWER PHASE 2 IMPROVEMENTS

DATE: 02/14/24 (BIDDER TO ENTER DATE)

SUBMITTED BY: (BIDDER TO ENTER NAME AND ADDRESS)

Bidder's Full Name: Hy-Tec Construction of Brainerd, Inc.

Address: 11360 Business 371, PO Box 621

City, State, Zip: Brainerd, MN 56401

1.01 OFFER

- A. Having examined the Place of The Work and all matters referred to in the Instructions to Bidders and the Bid Documents prepared by LHB, Inc. for the above mentioned project, we, the undersigned, hereby offer to enter into a Contract to perform the Work for the Sum of:
Four Hundred Thirty Six Thousand and no/100-- dollars (\$ 436,000.00),
in lawful money of the United States of America.
- B. We have included the required security deposit as required by the Instruction to Bidders.
- C. We have included the required Responsible Contractor Verification Forms.
- D. All applicable federal taxes are included and State of Minnesota taxes are included in the Bid Sum.

1.02 ACCEPTANCE

- A. This offer shall be open to acceptance and is irrevocable for 30 days from the bid closing date.
- B. If this bid is accepted by Owner within the time period stated above, we will:
1. Execute the Agreement within seven days of receipt of Notice of Award.
 2. Furnish the required bonds within seven days of receipt of Notice of Award.
 3. Commence work within seven days after written Notice to Proceed of this bid.
- C. If this bid is accepted within the time stated, and we fail to commence the Work or we fail to provide the required Bond(s), the security deposit shall be forfeited as damages to Owner by reason of our failure, limited in amount to the lesser of the face value of the security deposit or the difference between this bid and the bid upon which a Contract is signed.
- D. In the event our bid is not accepted within the time stated above, the required security deposit shall be returned to the undersigned, in accordance with the provisions of the Instructions to Bidders; unless a mutually satisfactory arrangement is made for its retention and validity for an extended period of time.

1.03 CONTRACT TIME

- A. If this Bid is accepted, we will:
Complete the Work by October 31, 2024.

1.04 ADDENDA

- A. The following Addenda have been received. The modifications to the Bid Documents noted below have been considered and all costs are included in the Bid Sum.
1. Addendum # None Dated _____.
 2. Addendum # _____ Dated _____.
 3. Addendum # _____ Dated _____.

1.05 ATTACHMENTS

- A. Non-Collusion Affidavit
- B. Bid Bond
- C. Responsible Contractor Verification Form
- D. Attachment A-1 First Tier Subcontractor List

1.06 BID FORM SIGNATURE(S)

The Corporate Seal of

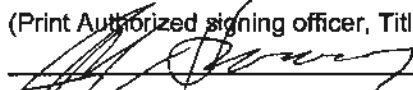
Hy-Tec Construction of Brainerd, Inc.

(Bidder - print the full name of your firm)

was hereunto affixed in the presence of:

Jeff Hanson, Secretary

(Print Authorized signing officer, Title)



(Signature of authorized signing officer)

1.06 IF THE BID IS A JOINT VENTURE OR PARTNERSHIP, ADD ADDITIONAL FORMS OF EXECUTION FOR EACH MEMBER OF THE JOINT VENTURE IN THE APPROPRIATE FORM OR FORMS AS ABOVE.

END OF SECTION

**SECTION 00 4200
NON-COLLUSION AFFIDAVIT**

PART 1 GENERAL

- 1.01 BIDDERS SHALL INCLUDE A SIGNED COPY OF THE ATTACHED "NON-COLLUSION AFFIDAVIT" ALONG WITH THEIR BID.**

NON-COLLUSION AFFIDAVIT

The following Non-Collusion Affidavit shall be executed by the bidder:

State Project No. _____

Federal Project No. _____

State of Minnesota _____)

) ss

County of Crow Wing _____)

I, Jeff Hanson, do state under penalty of
(name of person signing this affidavit)

perjury under 28 U.S.C. 1746 of the laws of the United States:

(1) that I am the authorized representative of _____

Hy-Tec Construction of Brainerd, Inc.

(name of person, partnership or corporation submitting this proposal)

and that I have the authority to make this affidavit for and on behalf of said bidder;

(2) that, in connection with this proposal, the said bidder has not either directly or indirectly entered into any agreement, participated in any collusion or otherwise taken any action in restraint of free competitive bidding;

(3) that, to the best of my knowledge and belief, the contents of this proposal have not been communicated by the bidder or by any of his/her employees or agents to any person who is not an employee or agent of the bidder or of the surety on any bond furnished with the proposal and will not be communicated to any person who is not an employee or agent of the bidder or of said surety prior to the official opening of the proposal, and

(4) that I have fully informed myself regarding the accuracy of the statements made in this affidavit.

Signed: _____

(bidder or his authorized representative)

SECTION 00 4550

RESPONSIBLE CONTRACTOR VERIFICATION AND CERTIFICATION OF COMPLIANCE

PART 1 GENERAL

1.01 THE RESPONSIBLE CONTRACTOR VERIFICATION AND CERTIFICATION OF COMPLIANCE FORMS ARE ATTACHED FOLLOWING THIS PAGE.

- A. Attachment A - Responsible Contractor and Certification of Compliance
- B. Attachment A-1 - First-Tier Subcontractor List
- C. Attachment A-2 - Additional Subcontractor List

RESPONSIBLE CONTRACTOR CERTIFICATE

Applies to all prime contracts in excess of \$50,000.00

PROJECT: BRAINERD WATER TOWER PHASE 2 IMPROVEMENTS

A responsible contractor is defined in Minnesota Statutes §16C.285, subdivision 3.

Any prime contractor or subcontractor who does not meet the minimum criteria under Minnesota Statute §16C.285, subdivision 3, or who fails to verify that it meets those criteria, is not a responsible contractor and is not eligible to be awarded a construction contract for the project or to perform work on the project.

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 for the project and may result in termination of a contract awarded to a prime contractor or subcontractor that makes a false statement.

A prime contractor shall submit to the contracting authority upon request copies of the signed verifications of compliance from all subcontractors of any tier pursuant to subdivision 3, clause 7.

By signing this statement, I,

Jeff Hanson

(type or print name)

Secretary/Project Manager

(title)

certify that I am an owner or officer of the company and do verify under oath that my company is in compliance with each of the minimum criteria listed in the law.

Hy-Tec Construction of Brainerd, Inc.

(name of the person, partnership, or corporation submitting this proposal)

11360 Business 371, PO Box 621, Brainerd, MN 56401

(business address)

Signed:


(bidder or authorized representative)

Date: February 14, 2024

ATTACHMENT A-1

FIRST-TIER SUBCONTRACTOR LIST
(Prime Contractor Submit with Bid)

PROJECT: BRAINERD WATER TOWER PHASE 2 IMPROVEMENTS

Minn. Stat. §16.285, Subd. 5: A prime contractor or subcontractor shall include in its verification of compliance under subdivision 4 a list of all of its first-tier subcontractors that it intends to retain for work on the project.

First-Tier Subcontractor Names (Legal name of company as registered with the Secretary of State)	Name of city where company home office is located
Holden Electric	Baxter, MN
Gary's Painting	Baxter, MN
Gull Lake Glass	Brainerd, MN

ATTACHMENT A-2

ADDITIONAL SUBCONTRACTOR LIST

(Prime Contractor to submit as subcontractors are added to the project)

PROJECT: BRAINERD WATER TOWER PHASE 2 IMPROVEMENTS

This form must be submitted to the Project Manager or individual as identified in the solicitation document.

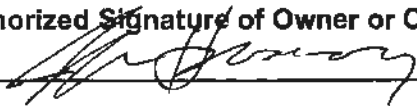
Minn. Stat. §16.285, Subd. 5: If a prime contractor or any subcontractor retains additional subcontractors on the project after submitting its verification of compliance, the prime contractor or subcontractor shall obtain verifications of compliance from each additional subcontractor with which it has a direct contractual relationship and shall submit a supplemental verification confirming compliance with subdivision 3, clause (7), within 14 days of retaining the additional subcontractors.

Additional Subcontractor Names (Legal name of company as registered with the Secretary of State)	Name of city where company home office is located
No changes at this time	

SUPPLEMENTAL CERTIFICATION FOR ATTACHMENT A-2

By signing this document I certify that I am an owner or officer of the company, and I swear under oath that:

All additional subcontractors listed on Attachment A-2 have verified through a signed statement under oath by an owner or officer that they meet the minimum criteria to be a responsible contractor as defined in Minn. Stat. §16.285.

Authorized Signature of Owner or Officer: 	Printed Name: Jeff Hanson
Title: Secretary/Project Manager	Date: February 14, 2024
Company Name: Hy-Tec Construction of Brainerd, Inc.	

AIA[®] Document A310[™] – 2010

Bid Bond

CONTRACTOR:

(Name, legal status and address)

Hy-Tec Construction of Brainerd, Inc.

11360 Business 371

Brainerd, MN 56401

OWNER:

(Name, legal status and address)

City of Brainerd

501 Laurel Street

Brainerd, MN 56401

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

PROJECT:

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

Brainerd Water Tower Phase 2 Improvements, Brainerd, MN

SURETY:

(Name, legal status and principal place of business)

Fidelity and Deposit Company of Maryland

1299 Zurich Way

Schaumburg, IL 60196-1056

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 7th day of February, 2024


(Witness)


(Witness) Tina Domask

Hy-Tec Construction of Brainerd, Inc.

(Principal)

By: 

(Title)

Fidelity and Deposit Company of Maryland

(Surety)

By: 

(Title) Nicole Stilings, Attorney-in-Fact


(Seal)

(Seal)



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.

Init.

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ACKNOWLEDGEMENT OF PRINCIPAL

STATE OF Minnesota

COUNTY OF Crawling

On this 14th day of FEBRUARY, in the year 2024, before me personally appeared Jeff Hanson of

Hy-Tec Construction of Brainerd, Inc., known to me to be the person whose name is subscribed to the instrument, and acknowledge that he/she executed the same.

In WITNESS WHEREOF, I have hereunto set my hands and affixed my official seal, the day and year in this certificate first above written.



Brenda Bray, Notary Public

My Commission Expires: 1-31-25

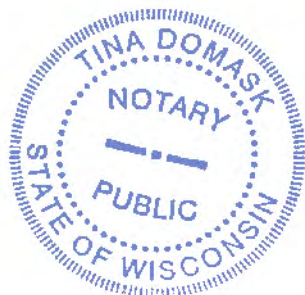
ACKNOWLEDGEMENT OF SURETY

STATE OF Wisconsin

COUNTY OF Dane

On this 7th day of February, in the year 2024, before me personally come(s) Nicole Stillings, Attorney-in-Fact of Fidelity and Deposit Company of Maryland, with whom I am personally acquainted, and who, being by me duly sworn, says that he/she is the Attorney-in-Fact of Fidelity and Deposit Company of Maryland, the company described in and which executed the within instrument; that he/she know(s) the corporate seal of such Company; and that the seal affixed to the within instrument is such corporate seal and that it was affixed by order of the Board of Directors of said Company, and that he/she signed said instrument as Attorney-in-Fact of the said Company by like order.

In WITNESS WHEREOF, I have hereunto set my hands and affixed my official seal, the day and year in this certificate first above written.



Tina Domask, Notary Public

My Commission Expires: 10/25/2027

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by Robert D. Murray, Vice President, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint R. W. FRANK, Brian J. OESTREICH, Melinda C. BLODGETT, Nathan WEAVER, Joshua R. LOFTIS, R. C. BOWMAN, Ted JORGENSEN, Colby D. WHITE, Nicole STILLINGS, Sarah DRAGT, Sandra ENGSTRUM, Rachel THOMAS, Lin ULVEN, Emily WHITE of Minneapolis, Minnesota, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York, the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland, and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland, in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 20th day of September, A.D. 2023.



ATTEST:
**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

A handwritten signature of Robert D. Murray in black ink, written over a horizontal line.

By: *Robert D. Murray*
Vice President

A handwritten signature of Dawn E. Brown in black ink, written over a horizontal line.

By: *Dawn E. Brown*
Secretary

**State of Maryland
County of Baltimore**

On this 20th day of September, A.D. 2023, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **Robert D. Murray, Vice President and Dawn E. Brown, Secretary** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

Genevieve M. Maison



Authenticity of this bond can be confirmed at bondvalidator.zurichna.com or 410-559-8790



City Council Agenda Request

MEETING DATE: February 20, 2024

TITLE OF ITEM: Discuss TH 210/Washington Street Reconstruction Street Lighting Layout

AGENDA: SPW Committee

ACTION REQUESTED: Discussion Item

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

PRESENTER: Jessie Dehn, Public Works Director **ESTIMATED TIME (MIN):** 10 Minutes

SUMMARY OF ISSUE: SRF is continuing on development of the utility replacement project on TH 210/Washington Street as part of the upcoming reconstruction project. SRF has been provided with a copy of the recently adopted Street Lighting Policy for guidance on the design. One clarification that they require is regarding intersection lighting and layout. The policy does not specify how many lights are required at each intersection. Due to the width of the street, it would require lights on both sides of the roadway to sufficiently illuminate the street. Note that MnDOT will participate in 50% of the MnDOT standard lighting, estimated to be approximately \$500,000. Staff has attached a couple layout alternatives for the Council to consider. Also attached are photos of the existing lighting layouts.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Lighting Alternative #1 includes 4 lights at each intersection and spacing them parallel across the street. This is currently representative in Northwest Brainerd on Highway 210.

- Benefits
 - Similar to lighting at signalized intersections where MnDOT requires 4 lights, one on each post.
 - More comfortable for pedestrians at uncontrolled crossings to cross during evening and night hours.
- Cons
 - Additional cost
 - Additional light pollution
 - Doesn't coordinate well with Northeast Brainerd adjacent to BNSF where this amount of lighting is unneeded on the south side.
- Approximate Count = 148 (roughly \$2.25 million)

Lighting Alternative #2 includes 2 lights at each intersection and staggered spacing across the street. This is currently representative in Central Brainerd on Highway 210.

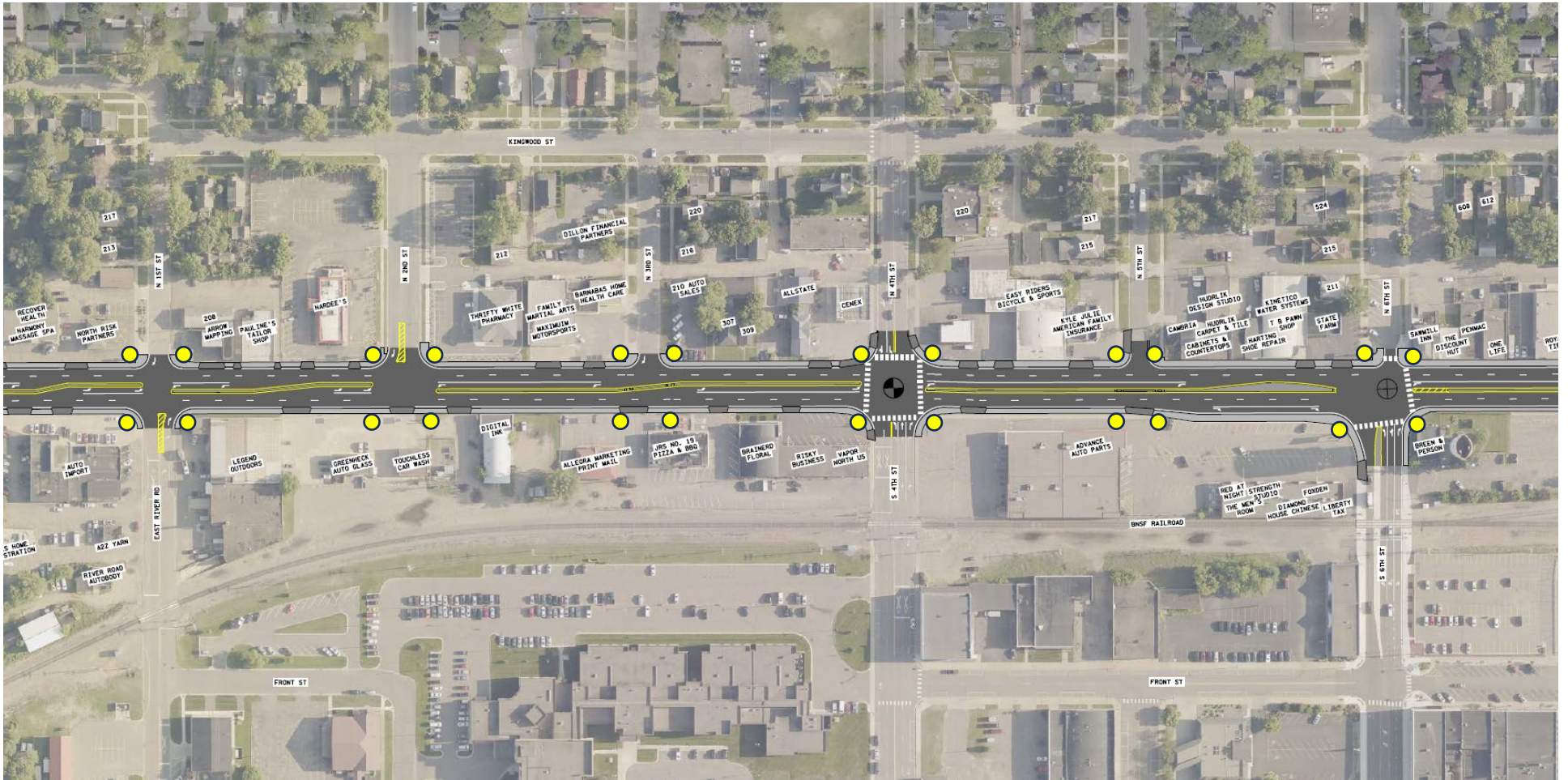
- Benefits
 - Less cost

- Less light pollution
 - Easier to coordinate layout with Northeast Brainerd by BNSF
- Cons
 - Less comfortable for pedestrians at uncontrolled crossings to cross during evening and night hours.
 - Does not match intersection lighting at signalized intersections where there will be 4 lights.
- Approximate Count = 106 (roughly \$1.5 million)

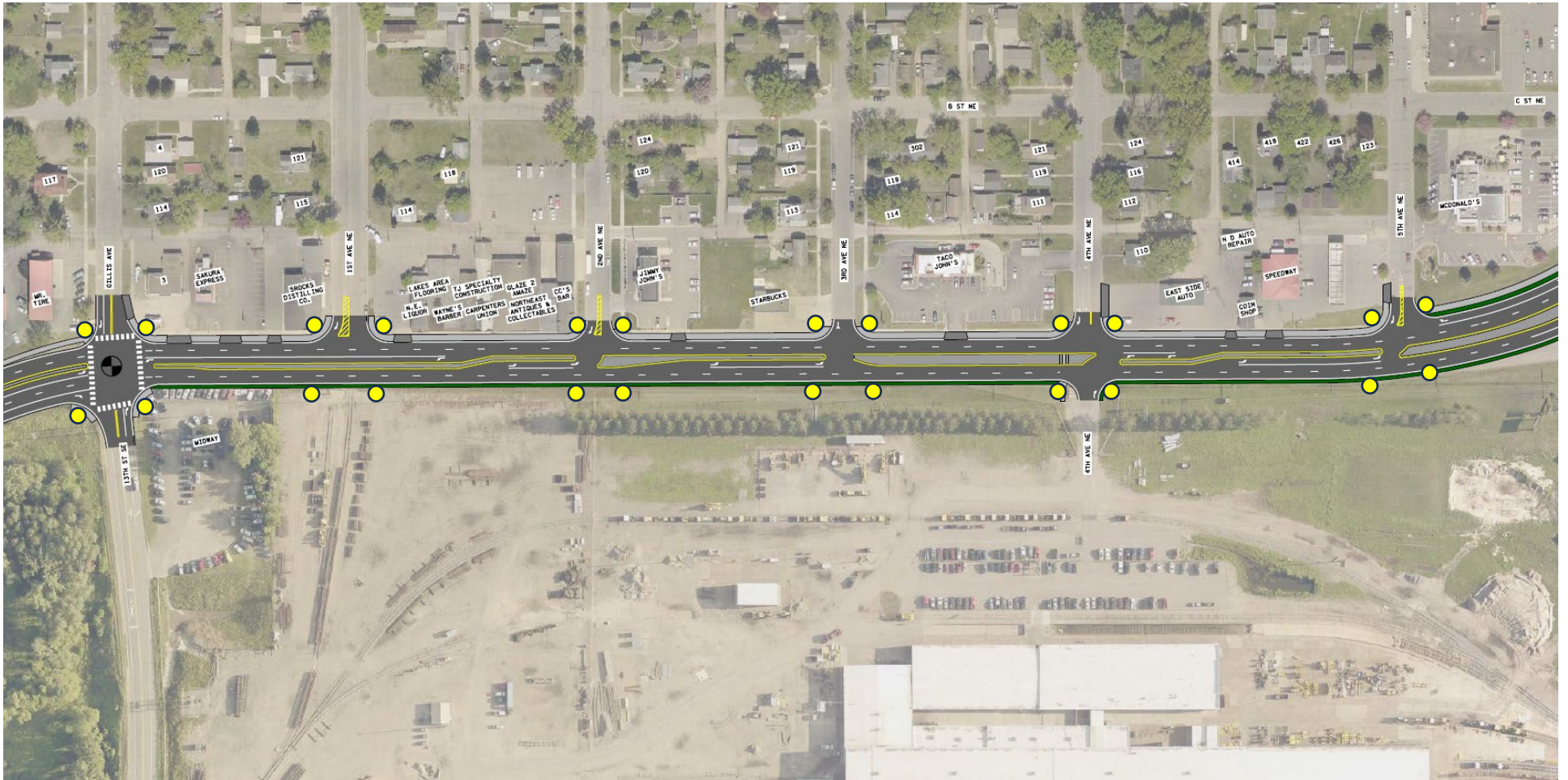
RECOMMENDED ACTION/MOTION: Staff recommends Lighting Alternative #2 with 2 lights per intersection and staggered mid-block spacing in between.

FINANCIAL IMPACT: Estimated at \$1 million.

Alternative #1 – 4 Lights per Intersection and Mirror Alignment



Alternative #1 – 4 Lights per Intersection and Mirror Alignment



[illegible]

[illegible]

NW Brainerd Lighting – 4 lights per intersection, parallel spacing



Central Brainerd Lighting – 2 lights per intersection, staggered spacing





City Council Agenda Request

MEETING DATE: February 20, 2024

TITLE OF ITEM: Deny Second Hand Auto Dealer's License for Tower Motors

AGENDA: SPW Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: James Kramvik, Community Development Director

DEPARTMENT: Community Development

PRESENTER: James Kramvik, Community Development Director

ESTIMATED TIME (MIN): 10 min

SUMMARY OF ISSUE:

The Second Hand Automobile License issued to Tower Motors for 2023 expired on December 31st of 2023. The City of Brainerd received a completed application with late payment to the Finance Department and the previous year's motor vehicle excise tax paid in full on 2/1/2024. Staff accepted the application on February 1st after a one-day extension was allowed to meet the 30-day deadline to pay a 25 percent penalty on the renewal fee. A letter was sent to Tower Motors to make them aware that during the renewal process, they are not allowed to sell automobiles since their license has expired.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

The Community Development Department and Finance Department completed their respective reviews and are recommending denial of the application for the following reasons:

1. Repeated late payments over a three-and-a-half year period of the motor vehicle tax with 41 total late payments and ten late payments over 100 days.
2. Repeated violations of the zoning code pertaining to Section 515-3-28.C.1 which states "All exterior storage shall be fully screened so as not to be visible from abutting properties and rights-of-way. All outdoor storage shall follow the standards as established Section 515-4-10. G. for screening of Parking Lots."
3. Denial of the Fire Marshal inspection of the premises on 2/12/24 by two individuals other than the owners of Tower Motors. Your business indicated on your workers' compensation form that you have no employees.
4. Upon inspection by the Fire Marshal on 2/14/2024, there were tires stored in the building and within 50 feet of the building which is in violation of the State Fire Code. Tower Motors was made aware of the Fire Code and violation in the 2023 inspection and continue to violate the State Fire Code.

Staff is recommending denial of the application under Section 1005.21 & 1005.27 of the City Code which states that "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. 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.

Tower Motors continues to violate multiple State Fire Codes specifically the storage of tires in the building and within fifty feet of the building.

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

The previously issued second hand auto dealers license does not permit the illegal storage and sales of tires from the parking lot which are in violation of the Zoning Code.

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

As voted by referendum and implemented on April 1st, 2007, all second hand auto dealers are required to pay a 0.5% sales and use tax and a \$20 per vehicle excise tax on motor vehicles sold by licensed dealers in the city.

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.

Tower Motors denied access to the Fire Marshal which is a required inspection prior to the renewal of a second hand automobile license. The property has had past violations of the State Fire Code.

RECOMMENDED ACTION/MOTION:

Motion to Deny the Second Hand Auto Dealer's License for Tower Motors

FINANCIAL IMPACT: N/A

February 15, 2024

Ms. Allison Doyle
Tower Motors
624 Washington St
Brainerd MN, 56401



www.ci.brainerd.mn.us

Dear Ms. Doyle,

RE: Second Hand Automobile License Application

The Second Hand Automobile License issued to Tower Motors for 2023 expired on December 31st of 2023. The City of Brainerd received a completed application with late payment to the Finance Department and the previous year's motor vehicle excise tax paid in full. Staff accepted the application on 2/1/2024 after a one-day extension was allowed to meet the 30-day deadline to pay a 25 percent penalty on the renewal fee.

The Community Development Department and Finance Department completed their respective reviews and are recommending denial of the application for the following reasons:

1. Repeated late payments over a three-and-a-half year period of the motor vehicle tax with 41 total late payments and ten late payments over 100 days.
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4. Upon inspection by the Fire Marshal on 2/14/2024 there were tires stored in the building and within 50 feet of the building which is in violation of the State Fire Code. Tower Motors was made aware of the Fire Code and violation in the 2023 inspection and continue to violate the State Fire Code.

Staff is recommending **denial** of the application under Section 1005.21 & 1005.27 of the City Code which states that "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. 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.

Tower Motors continues to violate multiple State Fire Codes specifically the storage of tires in the building and within fifty feet of the building.

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The previously issued second hand auto dealers license does not permit the illegal storage and sales of tires from the parking lot which are in violation of the Zoning Code.

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

As voted by referendum and implemented on April 1st, 2007, all second hand auto dealers are required to pay a 0.5% sales and use tax and a \$20 per vehicle excise tax on motor vehicles sold by licensed dealers in the city.

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.

Tower Motors denied access to the Fire Marshal which is a required inspection prior to the renewal of a second hand automobile license. The property has had past violations of the State Fire Code.

Your license has expired as of **12/31/2023** and as a result Tower Motors is no longer allowed to sell any automobiles. Consideration of denial for your application will be heard at the **February 20th** Safety and Public Works Committee, with a time to be determined. Directly after the Safety and Public Works Committee the full City Council, starting at 7:30, will approve or deny your application after receiving a recommendation from the Safety and Public Works Committee.

In the event the application is denied, your business will not be allowed to sell automobiles and your application fee will be refunded.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick Wussow", with a stylized flourish at the end.

Patrick Wussow
Interim City Administrator, City of Brainerd

January 2, 2024

Ms. Allison Doyle
Tower Motors
624 Washington St
Brainerd MN, 56401



www.ci.brainerd.mn.us

Dear Ms. Doyle,

RE: Second Hand Automobile License Application

The Second Hand Automobile License issued to Tower Motors for 2023 expired on December 31st of 2023. The City of Brainerd has not received an application to renew your Second Hand Automobile License for 2024 and therefore your business is in violation of City Code Section 1005. City Code Section 1010.03 Subd.2 outlines the procedure for late payments of business licenses.

Subd. 2. **Penalty for Late Payment.** Every person whose licensed trade, business, profession, activity, or privilege is licensed by the City, other than one who has been closed down or who has not operated such activity in the City after the expiration of the licensing year, shall pay to the City Clerk the regular license fee and in addition thereto the following penalty for late application for a renewal license:

- 1) one to 14 days late, a ten percent penalty, but not less than \$5.00;
- 2) 15 to 30 days late, a 25 percent penalty, but not less than \$10.00;
- 3) after expiration of 30 days from the due date, the activity for which a license is required shall cease and no new license or permit for such activity shall be considered until the owner of the business personally appears before the City Council. If the new license or permit is approved, the fee shall consist of the amount set forth for the new licenses and permits, plus the late penalty fee that was not paid for the old license.

The City will not grant a temporary extension for your Second Hand Automobile License in 2024. The following items must be completed by January 31st, 2024 or your business must cease operation.

- 1) Submit a completed application with payment to the Finance Department.
- 2) The previous year's motor vehicle excise tax must be paid in full.
- 3) There must be approvals from the Community Development Department, Police Department, and Fire Department.

If you have any questions please contact the Community Development Director, James Kramvik at 218-454-3408.

Sincerely,

Patrick Wussow
Interim City Administrator, City of Brainerd

BRAINERD FIRE DEPARTMENT

INSPECTION REPORT

TOWER MOTORS, 624 WASHINGTON ST, BLDG UNNAMED, BRAINERD MN 56401



DETAILS

Inspection Date: 02/14/2024 | Inspection Type: Annual Licensing - No kitchen | Inspection Number: 7399 | Shift: Duty Officer | Station: N/A | Unit: N/A | Lead Inspector: Dave Cox | Other Inspectors: N/A

VIOLATIONS AND COMPLIANCES

Showing only violations and images for this inspection. Please reach out to the lead inspector for more details.

Resolved Violations: 0 | Passed Codes: 5 | Violations: 10 | N/A Codes: 10

STATUS	CODE	DESCRIPTION
FAIL	1013.3 - Exit Sign Illumination	Exit signs shall be internally or externally illuminated at all times. To ensure continued illumination for a duration of not less than 90 minutes in case of primary power loss, the sign illumination means shall be connected to an emergency power system provided from storage batteries, unit equipment or an on-site generator. Location: Front door Original Comment: Exit sign stuck to window with tape, no power, not illuminated.
FAIL	1031.10 - Emergency Lighting Equipment Inspection and Testing	Emergency lighting shall be maintained in accordance with Section 108 and shall be inspected and tested in accordance with Sections 1031.10.1 and 1031.10.2. Location: Front door
FAIL	315.3 - Storage in Buildings	Storage of materials in buildings shall be orderly and stacks shall be stable. Storage of combustible materials shall be separated from heaters or heating devices by distance or shielding so that ignition cannot occur Location: Office area Original Comment: Multiple items in office including tires, shop area very cluttered

STATUS	CODE	DESCRIPTION
FAIL	3405.4 - Tire Storage - Outdoor	Distance From Lot Lines and Buildings - Tire storage piles shall be located at least 50 feet (15 240 mm) from lot lines and buildings. Location: Parking lot Original Comment: stacks of tires in parking lot
FAIL	3409.1 - Tire Storage - Indoor	Where tires are stored on-tread, the dimension of the pile in the direction of the wheel hole shall not be more than 50 feet (15 240 mm). Tires stored adjacent to or along one wall shall not extend more than 25 feet (7620 mm) from that wall. Other piles shall not be more than 50 feet (15 240 mm) in width. Location: Office Original Comment: Tires in office area
FAIL	5303.5.3 - Securing Compressed Gas Containers, Cylinders and Tanks	Compressed gas containers, cylinders and tanks shall be secured to prevent falling caused by contact, vibration or seismic activity. Securing of compressed gas containers, cylinders and tanks shall be by one of the following methods: 1. Securing containers, cylinders and tanks to a fixed object with one or more restraints. 2. Securing containers, cylinders and tanks on a cart or other mobile device designed for the movement of compressed gas containers, cylinders or tanks. Location: Shop Original Comment: Acetylene tank unsecured in shop area
FAIL	5705.2.4 - Flammable liquids	Safety cans need to comply with UL 30. Location: Shop Original Comment: Multiple plastic gas cans in shop

STATUS	CODE	DESCRIPTION
FAIL	604.5 - Extension Cords	Extension cords and flexible cords shall not be a substitute for permanent wiring and shall be listed and labeled in accordance with UL 817. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact. Extension cords shall be used only with portable appliances. Extension cords marked for indoor use shall not be used outdoors. Location: Shop Original Comment: Multiple extension cords , many are frayed
FAIL	604.6 - Unapproved Conditions	Open junction boxes and open-wiring splices shall be prohibited. Approved covers shall be provided for all switch and electrical outlet boxes. Location: Shop Original Comment: Wiring to lift not in junction box, exposed wire nuts. Cover missing from furnace in shop.
FAIL	906.2 - Fire Extinguisher maintenance	Portable fire extinguishers shall be selected, installed, and maintained in accordance with this section and NFPA 10 Location: Not Provided Original Comment: All fire extinguishers need annual inspection. Many have access blocked.

GENERAL NOTES

Dave Cox - 02/14/2024 @ 15:23

Inspection for second hand auto license. C2 attempted to enter through front door but it was locked, even though the sign on counter stated open. A subject was observed entering the service door to shop. C2 entered the shop and spoke with a person who identified himself as Dan Standridge. Dan stated he was an employee of the business and that C2 could look around the business for the fire inspection. See attached inspection report.

NEXT INSPECTION DATE

02/14/2025

FEE

Invoice Date: N/A | Inspection Fee: N/A | Date Paid: N/A | Amount Paid: N/A | Invoice Number: N/A | Check Number: N/A | Transaction Number: N/A

CONTACT SIGNATURE

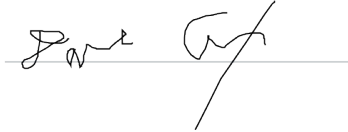
Allison Doyle

Reason for not collecting a signature: NA

INSPECTOR SIGNATURE

Dave Cox

Signed on: 02/14/2024 @ 15:24

A handwritten signature in black ink, appearing to read 'Dave Cox', is written over a horizontal line. The signature is stylized with a large 'D' and a long horizontal stroke.**QUESTIONS ABOUT YOUR INSPECTION?**

Dave Cox

dcox@ci.brainerd.mn.us

2188282312

BRAINERD FIRE DEPARTMENT

INSPECTION REPORT

TOWER MOTORS, 624 WASHINGTON ST, BLDG UNNAMED, BRAINERD MN 56401



DETAILS

Inspection Date: 01/04/2023 | Inspection Type: Licensing Inspection | Inspection Number: 1207 | Shift: Duty Officer | Station: N/A | Unit: N/A | Lead Inspector: Dave Cox | Other Inspectors: TIM HOLMES

STATUS	CODE	DESCRIPTION
FAIL	315.3 - Storage in Buildings	Storage of materials in buildings shall be orderly and stacks shall be stable. Storage of combustible materials shall be separated from heaters or heating devices by distance or shielding so that ignition cannot occur. Inspector: Dave Cox - Comments: Clutter in office and garage items not organized
FAIL	3405.4 - Fire Storage - Outdoor	Distance From Lot Lines and Buildings - Tire storage piles shall be located at least 10 feet (15 240 mm) from lot lines and buildings. Inspector: Dave Cox - Comments: many tires against building on West side

STATUS	CODE	DESCRIPTION
FAIL	5303.5.3 - Securing Compressed Gas Containers, Cylinders and Tanks	Compressed gas containers, cylinders and tanks shall be secured to prevent falling caused by contact, vibration or seismic activity. Securing of compressed gas containers, cylinders and tanks shall be by one of the following methods: 1. Securing containers, cylinders and tanks to a fixed object with one or more restraints. 2. Securing containers, cylinders and tanks on a cart or other mobile device designed for the movement of compressed gas containers, cylinders or tanks.



Inspector: Dave Cox - Comments: Cylinders not secured in garage area including 100lb propane tanks

FAIL	5705.2.4 - Flammable liquids	Safety cans need to comply with UL 30. Inspector: Dave Cox - Comments: Many 5 gal plastic gas cans in shop area
FAIL	604.3 - electrical service equipment clearance	A working space of not less than 30 inches (762 mm) in width, 36 inches (14 mm) in depth and 78 inches (1981 mm) in height shall be provided in front of electrical service equipment. Where the electrical service equipment is wider than 30 inches (762 mm), the working space shall be not less than the width of the equipment. Storage of materials shall not be located within the designated working space. Inspector: Dave Cox - Comments: Clutter in front of electrical panel, it is not readily accessible

STATUS CODE**DESCRIPTION****FAIL**

604.5 - Extension Cords

Extension cords and flexible cords shall not be a substitute for permanent wiring and shall be listed and labeled in accordance with UL 817. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact. Extension cords shall be used only with portable appliances. Extension cords marked for indoor use shall not be used outdoors.

Inspector: Dave Cox - Comments: Extension cord to garage door opener. This was noted on inspection last year.

**FAIL**

604.6 - Unapproved Conditions

Open junction boxes and open-wiring splices shall be prohibited. Approved covers shall be provided for all switch and electrical outlet boxes.

Inspector: Dave Cox - Comments: Electrical panel is missing cover. Also, unapproved wiring to temp furnace on floor.

**FAIL**

906.1 - Fire Extinguishers

Portable fire extinguishers shall be installed in the following locations: 1. In all Group A, B, E, F, H, I, M, R-1, R-2, R-4, and S occupancies. Exception: In Group E occupancies equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3

Inspector: Dave Cox - Comments: Extinguishers in garage are undersized and not accessible.

STATUS CODE**DESCRIPTION****FAIL**

906.2 - Fire Extinguisher maintenance

Portable fire extinguishers shall be selected, installed, and maintained in accordance with this section and NFPA 10

Inspector: Dave Cox - Comments: Extinguishers are still dated 2020. * This was noted on inspection last year

GENERAL NOTES

Dave Cox - 01/04/2023 @ 14:03

Inspection for second hand auto license

REINSPECTION DATE

01/11/2023

FEE

Invoice Date: N/A | Inspection Fee: N/A | Date Paid: N/A | Amount Paid: N/A | Invoice Number: N/A | Check Number: N/A | Transaction Number: N/A

CONTACT SIGNATURE

Allison Doyle

Signed on: 01/04/2023 , 14:03

INSPECTOR SIGNATURE

Dave Cox

Signed on: 01/04/2023 @ 14:03

**QUESTIONS ABOUT YOUR INSPECTION?**

Dave Cox

dcox@ci.brainerd.mn.us

2188282312

description	Amount	Post Date	due date	DAYS LATE
2020 2ND HAND AUTO LICENSE	50.00	5/6/2020		
JUNE 2020 MOTOR VEHICLE TAX	107.50	7/29/2020	7/20/2020	9
JULY 2020 MOTOR VEHICLE EXCISE TAX	169.25	9/28/2020	8/20/2020	39
AUG 2020 MOTOR VEHICLE TAX	156.73	9/28/2020	9/20/2020	8
2021 2ND HAND AUTO LICENSE	50.00	12/17/2020	10/15/2020	63
NOV 2020 MOTOR VEHICLE TAX	144.44	1/5/2021	12/20/2020	16
OCT 2020 VEHICLE TAX	285.41	1/5/2021	11/20/2020	46
SEPT 2020 VEHICLE TAX	251.70	1/5/2021	10/20/2020	77
DEC 2020 MOTOR VEHICLE EXCISE TAX	177.47	3/1/2021	1/20/2021	40
JAN 2021 MOTOR VEHICLE TAX	229.55	3/1/2021	2/20/2021	9
APRIL 2021 MOTOR VEHICLE TAX	265.61	6/24/2021	5/20/2021	35
MAY 2021 MOTOR VEHICLE TAX	184.73	6/24/2021	6/20/2021	4
MARCH 2021 MOTOR VEHICLE TAX	335.22	6/24/2021	4/20/2021	65
FEB 21 MOTOR VEHICLE TAX	189.53	6/24/2021	3/20/2021	96
JUL 21 VEHICLE EXCISE TAX	285.67	11/8/2021	8/20/2021	80
AUGUST 2021 MOTOR VEHICLE TAX	413.77	11/8/2021	9/20/2021	49
SEPT 2021 MOTOR VEHICLE TAX	354.24	11/8/2021	10/20/2021	19
JUNE 2021 MOTOR VEHICLE TAX	252.97	12/2/2021	7/20/2021	135
OCT 2021 VEHICLE EXCISE TAX	207.48	12/2/2021	11/20/2021	12
2022 SECOND HAND AUTO RENEWAL	50.00	12/2/2021	10/15/2021	48
NOV 2021 MOTOR VEHICLE TAX	177.54	4/4/2022	12/20/2021	105
DEC 2021 MOTOR VEHICLE TAX	99.49	4/4/2022	1/20/2022	74
JAN 2022 MOTOR VEHICLE TAX	119.48	4/4/2022	2/20/2022	43
FEB 2022 MOTOR VEHICLE TAX	72.30	4/4/2022	3/20/2022	15
MAR 2022 MOTOR VEHICLE TAX	124.99	8/1/2022	4/20/2022	103
APR 2022 MOTOR VEHICLE TAX	294.98	8/1/2022	5/20/2022	73
MAY 2022 MOTOR VEHICLE TAX	196.49	8/1/2022	6/20/2022	42
JUNE 2022 MOTOR VEHICLE TAX	114.99	8/1/2022	7/20/2022	12
2023 2ND HAND AUTO LICENSE APPLICATION	50.00	12/19/2022	10/15/2022	65
JUL 2022 MOTOR VEHICLE TAX	212.11	12/30/2022	8/20/2022	132
AUG 2022 MOTOR VEHICLE TAX	184.98	12/30/2022	9/20/2022	101
SEPT 2022 MOTOR VEHICLE TAX	72.81	12/30/2022	10/20/2022	71
OCT 2022 MOTOR VEHICLE TAX	29.97	12/30/2022	11/20/2022	40
NOV 2022 MOTOR VEHICLE TAX	108.49	12/30/2022	12/20/2022	10
DEC 2022 MOTOR VEHICLE TAX	38.00	6/26/2023	1/20/2023	157
JAN 2023 MOTOR VEHICLE TAX	29.00	6/26/2023	2/20/2023	126
FEB 2023 MOTOR VEHICLE TAX	60.49	6/26/2023	3/20/2023	98
MAR 2023 MOTOR VEHICLE TAX	40.00	6/26/2023	4/20/2023	67
APR 2023 MOTOR VEHICLE TAX	35.99	6/26/2023	5/20/2023	37
MAY 2023 MOTOR VEHICLE TAX	25.50	6/26/2023	6/20/2023	6
AUG 2023 MOTOR VEHICLE TAX	130.50	2/1/2024	9/20/2023	134
SEPT 2023 MOTOR VEHICLE TAX	93.24	2/1/2024	10/20/2023	104
OCT 2023 MOTOR VEHICLE TAX	59.00	2/1/2024	11/20/2023	73
NOV 2023 MOTOR VEHICLE TAX	74.50	2/1/2024	12/20/2023	43
DEC 2023 MOTOR VEHICLE TAX	46.00	2/1/2024	1/20/2024	12
2024 SECONDHAND AUTO RENEWAL	62.50	2/1/2024	10/15/2023	109

January 30th, 2022

BARTISHOFKSI, HEATHER &
6678 WELS AVE
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: 624 WASHINGTON ST
Real Estate Code: 41251152

Violation: Zoning Code Violation – Outdoor Storage of Tires and Items other than Vehicles

Section 515-3-28 C.1

All exterior storage shall be fully screened so as not to be visible from abutting properties and rights-of-way. All outdoor storage shall follow the standards as established Section 515-4-10. G. for screening of Parking Lots.

Violation: Zoning Code Violation – Shipping Containers Used as Accessory Structures

Section 515-4-6 D.3

Commercial accessory buildings shall be constructed of building materials to match the principal structure and comply with the building material requirements established in Section [515-4-2].

Corrective action is required; 30 days are allowed from the date of this letter.

To review City Codes on the web, go to www.ci.brainerd.mn.us/212/Zoning-Code.

Action should be taken on or before: 02/28/2023 – all items removed from the accessible shipping container.

Action should be taken on or before: 6/01/2023 - all items removed from all shipping containers and outdoor storage violations be removed from the site.

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 Community Development Director James Kramvik at 218/454-3408 if you have questions.**

Respectfully,
By Order of:
THE CITY OF BRAINERD



12/22/2022 11:49



02/09/2023 09:54



02/12/2024 11:09



City Council Agenda Request

MEETING DATE: February 20, 2024

TITLE OF ITEM: Final 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:

The City Council reviewed the proposed short-term rental ordinance at their regularly scheduled December 4th meeting. After discussion, the City Council directed the ordinance back to the Planning Commission for review. Specific items that the Council directed the Commission to review include the following:

- 1) Exemption of the Main Street District to allow for the revitalization of historic buildings. Short-term rentals may add additional tourism to this district and provide the necessary funding for revitalization. A short-term rental building could operate similar to a downtown hotel.
- 2) Should existing short-term rental operators be exempt from the cap because of their prior investment?
- 3) Should all owners/ companies be allowed to own three short-term rentals?

After consideration of comments from the City Council, the Commission directed staff to draft a revised ordinance that would “grandfather” existing short-term rental properties from the proposed caps in the new ordinance. However, existing short-term rentals should be subject to the renewal process that all new applicants are required to adhere to in the proposed ordinance. The motion was moved and seconded by Commissioners Duval and Grunenwald, duly carried, to recommend approval of the short-term rental ordinance as presented with the proposed modified language. The motion was approved unanimously.

The Commission stated that they are open to future review of the ordinance and the maximum number of short-term rentals allowed in the community. The ordinance as proposed will allow the Commission and Council to review the effects of short-term rentals on the community’s long-term housing stock and any adverse effects on neighboring properties.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

City Council reviewed Proposed Ordinance 1561 and conducted the first reading at the February 5th City Council meeting. There were concerns from the Council regarding municipal caps, the number of

short-term rentals a property owner is allowed to own in Brainerd, whether existing short-term rentals should be "grandfathered" in perpetuity from municipal caps, and not exempting the Main Street or Town Center Districts from municipal caps.

D. Municipal Caps and Restrictions:

1. Property owners, individuals, 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.
2. 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.
3. No multi-family dwelling unit may contain more than one (1) short-term rental of any type at any given time.

The following are options for the City Council to consider:

- 1) City Council directs Proposed Ordinance 1561 back to the Planning Commission with specific recommended changes.
- 2) Conduct the final reading of Proposed Ordinance 1561 and approve or deny the Ordinance.

RECOMMENDED ACTION/MOTION:

- 1) Motion to conduct the final 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.

- 2) Approve Proposed Ordinance 1561

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. _____~~

~~1. 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.

D. Municipal Caps and Restrictions:

1. Property owners, individuals, 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.
2. 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.
3. No multi-family dwelling unit may contain more than one (1) short-term rental of any type at any given time.

E. Ownership, Applications, and Renewals:

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.
 - a. 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.
 - b. 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.

F. Previously Issued Permits and Operating Short-Term Rentals:

1. All short-term rentals operating under an existing interim use permit issued prior to the effective date of these standards shall be compliant with this section by December 31, 2024. All previously issued Interim Use Permits for short-term rentals shall expire December 31, 2024.

a. All short-term rental properties legally operating prior to the effective date of these standards are exempt from Paragraph D of this section, Municipal Caps.

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

Adopted this _____ day of _____, 2024

KELLY BEVANS
President of the Council

Approved this _____ day of _____, 2024

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, January 17, 2024, 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 26th day of December 2023

Publication Date: January 3rd, 2024



James L. Kramvik
Community Development Director



City Council Agenda Request

MEETING DATE: February 20, 2024

TITLE OF ITEM: Public Hearing and Adopt Resolution Ordering Improvement, Approving Plans and Specifications, and Authorizing Advertisement for Bid - Improvement 24-05 - South Brainerd Alley Resurfacing Project

AGENDA: Main

ACTION REQUESTED: Adopt Resolution

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

PRESENTER: Jessie Dehn, Public Works Director **ESTIMATED TIME (MIN):** 10 Minutes

SUMMARY OF ISSUE: Pursuant the notice of hearing and to continue with the assessment proceedings, the Council must hold a public hearing to consider the improvement and hear testimony for or against the said improvements. Improvement 24-05 is a resurfacing project in South Brainerd in the alley between S. 6th Street and S. 7th Street, and between Paul Street and Joseph Street. As part of the resurfacing, it would be advantageous to replace aged and deteriorated utilities ahead of the new pavement surfacing.

The Council requested that this project be considered by the Public Utilities Commission. This item was discussed at the January 30th PUC meeting. Staff was informed that the PUC was supportive of replacement of the watermain as part of this resurfacing project.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Staff will be available to answer any questions or concerns the Council may have about the project at the meeting.

RECOMMENDED ACTION/MOTION:

1. Hold the improvement hearing to hear testimony for or against the said improvements.
2. Staff recommends adopting the attached resolution ordering the improvement, approving plans and specifications, and ordering advertisement for bids.

FINANCIAL IMPACT: N/A

NOTICE OF HEARING ON IMPROVEMENT

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of Brainerd, Minnesota, will meet in the Council Chambers of the City Hall at 7:30 p.m. on Tuesday, February 20, 2024, to consider making the improvement as described below pursuant to Minnesota Statute Sections 429.011 to 429.111:

IMPROVEMENT 24-05

Alley Resurfacing –Bituminous, Watermain, and Incidentals

Alleys bordered by the following:

Between South 6th Street and South 7th Street – From Paul Street to Ronald Street

Between South 6th Street and South 7th Street – From Ronald Street to Joseph Street

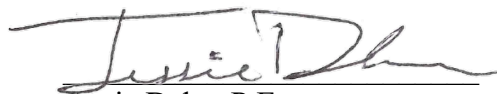
The area proposed to be assessed is the property abutting said alleys.

The estimated cost of such improvements is \$238,000.

Such persons as desire to be heard with reference to the proposed improvements will be heard at this meeting.

Any individual needing special accommodations, please call 218-828-2307.

Dated: January 18, 2024



Jessie Dehn, P.E.

City Engineer/Public Works Director

Publish Brainerd Dispatch January 20, 2024, and January 27, 2024

Mayor Badeaux
and Brainerd City Council Members

RE: City Improvement 24-05 – Alley Between S 6th Street and S 7th Street (Paul Street to Joseph Street)
Resurfacing and Watermain Replacement Project

Dear Mayor Badeaux and City Council Members,

We are pleased to present this report for improvement as listed above. Generally, the improvements consist of approximately 2 blocks of full reconstruction of street surfaces and watermain replacement, removal of existing bituminous surfacing, restoration, and other miscellaneous incidental items.

Project Description and Existing Conditions

This project is a reconstruction project located in South Brainerd. The alley, which many of the residents use to access adjacent properties, has fallen into general disrepair and has conditions that may not be acceptable for public use. There are also sanitary sewers along with watermains that have aged beyond useful life and need replacement. When streets and utilities come to this point, the City has an obligation to repair or make repairs to these streets to make them safe and passable for the travelling public, along with ensuring the streets have proper drainage systems installed.

The alley pavement consists of weathered surfaces, transverse and longitudinal cracking, alligator cracking, potholing, and other distresses that indicate the pavement needs reconstruction. Frequent pothole patching is required by maintenance staff to ensure usability of the alley. Underlying watermain needs were also taken into consideration with the help of Brainerd Public Utilities in identifying project limits based on location of watermains under the street surface. Sanitary sewer main existing under the alley was also examined.

The alley could be functionally classified as a local street generating local traffic. The future use and designation of the alley is not proposed or anticipated to change in future years and serve as local streets that bring traffic to collector or arterial streets through South Brainerd.

Proposed Project and Work Types

The intent of this section of the report is to give a broad overview of construction types for the project along with outlining the feasibility of the project.

Street reconstruction of this nature is highly intrusive. The underlying utility needs and current surface conditions are driving the improvement.

Right-of-Way – The project is not anticipated to need any right-of-way acquisition. The current right-of-way on the project is 20 feet in width, which allows the full resurfacing of the alley and replacement of watermain. Restoration can also be completed without the need for additional temporary easements or permanent right-of-way.

Removals – The entire bituminous pavement section of the alley is proposed to be removed. This allows access to underlying utilities. Existing watermain would also be removed completely.

Proposed Typical Sections – The city is proposing to use a typical section that includes a 16' wide bituminous section in which 2 inches of bituminous asphalt and 4 inches of aggregate base would be placed.

Utilities – Full replacement and additions of existing watermain infrastructure within the project limits are proposed. Water service pipe is proposed to not be upgraded due to conditions of site and narrow right-of-way. Sanitary sewer main replacement was investigated and determined to not be a cost-effective way to address the utility due to the depth of the main (approximately 20 feet deep) and narrow conditions of the alley. Other means of trenchless repairs could be utilized in the future.

Restoration – Boulevards will be restored with black dirt and seed in any disturbed area. Existing landscaping and other elements placed by property owners will be individually addressed with the project by city staff and the property owner. Sprinklers will need to be removed by the resident or business prior to construction and replaced once restoration has occurred.

Environmental Considerations and Erosion Control – Standard erosion control BMP's will be placed during construction. The contractor will be responsible ensuring the sites are accessible to both vehicles and pedestrians throughout construction. Impervious surface areas are likely to remain equal to current impervious areas with the project construction. No protected or endangered species are anticipated to be affected by the proposed construction.

Project Estimated Costs

Below is a breakdown of estimated project costs for the project. The totals outlined below reflect an estimated cost with 10% engineering costs and a 10% contingency included. The costs reflected in bids from contractors may vary from these costs based on workload, project site conditions, or other factors out of the city's control. The costs are based on historical values for each item of work and vary due to market conditions. Costs are broken down to roadway (street, curb and gutter, restoration, etc.) and watermain, and staff took the liberty to break out costs to give an idea of the cost of those additional items that are necessary for the street construction:

Alley Resurfacing and Watermain Replacement Project	
Roadway	\$98,000
BPU (Watermain)	\$140,000
Assessable Costs (not included in total)	\$49,000
Total Construction and Engineering	\$238,000

The intended uses of this alley and infrastructure are not anticipated to change over the life of these improvements. The alley proposed for reconstruction has fallen into disrepair. The City has an obligation to maintain this corridor for pedestrians and vehicles. Underlying utilities proposed for replacement are in critical need of replacement. No right of way or expansion of existing alley is proposed, and environmental considerations have been reviewed. The proposed project is feasible, cost effective, and necessary due to the elements outlined in this report and submitted to the Council as necessary according to Minnesota Statute 429.

Respectfully Submitted,



Jessie Dehn, P.E.

City Engineer/ Public Works Director

City of Brainerd

RESOLUTION
NO. _____

RESOLUTION RECEIVING REPORT
CALLING HEARING ON IMPROVEMENT

WHEREAS, a motion by the City Council passed on the 16th day of January, 2024, fixed a date for a Council hearing on the proposed improvement listed below; and

WHEREAS, the City Engineer has prepared plans and specifications for the improvement of the following described project:

IMPROVEMENT 24-05 – SOUTH BRAINERD ALLEY RESURFACING PROJECT

Alley Resurfacing –Bituminous, Watermain, and Incidentals

Alleys bordered by the following:

Between South 6th Street and South 7th Street – From Paul Street to Ronald Street

Between South 6th Street and South 7th Street – From Ronald Street to Joseph Street

WHEREAS, such plans and specifications have been presented to the Council for approval;

WHEREAS, ten days' mailed and two weeks' published notice of the hearing was given and the hearing was held thereon on the 20th day of February 2024, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, at said hearing there was available a reasonable estimate of the amount to be assessed and a description of the methodology, in the forms attached hereto as Exhibit A;

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

1. Said improvement is necessary, cost-effective, and feasible as detailed in the feasibility report.
2. Said improvement is hereby ordered as proposed in the Council motion on the 20th day of February, 2024.
3. City Engineer Dehn is hereby designated as the engineer for this improvement. He shall prepare plans and specifications for the making of such improvement.
4. The City Council declares its official intent to reimburse itself for costs of the project from proceeds of bonds, which are expected to be issued in the maximum principal amount of \$238,000.

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

1. Such plans and specifications, a copy of which is on file at the offices of the City Administrator and the City Engineer, are hereby approved.
2. The City Administrator shall prepare and cause to be inserted in the official paper an

advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published, shall specify the work to be done, shall state that bids will be received by the City Administrator until the date and time listed on the advertisement, at which time they will be publicly opened in the Council Chambers of the City Hall by the City Administrator and City Engineer, will then be tabulated, and will be considered by the Council at 7:30 p.m. on the Council meeting following the bid opening in the Council Chambers of the City Hall, Brainerd, Minnesota. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the Council on the issue of responsibility. No bids will be considered unless sealed and filed with the City Administrator and accompanied by a cash deposit, cashier's check, bid bond or certified check payable to the City Administrator for five (5) percent of the amount of such bid.

Adopted this 20th day of February, 2024

KELLY BEVANS
President of the Council

Approved this 20th day of February, 2024

DAVE BADEAUX
Mayor

ATTEST: _____
PATRICK WUSSOW
Interim City Administrator

EXHIBIT A

IMPACT OF ASSESSMENTS CITY OF BRAINERD IMPROVEMENT NO. 24-05

Available at Hearing Held February 20, 2024

The impact of the improvement is to provide necessary and desirable facilities for public use. The impact of the assessments for the improvement is to make benefited properties and their owners responsible for paying the costs of the improvement over time, not the public at large. The extent of the impact of the assessments depends upon the amount assessed.

A reasonable estimate of the total amount assessed is \$49,000. This is approximately one-half of the street resurfacing costs being assessed, per the City's Assessment Policy. The City reserves the right when actually levying assessments to assess up to the full costs of the improvement, which may exceed estimates available at the time of the hearing on the improvement.

The following is a description of the methodology the city intends to use to calculate individual assessments for affected parcels on Improvement 24-05: Front footage with applicable deductions for side-yards calculated in based on the City's Assessment Policy. The City reserves the right when actually levying assessments to modify or depart from this methodology to the extent the City deems appropriate.

City of Brainerd, Minnesota Street and Sewer Assessment Policy

1. Introduction

Special assessments are a charge imposed on properties for an improvement that benefits the owners of that selected property. The authority to use special assessments originates in the state constitution which allows the state legislature to give cities and other local government units the authority “to levy and collect assessments for local improvements upon property benefitted hereby”. The legislature designates that authority to cities in Minnesota Statutes Chapter 429.

A charter city (in which Brainerd is) may choose to use either Chapter 429 or provisions of the charter to assess for local improvements, however, even the state law requires that charter cities follow state law in certain steps of the proceedings.

Special Assessments have three distinct characteristics:

- They are a levy the City uses to finance, or partially finance, a public improvement program.
- The city levies the charge only against those parcels of property that receive some special benefit from the program.
- The amount of the charge bears a direct relationship to value of the benefits the property receives.

The City of Brainerd, Minnesota finds it beneficial to fund portions or all the 5-year street and sewer capital plan using special assessments. Special assessment proceedings will follow the procedures as outlined in Minnesota Statute 429 and any modifications thereto.

2. Assessable Improvements

How Much is Being Assessed?

Developer New Construction

On projects where utilities and roadways are being constructed for the first time, the developer is responsible for installing the watermain, sanitary sewer, grading, surfacing, storm sewers, and any other incidental features it sees fit. The city requires developers to construct all facilities to city standards and be approved by the City engineering department. While it is ultimately up to the developer to decide how the development costs incurred are recouped, the developer will typically split these costs to the number of parcels developed and recoup its cost through the sale price of the lots.

Petitioned New Construction

On projects where the city is petitioned to install the new improvements, the entire project cost being constructed is assessed to the abutting properties, as either by a per lot basis or by a front-foot basis.

Petitioned or Council Authorized Reconstruction of Resurfacing

Whether the city acts upon its own authority to make an improvement or it is petitioned by property owners, the city assesses one-half (1/2) of the cost of the reconstruction or resurfacing improvement including construction and engineering of the said improvement on a front-foot or per lot basis. The other one-half (1/2) of the resurfacing or reconstruction cost is paid by the city. If utilities such as sanitary sewer, water mains, or storm sewers are being reconstructed along with the project, the cost of this work is not assessed, but rather is covered through user fees and rates set by council or public utilities commission. If a project consisting of overlaying a street is proposed, the entire project cost is assessed to abutting properties. The City does not typically assess for new sidewalks, but may from time to time, assess for the entire costs of repairs thereto.

Pursuant to Petition – Properties Abutting the City but outside City Corporate Boundaries

The City does not construct municipal utilities outside of its corporate boundaries until such time the properties are annexed and within the City of Brainerd corporate boundaries. Once annexation is completed, the utilities are installed and the entire cost of installation of said utilities are assessed to abutting property owners.

Pursuant to Council Action – Properties not Abutting the City Corporate Boundaries

The City does not construct municipal utilities outside of its corporate boundaries until such time the properties are annexed and within the City of Brainerd corporate boundaries. Once annexation is completed, the utilities are installed and the entire cost of installation of said utilities are assessed to abutting property owners.

In prior years, the City Council authorized the construction of utility improvements outside its corporate boundaries and not abutting the city. To pay for such costs, the council established a Water Connection Charge (WCC) and Sewer Connection Charge (SCC). This charge, as initially set by council resolution, represents the average costs of constructing such utility improvements and is payable immediately upon connection to the system. This charge is enacted if the property owner elects to divide the property in which assessments were imposed and deferred. If a lot is split and the owner elects to connect to sewer and water, the WCC and SCC are charged to the property owner, with the balance of the deferred assessment remaining on the other parcel created from the split.

The WCC and SCC set by council resolution will remain in effect until repealed by the council. Said resolution may be adjusted periodically by the city council.

3. Initiation of an Improvement

By Petition from Property Owners

Per Minnesota Statute 429, if the council chooses to proceed with an improvement based on a petition, it must have the signatures of at least 35 percent in frontage of the property bordering the proposed improvements. If the council relies upon a petition as its basis for proceeding, it cannot make substantial change the improvement from what is asked for in the petition. The council must pass a resolution determining whether the petition is legally sufficient or not.

By Council Action

Per City of Brainerd Charter Section 92, in the first instance in which the council desires to levy a special assessment for an improvement, it shall require a two-thirds (2/3) vote of the members elect except in the case of sidewalks, in which a majority is sufficient.

4. Proceedings

Minnesota Statute 429

The City of Brainerd has elected to utilize Minnesota Statute 429 for its assessment proceedings, as amended and incorporated by reference into this policy.

Interest Rates

The council determines the interest rate on the special assessments, along with any other repayment provisions. The interest rate is typically set by ensuring a reasonable relationship between the assessments interest rate and the bond interest rate if the city issued bonds for the project. If the city finances the project with funds on hand, the council will look at the interest rate the city would otherwise have earned on the funds.

5. Payments

Once the assessments have been adopted, property owners originally have numerous options for repayment:

1. Pay the total amount of the assessment within 30 days after the council adopts the assessment rolls. This this situation, the city cannot charge interest; or
2. Pay the assessments in annual installments (with interest) under the terms set by the council; or
3. Pay the entire amount at any time after the 30 days, but before any certification to the county auditor. The property owner pays only the amount of interest accrued as of the date of payment; or
4. At any time after certification to the County Auditor, the property owner may still pay the entire remaining unpaid amount to the County Treasurer. However, the property owner must pay the entire remaining unpaid amount of the assessment before November 15 of any year and must also pay all interest accrued until the end of that calendar year.

6. Deferments

The City Council has adopted policy which allows for assessment deferments for elderly person and for all other persons who fall within the economic hardship criteria. A deferred assessment is not forgiven but is postponed until such time that the property owner either elects to resume making the annual installments as certified, no longer meets the economic hardship criteria, or sells the property. Persons interested in deferring assessments must apply each year to have the following year assessment installment deferred. After 10 years, no further applications are necessary, and the deferred installments will remain permanently deferred without accrual of additional interest, until such time that the deferred assessment is voluntarily paid of the property is sold. The most current deferment criteria passed by council resolution can be requested from the City Clerk and a copy provided to the requestor.

7. Other Frequently Asked Questions

Will Improvements Affect my Property Taxes?

While it is well documented within the real estate industry that streets and utilities that are in poor condition decrease the marketability and sale prices of homes, improvements to the streets and utilities do not automatically increase the taxes on the property. Property market valuations, as determined by the County Assessor, are based on the recent sale prices of comparable properties within the neighborhood. Following improvements to streets and utilities, the marketability of properties tends to increase, and the properties can demand a higher sale price. As years pass and the history of sale prices in the neighborhood show increases, the County Assessor will adjust the market valuation of properties to more closely reflect the price the property would sell for. If the market valuations in the neighborhood are increasing at a faster rate than the City, County, and School District averages, the property taxes will tend to increase over time.

Why is There a Difference Between my Front Footage and Assessable Footage?

If you live on a corner lot, your property is subject to assessments for improvements on both streets. The City Council has adopted a side-yard deduction assessment policy to help reduce the burden for the owners of corner lots or reconstruction or resurfacing projects. Your side-yard is defined as the side of your lot with the most street frontage. Improvements made to your side-yard street result in the city paying for the cost of one-half of your side-yard footage and the property owner being assessed for one-half (1/2) of the side-yard footage. The most common assessment notices for side-yard street improvements will list the front-footage as 140 feet and the assessable front-footage as 70 feet.



City Council Agenda Request

MEETING DATE: February 20, 2024

TITLE OF ITEM: Discussion of Posting Personnel and Finance Video Recordings on YouTube

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Jeff Czezok, Councilmember

DEPARTMENT: Administration

PRESENTER: Patrick Wussow, Interim City
Administrator

ESTIMATED TIME (MIN): 5 Minutes

SUMMARY OF ISSUE: Council Member Czezok requested this item to be placed on the agenda, see email attached.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: P&F started meeting the Wednesday prior to the council meeting on January 10th. It is still on a trial basis. All meetings have been recorded.

The posting of the meetings has been more of an oversight than anything. It was the thought that the meetings would be informal, more of a discussion of the items that were to be on the next Council agenda, rather than official action.

Video and recordings of the meetings (including the 1/10 and 1/31 meetings) can be uploaded to YouTube if Council desires.

RECOMMENDED ACTION/MOTION: Discussion and direction to staff of how to handle standing committee meetings.

FINANCIAL IMPACT:

From: [Jeff Czczok](#)
To: [Patrick Wussow](#)
Cc: [Connie Hillman](#); [Kris Schubert](#)
Subject: Agenda Request: February 20th CC MTG
Date: Tuesday, February 13, 2024 3:15:44 PM

Hi Patrick,

I'm requesting to have an item on the full CC agenda addressing the video recording of the P&F Committee meetings.

For years now we've provided youtube recordings to the public for all standing committees and since the change of P&F meeting just prior to the CC meetings to the Wednesday prior to the CC meetings we have since stopped providing any type of recording of the P&F meeting to the public.

Also, if I'm not mistaken, we do not have to provide a video recording exclusively, however we can provide an audio recording exclusively to the public if there isn't staff available to video record the P&F meetings.

I'm requesting this be placed on the main CC agenda for the Tuesday, February 20, 2024 council meeting.

As an aside, when you asked me to wait to bring this forward until Mr. Broiles was on the payroll as the new city administrator, I indicated my agreement, but I've since ran this item past President Bevans and he indicated that he thought it would be better to have it before the CC sooner rather than later.

Thanks much, Jeff