



CITY COUNCIL AGENDA

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

Monday, March 4, 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: 2481 596 6024

Personnel and Finance Committee was held 2/28 at 11:00 a.m.

Safety and Public Works Committee at 7:15 PM - Meeting Access Code: 2486 210 9429

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

1. **Call To Order**

2. **Roll Call**

___T. Stenglein ___G. Johnson ___J. Czczok ___M. O'Day ___K. Stunek ___K. Terry
___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. **Approve Tobacco License Application Submitted by Vapor North New Location, 101 Washington Street - Contingent upon Approvals**

E. **Approve Tobacco License Application Submitted by The Parlor LLC, 714 Laurel St - Contingent upon Approvals**

F. **Adopt Resolution Authorizing the City of Brainerd to Submit Information to the Minnesota Public Facilities Authority (MPFA) and to enter into a Grant Agreement with the MPFA**

G. **Approval of Revised Job Descriptions for Public Utility Department Water Crew Chief, Water Serviceworker, Water Plant Chief Operator, Water Plant Operator, and Wastewater Crew Chief classifications as presented.**

H. **Declare Youth Recreation Equipment as Surplus**

6. **Council Committee Reports**

A. **Safety & Public Works Committee**

1. Discuss Proposed Sidewalk on Willow Street (S. 6th to S. 7th)
2. Direction on Active Code Enforcement Cases

B. **Personnel & Finance Committee**

1. Paid On-call Firefighter Hiring 2024
2. Approve Library Capital Projects and Request Funds from Kitchigami Regional Library (KRL) Reserve Fund
3. Authorize the Use of the City of Brainerd Logo for Water Tower Committee Merchandise
4. Fire Contract Formula for 2025 - Informational
5. Update on Public Utilities Director Hiring Process
6. Approve Memorandum of Agreement between City and IBEW Local No. 31 Administrative Support Union setting the 2024 Wage for the Environmental Resources Technician Position.

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)
Parks & Rec- 1 term (Expire 2029)
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 1564 – Replacement of City Code 700**

8. **New Business**

A. **Consider Conditional Use Permit for a Child Care Facility at 418 8th Ave NE**

- B. **Consider Conditional Use Permit Amendment for a 12-plex Apartment at PID 41040887**
- C. **First Reading - Proposed Ordinance 1565 - Administrative Subdivisions**
- D. **Consider Joint Workshop with Planning Commission for Short-Term Rental Ordinance**
- 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**

Recent Agendas (Attached for Reference)
- 13. **Adjourn**
 - A. **Adjourn to Closed Session per MN Statute 13D.05 Subd 3(c) 3 to Discuss the Purchase of the Robert's Property**

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

MISSION

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

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
Vendor 4080 - ABRA - BRAINERD:							
10992 81559	ABRA - BRAINERD 04 STERLING DOOR REPAIRS 235-3125-42220	12/31/2023 pziemer	03/06/2024	1,206.38	1,206.38	Open	N 12/31/2023
	TRUCK 108 DOOR REPAIR			1,206.38			
	Total for vendor 4080 - ABRA - BRAINERD:			1,206.38	1,206.38		
Vendor 0011 - ACE HARDWARE:							
322041/1 81532	ACE HARDWARE FASTENERS 230-5200-42220	02/14/2024 pziemer	03/06/2024	2.00	2.00	Open	N 03/06/2024
	REPAIR & MAINT			2.00			
322176/1 81549	ACE HARDWARE JANITORIAL SUPPLIES 225-2220-42210	02/20/2024 pziemer	03/06/2024	13.48	13.48	Open	N 03/06/2024
	OPERATING SUPPLIES			13.48			
322021/1 81579	ACE HARDWARE AIR FRESHENER 225-2120-42200	02/13/2024 pziemer	03/06/2024	21.54	21.54	Open	N 03/06/2024
	OFFICE SUPPLIES			21.54			
322095/1 81580	ACE HARDWARE AIR FRESHENER RETURN 225-2120-42200	02/16/2024 pziemer	03/06/2024	(21.54)	(21.54)	Open	N 03/06/2024
	OFFICE SUPPLIES			(21.54)			
322332/1 81617	ACE HARDWARE HOSE COUPLER 237-3190-42220	02/28/2024 pziemer	03/06/2024	6.29	6.29	Open	N 03/06/2024
	REPAIR & MAINT			6.29			
	Total for vendor 0011 - ACE HARDWARE:			21.77	21.77		
Vendor 2902 - ADVANCE AUTO PARTS:							
6574405126862 81564	ADVANCE AUTO PARTS SQD WIPER FLUID 225-2120-42221	02/20/2024 pziemer	03/06/2024	29.94	29.94	Open	N 03/06/2024
	SQUAD CAR REPAIR SUPPLIES			29.94			
	Total for vendor 2902 - ADVANCE AUTO PARTS:			29.94	29.94		
Vendor 4217 - ANDERSON CLEANERS:							
51066 81565	ANDERSON CLEANERS CSO 776 - UNIFORM ALTERATIONS 225-2121-41113	02/15/2024 pziemer	03/06/2024	18.82	18.82	Open	N 03/06/2024
	UNIFORM ALLOWANCE			18.82			

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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
Total for vendor 4217 - ANDERSON CLEANERS:				18.82	18.82		
Vendor 0039 - ARAMARK UNIFORM SERVICES:							
2530243446 81526	ARAMARK UNIFORM SERVICES RUGS AND OVERALLS 235-3100-43430	02/22/2024 pziemer	03/06/2024	59.47	59.47	Open	N 03/06/2024
	MISCELLANEOUS			59.47			
2530240982 81536	ARAMARK UNIFORM SERVICES RUGS AND OVERALLS 235-3100-43430	02/15/2024 pziemer	03/06/2024	79.75	79.75	Open	N 03/06/2024
	MISCELLANEOUS			79.75			
Total for vendor 0039 - ARAMARK UNIFORM SERVICES:				139.22	139.22		
Vendor 3343 - ARROW MANAGEMENT:							
32786 81577	ARROW MANAGEMENT ABATEMENT 1424 8TH STREET 101-2400-43405	12/29/2023 pziemer	03/06/2024	625.00	625.00	Open	N 12/29/2023
	NUISANCES			625.00			
Total for vendor 3343 - ARROW MANAGEMENT:				625.00	625.00		
Vendor 3859 - ASL INTERPRETING SERVICES INC:							
INV-00282-A 81566	ASL INTERPRETING SERVICES INC INTERPRETING SERVICES 225-2120-43300	02/22/2024 pziemer	03/06/2024	1.77	1.77	Open	N 03/06/2024
	PROFESSIONAL SERVICES			1.77			
Total for vendor 3859 - ASL INTERPRETING SERVICES INC:				1.77	1.77		
Vendor 0745 - BATTERIES PLUS:							
P70420644 81545	BATTERIES PLUS BATTERIES 225-2120-42210	02/16/2024 pziemer	03/06/2024	11.88	11.88	Open	N 03/09/2024
	OPERATING SUPPLIES			11.88			
Total for vendor 0745 - BATTERIES PLUS:				11.88	11.88		
Vendor 3966 - BLUE SKY TRANSIT:							
013124 81618	BLUE SKY TRANSIT JAN 2024 THIRD PARTY SERVICES 203-9000-43401	01/31/2024 pziemer	03/06/2024	101,279.79	101,279.79	Open	N 03/06/2024
	VEHICLE REPAIRS			10,087.90			
	TRANSIT SERVICE CONTRACT PY			91,191.89			
Total for vendor 3966 - BLUE SKY TRANSIT:				101,279.79	101,279.79		

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Vendor 0110 - BRAINERD LAKES AREA CHAMBERS OF COM:							
54511							
81616	BRAINERD LAKES AREA CHAMBERS OF COM	02/28/2024	03/06/2024	755.00	755.00	Open	N
	2024 SUPERVISOR ADVANTAGE A.TIMMONS	pziemer					03/06/2024
	225-2120-43330	PROFESSIONAL DEVELOPMENT		755.00			
	Total for vendor 0110 - BRAINERD LAKES AREA CHAMBERS OF COM:			755.00	755.00		
Vendor 0078 - BRAINERD LAKES AREA DEV C:							
FEB 2024							
81525	BRAINERD LAKES AREA DEV C	02/23/2024	03/06/2024	3,000.00	3,000.00	Open	N
	FEB 24 ECONOMIC DEVELOPMENT CONSULTING	pziemer					03/06/2024
	295-6510-43300	PROFESSIONAL SERVICES		3,000.00			
	Total for vendor 0078 - BRAINERD LAKES AREA DEV C:			3,000.00	3,000.00		
Vendor 0085 - BRAINERD POLICE DEPT:							
11/16/23							
81602	BRAINERD POLICE DEPT	12/31/2023	03/06/2024	12.53	12.53	Open	N
	2023 - 23015373 UNDERCOVER ALCOHOL	pziemer					12/31/2023
	223-2140-43432	UNDERCOVER SUPPLIES		12.53			
1/17/24							
81603	BRAINERD POLICE DEPT	01/17/2024	03/06/2024	20.00	20.00	Open	N
	A.TIMMONS NOTARY FILING	pziemer					03/06/2024
	225-2120-42210	OPERATING SUPPLIES		20.00			
	Total for vendor 0085 - BRAINERD POLICE DEPT:			32.53	32.53		
Vendor 0296 - BRAINERD PUBLIC UTILITIES:							
2/21/24							
81552	BRAINERD PUBLIC UTILITIES	02/21/2024	03/06/2024	80.05	80.05	Open	N
	REMIT FEB 24 COBRA	pziemer					03/06/2024
	101-0000-14100	DUE FROM COMPONENT UNIT		80.05			
JAN 24/CITY							
81572	BRAINERD PUBLIC UTILITIES	01/24/2024	03/06/2024	2,260.75	2,260.75	Open	N
	12/24/23-1/24/23 CITY UTILITIES	pziemer					03/06/2024
	101-1940-43381	BPU UTILITIES		1,990.84			
	101-9200-43381	BPU UTILITIES		154.67			
	236-3180-43381	BPU UTILITIES		37.50			
	401-1003-43380	UTILITIES		77.74			
JAN 24/PD							
81573	BRAINERD PUBLIC UTILITIES	02/21/2024	03/06/2024	5,588.16	5,588.16	Open	N
	12/24/23-1/24/24 PD UTILITIES	pziemer					03/06/2024
	225-2120-43381	BPU UTILITIES		5,588.16			

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JAN 24/FIRE 81574	BRAINERD PUBLIC UTILITIES 12/24/23-1/24/24 FIRE DEPT UTILITIES 225-2220-43381	02/26/2024 pziemer BPU UTILITIES	03/06/2024	2,938.19 2,938.19	2,938.19	Open	N 03/06/2024
JAN 24/LIB 81575	BRAINERD PUBLIC UTILITIES 12/24/23-1/24/24 LIBRARY UTILITIES 211-5500-43381	02/26/2024 pziemer BPU UTILITIES	03/06/2024	1,382.13 1,382.13	1,382.13	Open	N 03/06/2024
JAN 24/PARKS 81576	BRAINERD PUBLIC UTILITIES 12/24/23-1/24/24 PARKS UTILITIES 230-5200-43381	02/26/2024 pziemer BPU UTILITIES	03/06/2024	4,137.98 4,137.98	4,137.98	Open	N 03/06/2024
JAN 24/STREETS 81581	BRAINERD PUBLIC UTILITIES 12/24/23-1/24/24 STREET DEPT UTILITIES 235-3100-43381 230-5200-43381	02/21/2024 pziemer BPU UTILITIES BPU UTILITIES	03/06/2024	24,705.80 23,923.11 782.69	24,705.80	Open	N 03/06/2024
INV22310 81595	BRAINERD PUBLIC UTILITIES STREET DEPT GATE - ELECTRICAL 400-9050-45530	02/22/2024 pziemer CAPITAL - OTHER	03/06/2024	1,312.56 1,312.56	1,312.56	Open	N 03/06/2024
INV22311 81596	BRAINERD PUBLIC UTILITIES 2016A GO BONDS -CITY SHARE INTEREST 237-3190-46611	02/23/2024 pziemer INTEREST PAYMENTS	03/06/2024	29,903.62 29,903.62	29,903.62	Open	N 03/06/2024
Total for vendor 0296 - BRAINERD PUBLIC UTILITIES:				72,309.24	72,309.24		
Vendor 2106 - BSN SPORTS, LLC:							
924778372 81535	BSN SPORTS, LLC BASKETBALLL BACKBOARD 230-5200-42220	02/13/2024 pziemer REPAIR & MAINT	03/06/2024	764.99 764.99	764.99	Open	N 03/06/2024
Total for vendor 2106 - BSN SPORTS, LLC:				764.99	764.99		
Vendor 0102 - CANON FINANCIAL SERVICE:							
32121133 81533	CANON FINANCIAL SERVICE 3/1/24-3/31/24 FD COPIER CONTRACT 225-2220-43331	02/22/2024 pziemer LEASED PAYMENTS	03/06/2024	80.69 80.69	80.69	Open	N 03/06/2024
Total for vendor 0102 - CANON FINANCIAL SERVICE:				80.69	80.69		
Vendor 0447 - CDW GOVERNMENT, INC:							

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PM69107 81560	CDW GOVERNMENT, INC LASERJET PRINTER 225-2120-42200	02/08/2024 pziemer	03/06/2024	366.68	366.68	Open	N 03/06/2024
	OFFICE SUPPLIES			366.68			
	Total for vendor 0447 - CDW GOVERNMENT, INC:			366.68	366.68		
Vendor 1333 - CHAMBERLAIN OIL COMPANY:							
461000-01 81518	CHAMBERLAIN OIL COMPANY SUPER PENETRATING OIL 235-3100-42220	02/20/2024 pziemer	03/06/2024	38.18	38.18	Open	N 03/06/2024
	REPAIR & MAINT			38.18			
	Total for vendor 1333 - CHAMBERLAIN OIL COMPANY:			38.18	38.18		
Vendor 1343 - CHARTER COMMUNICATIONS:							
0280094021224 81544	CHARTER COMMUNICATIONS REDUNDANT INERNET 2/12/24-3/11/24 101-1800-43321	02/12/2024 pziemer	03/06/2024	109.98	109.98	Open	N 03/06/2024
	TELEPHONE			109.98			
175587701 81585	CHARTER COMMUNICATIONS BUSINESS TV 3/1/24-3/29/24 225-2120-43380	02/21/2024 pziemer	03/06/2024	46.85	46.85	Open	N 03/06/2024
	UTILITIES			46.85			
	Total for vendor 1343 - CHARTER COMMUNICATIONS:			156.83	156.83		
Vendor MISC - CHRISTIAN 10 PROPERTIES LLC:							
B22-0002 81605	CHRISTIAN 10 PROPERTIES LLC BD Bond Refund 101-0000-20701	02/28/2024 pziemer	03/06/2024	500.00	500.00	Open	N 03/06/2024
	B22-0002			500.00			
	Total for vendor MISC - CHRISTIAN 10 PROPERTIES LLC:			500.00	500.00		
Vendor 4269 - COLUMN SOFTWARE:							
425BB603-0004 81553	COLUMN SOFTWARE NOH: CUP MY NEIGHBOR TO LOVE 101-2400-43350	02/07/2024 pziemer	03/06/2024	57.46	57.46	Open	N 03/06/2024
	PRINTING/LEGAL PUBLICATION			57.46			
425BB603-0001 81554	COLUMN SOFTWARE PROP. ORD 1564 - SEWER SYSTEM 237-3190-43350	02/06/2024 pziemer	03/06/2024	35.46	35.46	Open	N 03/06/2024
	PRINTING/LEGAL PUBLICATIONS			35.46			

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425BB603-0005 81555	COLUMN SOFTWARE NOTICE: P&F MEETING 2-10-24 101-9200-43350	02/07/2024 pziemer	03/06/2024	18.67 18.67	18.67	Open	N 03/06/2024
425BB603-0006 81556	COLUMN SOFTWARE NOH: PROP. ORD - SUBDIVISIONS 101-2400-43350	02/08/2024 pziemer	03/06/2024	42.00 42.00	42.00	Open	N 03/06/2024
425BB603-0003 81557	COLUMN SOFTWARE NOHL CUP TCC DAYCARE 101-2400-43350	02/07/2024 pziemer	03/06/2024	84.79 84.79	84.79	Open	N 03/06/2024
425BB603-0002 81558	COLUMN SOFTWARE NOH: IMP 23:13 PUBLIC HEARING 401-9030-43350-23:13	02/06/2024 pziemer	03/06/2024	32.93 32.93	32.93	Open	N 03/06/2024
Total for vendor 4269 - COLUMN SOFTWARE:				271.31	271.31		

Vendor 0133 - CWC RECORDER:

24-1328 81530	CWC RECORDER DOC# 993821 & 993822 CUP HEALTH CARE 101-2400-43350	02/19/2024 pziemer	03/06/2024	92.00 92.00	92.00	Open	N 03/06/2024
Total for vendor 0133 - CWC RECORDER:				92.00	92.00		

Vendor 0134 - CWC SANITARY LANDFILL:

196446 81531	CWC SANITARY LANDFILL SHINGLES FROM SHED 230-5200-42220	02/05/2024 pziemer	03/06/2024	12.00 12.00	12.00	Open	N 03/06/2024
Total for vendor 0134 - CWC SANITARY LANDFILL:				12.00	12.00		

Vendor 3438 - DAHLHEIMER BEVERAGE:

2116524 81539	DAHLHEIMER BEVERAGE JANITORIAL SUPPLIES - LIBRARY 211-5500-42220	02/16/2024 pziemer	03/06/2024	184.70 184.70	184.70	Open	N 03/06/2024
Total for vendor 3438 - DAHLHEIMER BEVERAGE:				184.70	184.70		

Vendor 3220 - DALCO:

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
4201832/CH 81611	DALCO JANITORIAL SUPPLIES - CITY HALL 101-1940-42220	02/27/2024 pziemer	03/06/2024	392.04 392.04	392.04	Open	N 03/06/2024
4201832/FD 81612	DALCO JANITORIAL SUPPLIES - FD 225-2220-42210	02/28/2024 pziemer	03/06/2024	139.30 139.30	139.30	Open	N 03/06/2024
4201832/PD 81613	DALCO JANITORIAL SUPPLIES - POLICE DEPT 225-2120-42220	02/27/2024 pziemer	03/06/2024	398.00 398.00	398.00	Open	N 03/06/2024
4201832/PK 81614	DALCO JANITORIAL SUPPLIES - PARKS 230-5200-42220	02/27/2024 pziemer	03/06/2024	69.65 69.65	69.65	Open	N 03/06/2024
4201832/STRTS 81615	DALCO JANITORIAL SUPPLIES - STREETS 235-3100-42220	02/27/2024 pziemer	03/06/2024	69.65 69.65	69.65	Open	N 03/06/2024
Total for vendor 3220 - DALCO:				1,068.64	1,068.64		
Vendor 4012 - DEFENSE TECHNOLOGY:							
I016-000019095 81567	DEFENSE TECHNOLOGY TRAINING KIT AMMO 225-2120-43330	12/12/2023 pziemer	03/06/2024	364.95 364.95	364.95	Open	N 12/31/2023
Total for vendor 4012 - DEFENSE TECHNOLOGY:				364.95	364.95		
Vendor 3582 - DESETH, DARRIN:							
2/16/24 81527	DESETH, DARRIN MILEAGE REIMB FOR TRAINING 101-2400-43330	02/16/2024 pziemer	03/06/2024	305.52 305.52	305.52	Open	N 03/06/2024
Total for vendor 3582 - DESETH, DARRIN:				305.52	305.52		
Vendor 0440 - DESTINATION DOWNTOWN BRAINERD COALI:							
FEB 2024 81524	DESTINATION DOWNTOWN BRAINERD COALI FEB 24 ECONOMIC DEVELOPMENT CONSULTING 295-6510-43300	02/23/2024 pziemer	03/06/2024	833.34 833.34	833.34	Open	N 03/06/2024
Total for vendor 0440 - DESTINATION DOWNTOWN BRAINERD COALI:				833.34	833.34		

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Vendor 2829 - DIAMOND INDUSTRIAL CLEANING EQUIPME:							
25147 81587*	DIAMOND INDUSTRIAL CLEANING EQUIPME PRESSURE WASHER & TRADE IN 400-9050-45530 235-0000-39101 235-3100-42220	02/26/2024 pziemer	03/06/2024	14,759.95 14,759.95 (599.95) 599.95	14,759.95	Open	N 03/06/2024
Total for vendor 2829 - DIAMOND INDUSTRIAL CLEANING EQUIPME:				14,759.95	14,759.95		
Vendor 1437 - DLT SOLUTIONS INC:							
5218248A 81561	DLT SOLUTIONS INC ANNUAL AUTODESK SUBSCRIPTION 101-1700-43309	02/23/2024 pziemer	03/06/2024	2,563.80 2,563.80	2,563.80	Open	N 03/06/2024
Total for vendor 1437 - DLT SOLUTIONS INC:				2,563.80	2,563.80		
Vendor 0921 - DONDELINGER'S:							
148382 81601	DONDELINGER'S SQD 436 BELT REPLACEMENT 225-2120-42221	02/23/2024 pziemer	03/06/2024	380.32 380.32	380.32	Open	N 03/06/2024
Total for vendor 0921 - DONDELINGER'S:				380.32	380.32		
Vendor 1856 - EMERGENCY AUTOMOTIVE TECHNOLOGIES, :							
DL013024-20 81519	EMERGENCY AUTOMOTIVE TECHNOLOGIES, COMPUTER MOUNT 400-9050-45530	02/19/2024 pziemer	03/06/2024	187.65 187.65	187.65	Open	N 03/06/2024
Total for vendor 1856 - EMERGENCY AUTOMOTIVE TECHNOLOGIES, :				187.65	187.65		
Vendor 3544 - ERKENS WATER:							
935415 81550	ERKENS WATER SOFTENER SALT 225-2220-42210	02/14/2024 pziemer	03/06/2024	31.10 31.10	31.10	Open	N 03/06/2024
Total for vendor 3544 - ERKENS WATER:				31.10	31.10		
Vendor 4262 - GMP CONSULTANTS LLC:							
24-441 81578	GMP CONSULTANTS LLC CITY ADMIN SEARCH FINAL 101-9200-43300	02/14/2024 pziemer	03/06/2024	5,277.37 5,277.37	5,277.37	Open	N 03/06/2024

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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 4262 - GMP CONSULTANTS LLC:				5,277.37	5,277.37		
Vendor 3411 - GROUP HEALTH INC. - WORKSITE:							
3213002							
81528	GROUP HEALTH INC. - WORKSITE	02/19/2024	03/06/2024	356.40	356.40	Open	N 03/06/2024
	2023 EAP SERVICES	pziemer					
	101-1400-41131	HEALTH INSURANCE		26.40			
	203-9000-41131	HEALTH INSURANCE		13.20			
	101-1800-41131	HEALTH INSURANCE		13.20			
	401-9030-41131	HEALTH INSURANCE		13.20			
	225-2220-41131	HEALTH INSURANCE		13.20			
	225-2120-41131	HEALTH INSURANCE		105.60			
	260-9020-41131	HEALTH INSURANCE		26.40			
	101-0000-14100	DUE FROM COMPONENT UNIT		105.60			
	101-0000-14100	DUE FROM COMPONENT UNIT		39.60			
Total for vendor 3411 - GROUP HEALTH INC. - WORKSITE:				356.40	356.40		
Vendor 0209 - HEARTLAND TIRE INC.:							
3047279							
81568	HEARTLAND TIRE INC.	02/20/2024	03/06/2024	724.00	724.00	Open	N 03/06/2024
	SQD 432 - TIRES X4	pziemer					
	225-2120-42221	SQUAD CAR REPAIR SUPPLIES		724.00			
3047324							
81569	HEARTLAND TIRE INC.	02/22/2024	03/06/2024	724.00	724.00	Open	N 03/06/2024
	SQD 437 TIRES X4	pziemer					
	225-2120-42221	SQUAD CAR REPAIR SUPPLIES		724.00			
Total for vendor 0209 - HEARTLAND TIRE INC.:				1,448.00	1,448.00		
Vendor 3050 - HILDI INC.:							
15838							
81597	HILDI INC.	02/22/2024	03/06/2024	1,590.00	1,590.00	Open	N 03/06/2024
	ACTUARIAL DISCLOSURES GASB 75	pziemer					
	260-9020-43300	PROFESSIONAL SERVICES		38.16			
	101-0000-14100	DUE FROM COMPONENT UNIT BPU		685.29			
	101-0000-14100	DUE FROM COMPONENT UNIT HRA		206.70			
	101-9200-43300	PROFESSIONAL SERVICES		659.85			
Total for vendor 3050 - HILDI INC.:				1,590.00	1,590.00		
Vendor 3202 - INNOVATIVE OFFICE SOLUTIONS LLC:							
IN4464969							
81546	INNOVATIVE OFFICE SOLUTIONS LLC	02/16/2024	03/06/2024	25.90	25.90	Open	N 03/06/2024
	OFFICE SUPPLIES	pziemer					
	225-2120-42200	OFFICE SUPPLIES		25.90			
Total for vendor 3202 - INNOVATIVE OFFICE SOLUTIONS LLC:				25.90	25.90		

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Vendor 3488 - JEFFERSON FIRE & SAFETY:							
IN311511 81542	JEFFERSON FIRE & SAFETY CLASS A FOAM QTY 10 225-2220-42210	02/09/2024 pziemer	03/06/2024	1,150.00	1,150.00	Open	N 03/06/2024
	OPERATING SUPPLIES			1,150.00			
	Total for vendor 3488 - JEFFERSON FIRE & SAFETY:			1,150.00	1,150.00		
Vendor 0220 - KENNEDY & GRAVEN:							
179976 81610	KENNEDY & GRAVEN SALE OF INDUSTRIAL PARK LOTS/COUNTRY 295-0000-20600	02/22/2024 pziemer	03/06/2024	763.21	763.21	Open	N 03/06/2024
	DEPOSITS PAYABLE			241.50			
	295-0000-20600	DEPOSITS PAYABLE		521.71			
	Total for vendor 0220 - KENNEDY & GRAVEN:			763.21	763.21		
Vendor 3545 - KITCHIGAMI REGIONAL LIBRARY - CC:							
1/11/24 81600	KITCHIGAMI REGIONAL LIBRARY - CC REMIT LIB CC CHARGES THRU 1/11/24 211-0000-20800	01/25/2024 pziemer	03/06/2024	200.40	200.40	Open	N 03/06/2024
	DUE TO OTHER GOVT UNITS			200.40			
2/15/24 81619	KITCHIGAMI REGIONAL LIBRARY - CC REMIT LIB CC CHARGES THRU 2/15/24 211-0000-20800	02/15/2024 pziemer	03/06/2024	143.40	143.40	Open	N 03/06/2024
	DUE TO OTHER GOVT UNITS			143.40			
	Total for vendor 3545 - KITCHIGAMI REGIONAL LIBRARY - CC:			343.80	343.80		
Vendor 3469 - LAKES AREA MAT SERVICE INC:							
20240227 #520 81589	LAKES AREA MAT SERVICE INC FLOOR MATS 225-2120-43300	02/27/2024 pziemer	03/06/2024	42.92	42.92	Open	N 03/06/2024
	PROFESSIONAL SERVICES			42.92			
20240213 #520 81590	LAKES AREA MAT SERVICE INC POLICE DEPT FLOOR MATS 225-2120-43300	02/13/2024 pziemer	03/06/2024	42.92	42.92	Open	N 03/06/2024
	PROFESSIONAL SERVICES			42.92			
20240227 #522 81591	LAKES AREA MAT SERVICE INC CITY HALL FLOOR MATS 101-1940-43410	02/27/2024 pziemer	03/06/2024	44.08	44.08	Open	N 03/06/2024
	RENTAL EXPENSE			44.08			
20240213 #522 81592	LAKES AREA MAT SERVICE INC CITY HALL FLOOR MATS	02/13/2024 pziemer	03/06/2024	44.08	44.08	Open	N 03/06/2024

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	101-1940-43410	RENTAL EXPENSE		44.08			
	Total for vendor 3469 - LAKES AREA MAT SERVICE INC:			174.00	174.00		
Vendor 3627 - LAKES AREA WILDLIFE CONTROL:							
FEB 2024							
81598	LAKES AREA WILDLIFE CONTROL	02/27/2024	03/06/2024	3,168.00	3,168.00	Open	N
	FEB 24 ANIMAL CONTROL CONTRACT	pziemer					03/06/2024
	225-2700-43300	PROFESSIONAL SERVICES		3,168.00			
	Total for vendor 3627 - LAKES AREA WILDLIFE CONTROL:			3,168.00	3,168.00		
Vendor 0237 - LOCATORS - SUPPLIES INC:							
0312337-IN							
81540	LOCATORS - SUPPLIES INC	02/12/2024	03/06/2024	536.85	536.85	Open	N
	HI-VIS GEAR: L.SCHLEGEL & D.CAUGHEY	pziemer					03/06/2024
	235-3170-42210	OPERATING SUPPLIES		536.85			
	Total for vendor 0237 - LOCATORS - SUPPLIES INC:			536.85	536.85		
Vendor 1753 - MARCO:							
INV12188786							
81538	MARCO	02/19/2024	03/06/2024	1,218.36	1,218.36	Open	N
	UNIFY IT 2/19/24-3/18/24	pziemer					03/06/2024
	101-1800-43309	COMPUTER SUPPORT		1,111.82			
	260-9020-43309	COMPUTER SUPPORT		106.54			
INV12215219							
81607	MARCO	02/26/2024	03/06/2024	2,575.50	2,575.50	Open	N
	MICROSOFT 365 1/16/24-2/15/24	pziemer					03/06/2024
	101-1800-43309	COMPUTER SUPPORT		2,351.50			
	260-9020-43309	COMPUTER SUPPORT		224.00			
	Total for vendor 1753 - MARCO:			3,793.86	3,793.86		
Vendor 0889 - MENARDS - BAXTER:							
15261							
81534	MENARDS - BAXTER	02/21/2024	03/06/2024	288.45	288.45	Open	N
	LUMBER	pziemer					03/06/2024
	230-5200-42220	REPAIR & MAINT		288.45			
	Total for vendor 0889 - MENARDS - BAXTER:			288.45	288.45		
Vendor 3175 - MIDWEST SECURITY AND FIRE INC:							
25384							
81562	MIDWEST SECURITY AND FIRE INC	02/21/2024	03/06/2024	765.00	765.00	Open	N
	DOOR KEYPAD/READER REPLACEMENT	pziemer					03/06/2024
	225-2220-42221	R&M BUILDING		765.00			

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	Total for vendor 3175 - MIDWEST SECURITY AND FIRE INC:			765.00	765.00		
Vendor 0254 - MILLS MOTORS INC:							
530668 81608	MILLS MOTORS INC CHEVY #6015 OIL CHANGE - LESS SALES 'pziemer 101-1700-42220	02/20/2024 REPAIR & MAINT	03/06/2024	143.52 143.52	143.52	Open	N 03/06/2024
530670 81609	MILLS MOTORS INC CHEVY #1590 OIL CHANGE - LESS SALES 'pziemer 101-1700-42220	01/18/2024 REPAIR & MAINT	03/06/2024	124.06 124.06	124.06	Open	N 03/06/2024
	Total for vendor 0254 - MILLS MOTORS INC:			267.58	267.58		
Vendor 3992 - MOMENTUM TRUCK GROUP:							
R500006886 81543	MOMENTUM TRUCK GROUP ENGINE 23 REPAIRS 225-2220-42220	02/13/2024 pziemer REPAIR & MAINT	03/06/2024	530.32 530.32	530.32	Open	N 03/06/2024
	Total for vendor 3992 - MOMENTUM TRUCK GROUP:			530.32	530.32		
Vendor 3168 - MOTORS-N-MORE:							
30406 81570	MOTORS-N-MORE SQD 430 AXLE SHAFT REPAIR 225-2120-42221	02/20/2024 pziemer SQUAD CAR REPAIR SUPPLIES	03/06/2024	828.59 828.59	828.59	Open	N 03/06/2024
30415 81571	MOTORS-N-MORE SQD 435 BRAKES 225-2120-42221	02/21/2024 pziemer SQUAD CAR REPAIR SUPPLIES	03/06/2024	429.54 429.54	429.54	Open	N 03/06/2024
30432 81622	MOTORS-N-MORE SQD 411 OIL CHANGE AND BRAKES 225-2120-42221	02/28/2024 pziemer SQUAD CAR REPAIR SUPPLIES	03/06/2024	849.85 849.85	849.85	Open	N 03/06/2024
	Total for vendor 3168 - MOTORS-N-MORE:			2,107.98	2,107.98		
Vendor 0798 - MR TIRE:							
36352 81593	MR TIRE REPAIR TIRE '14 GMC SIERRA 230-5200-42220	02/23/2024 pziemer REPAIR & MAINT	03/06/2024	21.49 21.49	21.49	Open	N 03/06/2024
	Total for vendor 0798 - MR TIRE:			21.49	21.49		

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Vendor 0284 - OFFICE SHOP:							
330564-0 81594	OFFICE SHOP FD COPIER CONTRACT 225-2220-43331	02/21/2024 pziemer	03/06/2024	66.68	66.68	Open	N 03/06/2024
	LEASED PAYMENTS			66.68			
	Total for vendor 0284 - OFFICE SHOP:			66.68	66.68		
Vendor 3260 - PERSONIUS, JAY:							
2/15/24 81547	PERSONIUS, JAY BCA FINANCIAL CRIMES TRNG - REIMBURSE 225-2120-43330	02/15/2024 pziemer	03/06/2024	22.54	22.54	Open	N 03/06/2024
	PROFESSIONAL DEVELOPMENT			22.54			
	Total for vendor 3260 - PERSONIUS, JAY:			22.54	22.54		
Vendor 3413 - RATWIK, ROSZAK AND MALONEY:							
JAN 2024 81620	RATWIK, ROSZAK AND MALONEY JAN 24 RETAINER/SPECIAL SERVICES 101-1610-43301 101-0000-14100 101-1610-43301 101-0000-14100 101-2400-43405 295-0000-20600	02/01/2024 pziemer	03/06/2024	6,797.99	6,797.99	Open	N 03/06/2024
	CITY ATTORNEY			4,627.49			
	DUE FROM COMPONENT UNIT			323.00			
	CITY ATTORNEY			309.00			
	DUE FROM COMPONENT UNIT			425.00			
	NUISANCES			743.00			
	DEPOSITS PAYABLE			370.50			
	Total for vendor 3413 - RATWIK, ROSZAK AND MALONEY:			6,797.99	6,797.99		
Vendor 0056 - REED, JAMES:							
2/26/24 81588	REED, JAMES 2024 BOOT REIMBURSE 50% 101-1700-43430	02/27/2024 pziemer	03/06/2024	97.00	97.00	Open	N 03/06/2024
	MISCELLANEOUS			97.00			
	Total for vendor 0056 - REED, JAMES:			97.00	97.00		
Vendor 1066 - SCHUBERT, KRIS:							
2/15/24 81586	SCHUBERT, KRIS MPELRA CONF - MILEAGE REIMBURSEMENT 101-1400-43330	02/15/2024 pziemer	03/06/2024	140.70	140.70	Open	N 03/06/2024
	PROFESSIONAL DEVELOPMENT			140.70			
	Total for vendor 1066 - SCHUBERT, KRIS:			140.70	140.70		
Vendor 3612 - SEVERSON PORTER LAW:							

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FEB 2024 81599	SEVERSON PORTER LAW FEB 24 PROSECUTION AGREEMENT 225-2127-43310	02/27/2024 pziemer	03/06/2024	18,883.33 18,883.33	18,883.33	Open	N 03/06/2024
	MISDEMEANOR PROSECUTOR			18,883.33			
	Total for vendor 3612 - SEVERSON PORTER LAW:			18,883.33	18,883.33		
Vendor 0317 - SHORT ELLIOTT HENDRICKSON:							
462005 81621	SHORT ELLIOTT HENDRICKSON WILLOW/S 6TH ROUNDABOUT THRU 1/31/24 401-9030-43330-23:13	02/16/2024 pziemer	03/06/2024	36,653.25 36,653.25	36,653.25	Open	N 03/06/2024
	PROFESSIONAL DEVELOPMENT			36,653.25			
	Total for vendor 0317 - SHORT ELLIOTT HENDRICKSON:			36,653.25	36,653.25		
Vendor 0707 - SIGNSPOT & STAINED GLASS:							
13240 81520	SIGNSPOT & STAINED GLASS LIBRARY SIGNS 211-5503-43430	02/20/2024 pziemer	03/06/2024	175.00 175.00	175.00	Open	N 03/06/2024
	MISC - USE OF HOLDEN TRUST			175.00			
	Total for vendor 0707 - SIGNSPOT & STAINED GLASS:			175.00	175.00		
Vendor 3607 - ST. CROIX RECREATION FUN PLAYGROUND:							
21835 81551	ST. CROIX RECREATION FUN PLAYGROUND BUSTER PARK GAZEBO/SHELTER 400-9050-45530	02/08/2024 pziemer	03/06/2024	29,970.88 29,970.88	29,970.88	Open	N 03/06/2024
	CAPITAL - OTHER			29,970.88			
	Total for vendor 3607 - ST. CROIX RECREATION FUN PLAYGROUND:			29,970.88	29,970.88		
Vendor 3138 - ST. LOUIS MRO INC.:							
60632 81529	ST. LOUIS MRO INC. PRE-EMPTY CHECKS X 2 225-2120-43300	02/01/2024 pziemer	03/06/2024	49.00 49.00	49.00	Open	N 03/06/2024
	PROFESSIONAL SERVICES			49.00			
	Total for vendor 3138 - ST. LOUIS MRO INC.:			49.00	49.00		
Vendor 2589 - STAPLES ADVANTAGE:							
3559402717 81548	STAPLES ADVANTAGE COPY PAPER, CERTIFICATE HOLDER, 225-2120-42200	02/10/2024 pziemer	03/06/2024	118.85 118.85	118.85	Open	N 03/06/2024
	OFFICE SUPPLIES			118.85			
3559875444 81604	STAPLES ADVANTAGE DISINFECTING WIPES	02/13/2024 pziemer	03/06/2024	46.81	46.81	Open	N 03/06/2024

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	225-2120-42220	REPAIR & MAINT		46.81			
	Total for vendor 2589 - STAPLES ADVANTAGE:			165.66	165.66		
Vendor 4270 - STATE CHEMICAL SOLUTIONS:							
903120635							
81537	STATE CHEMICAL SOLUTIONS	12/09/2023	03/06/2024	438.30	438.30	Open	N
	SEWER GREASE AND ROOT REMOVER	pziemer					12/31/2023
	237-3190-42220	REPAIR & MAINT		438.30			
	Total for vendor 4270 - STATE CHEMICAL SOLUTIONS:			438.30	438.30		
Vendor 3838 - SWANSON HASKAMP CONSULTING:							
FEB 2024							
81523	SWANSON HASKAMP CONSULTING	02/23/2024	03/06/2024	2,916.67	2,916.67	Open	N
	FEB 24 ECONOMIC DEVELOPMENT CONSULTING	pziemer					03/06/2024
	295-6510-43300	PROFESSIONAL SERVICES		2,916.67			
	Total for vendor 3838 - SWANSON HASKAMP CONSULTING:			2,916.67	2,916.67		
Vendor 0087 - VISIT BRAINERD:							
DEC 23 LDG TX							
81521	VISIT BRAINERD	02/22/2024	03/06/2024	2,291.56	2,291.56	Open	N
	REMIT DECEMBER 2023 LODGING TAX	pziemer					03/06/2024
	101-9200-43340	LODGING TAX REMIT/PR		2,291.56			
FEB 2024							
81522	VISIT BRAINERD	02/23/2024	03/06/2024	3,333.34	3,333.34	Open	N
	FEB 24 ECONOMIC DEVELOPMENT CONSULTING	pziemer					03/06/2024
	295-6510-43300	PROFESSIONAL SERVICES		3,333.34			
	Total for vendor 0087 - VISIT BRAINERD:			5,624.90	5,624.90		
Vendor 1159 - WINNERS TROPHY:							
13147							
81583	WINNERS TROPHY	02/23/2024	03/06/2024	1,380.00	1,380.00	Open	N
	QTY 18 S.BALL, QTY 2 K.BALL, QTY 10 I	pziemer					03/06/2024
	230-5215-42210	OPERATING SUPPLIES		828.00			
	230-5212-42210	OPERATING SUPPLIES		92.00			
	230-5231-42210	OPERATING SUPPLIES		460.00			
13146							
81584	WINNERS TROPHY	02/23/2024	03/06/2024	45.00	45.00	Open	N
	2021-2023 WELLNESS WINNERS ENGRAVING	pziemer					03/06/2024
	278-6515-43430	MISCELLANEOUS		45.00			
	Total for vendor 1159 - WINNERS TROPHY:			1,425.00	1,425.00		
Vendor MISC - YESTERDAY'S GONE LLC:							

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B22-0001 81606	YESTERDAY'S GONE LLC BD Bond Refund 101-0000-20701	02/28/2024 pziemer	03/06/2024	500.00	500.00	Open	N 03/06/2024
	B22-0001			500.00			
	Total for vendor MISC - YESTERDAY'S GONE LLC:			500.00	500.00		

Vendor 0354 - ZIEGLER, INC:

IN001366404 81541	ZIEGLER, INC BACKHOE 116 STROBE LIGHT 235-3100-42220	02/16/2024 pziemer	03/06/2024	457.77	457.77	Open	N 03/06/2024
	REPAIR & MAINT			457.77			
IN001377285 81563	ZIEGLER, INC SWEEPER 118 WIRING SOCKET 235-3100-42220	02/24/2024 pziemer	03/06/2024	45.80	45.80	Open	N 03/06/2024
	REPAIR & MAINT			45.80			
IN001230546 81582	ZIEGLER, INC O-RINGS - MISSING INVOICE 235-3100-42220	12/01/2023 pziemer	03/06/2024	7.80	7.80	Open	N 12/31/2023
	REPAIR & MAINT			7.80			
	Total for vendor 0354 - ZIEGLER, INC:			511.37	511.37		

# of Invoices:	104	# Due:	104	Totals:	329,462.01	329,462.01
# of Credit Memos:	1	# Due:	1	Totals:	(21.54)	(21.54)
Net of Invoices and Credit Memos:					329,440.47	329,440.47

* 1 Net Invoices have Credits Totalling: (599.95)

--- TOTALS BY GL DISTRIBUTION ---

101-0000-14100	DUE FROM COMPONENT UNIT	1,865.24
101-0000-20701	B22-0002	1,000.00
101-1400-41131	HEALTH INSURANCE	26.40
101-1400-43330	PROFESSIONAL DEVELOPMENT	140.70
101-1610-43301	CITY ATTORNEY	4,936.49
101-1700-42220	REPAIR & MAINT	267.58
101-1700-43309	COMPUTER TECHNICAL SUPPORT	2,563.80
101-1700-43430	MISCELLANEOUS	97.00
101-1800-41131	HEALTH INSURANCE	13.20
101-1800-43309	COMPUTER SUPPORT	3,463.32
101-1800-43321	TELEPHONE	109.98
101-1940-42220	REPAIR & MAINT	392.04
101-1940-43381	BPU UTILITIES	1,990.84
101-1940-43410	RENTAL EXPENSE	88.16
101-2400-43330	PROFESSIONAL DEVELOPMENT	305.52
101-2400-43350	PRINTING/LEGAL PUBLICATION	276.25
101-2400-43405	NUISANCES	1,368.00
101-9200-43300	PROFESSIONAL SERVICES	5,937.22
101-9200-43340	LODGING TAX REMIT/PR	2,291.56

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
	101-9200-43350	LEGAL PUBLICATIONS		18.67			
	101-9200-43381	BPU UTILITIES		154.67			
	203-9000-41131	HEALTH INSURANCE		13.20			
	203-9000-43401	VEHICLE REPAIRS		10,087.90			
	203-9000-43440	TRANSIT SERVICE CONTRACT PY		91,191.89			
	211-0000-20800	DUE TO OTHER GOVT UNITS		343.80			
	211-5500-42220	REPAIR & MAINT		184.70			
	211-5500-43381	BPU UTILITIES		1,382.13			
	211-5503-43430	MISC - USE OF HOLDEN TRUST		175.00			
	223-2140-43432	UNDERCOVER SUPPLIES		12.53			
	225-2120-41131	HEALTH INSURANCE		105.60			
	225-2120-42200	OFFICE SUPPLIES		511.43			
	225-2120-42210	OPERATING SUPPLIES		31.88			
	225-2120-42220	REPAIR & MAINT		444.81			
	225-2120-42221	SQUAD CAR REPAIR SUPPLIES		3,966.24			
	225-2120-43300	PROFESSIONAL SERVICES		136.61			
	225-2120-43330	PROFESSIONAL DEVELOPMENT		1,142.49			
	225-2120-43380	UTILITIES		46.85			
	225-2120-43381	BPU UTILITIES		5,588.16			
	225-2121-41113	UNIFORM ALLOWANCE		18.82			
	225-2127-43310	MISDEMEANOR PROSECUTOR		18,883.33			
	225-2220-41131	HEALTH INSURANCE		13.20			
	225-2220-42210	OPERATING SUPPLIES		1,333.88			
	225-2220-42220	REPAIR & MAINT		530.32			
	225-2220-42221	R&M BUILDING		765.00			
	225-2220-43331	LEASED PAYMENTS		147.37			
	225-2220-43381	BPU UTILITIES		2,938.19			
	225-2700-43300	PROFESSIONAL SERVICES		3,168.00			
	230-5200-42220	REPAIR & MAINT		1,158.58			
	230-5200-43381	BPU UTILITIES		4,920.67			
	230-5212-42210	OPERATING SUPPLIES		92.00			
	230-5215-42210	OPERATING SUPPLIES		828.00			
	230-5231-42210	OPERATING SUPPLIES		460.00			
	235-0000-39101	SALE OF ASSETS		(599.95)			
	235-3100-42220	REPAIR & MAINT		1,219.15			
	235-3100-43381	BPU UTILITIES		23,923.11			
	235-3100-43430	MISCELLANEOUS		139.22			
	235-3125-42220	TRUCK 108 DOOR REPAIR		1,206.38			
	235-3170-42210	OPERATING SUPPLIES		536.85			
	236-3180-43381	BPU UTILITIES		37.50			
	237-3190-42220	REPAIR & MAINT		444.59			
	237-3190-43350	PRINTING/LEGAL PUBLICATIONS		35.46			
	237-3190-46611	INTEREST PAYMENTS		29,903.62			
	260-9020-41131	HEALTH INSURANCE		26.40			
	260-9020-43300	PROFESSIONAL SERVICES		38.16			
	260-9020-43309	COMPUTER SUPPORT		330.54			
	278-6515-43430	MISCELLANEOUS		45.00			
	295-0000-20600	DEPOSITS PAYABLE		1,133.71			
	295-6510-43300	PROFESSIONAL SERVICES		10,083.35			
	400-9050-45530	CAPITAL - OTHER		46,231.04			
	401-1003-43380	UTILITIES		77.74			
	401-9030-41131	HEALTH INSURANCE		13.20			
	401-9030-43330-23:13	PROFESSIONAL DEVELOPMENT		36,653.25			
	401-9030-43350-23:13	LEGAL PUBLICATIONS		32.93			

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
--- TOTALS BY FUND ---							
	101 - GENERAL FUND			27,306.64	27,306.64		
	203 - TRANSIT FUND			101,292.99	101,292.99		
	211 - LIBRARY FUND			2,085.63	2,085.63		
	223 - DRUG FORFEITURE			12.53	12.53		
	225 - PUBLIC SAFETY FUND			39,772.18	39,772.18		
	230 - PARK & RECREATION FUND			7,459.25	7,459.25		
	235 - STREET & SEWER FUND			26,424.76	26,424.76		
	236 - PARKING LOT FUND			37.50	37.50		
	237 - SANITARY SEWER FUND			30,383.67	30,383.67		
	260 - AIRPORT FUND			395.10	395.10		
	278 - HEALTHY EMPLOYE INITIATIVE			45.00	45.00		
	295 - EDA FUND			11,217.06	11,217.06		
	400 - CAPITAL PROJECTS FUND			46,231.04	46,231.04		
	401 - CONSTRUCTION FUND			36,777.12	36,777.12		
--- TOTALS BY DEPT/ACTIVITY ---							
	0000 -			3,742.80	3,742.80		
	1003 - 10:03 DWNTWN MAIN CNTRACT			77.74	77.74		
	1400 - ADMINISTRATION			167.10	167.10		
	1610 - LEGAL-CIVIL ATTORNEY			4,936.49	4,936.49		
	1700 - ENGINEERING			2,928.38	2,928.38		
	1800 - IT/GIS			3,586.50	3,586.50		
	1940 - CITY HALL			2,471.04	2,471.04		
	2120 - POLICE DEPARTMENT			11,974.07	11,974.07		
	2121 - COMMUNITY SERVICE			18.82	18.82		
	2127 - MISDEMEANOR PROSECUTOR			18,883.33	18,883.33		
	2140 - DRUG FORFEITURE			12.53	12.53		
	2220 - FIRE DEPARTMENT			5,727.96	5,727.96		
	2400 - COMMUNITY DEVL/INSPECTION			1,949.77	1,949.77		
	2700 - ANIMAL CONTROL			3,168.00	3,168.00		
	3100 - S & S MAINTENANCE			25,281.48	25,281.48		
	3125 - SNOW REMOVAL			1,206.38	1,206.38		
	3170 - TRAFFIC CONTROL			536.85	536.85		
	3180 - PARKING LOTS EXPENSE			37.50	37.50		
	3190 - SANITARY SEWER EXPENSE			30,383.67	30,383.67		
	5200 - PARK MAIN/ADMINISTRATION			6,079.25	6,079.25		
	5212 - KICKBALL PROGRAM			92.00	92.00		
	5215 - ADULT SOFTBALL			828.00	828.00		
	5231 - PICKLEBALL			460.00	460.00		
	5500 - LIBRARY-BUDGETED			1,566.83	1,566.83		
	5503 - HOLDEN TRUST DONATION USE			175.00	175.00		
	6510 - ECONOMIC DEVELOPMENT AUTH			10,083.35	10,083.35		

02/29/2024 01:35 PM
User: pziemer
DB: Brainerd

INVOICE REGISTER REPORT FOR CITY OF BRAINERD
EXP CHECK RUN DATES 03/04/2024 - 03/04/2024
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						
--- TOTALS BY DEPT/ACTIVITY ---							
	6515 - HEALTHY EMPLYE INITIATIVE			45.00	45.00		
	9000 - TRANSIT FUND			101,292.99	101,292.99		
	9020 - AIRPORT M & O			395.10	395.10		
	9030 - CONSTRUCTION PROJ-MISC			36,699.38	36,699.38		
	9050 - CAPITAL PROJECTS-MISC			46,231.04	46,231.04		
	9200 - CITY-WIDE			8,402.12	8,402.12		

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

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

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

Member Czeczok requested that the meeting minutes from February 2nd be removed from the consent calendar.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND O'DAY TO APPROVE THE CONSENT CALENDAR.

- A. **Approval of Bills**
- B. **Department Activity Report**
- C. **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**

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

Approval of Minutes

Member Czeczok noted changes to be made to the February 2nd meeting prior to approval.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND O'DAY TO APPROVE THE FEBRUARY 2ND, 2024 MINUTES WITH CORRECTIONS.

Upon roll call, Council Members Stenglein, Johnson, Czeczok, 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 Policy for Donation of Surplus Equipment to a Nonprofit Organization

Committee Chair Johnson stated that the Park Board voted to donate surplus supplies now that the City no longer utilizes for programming. The City needs to have a policy in order to donate the equipment.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO ADOPT THE DRAFT POLICY AS PRESENTED FURTHER; TO SET \$5,000 AS THE FAIR MARKET VALUE AMOUNT.

Approval of Sewer Lead Job Description

Committee Chair Johnson stated that Flaherty and Hood classification and compensation study determined that the Sewer Lead position should be separate from the Street Maintenance III position because the sewer lead requires a specialized license and maintains the vac truck.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE THE SEWER LEAD JOB DESCRIPTION AS PRESENTED.

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

Committee Chair Johnson stated that negotiations were very productive.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO ADOPT 2024-2026 TENTATIVE AGREEMENT SUMMARY BETWEEN THE CITY AND IUOE LOCAL NO. 49 UNION REPRESENTING THE STREET DIVISION EMPLOYEES.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK TO ADOPT RESOLUTION SETTING THE IUOE LOCAL NO. 49 STREET DIVISION WAGES FOR 2024-2026.

RESOLUTION 16:24

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

Approval of an MOA for IBEW Grievance No. 2023-4 Regarding the Reclassification of Ryan Miller

Committee Chair Johnson stated that the grievance was about placement on the wage grid when Mr. Miller was reclassified as a journeyman lineman. The union felt he should have been placed on step 5. In the future, promotions for BPU employees will follow the employee policy manual.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, 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.

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.

Committee Chair Johnson stated that he is grateful that Mr. Wussow is willing to do this, it will be very effective for continuity.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO APPOINT PATRICK WUSSOW TO THE CITY OF BRAINERD UNION NEGOTIATION TEAM, EFFECTIVE UNTIL THE FLARHERTY AND HOOD WAGE GRID IS ADOPTED SYSTEM WIDE.

Approval of Modified Fee from GMP Consultants for City Administrator Search

Committee Chair Johnson stated that this additional expense was a miscommunication with GMP. Interim Administrator Wussow developed a compromise with GMP and there is an additional cost of \$1,750 to the City. Sourcewell will fund up to \$10,000 of the total cost of \$20,000.

Member Czczok asked if the amount from Sourcewell is confirmed.

Interim City Administrator Wussow confirmed the amount from Sourcewell.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO INCREASE THE CITY'S PAYMENT TO GMP CONSULTING TO \$20,000 FOR OUR RECENT CITY ADMINISTRATOR SEARCH.

Safety and Public Works Committee

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

Committee Chair O'Day stated that this is a street closure from 11:30 a.m. to 2:30 p.m. for the parade and festivities.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND STENGLEIN, DULY CARRIED, TO APPROVE APPLICATION UNDER THE CONDITIONS AS DESCRIBED IN THE EVENT APPLICATION.

Approve Brainerd Restoration Downtown Welcome Bench

Committee Chair O'Day stated that Widseth updated the drawings and finalized the location based on Council requests.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND STENGLEIN, DULY CARRIED, TO APPROVE THE BENCH AS PRESENTED AND TO WORK WITH BRAINERD RESTORATION ON INSTALLATION THIS SPRING.

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

Committee Chair O'Day stated that this project was going to be a mill and overlay that would have required ADA accommodations be included at a considerable expense. The project is now more of a large patch project.

Chair Bevans asked about the savings on conducting the project this way.

City Engineer/Public Works Director Dehn stated that the ADA accommodation alone would cost upwards of \$26,000.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO APPROVE 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).

Award Contract for Historic Water Tower Rehabilitation Phase 2 Project

Committee Chair O'Day stated that the bids were higher than expected. There is \$235,000 remaining in the budget, of which \$200,000 are ARPA dollars which need to be expended in 2024. The expense of the stairs is high due to the need for scaffolding.

Member Johnson stated that he is not happy to see the request. The tower is nowhere near done even with all of the requests that have been made. He will vote yes, as it is a low amount. However, his patience will run out with the rehab eventually and the expenditure requests.

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

Discuss TH 210/Washington Street Reconstruction Street Lighting Layout

Committee Chair O'Day stated that the engineer wanted to look at improving safety for motorists and pedestrians. It was not cost effective to light the entire corridor, but there will be lighting at each intersection.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND STENGLEIN, DULY CARRIED, TO APPROVE LIGHTING ALTERNATIVE #2 INCLUDES 2 LIGHTS AT EACH INTERSECTION AND STAGGERED SPACING ACROSS THE STREET.

Deny Secondhand Auto Dealer's License for Tower Motors

Committee Chair O'Day stated that there is a history of violations by the company. There have been late vehicle excise tax payments, zoning code violations, and fire inspection failures historically.

Chair Bevans asked if the entity is now current with their vehicle excise tax payments.

Community Development Director Kramvik stated that when Tower Motors submitted their application, they did submit back vehicle excise tax.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND STENGLEIN, DULY CARRIED, TO DENY THE SECONDHAND AUTO DEALER'S LICENSE FOR TOWER MOTORS.

Unfinished Business

Commission Appointments

Mayor Badeaux recommended Tad Erickson to the Public Utilities Commission.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND CZECZOK, DULY CARRIED, TO APPOINT TAD ERICKSON TO THE BRAINERD PUBLIC UTILITIES 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)

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)

Final Reading- Proposed Ordinance 1561- Short-Term Rentals

Community Development Director Kramvik gave an overview of the ordinance. The Planning Commission reviewed concerns from the City Council at its last meeting and resubmitted the ordinance.

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

Member O'Day stated that he previously stated that he would not vote no based on his dislike for the lack of exemption of the town center. He feels strongly that the town center needs to be exempted and open downtown for short-term rentals. He thinks that there is plenty of low-income housing in other areas. He thinks the ordinance is too restrictive in other areas as well, so he will vote no.

Member Johnson stated that he will vote no, he does not agree with the municipal or owner caps nor does he like the grandfather clause. He agrees that the town center district should be exempted in the ordinance. He does not see this ordinance as an improvement on the current code.

Member Stenglein stated that if someone wanted to open a hotel, that would be a great structure downtown. The piecemeal short-term rental approach is not good for downtown in large quantities. The ordinance is meant to be more restrictive to begin with so that it can be loosened in the future. She stated that it would be like trying to "put the toothpaste back in the tube" if they started to loosely and decided they needed to be more restrictive. This ordinance is not meant to be a permanent structure for short-term rentals, it is meant to give the City the tools to adjust as needed as time moves on.

Member Czeczok stated that he does not agree with the restrictions on property owners. A cap of twenty short-term rentals is an arbitrary number. He does not see the short-term rental issue as a problem. He will be voting no.

Chair Bevans stated that he will vote yes, he resonated with Council Member Stenglein's statement about putting toothpaste back in the tube. He understands that there are restrictions that are questioned, but Council Member Stenglein's statement about this being a place to start is correct. If nothing is done, it is quite possible that there will be toothpaste all over the place.

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND STUNEK TO ADOPT ORDINANCE 1561 REGARDING SHORT-TERM RENTALS.

ORDINANCE 1561

Upon roll call, Council Members Stenglein, Stunek, and Bevans voted “aye”. Council Members Johnson, Czeczok, and O’Day voted “nay”.

The Chair declared a tie.

Mayor Badeaux asked what happens if the ordinance is not passed. How does the City maintain its short-term rentals.

Community Development Director Kramvik stated that the Interim Use Permit process is still in place. There would be no caps, some IUPs have expirations, and some do not the ordinance would make all of the expirations the same.

Mayor Badeaux stated that nothing has changed since the last review by the Planning commission. There are things that he does and does not like, he likes that the City is being restrictive. He stated that he would vote no, simply because he does not think that the ordinance is the right way to handle short-term rentals.

Mayor Badeaux voted “nay”. The Chair declared the ordinance failed.

Chair Bevans stated that he does not think it should go back to the Planning Commission without specific requests as nothing has changed previously when asked.

Attorney Langel stated that the Planning Commission will need to hold the public hearing again as it is a change to the zoning code.

MOVED AND SECONDED BY COUNCIL MEMBER CZECZOK AND JOHNSON TO REQUEST THAT THE PLANNING COMMISSION REVIEW THE ORDINANCE TO MAINTAIN THE EXPIRATION DATES AS DECEMBER 31, 2024, AND REMOVE THE MUNICIPAL AND INDIVIDUAL CAPS.

Members Johnson, Czeczok, O’Day, Stunek, and Bevans voted “aye”. Member Stenglein voted “nay”. The Chair declared the motion carried.

New Business

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

City Engineer/Public Works Director Dehn stated that the assessment portion of the project is estimated at \$49,000 or approximately \$25 per front foot. Brainerd Public Utilities Staff requested input from the Commission, which was supportive of the project including replacement of the water main.

Member Czeczok asked about the BPU estimate for the watermain. He asked about the coordination with BPU Staff and Commission. Is there a requirement for the City to do the project and what if the City decided to wait on the project. He stated that there are a number of private galvanized service lines in this project, is the government entitled to tell the property

owners to replace these lines. He asked whether the infrastructure is going to need to be updated in the next few years.

City Engineer/Public Works Director Dehn stated that the replacement of the water main is estimated at roughly \$140,000. After discussion with BPU staff, there are additional services that they would like to install due to placement as well as cleaning up other tie-in pieces on Ronald Street so it will be higher. It is his opinion that staff are coordinating well on the project. There is an advantage to having a contractor that will already be set up near the project, the petition was submitted to go along with this project. He stated that the main lines would be replaced, if the homeowners needed to replace their service lines it could be completed with little to no impact to the completed project.

Member O'Day asked about the sewer that is located 20' below the project.

City Engineer/Public Works Director stated that the depth is most likely determined by gravity.

The Chair opened the public hearing at 8:10 p.m.

Anthony Whipple, 606 Ronald St, asked about the timeframe of the project. The beat-up surface of the alley does slow down the traffic.

City Engineer/Public Works Director Dehn stated that ideally it would line up with the South Brainerd project.

Member O'Day stated that one of the petitioners, Steve Smolke, stated that he is in support of the project.

The Chair closed the public hearing at 8:12 p.m.

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND JOHNSON TO ADOPT RESOLUTION ORDERING THE IMPROVEMENT, APPROVING PLANS AND SPECIFICATIONS, AND ORDERING ADVERTISEMENT FOR BIDS.

RESOLUTION 16:24

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

Discussion of Posting Personnel and Finance Video Recordings on YouTube

Member Czczok stated that he likes the fact that the Personnel and Finance meetings have changed times. However, the City has not been posting the recordings on YouTube since the change in meeting time. According to Interim Administrator Wussow's intention with the meetings was an informal exchange. As far as Member Czczok is aware they are being conducted with voting and decision making as they had been previously.

Member Johnson confirmed that the committee is making recommendations at the meeting.

Member Czczok asked to have the meetings that have been recorded on YouTube and continue forward.

Mayor Badeaux agreed with this for transparency.

Member Czczok stated that Mr. Wussow had indicated that this would be for all standing committees.

Interim City Administrator Wussow stated that, yes, this would be for all standing committees.

IT/GIS Director Strong asked whether this would apply to cable cast and all other platforms. Historically, the City replays the meetings on cable for the week after the meeting.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND O'DAY, DULY CARRIED, TO UPLOAD THE PREVIOUSLY RECORDED STANDING COMMITTEE MEETINGS AND FUTURE MEETINGS TO YOUTUBE AND AVAILABLE FOR CABLE.

Public Forum

The Chair opened the public forum at 8:19 p.m.

No one came forward.

The Chair closed the public forum at 8:19 p.m.

Staff Reports

City Engineer/Public Works Director Dehn stated that Park Board is meeting on February 27th with a large agenda. There will be a public hearing regarding the future of the Ski Loons.

Community Development Director Kramvik stated that at the February EDA meeting the EDA approved the website and will go live at the end of the month. The EDA entered into an agreement with Kamp Real Estate to broker sales of industrial park lots. The Planning Commission will hold its public hearing for administrative subdivision ordinance. They will also be discussing cannabis parameters.

Interim City Administrator Wussow stated that the new City Administrator Broyles will be starting on February 26th.

Member Czczok asked Mr. Wussow about the committee activity reports he mentioned at the previous meeting and whether the Council should be reporting on their committees.

Interim City Administrator Wussow stated that he is putting together agendas from meetings held between Council meetings for the Council liaisons, to remind them of what was discussed at the meetings to report to Council.

Mayor's Report

Mayor Badeaux stated that he appreciates the reminder from Mr. Wussow, the Council often forgets what they have discussed at various meetings. He thanked Interim Administrator Wussow for his time in the interim role. Community Action has a grant available to community nonprofit organizations and government agencies for giving back to the community. He congratulated the Brainerd Warrior Dance Team on their win at State during the Council reports.

Council Member Reports

Member Stunek gave his thoughts and prayers to the people of Burnsville. The situation hits close to home.

Chair Bevans stated that the new street lights on N 6th St look nice. He recommends a drive from Washington Street to Gregory Park to take a look at the lights.

Member O'Day thanked Interim City Administrator Wussow for his work in the interim. He greatly appreciates him volunteering to continue participating in negotiations.

Member Stenglein stated that the Brainerd Landlords group met and had a presentation from Crow Wing County to promote working together with those who are on the edge of a crisis and losing housing.

Member Czczok asked about 805 Laurel project. He stated that the caucuses are on February 27th for the major political parties, it would be great to see everyone get involved.

HRA Director Charpentier stated that with the inclusion of the City of Brainerd in the Crow Wing County Housing Trust Fund the 805 Laurel project submitted a funding request from the trust fund. These dollars will be helpful in applying for the Workforce Housing program through the State of Minnesota DEED.

Adjourn

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND JOHNSON, DULY CARRIED, TO ADJOURN TO CLOSED SESSION PURSUANT MN STATUTE 13D.05, SUBD.3(B) TO THE ATTORNEY-CLIENT PRIVILEGE TO DISCUSS PENDING LITIGATION, BRAINERD V. BAXTER (ASSESSMENT APPEAL).

The Chair adjourned to the closed session at 8:28 p.m.

The Chair reconvened the meeting at 8:58 p.m.

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

The Chair adjourned the meeting at 8:58 p.m.

Nick Broyles
City Administrator



2023

Brainerd Fire Department Annual Report



A Message from the Fire Chief

As we reflect on the challenges and triumphs of the past year, I am honored to share insights from the Brainerd Fire Department's 2023 annual report.

In 2023, we faced a near record year for incidents, responding to a total of 639 calls for assistance. While this number is just behind the 643 incidents of 2022, it underscores the unwavering commitment of our firefighters to serve our community with dedication and valor.

Within the demands of the year, our department experienced transitions in personnel. We bid farewell to three esteemed firefighters who retired, alongside our fire administrative specialist. Their contributions to our team were invaluable, and they will be deeply missed. Additionally, we welcomed two new firefighters, ensuring that our staffing remains strong with a Deputy Chief/ Fire Marshal, 2 Battalion Chiefs, 5 Fire Captains and 29 firefighters and one fire administrative specialist.

Despite these changes, our firefighters exhibited exemplary professionalism, courage, and skill in their response to each call. Through teamwork, training, and community support, we continued to uphold our mission of safeguarding lives, property, and the environment.

As we move forward, we remain steadfast in our commitment to enhancing public safety, promoting fire prevention initiatives, and strengthening our partnerships with residents and local organizations.

I extend my heartfelt gratitude to our firefighters, support staff, volunteers, and the entire community for their unwavering support and collaboration throughout the year.

Together, we remain prepared, resilient, and steadfast in our commitment to ensuring the safety and well-being of the communities we serve.

Tim Holmes, Brainerd Fire Chief



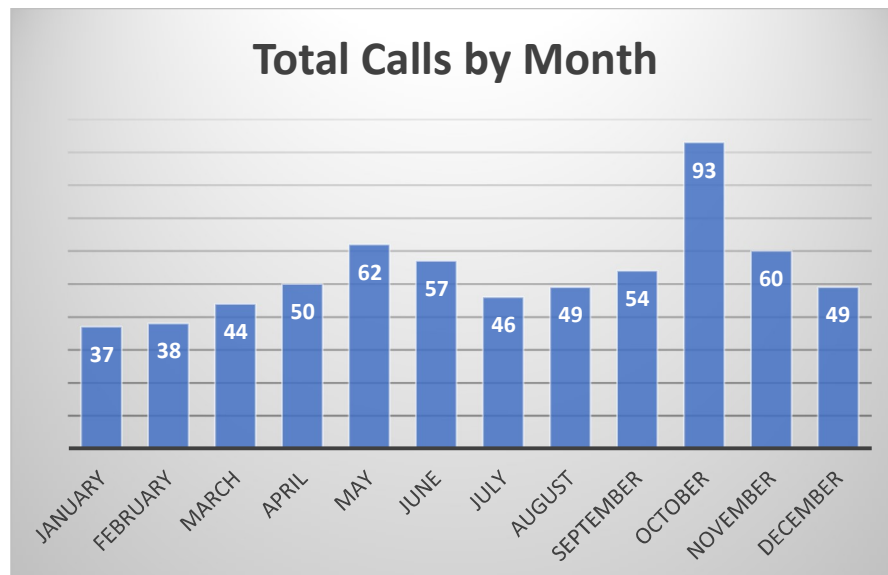
Emergency Response

Brainerd Fire Department has a coverage area of 260 square miles, with a population of over 33,000 permanent residents. This coverage area includes the City of Brainerd, the City of Baxter, and townships: Crow Wing, Long Lake, Nokay Lake, Oak Lawn, St. Mathias and Unorganized / 1st Assessment.

Critical infrastructure includes regional medical centers, government buildings, regional airport, public and private schools, community college, Burlington Northern Railroad, MN DNR tanker base station, multi-story structures including a twelve-story apartment building, nursing homes, buildings listed on the National Register of Historic Buildings, and water parks. The coverage area includes four major state highways.

A Fire Advisory Board, consisting of representatives from every city and township in the coverage area meets quarterly for department updates. Brainerd Fire Department has mutual aid agreements with 29 regional fire departments which protect 4,000 square miles. The Department is an active member of the Cuyuna Range Fire Chiefs and Firefighters Association.

Incident Type	Count	Percent of Total
Fire (<i>Structures, Wildland, Vehicle, Rubbish</i>)	83	12.99%
Rescue & EMS (<i>Crashes, Extrication, Rescue</i>)	92	14.40%
Hazardous Condition (<i>Gas Leaks, Carbon Monoxide Incidents</i>)	40	6.26%
Service Call (<i>Smoke, Public Service Assistance, Unauthorized Burning, Assist other Government Agencies</i>)	109	17.08%
Good Intent Call (<i>Cancel Enroute, No Emergency Found, Controlled Burning</i>)	135	21.13%
False Alarm (<i>System Malfunction, Unintentional Alarm Activation, Carbon Monoxide Detector Activation</i>)	179	28.01%
Severe Weather	1	0.16%
Total	639	
Mutual Aid Given	5	
Mutual Aid Received	8	



Emergency Response by City / Township

City of Brainerd

Incident Type	Count
Fire	35
Rescue & EMS	25
Hazardous Condition	19
Service Call	80
Good Intent Call	67
False Alarm	92
Severe Weather	1
Total	319

City of Baxter

Incident Type	Count
Fire	12
Rescue & EMS	31
Hazardous Condition	11
Service Call	13
Good Intent Call	32
False Alarm	64
Severe Weather	0
Total	163

Crow Wing Township

Incident Type	Count
Fire	9
Rescue & EMS	6
Hazardous Condition	1
Service Call	1
Good Intent Call	2
False Alarm	6
Severe Weather	0
Total	25

Long Lake Township

Incident Type	Count
Fire	1
Rescue & EMS	0
Hazardous Condition	3
Service Call	1
Good Intent Call	0
False Alarm	0
Severe Weather	0
Total	5

Nokay Lake Township

Incident Type	Count
Fire	1
Rescue & EMS	4
Hazardous Condition	1
Service Call	3
Good Intent Call	2
False Alarm	0
Severe Weather	0
Total	11

Oak Lawn Township

Incident Type	Count
Fire	10
Rescue & EMS	6
Hazardous Condition	1
Service Call	1
Good Intent Call	6
False Alarm	6
Severe Weather	0
Total	30

St. Mathias Township

Incident Type	Count
Fire	2
Rescue & EMS	2
Hazardous Condition	0
Service Call	0
Good Intent Call	0
False Alarm	1
Severe Weather	0
Total	5

Unorganized / 1st Assessment

Incident Type	Count
Fire	13
Rescue & EMS	18
Hazardous Condition	4
Service Call	6
Good Intent Call	26
False Alarm	10
Severe Weather	0
Total	77

Emergency Management

Emergency Management is an important part of public safety in the City of Brainerd. Fire Chief Holmes is the Emergency Management Director for the City of Brainerd and has built a positive working relationship with Crow Wing County Emergency Management. Chief Holmes is an active member of the Minnesota Type 3 All Hazard Incident Management Team.

CROW WING COUNTY ALERT

The City of Brainerd participates in Crow Wing County ALERT. Crow Wing County ALERT is a mass notification system through Everbridge to inform our residents of immediate emergency alerts and optional community information.



PulsePoint

Brainerd Fire Department was the leader in bringing PulsePoint to Crow Wing County. This project has been fully funded by donations from businesses and community groups in the Brainerd Lakes area.

PulsePoint is a mobile app that empowers everyday citizens to assist someone suffering from a sudden cardiac arrest, and possibly save someone's life. PulsePoint also identifies AEDs in the community so they can be accessed in the event of a cardiac emergency.

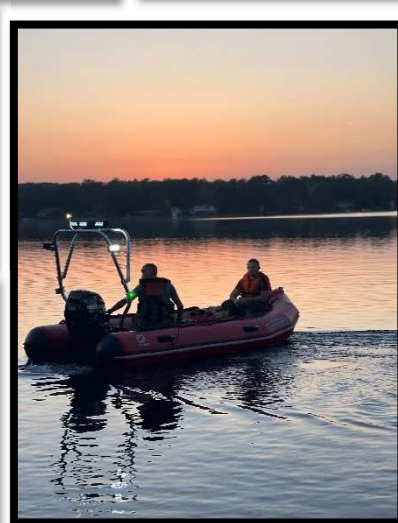


Training

Training is an essential component to providing effective firefighting services. Brainerd Firefighters fill many different roles to protect the community. Firefighters are all certified Firefighter I and II and train in various topics, including Medical Response, Auto Extrication, Rescue, Fire Control and Suppression, Hazardous Materials, OSHA, Incident Command System, Pumping, Fitness, Tactical Operations, Aircraft Rescue Fire Fighting, Truck Operations, Emergency Driving, SCBA, Ladders, Ventilation and Confined Space.

Certification training and refresher training is conducted annually. Firefighters, Captains, and Battalion Chiefs all have minimum training requirements for their positions.

Certification Training	Certified Firefighters
Aircraft Rescue Fire Fighting	23
Emergency Paramedic	1
Emergency Medical Responder	15
Emergency Medical Technician	16
Fire Apparatus Operator	23
Fire Inspector	9
Fire Instructor	24
Fire Investigator	2
Fire Officer	21
Hazardous Materials	22
Youth Fire Prevention Intervention	3



Fire Inspections

Fire inspections ensure all development projects meet the applicable life safety codes. We strive to keep the community safe through plan review and operational permits. Annual inspections are conducted for license requirement within the coverage area. These include family childcare and foster care, liquor establishments, filling stations, second-hand good establishments and pawnbrokers, second-hand automobiles, and tobacco sale establishments.

Fire permits require a fire inspection within the coverage area. These include fire suppression systems, exhibition and trade shows, fairs and temporary membrane events, fireworks displays and sale of consumer fireworks, and above ground / underground tank permits. Knox boxes are also monitored by the Brainerd Fire Marshal.

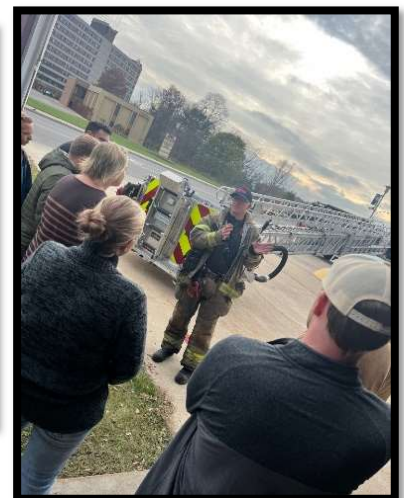
Type of Inspection	2023 Total
Commercial Kitchen Exhaust Cleaning	132
Construction and Plan Review	2
Family Day Care / Foster Care	3
Fire Alarm Permit and Testing	300
Fire Safety	8
Fire Pump	29
Hood Suppression and Installation	197
Knox Box Installation	18
Licensing / Permits	52
Paint / Spray Booth Suppression	2
Special Suppression	11
Sprinkler Annual and Review	313
Tank Install / Removal	1
Tier II Reports	9
Total	1077

Activities

The Minnesota Board of Firefighter Training and Education reimbursed Brainerd Fire Department \$33,545 for training expenses. Brainerd Fire Relief Association donated \$1,400 for a power washer, \$1,200 for tourniquets, \$545 for a grill, \$1,226 for a Cordless Tool Kit, and \$5,817 for a fan for the department. PulsePoint donations totaled \$7,500. Donations totaling \$7,780 was received from local corporate donations for Fire Safety / Public Education materials and a new Fire Pup mascot outfit.

Firefighters attended numerous community activities throughout the year, including the National Night Out and Night to Unite events in Brainerd and Baxter, 9/11 Memorial Ceremony and Stair Climb and the Brainerd American Legion Thanksgiving Meal Delivery.

Brainerd Fire and Police Department's received funding from Sourcewell in the amount of \$50,000. These funds were used to purchase workout equipment and provide mental health check-in appointments for both Firefighters and Police Officers.

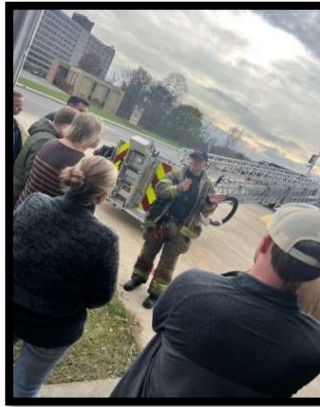


Fire Safety Education

The Fire Safety Education program reaches children and adults in the coverage area through station tours, family daycares, child care centers, youth groups, elementary schools and various community organizations.

A Smoke and Carbon Monoxide Alarm program was implemented in 2022 focusing on the elderly and those unable to service their own alarms. Fire crews visited 33 homes and installed smoke alarms and carbon monoxide alarms, along with replacement batteries. Half of the smoke alarms replaced were over 20 years old, with no smoke alarm in one home. Five homes had no carbon monoxide alarm.

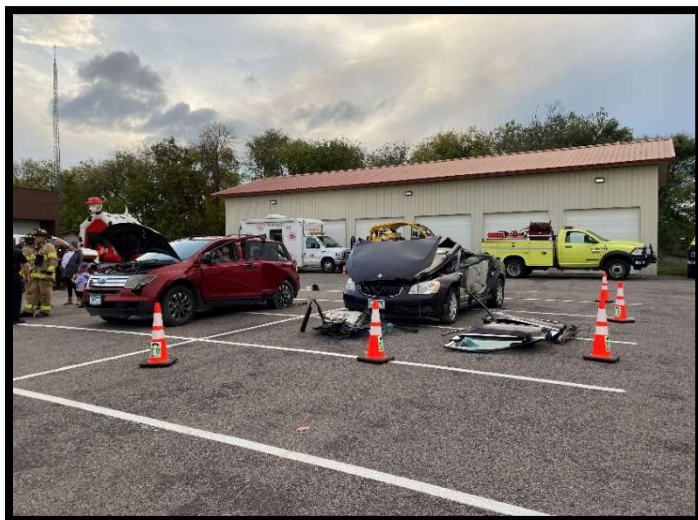
Type of Public Education	2023 Total Population Reached
Adults	1,005
Children: Schools and Day Cares	3,310
Events: Open House, Touch a Truck, etc.	10,000
Fire Extinguisher Training	185
Total	14,500



Fire Safety Open House



Brainerd Fire Department held its Fire Safety Open House in October. The fire prevention theme was 'Cooking Safety Begins With You'.



RETIREMENTS



Joe Rubado
Battalion Chief
1996 - 2023



Todd Johnson
Firefighter
2003 - 2023



Jeremy Powell
Firefighter
2009 - 2023



Elaine Kraemer
Administrative Specialist
2001 - 2023

Promotions



Matt Holmstrom
Promoted from
Captain to Battalion Chief



Paul Rosier
Promoted to Captain

Firefighter of the Year



Nick Haglin

Leadership



Tim Holmes
FIRE CHIEF
8 YEARS



Dave Cox
FIRE MARSHAL / DEPUTY CHIEF
7 YEARS



Elaine Kraemer
ADMINISTRATIVE SPECIALIST
22 YEARS – RETIRED DECEMBER 15



Joe Rubado
BATTALION CHIEF
26 YEARS – RETIRED JULY 31



Jeff Schellin
BATTALION CHIEF
22 YEARS



Matt Holmstrom
BATTALION CHIEF
17 YEARS – PROMOTED AUGUST 1



Dave Read
SQUAD 1 CAPTAIN
15 YEARS



Rahn Findlay
SQUAD 2 CAPTAIN
10 YEARS



Paul Rosier
SQUAD 3 CAPTAIN
5 YEARS – PROMOTED AUGUST 1



Joe Enge
SQUAD 4 CAPTAIN
15 YEARS



James Norwood
SQUAD 5 CAPTAIN
10 YEARS

Firefighters



Josh Smith
21 YEARS



Dennis Howard
18 YEARS



LaWayne Mann
18 YEARS



Cory Zeien
18 YEARS



Jay Bautch
17 YEARS



Joel Jacobson
15 YEARS



Sam Marohn
14 YEARS



Greg Amundson
12 YEARS



Chris Groenwold
12 YEARS



Jonathan LeMieur
12 YEARS



Brian Kargel
10 YEARS



Erik Flowers
7 YEARS



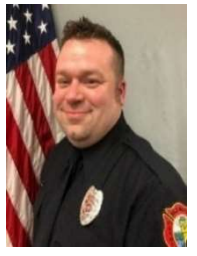
Nick Haglin
7 YEARS



Steve Isle
7 YEARS



Katie Grimsby
5 YEARS



Chris Wallace
5 YEARS



Clint Headley
5 YEARS



Erik Hidalgo
4 YEARS



Robert Kramer
4 YEARS



Drew Beeson
3 YEARS



Randy Kalis
3 YEARS



Rick Lee
3 YEARS



Henry Praska
3 YEARS



Nick Anderson
1 YEAR



Isaac High
1 YEAR



Anthony Moberg
1 YEAR



Tyler Ogren
1 YEAR



Lee Anderson
NEW HIRE



Jackson Holmes
NEW HIRE

Apparatus



Engine 23



Engine 21



Engine 3



Tender 1



Tender 3



Tender 4



Tower 20



Rescue 2



Zodiac Boat



UTV



Fire Chief



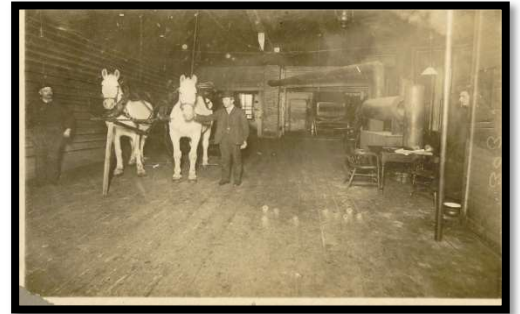
Deputy Chief / Fire Marshal

History

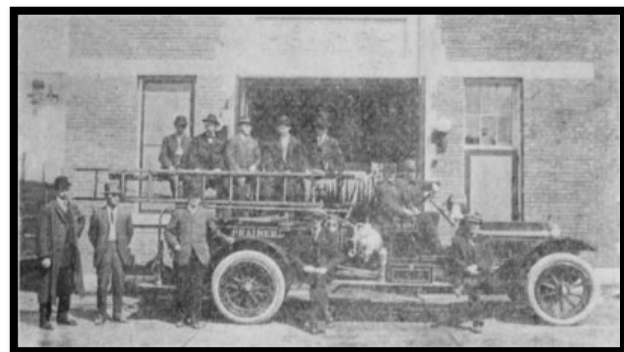


Brainerd Fire Department was organized February 13, 1872 in Askews Billiard Hall, with 37 men paying one dollar each to belong. The only source of water in town was three town wells. The usual manner of fighting a fire was with a bucket brigade in which pails of water was passed from hand-to-hand down the line of men to the fire. In 1885, a two-story frame fire station was constructed at the north end of South Fifth Street. In the early 1890's, a team of iron grey horses was purchased. The

equipment was arranged in such a way that at the sound of the alarm, the team would come out of its stall, be harnessed, and hitched to the wagon, often in less than a minute after the alarm sounded. Horses were used for 20 years.



In 1914, a new fire station was constructed on Fifth Street, next to City Hall. A new fire truck was purchased in 1915.



The current fire station located at 23 Laurel Street, was constructed in 1982. In 2004, a substation was built at 1301 Mill Avenue and a training room addition was added to the main station.



Mission and Vision Statement and Core Values

Mission

Brainerd Fire Department is an all-hazard fire department dedicated to providing quality, timely and professional emergency services to the communities we serve. Respecting each other through trust, pride, diversity, integrity, and training. Working together to achieve the highest levels of preparedness, prevention, and community involvement with a dedication to purpose.

Vision

Brainerd Fire Department will be recognized in our community and region for consistent rapid response using state of the art equipment and tactics. Brainerd Fire Department is committed to employee growth and development. We will provide a supportive environment promoting physical and mental fitness that allows for growth and competence in the ever changing demands of the fire service. Brainerd Fire Department will strive to become a leader in interagency collaboration and partnership by providing necessary resources and sharing information.



Core Values

Honor – We are loyal, proud, and respectful of our profession, our leaders, our unit, our department, and the people we serve.

Integrity – We are honest, reliable and adhere to high moral standards. We demonstrate and encourage the highest ethical behavior. Our word is our bond.

Cooperation – We work together as a ‘team’ and assist each other. We constantly seek opportunities to make improvements in our jobs, support new ideas, encourage partnership, and develop positive working relationships with cooperators. Together we are stronger.

Professionalism – We strive to be the best at what we do. We perform our jobs with the highest degree of skill and competency. Our appearance and conduct promotes confidence and trust from the public, other departments, and agencies we work with.

Innovation – We recognize and understand the constancy of change in our community and industry impacts our business daily. We are committed to seeking out and implementing innovation and progressive thinking to address change effectively and efficiently, benefitting those we serve.

Trust – We trust one another to prepare in such a way that puts the safety, effectiveness, and reputation of our department first.





Brainerd Fire Department Monthly Report

January 2024

ACTIVITIES AND PUBLIC EDUCATION

February has been a month filled with notable events and steady activity for the Brainerd Fire Department. January ended with a near record number of responses, showcasing our commitment to serving the community promptly and efficiently. February maintained a response rate just above the monthly average.

The highlight of this month was undoubtedly the second Brainerd Firefighters Ball. The event brought together our fire family for an evening of camaraderie and celebration. Everyone had a wonderful time, fostering stronger bonds within our department.



TRAINING

I want to emphasize the importance of our ongoing commitment to training, which remains a top priority within the department. We concentrated on several key areas to enhance our skills and readiness to respond effectively to emergencies.

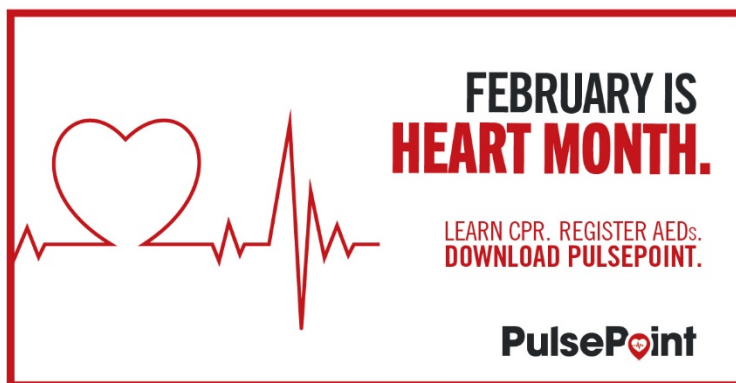


EMS - Respiratory Emergencies: This included comprehensive instruction on assessing and managing various respiratory conditions to ensure swift and effective care for patients in need.

SCBA Confidence: Ensuring our team's confidence and proficiency in using Self-Contained Breathing Apparatus (SCBA) is crucial for maintaining safety during firefighting operations. Our training sessions emphasized proper donning, doffing, and operation of SCBA equipment to enhance safety and effectiveness on the fireground.



Physical Fitness and Teambuilding: Physical fitness and strong teamwork are fundamental to our department's success and resilience. We engaged in activities designed to improve physical conditioning, foster teamwork, and enhance cohesion among team members.



Reminder that February is Heart Month, and we want to encourage everyone to learn CPR and download the PulsePoint app.

Brainerd Fire Department Monthly Report

February 2024

INSPECTIONS	
Fire Alarm	13
Hood Suppression	12
Commercial Kitchen Exhaust	13
Special Suppression	1
5 Year Sprinkler	4
Sprinkler System	14

BRAINERD FIRE COVERAGE AREA INCIDENT REPORT	
Type of NFIRS Incident (National Fire Incident Reporting System)	Coverage Area Total Incidents (Includes City of Brainerd)
Fire	4
Rescue & Emergency Medical Service	6
Service Calls	4
Good Intent Call	16
Alarm Activation	7
TOTAL	37
Type of NFIRS Incident (National Fire Incident Reporting System)	City of Brainerd Total Incidents
Fire	1
Rescue & Emergency Medical Service	2
Service Calls	3
Good Intent Call	7
Alarm Activation	3
TOTAL	16

EMERGENCY NOTIFICATIONS



EVERBRIDGE enables critical information to be sent to residents of Crow Wing County by phones, text, and email. Use the QR Code or sign up at:

<https://member.everbridge.net/index/892807736729514#/signup>



HR DIRECTOR REPORT



In this report:

- Pay Equity Report
- Union Negotiations
- BPU Job Descriptions
- Performance Evaluations
- Personnel
- Public Utilities Director
- Wellness Committee
- MPELRA Training

Personnel

New Hires/Promotions for City/BPU/HRA:
Nicholas Broyles - City Administrator (2/26)

Farewell to:
Patrick Wussow - Interim City Administrator (2/28)

Current Job Opportunities:
Assistant Planner - Interviews scheduled for March 6th.

Journey Electrical Lineworker - Staff decided to restart our process. We have informed applicants that were selected for an interview that we will be reposting once 2024 wages are negotiated.

Crosby HRA - Maintenance Specialist - Accepting applications until filled.

Part-Time/Internships/Seasonal Positions:

Engineering Intern - Accepting applications until filled.

GIS Intern - Accepting applications until filled.

There are currently 7 City/HRA/Airport employees with Family & Medical Leave Act (FMLA) issues. 6 of those cases are for intermittent leave when needed.

Public Utilities Director

On February 12th, the Public Utilities Director Work Group met and reviewed ten applications for our Public Utilities Director Position. Five individuals were invited to interview and interviews will be conducted on February 28th and March 1st. The Work Group will provide an update at the March 4th Council meeting.

Pay Equity Update

Our Pay Equity Report was submitted to the State on 1/26/24 and we are awaiting official notification from the State if we are in compliance.

Union Negotiations

IUOE Street Division union members approved the tentative agreement terms when a vote occurred on February 7th. Council approved the tentative agreement and wage resolution at the February 20th meeting.

Staff attended Mediation sessions on February 8th and 9th for both the IBEW Public Utility and Administrative Support Unions. Our next mediation sessions are scheduled for February 29th. Proposed 2023 wages were presented to the IBEW Union for our four new positions. The IBEW Union has not accepted those wages at this time and we cannot start advertising to fill those positions until an agreement is reached.

BPU Job Descriptions

HR and BPU Staff recently updated several Public Utility Department job descriptions where duties were modified by the department's organizational restructuring. The Public Utilities Commission reviewed and recommended approval of the revised job descriptions. The job descriptions are included on the March 4, 2024, consent calendar for final Council approval. In addition, we plan to present updated job descriptions for the Operations Manager and Water/Wastewater Manager positions at the Commission's March meeting.

Performance Evaluations

After reviewing some of the 2022-2023 performance reviews, we scheduled a training opportunity on February 20th for members of the BPU Management Team to meet with our Department Heads regarding completing performance evaluations and conducting a supervisor calibration session.

Wellness Committee

For our March Lunch 'N Learn, Police Officer Jay Personius will be presenting on Tick Prevention. With the Spring/Summer months approaching, it is important to understand the precautions you can take to keep yourself safe while enjoying the outdoors.

The Wellness Committee has scheduled our annual Bio-Metric Screening for April 18, 2024. Please watch for information to come out mid-March.

MPELRA Training

HR Staff attended the 2024 MPELRA Winter Conference on February 15, 2024. Many of the topics focused on the 2023 legislative changes including the new Earned Sick and Safe Time (ESST) law, changes to the Public Employment Labor Relations Act, and general labor relations issues.



CITY ENGINEER/PUBLIC WORKS DIRECTOR REPORT MARCH 4, 2024 CITY COUNCIL MEETING

Recreation Report

Winter Activities/Sports

- Pond Hockey
 - January 26th Memorial, Gregory, and Bane Park ice rinks and warming houses closed.
 - We will have our equipment/jersey drop off on Thursday night February 22nd from 4pm - 6pm at Memorial Park. If participants are unable to make it that night, they are welcome to drop the equipment off at Brainerd City Hall.

Special Events

- **Skating Party**

It was canceled due to warm weather melting rinks.

- **Smooch A Pooch**

Brainerd Parks and Rec hosted its annual Smooch a Pooch Tuesday, Feb. 13, at Buster Dog Park in Brainerd. The annual event offered owners the opportunity to be photographed with their dogs for Valentine's Day. Smooch a Pooch was sponsored by Pampered Pets, with free bandanas for the pups and a free photo from Tadych Photography. Photos will be emailed to participants by February 21st, 2024.

Smooch a pooch had an article in the Brainerd Dispatch on 2/15/24. Below are some of the photos taken by the Brainerd Dispatch



Adult Softball

Adult softball fees have been determined as follows.

League	Fee	Late Fee	Max Teams
MS1	\$1,050.00	\$75	12
MS2	\$1,050.00	\$75	12
Women's	\$710	\$75	12
Upper Coed	\$710	\$75	6
Lower Coed	\$710	\$75	6

Registration for summer softball starts as soon as possible. Working on configuring registration and fees.

Donations

I (Haley) went to 50 local businesses to ask for donation requests to help support our local community events. As of 2/20/24 we have gotten 11 donations.

Miscellaneous :

Fall and Summer Softball/ Pickleball plaques are being processed.

Parks Maintenance Report

- Winter banners replaced with summer banners downtown
- Installed tennis nets
- Stored all pond hockey equipment, nets, boards
- Closed rinks for season
- Buster Park gazebo torn down and hauled away
- Received delivery of new shelter for dog park
- Additional chips spread at Buster
- Plowed all walking trails
- Additional brush trimming at Kiwanis
- Ordering sign for Public Works building
- Finalizing disconnects for old shop for demolition (gas, electric, cable, and internet)
- Soap box cars and documents moved from old shop
- Replaced bad tire on work truck
- Cut down hazardous tree on Rotary Trail
- OSHA information board hung at shop
- Installed fire/key box on new building
- Field chalk ordered for summer
- Washed vehicles
- Lights in shop hung
- Enclosed air compressor
- Cutting trees on spur line
- Roofing and painting shed
- Put out basketball stanchion
- Removing door at old shop to repurpose
- Grinding stumps
- Painting doors
- CTC-CenterPoint Energy-BPU water/electricity
- Working on new disc course
- Public Works sign ordered
- Removing some fixtures from old shop

Parks Projects Report

Parks ARPA Projects

Staff has received the final plans from Widseth. Once reviewed and approved, staff will be advertising the plans for bid. It is expected that work will take place through spring and summer 2024.

Buster Park Pavilion

Staff has received the pavilion. Once the weather allows, foundations will be poured and staff will assemble the pavilion. Staff will be waiting until spring for installation.

Memorial Park Disc Golf Course

The disc golf group has completed staking out locations for tees and baskets. Sign proofs have been approved. Staff is requesting quotes for the concrete tee boxes.

Building Demolitions

Lum Park Building Demo is planned for late March. Staff has removed the shed at Gustafson. Some remaining utility disconnection is required at the shed in Memorial. The demo at Jaycees needs to be quoted yet.

Self-Service Kayak Rental

The Park Board is discussing details such as rates, memberships, etc. at this meeting. This is planned to be in place for the 2024 summer season.

Bane Park Garage Roof

Staff has requested quotes from vendors for this work.

Gregory Park Warming House/Pavilion Gutter Replacement

Staff has requested quotes from vendors for this work.

Buffalo Hills Park Playground Replacement

Staff has reached out to the Lions Club to begin discussions on the playground replacement details.

Mills Field Fencing Relocation and Replacement

The Park Board approved the quote from Oberg Fence for this work. It is expected that this work would take place this spring 2024.

Memorial Park Rink Lights Automatic Timer

Staff has requested quote from the vendor for this work.

Lum Park Pavilion Rehabilitation

Staff has requested drawings from TWM Architecture to prepare drawings for bidding.

Streets Maintenance Report

Maintenance Tasks Completed Month Prior

- Sewer inspection on various streets
- Marking utility locates
- Continued brushing and tree trimming in streets city-wide
- Replacing miscellaneous street signage
- Received and prepped new backhoe
- Sewer calls continue to be an issue. Mostly private service lines.
- Elite Fencing has the new gate operator. Once ground thaws, electrician will get power.
- New pressure washer arrived and has been installed
- New sign is ordered.
- Cold patching in some areas as needed

- Addressed roof liner issues
- Assisted with City Administrator tours
- Attended training regarding responding to residents
- Reviewed storm drain issues during rain event
- Received pricing for roundabout woodchips
- Assisted with elections
- Received pricing for crack filling equipment

Engineering Report

North Brainerd Reconstruction Project

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

South Brainerd Reconstruction Project

The contract has been awarded to DeChantal Excavating. Staff is looking to schedule a Pre-Construction meeting ahead of construction which is expected to begin in spring 2024.

S. 6th/Willow Roundabout Project

There will be a Municipal Consent hearing at the March 18th Council meeting to review the final concept layout. Once approved, staff will be coordinating with SEH on beginning the design and right-of-way acquisition process. We have also received the draft environmental assessment and final signed intersection control evaluation reports as well as the title commitments for the parcels affected by the project.

SW 4th Street Storm Outfall Project

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

Buffalo Hills Gully Remediation Project

The Contractor has done grading throughout the gully and placed 5 sections of storm sewer pipe. At this time due to the weather, work is suspended until weather and temperatures are appropriate to continue. Completion will occur in the spring of 2024.

Other Activities

- Continued discussion with utilities regarding the upcoming South Brainerd reconstruction
- Reviewed change order requests for Buffalo Hills Gully Remediation project
- Participated in weekly check-in meetings for TH 371B/Willow Street Roundabout Project
- Met with SRF regarding funding opportunities for the TH 210/Lum Park Pedestrian Bridge project
- Reviewed Parks ARPA project plans
- Continued work on design of Beech Street Reconstruction project
- Continued work on design of Evergreen project
- Discussed comments from State Aid office on Evergreen project, revised as necessary
- Reviewed the ESA Phase II environmental report for the TH 371B/Willow Street Roundabout project
- Requested letters of support for TH 210/Lum Park Pedestrian Bridge from ISD and Park Board.
- Reviewed bids for Historic Water Tower Phase II rehabilitation project
- Met with Higgins, SWCD regarding BIC shoreland area
- Coordinated utility disconnections at the old Lum Park Maintenance building

- Reviewed build specs for Public Works lease vehicles
- Coordinated with Baxter on joint NPDES employee training
- Reviewed private parking lot sign location
- Presented TA grant application to Region 5 TAC committee
- Attended Baxter committee meeting where discussed the updated Sewer ordinance
- Reviewed upcoming event applications
- Reviewed agreement with Bolton & Menk for repairs of Laurel Street bridge
- Reviewed and commented on updates for annual map review
- Reviewed and commented on updated descriptions for Sewer Lead and Engineering Summer Interns
- Prepared and mailed out reconstruction newsletter to South Brainerd residents
- Presented TH 210/Lum Park Pedestrian Bridge project to Sen. Eichorn
- Researching information in regard to Franchise Fees
- Prepared petition for improvement for alley pavement surfacing
- Requested proposal from Widseth for design of Police Department exterior repairs
- Requested letters of support for TH 210/Lum Park Pedestrian Bridge from ISD, MnDNR, and state legislators
- Continued discussions regarding private water service lines along South Brainerd alley
- Requested pricing for footings at Buster Park pavilion
- Reviewed RRFB request on S. 6th at Ronald Street
- Met with developer regarding Brainerd Oaks Outlot F
- Reach out to Brainerd Lions Club regarding replacement of the Buffalo Hills playground
- Reviewed utility exception request letter for TH 210 watermain replacement
- Participated in PROTECT subgroup
- Met with CWC regarding septic systems within the City of Brainerd
- Reviewed the TH 210 lighting on the corridor

Transit Report

Activities

- RFP solicitation has opened. Have had a few downloads. Kathy mailed notices as well to potential contractors.
- Completed 2023 Vehicle Condition Assessment Rating. Ratings are as follows: 2 buses excellent current condition. 2 buses good current condition. 3 buses marginal current condition. 4 buses poor current condition. Still no word on when we will receive a new bus.
- Reconciling/Reviewing RouteMatch invoices 2023/2024 – 25% increase second year in a row
- Completed 5 year technology plan review with MnDOT. Transit Software and 2-way radio changes are on the priority list
- 3PC new Manager not managing
 - Having to perform many of her duties.
 - Fixing a much higher volume of dispatcher mistakes
 - Meeting with Kevin Pursey often
- Diesel bus issues with diesel particulate filter DPF regeneration Regen. Going into regen too often due to driving habits. Our system is not the right application for diesel buses.

- Call log percentage answered extreme decrease since new manager stepped in (from 95%-100% down to 77%-86%)
- Attended RTCC Region 4 commission meeting. They are working with Pine River community on providing an underserved public transit survey. New Chair Randy Jahnke of Friendly Rider and Vice Chair were voted in. Spoke with friendly rider about their new facility being built and how their operations work. They have 8 buses, County run, costs always covered, staff are all internal & county employees.
- Buses aren't being washed – asked for a plan at Wednesday operations meeting with Kevin & Carmen
- The call answered percentages dipped in early February but have been better in late February.
- Ridership Reporting for January 2024
 - Year To Date
 - 2023 = 4,339
 - 2024 = 3,070 (-1,269, -29.2%)
 - Brainerd Only
 - 2023 = 3,417
 - 2024 = 2,382 (-1,035, -30.3%)
 - Baxter Only
 - 2023 = 505
 - 2024 = 525 (+20, +4.0%)
 - Crow Wing County Only
 - 2023 = 1,029
 - 2024 = 163 (-866, -84.2%)
 - January 2024 vs. December 2023
 - December 2023 = 2,693 (20 operating days)
 - Brainerd-origin = 2,056
 - Baxter-origin = 506
 - CWC = 131
 - January 2024 = 3,070 (+377) (22 operating days)
 - Brainerd-origin = 2,382 (+326)
 - Baxter-origin = 525 (+19)
 - CWC = 163 (+32)
 - 33 New Customers in January



City Council Agenda Request

MEETING DATE: March 4, 2024

TITLE OF ITEM: Adopt Resolution Authorizing the City of Brainerd to Submit Information to the Minnesota Public Facilities Authority (MPFA) and to enter into a Grant Agreement with the MPFA

AGENDA: Consent

ACTION REQUESTED: Adopt Resolution

SUBMITTED BY: Connie Hillman, Finance Director

DEPARTMENT: Finance

PRESENTER: Connie Hillman, Finance Director

ESTIMATED TIME (MIN): N/A

SUMMARY OF ISSUE:

The City received \$5,000,0000 in the 2023 state bonding bill for its water storage tank project - design and construct a new backwash facility. In order to receive the funding, the City must submit the required information and enter into a grant agreement with the Minnesota Public Facilities Authority (MPFA). One of the requirements is to adopt a resolution authorizing the execution of a grant agreement with the signatures of the City Administrator and its Mayor. A draft resolution is attached.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION:

Adopted attached resolution authorizing the City of Brainerd to submit information to the Minnesota Public Facilities Authority (MPFA) and to enter into a grant agreement with the MPFA.

FINANCIAL IMPACT:

RESOLUTION

xx:24

**RESOLUTION AUTHORIZING THE CITY OF BRAINERD TO SUBMIT INFORMATION TO
THE MINNESOTA PUBLIC FACILITIES AUTHORITY (MPFA) AND TO ENTER INTO A
GRANT AGREEMENT WITH THE MPFA.**

WHEREAS, under the provisions contained in Laws of Minnesota 2023 chapter 72, article 1, section 23, subd. 5, \$5,000,000 was appropriated to the MPFA

“For a grant to the city of Brainerd to design, construct, and equip a new backwash collection, detention, and reclaim system for the city’s municipal water treatment facility.”

WHEREAS, to receive this money, the City of Brainerd must submit required information and enter into a Grant Agreement with the MPFA; and

WHEREAS, the City of Brainerd has the legal authority to apply for the grant, and the financial, technical, and managerial capacity to ensure proper construction, operation and maintenance of the project for its design life.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BRAINERD, MINNESOTA that the Grant Agreement shall be executed on behalf of the City by the signature of its City Administrator and its Mayor. In the event of disability or resignation or other absence of either such officer, the Grant Agreement may be signed by the manual signature of that officer who may act on behalf of such absent or disabled officer. In case either such officer whose signature shall appear on the Grant Agreement shall cease to be such officer before delivery of the Grant Agreement, such signature shall nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until delivery.

Adopted this 4th day of March 2024

KELLY BEVANS
President of the Council

Approved this 5th day of March 2024

DAVE BADEAUX
Mayor

ATTEST: _____
NICK BROYLES
City Administrator



City Council Agenda Request

MEETING DATE: March 4, 2024

TITLE OF ITEM: Approval of Revised Job Descriptions for Public Utility Department Water Crew Chief, Water Serviceworker, Water Plant Chief Operator, Water Plant Operator, and Wastewater Crew Chief classifications as presented.

AGENDA: Consent

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert, Human Resources
Director

DEPARTMENT: HR

PRESENTER: Kris Schubert, Human Resources
Director

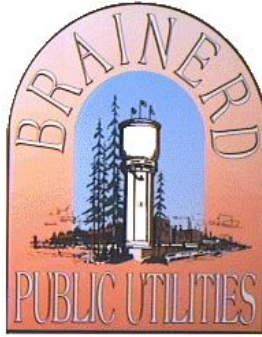
ESTIMATED TIME (MIN): N/A - consent calendar

SUMMARY OF ISSUE: Several job descriptions were recently updated due to the reorganization of the Public Utilities Department. Attached are redlined and final versions of the updated job descriptions for the Water Crew Chief, Water Serviceworker, Water Plant Chief Operator, Water Plant Operator, and Wastewater Crew Chief classifications. The Public Utilities Commission, at its February 27, 2024, meeting reviewed and recommended approval of the revised job descriptions as presented.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Please note we are still reviewing the job descriptions for the Maintenance Mechanic, Operations Manager and Water/Wastewater Manager positions and hope to have those available for the Commission's review at its March 26th meeting.

RECOMMENDED ACTION/MOTION: N/A - consent calendar item

FINANCIAL IMPACT: n/a



Water Crew Chief

Department: Public Utilities—~~Water~~

FLSA Status: Non-Exempt

General Definition of Work

Performs responsible supervisory work overseeing and participating in the maintenance and repair of the utility's water distribution system, assigning and scheduling work, maintaining records, preparing reports, and related work as apparent or assigned. Work is performed under the limited supervision of the Operations Manager~~Water Supervisor~~. Supervision is exercised over Water construction crew personnel.

Qualification Requirements

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

Essential Functions

- Plans, organizes, directs, and inspects the work of crews engaged in the installation and maintenance of watermain, fire hydrants, services, valves, meters and other related water distribution components; may operate heavy machinery necessary for installation and maintenance work.
- Coordinates and inspects water system work performed by contractors for private services or for system maintenance.
- Assists and advises Engineering Division inspectors for new and reconstruction infrastructure projects.
- ~~Supervises subordinate personnel; may provide coaching and/or recommend disciplinary action up to and including dismissal.~~
- Instructs subordinates in safety, methods of operation and maintenance of equipment.
- Participates in the work performed by water construction crew personnel.
- Ensures that water system operations and work assignments are carried out within acceptable standards and assists with research and make recommendations for capital purchases.
- Locates and repairs leaks, low pressure, and other trouble reports in the water distribution system.
- Maintains vehicles, equipment and shop areas; works with purchasing staff to maintain inventory of appropriate levels of materials.
- Provides guidance to the Operations Manager regarding water main standards and specifications for upcoming projects; Assists with research and make recommendations for capital purchases.
- Participating in the on-call rotation is required; Willingness to accept call out/call back for outages and emergency repairs is essential. Call out/call back can be declined for good cause only.
- ~~Prepares and maintains records of work performed.~~
- Maintains state certifications for operations by attending training seminars.
- Assists other ~~Brainerd~~ Public Utilities service crews as needed and in emergencies.
- Performs related tasks as required.

Knowledge, Skills and Abilities

- Thorough knowledge of the techniques, materials and equipment used in the construction, maintenance and repair of water lines and related equipment;
- General knowledge of the layout of the existing water distribution network.;

- Thorough knowledge of the rules and regulations governing equipment operations and utility repair work performed in or on public roads and right-of-ways.
- Knowledge of the methods, practices and tools of the plumbing and pipe fitting trades.
- Thorough knowledge of the hazards connected with water system maintenance and the necessary safety precautions to comply with BPU and OSHA safety requirements;
- Knowledge of chemicals used for water treatment and disinfection.

Water Crew Chief

Page 2

Knowledge, Skills and Abilities (Cont.)

- General knowledge of, and the ability to operate use, electronic locators and other equipment used in the water distribution system which may include meters, gauges, and connection with underground locatorsing.
- Ability to plan and supervise the work of subordinates.
- Leadership including problem solving and decision making.
- Ability to read and interpret documents such as blueprints, BPU safety rules, operating and maintenance instructions, procedure manuals, and policies.
- Working knowledge of computers and related BPU software and communications systems.
- Ability to listen and speak effectively; follow oral and written instructions.
- Ability to establish and maintain effective working relationships with coworkers, supervisors, and customers.
- Ability to respond to inquiries in a prompt and professional manner regarding questions, concerns, and problems that arise.
- Ability to deal with angry and hostile customers in water turnoff situations.

Education, Experience and Special Requirements

- High School Diploma or general education degree (GED).
- Four (4) years of training and/or experience in any combination of:
 - Operating and servicing of a variety of heavy, medium and small-sized equipment in the water utility trade;
 - Installation, maintenance and repair of water production and distribution systems; or
 - Relevant technical training.
- Possession of a MDH Class D Water Operators.
- Minnesota Class A commercial driver's license with air brake endorsement or ability to obtain within one year of hire.

The following are highly desirable qualifications when hiring:

- Possession of a MDH Class C Water Operators Certificate or higher.
- Graduation from Technical/Community College training program with specialized training in water operations.

Physical Requirements

This is heavy work requiring the exertion of up to 100 pounds of force rarely – not daily, up to 50 pounds of force frequently, and/or up to 20 pounds of force constantly to move objects; work regularly requires speaking or hearing, using hands to finger, handle or feel, stooping, kneeling, crouching or crawling, reaching with hands and arms, pushing or pulling and lifting, frequently requires standing, walking, climbing or balancing and repetitive motions and occasionally requires sitting and tasting or smelling; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception and night vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using of measuring devices, assembly or fabrication of parts within arm's length, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work regularly requires exposure to outdoor weather conditions and sometimes exposed to extreme weather temperatures including wind chill, frequently requires exposure to wet, humid conditions (non-weather), working near

moving mechanical parts and exposure to fumes or airborne particles and occasionally requires working in high, precarious places, exposure to toxic or caustic chemicals, 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 bloodborne pathogens and may be required to wear specialized personal protective gear.

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

Last Revised: ~~January 1, 2018~~ February 22, 2024



Water Crew Chief

Department: Public Utilities

FLSA Status: Non-Exempt

General Definition of Work

Performs responsible supervisory work overseeing and participating in the maintenance and repair of the utility's water distribution system, assigning and scheduling work, maintaining records, preparing reports, and related work as apparent or assigned. Work is performed under the limited supervision of the Operations Manager. Supervision is exercised over Water construction crew personnel.

Qualification Requirements

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

Essential Functions

- Plans, organizes, directs, and inspects the work of crews engaged in the installation and maintenance of watermain, fire hydrants, services, valves, meters and other related water distribution components; may operate heavy machinery necessary for installation and maintenance work.
- Coordinates and inspects water system work performed by contractors for private services or for system maintenance.
- Assists and advises Engineering Division inspectors for new and reconstruction infrastructure projects.
- Instructs subordinates in safety, methods of operation and maintenance of equipment.
- Participates in the work performed by water construction crew personnel.
- Ensures that water system operations and work assignments are carried out within acceptable standards.
- Locates and repairs leaks, low pressure, and other trouble reports in the water distribution system.
- Maintains vehicles, equipment and shop areas; works with purchasing staff to maintain inventory of appropriate levels of materials.
- Provides guidance to the Operations Manager regarding water main standards and specifications for upcoming projects; Assists with research and makes recommendations for capital purchases.
- Participating in the on-call rotation is required; Willingness to accept call out/call back for outages and emergency repairs is essential. Call out/call back can be declined for good cause only.
- Prepares and maintains records of work performed.
- Maintains state certifications for operations by attending training seminars.
- Assists other Public Utilities service crews as needed and in emergencies.
- Performs related tasks as required.

Knowledge, Skills and Abilities

- Thorough knowledge of the techniques, materials and equipment used in the construction, maintenance and repair of water lines and related equipment;
- General knowledge of the layout of the existing water distribution network.
- Thorough knowledge of the rules and regulations governing equipment operations and utility repair work performed in or on public roads and right-of-ways.
- Knowledge of the methods, practices and tools of the plumbing and pipe fitting trades.

Water Crew Chief

Page 2

Knowledge, Skills and Abilities (Cont.)

- Thorough knowledge of the hazards connected with water system maintenance and the necessary safety precautions to comply with BPU and OSHA safety requirements;
- Knowledge of chemicals used for water treatment and disinfection.
- General knowledge of, and the ability to operate equipment used in the water distribution system which may include meters, gauges, and underground locators.
- Ability to plan and supervise the work of subordinates.
- Leadership including problem solving and decision making.
- Ability to read and interpret documents such as blueprints, BPU safety rules, operating and maintenance instructions, procedure manuals, and policies.
- Working knowledge of computers and related BPU software and communications systems.
- Ability to listen and speak effectively; follow oral and written instructions.
- Ability to establish and maintain effective working relationships with coworkers, supervisors, and customers.
- Ability to respond to inquiries in a prompt and professional manner regarding questions, concerns, and problems that arise.
- Ability to deal with angry and hostile customers in water turnoff situations.

Education, Experience and Special Requirements

- High School Diploma or general education degree (GED).
- Four (4) years of training and/or experience in any combination of:
 - Operating and servicing of a variety of heavy, medium and small-sized equipment in the water utility trade;
 - Installation, maintenance and repair of water production and distribution systems; or
 - Relevant technical training.
- Possession of a MDH Class D Water Operators.
- Minnesota Class A commercial driver's license with air brake endorsement or ability to obtain within one year of hire.

The following are highly desirable qualifications when hiring:

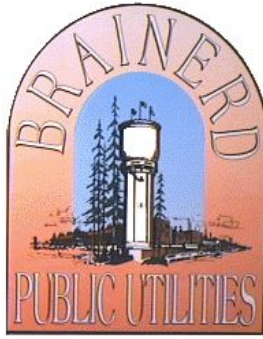
- Possession of a MDH Class C Water Operators Certificate or higher.
- Graduation from Technical/Community College training program with specialized training in water operations.

Physical Requirements

This is heavy work requiring the exertion of up to 100 pounds of force rarely – not daily, up to 50 pounds of force frequently, and/or up to 20 pounds of force constantly to move objects; work regularly requires speaking or hearing, using hands to finger, handle or feel, stooping, kneeling, crouching or crawling, reaching with hands and arms, pushing or pulling and lifting, frequently requires standing, walking, climbing or balancing and repetitive motions and occasionally requires sitting and tasting or smelling; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception and night vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using of measuring devices, assembly or fabrication of parts within arm's length, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work regularly requires exposure to outdoor weather conditions and sometimes exposed to extreme weather temperatures including wind chill, frequently requires exposure to wet, humid conditions (non-weather), working near moving mechanical parts and exposure to fumes or airborne particles and occasionally requires working in high, precarious places, exposure to toxic or caustic chemicals, 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 bloodborne pathogens and may be required to wear specialized personal protective gear.

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

Last Revised: February 22, 2024



Water Serviceworker

Department: ~~Public Utilities~~—~~Water~~
Status: Non-Exempt

FLSA

General Definition of Work

Performs responsible skilled trades work installing and maintaining the utility's water distribution system including water lines, hydrants, meters and related work as apparent or assigned. Work is performed under the moderate supervision of the Water ~~LeadCrew Chief~~.

Qualification Requirements

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

Essential Functions

- Installs and maintains watermains, fire hydrants, services, valves, meters and other related water distribution components; may operate heavy machinery necessary for installation and maintenance work. Oversees water system work performed by contractors.
- Locates and repairs leaks, low pressure, and other trouble reports in the water distribution system.
- Maintains vehicles, equipment and shop areas.
- Participation in the on-call rotation is required; Willingness to accept call out/call back for outages and emergency repairs is essential. Call out/call back can be declined for good cause only.
- Prepares and maintains records of work performed.
- Maintains state certifications for operations by attending training seminars.
- Assists other ~~Brainerd~~ Public Utilities service crews as needed and in emergencies.
- Performs related tasks as required.

Knowledge, Skills and Abilities

- Thorough knowledge of the techniques, materials and equipment used in the construction, maintenance and repair of water lines and related equipment;
- General knowledge of the layout of the existing distribution network and ~~Public UtilitiesBPU~~ service territory.
- General knowledge of the rules and regulations governing equipment operations and utility repair work performed in or on public roads and right-of-ways.
- Knowledge of the methods, practices and tools of the plumbing and pipe fitting trades.
- Knowledge of chemicals used for water treatment and disinfection.
- Thorough knowledge of the hazards connected with water system maintenance and the necessary safety precautions to comply with ~~Public UtilitiesBPU~~ and OSHA safety requirements.

- General knowledge of, and the ability to operate, equipment used in the water distribution system. May include meters, gauges, and underground locators.

Water Serviceworker

Page 2

Knowledge, Skills and Abilities (Cont.)

- Ability to read and interpret documents such as [Public UtilitiesBPU](#) safety rules, operating and maintenance instructions, procedure manuals, and policies.
- Working knowledge of computers and related [Public UtilitiesBPU](#) software and communication system.
- Ability to listen and speak effectively; follow oral and written instructions.
- Ability to establish and maintain effective working relationships with coworkers and supervisors; responds to inquiries when in the field in a prompt and professional manner regarding questions, concerns, and problems that arise.
- Ability to deal with angry and hostile customers in water turnoff situations.

Education, Experience and Special Requirements:

- High School Diploma or general education degree (GED).
- Must have a minimum of two (2) years technical training and/or applicable job experience in the operation and maintenance of a water utility system.
- Possession of a MDH Class D Water Operators Certificate or ability to obtain within eighteen (18) months of hire.
- Minnesota Class A Commercial Driver's License with air brake endorsement or ability to obtain within one year of hire.

The following are highly desirable qualifications when hiring:

- Possession of a MDH Class C Water Operators Certificate or higher.
- Graduation from Technical/Community College training program with specialized training in water operations.

Physical Requirements

This is heavy work requiring the exertion of up to 100 pounds of force rarely – not daily, up to 50 pounds of force frequently, and/or up to 20 pounds of force constantly to move objects; work regularly requires speaking or hearing, using hands to finger, handle or feel, stooping, kneeling, crouching or crawling, reaching with hands and arms, pushing or pulling and lifting, frequently requires standing, walking, climbing or balancing and repetitive motions and occasionally requires sitting and tasting or smelling; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception and night vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using of measuring devices, assembly or fabrication of parts within arm's length, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work regularly requires exposure to outdoor weather conditions and sometimes exposed to extreme weather temperatures including wind chill, frequently requires exposure to wet, humid conditions (non-weather), working near moving mechanical parts and exposure to fumes or airborne particles and occasionally requires working in high, precarious places, exposure to toxic or caustic chemicals, 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 bloodborne pathogens and may be required to wear specialized personal protective gear.

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

Last Revised: ~~October 25, 2018~~February 8, 2024



Water Serviceworker

Department: Public Utilities

FLSA Status: Non-Exempt

General Definition of Work

Performs responsible skilled trades work installing and maintaining the utility's water distribution system including water lines, hydrants, meters and related work as apparent or assigned. Work is performed under the moderate supervision of the Water Crew Chief.

Qualification Requirement

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

Essential Functions

- Installs and maintains watermains, fire hydrants, services, valves, meters and other related water distribution components; may operate heavy machinery necessary for installation and maintenance work. Oversees water system work performed by contractors.
- Locates and repairs leaks, low pressure, and other trouble reports in the water distribution system.
- Maintains vehicles, equipment and shop areas.
- Participation in the on-call rotation is required; Willingness to accept call out/call back for outages and emergency repairs is essential. Call out/call back can be declined for good cause only.
- Prepares and maintains records of work performed.
- Maintains state certifications for operations by attending training seminars.
- Assists other Public Utilities service crews as needed and in emergencies.
- Performs related tasks as required.

Knowledge, Skills and Abilities

- Thorough knowledge of the techniques, materials and equipment used in the construction, maintenance and repair of water lines and related equipment;
- General knowledge of the layout of the existing distribution network and Public Utilities service territory.
- General knowledge of the rules and regulations governing equipment operations and utility repair work performed in or on public roads and right-of-ways.
- Knowledge of the methods, practices and tools of the plumbing and pipe fitting trades.
- Knowledge of chemicals used for water treatment and disinfection.
- Thorough knowledge of the hazards connected with water system maintenance and the necessary safety precautions to comply with Public Utilities and OSHA safety requirements.
- General knowledge of, and the ability to operate, equipment used in the water distribution system. May include meters, gauges, and underground locators.

Water Serviceworker

Page 2

Knowledge, Skills and Abilities (Cont.)

- Ability to read and interpret documents such as Public Utilities safety rules, operating and maintenance instructions, procedure manuals, and policies.
- Working knowledge of computers and related Public Utilities software and communication system.
- Ability to listen and speak effectively; follow oral and written instructions.
- Ability to establish and maintain effective working relationships with coworkers and supervisors; responds to inquiries when in the field in a prompt and professional manner regarding questions, concerns, and problems that arise.
- Ability to deal with angry and hostile customers in water turnoff situations.

Education, Experience and Special Requirements:

- High School Diploma or general education degree (GED).
- Must have a minimum of two (2) years technical training and/or applicable job experience in the operation and maintenance of a water utility system.
- Possession of a MDH Class D Water Operators Certificate or ability to obtain within eighteen (18) months of hire.
- Minnesota Class A Commercial Driver's License with air brake endorsement or ability to obtain within one year of hire.

The following are highly desirable qualifications when hiring:

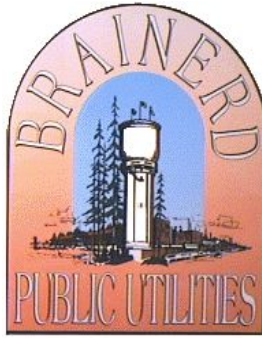
- Possession of a MDH Class C Water Operators Certificate or higher.
- Graduation from Technical/Community College training program with specialized training in water operations.

Physical Requirements

This is heavy work requiring the exertion of up to 100 pounds of force rarely – not daily, up to 50 pounds of force frequently, and/or up to 20 pounds of force constantly to move objects; work regularly requires speaking or hearing, using hands to finger, handle or feel, stooping, kneeling, crouching or crawling, reaching with hands and arms, pushing or pulling and lifting, frequently requires standing, walking, climbing or balancing and repetitive motions and occasionally requires sitting and tasting or smelling; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception and night vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using of measuring devices, assembly or fabrication of parts within arm's length, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work regularly requires exposure to outdoor weather conditions and sometimes exposed to extreme weather temperatures including wind chill, frequently requires exposure to wet, humid conditions (non-weather), working near moving mechanical parts and exposure to fumes or airborne particles and occasionally requires working in high, precarious places, exposure to toxic or caustic chemicals, 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 bloodborne pathogens and may be required to wear specialized personal protective gear.

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

Last Revised: February 8, 2024



Water Plant Chief Operator

Department: Public Utilities—~~Water~~
Exempt

FLSA Status: Non-

General Definition of Work

Performs difficult skilled trades work overseeing and participating in the operation, maintenance and repair of the municipal water supply system that includes a Class B water treatment plant and related facilities, and related work as apparent or assigned. Work is performed under the general supervision of the Water/Wastewater Manager-Supervisor. Supervision is exercised over all Water Plant personnel and 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 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

- ~~Plans, organizes, directs, and inspects the work of subordinate plant personnel; gives instructions regarding shift assignments and enforces general operating procedures. Is responsible for the operation, repair, and maintenance of the water treatment plant, with duties that include operating, monitoring, and/or troubleshooting of control panels, SCADA system, booster stations, service pumps, wells, water towers, and ground reservoirs.~~
- Operates water treatment facility and outside assets including booster stations, water towers, and wells.
- Operates a water supply system in compliance with operating guidelines; ensures safe drinking water.
- Assists in the recruitment and hiring of staff; supervises, assigns, and schedules staff; ~~may provide coaching and/or recommend disciplinary action up to and including dismissal.~~
- Instructs personnel in safety, methods of operation and maintenance of equipment.
- Participates in the work performed by personnel by inspecting the plant and equipment to ascertain that it is in proper operation at all times; monitors treatment process and flow throughout plant; performs repair and maintenance of equipment and reports major repair needs to the Water/Wastewater Manager-Supervisor; troubleshoots electricity, telemetry, mechanical, chemical, hydraulic and pneumatic systems; conducts repairs.
- Maintains inventory of supplies and equipment; places orders to ensure crews have appropriate materials and equipment for work assignments as authorized; monitors the effective and efficient use of budgeted funds, personnel, materials, facilities, and time.
- Coordinates activities with other departments and supervisors.
- Performs facility custodial and grounds maintenance duties.
- Receives and responds to inquiries from the public in a prompt and professional manner regarding questions, concerns, and problems that arise.
- Assists Water-Supervisor/Wastewater Manager in researching and making recommendations for capital equipment purchases.
- Covers shifts for Water Plant Operators on an as needed basis.
- Reads various charts, graphs, gauges and meters to record plant operations and prepares reports for submission to regulatory agencies, superiors or others as required.
- Analyzes water samples; adjusts proper chemical feeds.
- After business hours receives and dispatches calls for water, wastewater and electric crews. Assists with trouble calls if requested.
- Maintains security of treatment plant; responds to alarms and emergency situations.
- Monitors all Public Utilities-BPU systems using SCADA.
- Maintains state certifications for operations by attending training seminars.

- Attendance at continuing education events applicable to the position is strongly encouraged.
- Assists other ~~Brainerd~~ Public Utilities service crews as needed and in emergencies.
- Performs related tasks as assigned.

Water Plant Chief Operator

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Knowledge, Skills and Abilities

- Thorough knowledge of the principles, practices, equipment, tools and materials used in water treatment and distribution system; thorough knowledge of general equipment, repair and maintenance.
- Ability to plan and supervise the work of subordinates.
- Leadership including problem solving and decision making.
- Ability to maintain current knowledge of treatment processes and governmental rules and regulations pertaining to water treatment industry, including MPCA, MDH, EPA, NELAC, and OSHA;
- Thorough knowledge of the occupational hazards of the work and necessary safety precautions to comply with BPU and OSHA safety requirements;
- Ability to solve practical problems and deal with a variety of variables in situations where only limited standardization exists;
- Considerable knowledge of BPU's communication systems and procedures;
- General knowledge of the geography of BPU service territory including location of important buildings;
- Ability to read meters and gauges accurately and to maintain records of operations;
- Ability to write routine reports and correspondence;
- General knowledge in the use and care of laboratory testing and analysis equipment and instruments;
- Ability to apply concepts such as fractions, percentages, ratios, and proportions to practical situations;
- Ability to plan work load to meet time requirements
- Ability to read and interpret documents such as BPU safety rules, operating and maintenance instructions, procedure manuals, and policies.
- Ability to deal with the public under stressful conditions;
- Ability to listen and speak effectively; follow oral and written instructions.
- Ability to establish and maintain effective working relationships with coworkers, supervisors, and customers.

Education, Experience and Special Requirements

- High School Diploma or general education degree (GED);
- Must have a minimum of five years experience and/or technical training in the operation and maintenance of a comparable water treatment system;
- Valid driver's license;
- Possess MDH Class B Water Operator Certificate or the ability to obtain within six (6) months from bid award; and
- Minnesota Special Class Boilers Operating Engineers License or ability to obtain within one (1) year of hire.

The following are desirable qualifications:

- Possession of MDH Water Class A Operator certificate.
- Possession of MPCA Wastewater Class "D" or higher Operator certificate.
- Graduation from Technical/Community College training program with specialized training in water operations.
- A one (1) year combination of training and experience in the operation of utility water, wastewater, and electric systems or the equivalent technical training.

Physical Requirements

This work requires the regular exertion of up to 25 pounds of force, frequent exertion of up to 50 pounds of force and occasional exertion of up to 100 pounds of force; work regularly requires standing, sitting, speaking or hearing, reaching with hands and arms and repetitive motions, frequently using hands to finger, handle or feel, tasting or smelling and lifting and occasionally requires walking, climbing or balancing, stooping, kneeling, crouching or crawling and pushing or pulling, lifting and repetitive motions; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception 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 other accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using measuring devices, assembly or fabrication of parts within arms length, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; worker is frequently exposure to outdoor weather conditions and occasionally requires wet, humid conditions (non-weather), working near moving mechanical parts, exposure to fumes or airborne particles, exposure to toxic or caustic chemicals, exposure to the risk of electrical shock, exposure to vibration, wearing a self contained breathing apparatus and exposure to bloodborne pathogens and may be required to wear specialized personal protective equipment; work is generally in a moderately noisy location.

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

Last Revised: ~~February~~ January 1, 2024, 2018



Water Plant Chief Operator

Department: Public Utilities

FLSA Status: Non-Exempt

General Definition of Work

Performs difficult skilled trades work overseeing and participating in the operation, maintenance and repair of the municipal water supply system that includes a Class B water treatment plant and related facilities, and related work as apparent or assigned. Work is performed under the general supervision of the Water/Wastewater Manager. Supervision is exercised over all Water Plant personnel and 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 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

- Operates water treatment facility and outside assets including booster stations, water towers, and wells.
- Operates a water supply system in compliance with operating guidelines; ensures safe drinking water.
- Assists in the recruitment and hiring of staff; supervises, assigns, and schedules staff.
- Instructs personnel in safety, methods of operation and maintenance of equipment.
- Participates in the work performed by personnel by inspecting the plant and equipment to ascertain that it is in proper operation at all times; monitors treatment process and flow throughout plant; performs repair and maintenance of equipment and reports major repair needs to the Water/Wastewater Manager; troubleshoots electricity, telemetry, mechanical, chemical, hydraulic and pneumatic systems; conducts repairs.
- Maintains inventory of supplies and equipment; places orders to ensure crews have appropriate materials and equipment for work assignments as authorized; monitors the effective and efficient use of budgeted funds, personnel, materials, facilities, and time.
- Coordinates activities with other departments and supervisors.
- Performs facility custodial and grounds maintenance duties.
- Receives and responds to inquiries from the public in a prompt and professional manner regarding questions, concerns, and problems that arise.
- Assists Water/Wastewater Manager in researching and making recommendations for capital equipment purchases.
- Covers shifts for Water Plant Operators on an as needed basis.
- Reads various charts, graphs, gauges and meters to record plant operations and prepares reports for submission to regulatory agencies, superiors or others as required.
- Analyzes water samples; adjusts proper chemical feeds.
- After business hours receives and dispatches calls for water, wastewater and electric crews. Assists with trouble calls if requested.
- Maintains security of treatment plant; responds to alarms and emergency situations.
- Monitors all Public Utilities systems using SCADA.
- Maintains state certifications for operations by attending training seminars.
- Attendance at continuing education events applicable to the position is strongly encouraged.
- Assists other Public Utilities service crews as needed and in emergencies.
- Performs related tasks as assigned.

Water Plant Chief Operator

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Knowledge, Skills and Abilities

- Thorough knowledge of the principles, practices, equipment, tools and materials used in water treatment and distribution system; thorough knowledge of general equipment, repair and maintenance.
- Ability to plan and supervise the work of subordinates.
- Leadership including problem solving and decision making.
- Ability to maintain current knowledge of treatment processes and governmental rules and regulations pertaining to water treatment industry, including MPCA, MDH, EPA, NELAC, and OSHA;
- Thorough knowledge of the occupational hazards of the work and necessary safety precautions to comply with BPU and OSHA safety requirements;
- Ability to solve practical problems and deal with a variety of variables in situations where only limited standardization exists;
- Considerable knowledge of BPU's communication systems and procedures;
- General knowledge of the geography of BPU service territory including location of important buildings;
- Ability to read meters and gauges accurately and to maintain records of operations;
- Ability to write routine reports and correspondence;
- General knowledge in the use and care of laboratory testing and analysis equipment and instruments;
- Ability to apply concepts such as fractions, percentages, ratios, and proportions to practical situations;
- Ability to plan work load to meet time requirements
- Ability to read and interpret documents such as BPU safety rules, operating and maintenance instructions, procedure manuals, and policies.
- Ability to deal with the public under stressful conditions;
- Ability to listen and speak effectively; follow oral and written instructions.
- Ability to establish and maintain effective working relationships with coworkers, supervisors, and customers.

Education, Experience and Special Requirements

- High School Diploma or general education degree (GED);
- Must have a minimum of five years experience and/or technical training in the operation and maintenance of a comparable water treatment system;
- Valid driver's license;
- Possess MDH Class B Water Operator Certificate or the ability to obtain within six (6) months from bid award; and
- Minnesota Special Class Boilers Operating Engineers License or ability to obtain within one (1) year of hire.

The following are desirable qualifications:

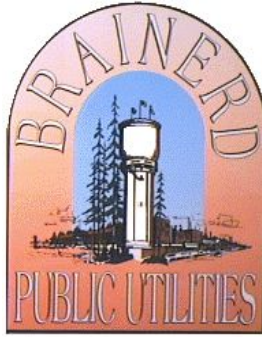
- Possession of MDH Water Class A Operator certificate.
- Possession of MPCA Wastewater Class "D" or higher Operator certificate.
- Graduation from Technical/Community College training program with specialized training in water operations.
- A one (1) year combination of training and experience in the operation of utility water, wastewater, and electric systems or the equivalent technical training.

Physical Requirements

This work requires the regular exertion of up to 25 pounds of force, frequent exertion of up to 50 pounds of force and occasional exertion of up to 100 pounds of force; work regularly requires standing, sitting, speaking or hearing, reaching with hands and arms and repetitive motions, frequently using hands to finger, handle or feel, tasting or smelling and lifting and occasionally requires walking, climbing or balancing, stooping, kneeling, crouching or crawling and pushing or pulling, lifting and repetitive motions; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception 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 other accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using measuring devices, assembly or fabrication of parts within arms length, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; worker is frequently exposure to outdoor weather conditions and occasionally requires wet, humid conditions (non-weather), working near moving mechanical parts, exposure to fumes or airborne particles, exposure to toxic or caustic chemicals, exposure to the risk of electrical shock, exposure to vibration, wearing a self contained breathing apparatus and exposure to bloodborne pathogens and may be required to wear specialized personal protective equipment; work is generally in a moderately noisy location.

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

Last Revised: February 1, 2024



Water Plant Operator

Department: ~~Water~~ Public Utilities
Exempt

FLSA Status: Non-

General Definition of Work

Performs intermediate skilled trades work operating the municipal water supply system. Work involves shift responsibility for the operation, repair, and maintenance of the water treatment plant, central station and related facilities. with duties that include operating, monitoring, and/or troubleshooting of control panels, SCADA system, booster stations, service pumps, wells, water towers, and ground reservoirs; and related work as apparent or assigned. Work is performed under the limited supervision of the Water Plant Chief Operator.

Qualification Requirements

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

Essential Functions

- Operates a water supply system in compliance with operating guidelines; to ensures safe drinking water.
- Makes regular inspection of plant and equipment to ascertain that it is in proper operation at all times; monitors treatment process and flow throughout plant; performs repair and maintenance of equipment and reports major repair needs to Water Plant Crew Chief; troubleshoots electricity, telemetry, mechanical, chemical, hydraulic and pneumatic systems; conducts repairs.
- Collects data from various charts, graphs, gauges and meters of plant operations to assist in preparation of reports for submission to regulatory agencies, superiors or others as required.
- Analyzes water samples; adjusts proper chemical feeds.
- Reads; monitors and regulates tank levels and flow pressures to document operations and prepare reports.
- After business hours receives and dispatches calls for water, wastewater and electric crews. Assists with trouble calls if requested.
- ~~Monitors Maintains~~ security of treatment plant; responds to water plant alarms and emergency situations, ~~responsible for and follows the~~ emergency action plan in case of leak.
- Monitors all BPU systems using SCADA.
- Performs facility custodial and grounds maintenance duties.
- Assists in training personnel in water procedures, requirements, and equipment.
- Receives and responds to inquiries from the public in a prompt and professional manner regarding questions, concerns, and problems that arise.
- Maintains state certifications for operations by attending training seminars.
- Assists other Brainerd Public Utilities service crews as needed and in emergencies.
- Performs related tasks as assigned.

Knowledge, Skills and Abilities

- Thorough knowledge of the operating characteristics and maintenance requirements of the water treatment plant and related facilities;
- Thorough knowledge of hydraulic, chemical and mechanical principles pertinent to water treatment plant operations;
- Ability to deal with the public under stressful conditions.

Water Plant Operator

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Knowledge, Skills and Abilities (Cont.)

- Ability to maintain current knowledge of treatment processes and governmental rules and regulations pertaining to water treatment industry, including MPCA, MDH, EPA, NELAC, and OSHA;
- Thorough knowledge of the occupational hazards of the work and necessary safety precautions to comply with BPU and OSHA safety requirements;
- Ability to detect flaws in the operation of mechanical equipment and to determine proper remedial measures; skilled in the use and care of hand tools;
- Ability to solve practical problems and deal with a variety of variables in situations where only limited standardization exists;
- General knowledge of BPU's communication systems and procedures;
- General knowledge of the geography of BPU service territory including location of important buildings;
- Ability to read meters and gauges accurately and to maintain records of operations;
- Ability to write routine reports and correspondence;
- General knowledge in the use and care of laboratory testing and analysis equipment and instruments;
- Ability to apply concepts such as fractions, percentages, ratios, and proportions to practical situations;
- Ability to read and interpret documents such as BPU safety rules, operating and maintenance instructions, procedure manuals, and policies.
- Ability to listen and speak effectively; follow oral and written instructions.
- Ability to establish and maintain effective working relationships with coworkers, supervisors, and customers.

Education, Experience and Special Requirements

- High School Diploma or general education degree (GED);
- Valid driver's license.
- Possession of or ability to obtain within eighteen (18) months of hire;
 - MDH Class D Water Operator Certificate; and
 - Minnesota Special Class Boilers Operating Engineers License;
- Advancement to MDH Class B Water Operator Certificate as permitted by in-service time and training not to exceed a maximum of six (6) years from bid award.

The following are highly desirable qualifications when hiring:

- Graduation from Technical/Community College training program with specialized training in water operations.
- Training and/or experience in the operation, maintenance, repair and service of a water treatment facility/central station plant including wells, pumps, reservoirs, storage tanks, and system related equipment.
- Possession of MDH Water Class C or higher Operator certificate.

Physical Requirements

This work requires the regular exertion of up to 25 pounds of force, frequent exertion of up to 50 pounds of force and occasional exertion of up to 100 pounds of force; work regularly requires standing, sitting, speaking or hearing, reaching with hands and arms and repetitive motions, frequently using hands to finger, handle or feel, tasting or smelling and lifting and occasionally requires walking, climbing or balancing, stooping, kneeling, crouching or crawling and pushing or pulling, lifting and repetitive motions; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception 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 other accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using measuring devices, assembly or fabrication of parts within arms length, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; worker is frequently exposure to outdoor weather conditions and occasionally requires wet, humid conditions (non-weather), working near moving mechanical parts, exposure to fumes or airborne particles, exposure to toxic or caustic chemicals, exposure to the risk of electrical shock, exposure to vibration, wearing a self contained breathing apparatus and exposure to bloodborne pathogens and may be required to wear specialized personal protective equipment; work is generally in a moderately noisy location.

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



Water Plant Operator

Department: Public Utilities

FLSA Status: Non-Exempt

General Definition of Work

Performs intermediate skilled trades work operating the municipal water supply system. Work involves shift responsibility for the operation, repair, and maintenance of the water treatment plant, central station, and related facilities. with duties that include operating, monitoring, and/or troubleshooting of control panels, SCADA system, booster stations, service pumps, wells, water towers, and ground reservoirs; and related work as apparent or assigned. Work is performed under the limited supervision of the Water Plant Chief Operator.

Qualification Requirements

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

Essential Functions

- Operates a water supply system in compliance with operating guidelines; to ensure safe drinking water.
- Makes regular inspection of plant and equipment to ascertain that it is in proper operation at all times; monitors treatment process and flow throughout plant; performs repair and maintenance of equipment and reports major repair needs to Water Plant Crew Chief; troubleshoots electricity, telemetry, mechanical, chemical, hydraulic and pneumatic systems; conducts repairs.
- Collects data from various charts, graphs, gauges and meters of plant operations to assist in preparation of reports for submission to regulatory agencies, superiors or others as required.
- Analyzes water samples; adjusts proper chemical feeds.
- Reads; monitors and regulates tank levels and flow pressures to document operations and prepare reports.
- After business hours receives and dispatches calls for water, wastewater and electric crews. Assists with trouble calls if requested.
- Monitors security of treatment plant; responds to water plant alarms and emergency situations; and follows the emergency action plan in case of leak.
- Monitors all BPU systems using SCADA.
- Performs facility custodial and grounds maintenance duties.
- Assists in training personnel in water procedures, requirements, and equipment.
- Receives and responds to inquiries from the public in a prompt and professional manner regarding questions, concerns, and problems that arise.
- Maintains state certifications for operations by attending training seminars.
- Assists other Brainerd Public Utilities service crews as needed and in emergencies.
- Performs related tasks as assigned.

Knowledge, Skills and Abilities

- Thorough knowledge of the operating characteristics and maintenance requirements of the water treatment plant and related facilities;
- Thorough knowledge of hydraulic, chemical and mechanical principles pertinent to water treatment plant operations;
- Ability to deal with the public under stressful conditions.

Water Plant Operator

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Knowledge, Skills and Abilities (Cont.)

- Ability to maintain current knowledge of treatment processes and governmental rules and regulations pertaining to water treatment industry, including MPCA, MDH, EPA, NELAC, and OSHA;
- Thorough knowledge of the occupational hazards of the work and necessary safety precautions to comply with BPU and OSHA safety requirements;
- Ability to detect flaws in the operation of mechanical equipment and to determine proper remedial measures; skilled in the use and care of hand tools;
- Ability to solve practical problems and deal with a variety of variables in situations where only limited standardization exists;
- General knowledge of BPU's communication systems and procedures;
- General knowledge of the geography of BPU service territory including location of important buildings;
- Ability to read meters and gauges accurately and to maintain records of operations;
- Ability to write routine reports and correspondence;
- General knowledge in the use and care of laboratory testing and analysis equipment and instruments;
- Ability to apply concepts such as fractions, percentages, ratios, and proportions to practical situations;
- Ability to read and interpret documents such as BPU safety rules, operating and maintenance instructions, procedure manuals, and policies.
- Ability to listen and speak effectively; follow oral and written instructions.
- Ability to establish and maintain effective working relationships with coworkers, supervisors, and customers.

Education, Experience and Special Requirements

- High School Diploma or general education degree (GED);
- Valid driver's license.
- Possession of or ability to obtain within eighteen (18) months of hire;
 - MDH Class D Water Operator Certificate; and
 - Minnesota Special Class Boilers Operating Engineers License;
- Advancement to MDH Class B Water Operator Certificate as permitted by in-service time and training not to exceed a maximum of six (6) years from bid award.

The following are highly desirable qualifications when hiring:

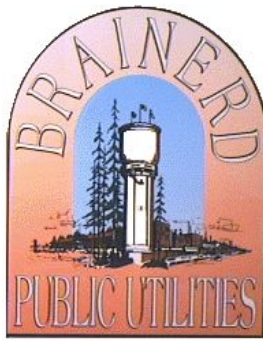
- Graduation from Technical/Community College training program with specialized training in water operations.
- Training and/or experience in the operation, maintenance, repair and service of a water treatment facility/central station plant including wells, pumps, reservoirs, storage tanks, and system related equipment.
- Possession of MDH Water Class C or higher Operator certificate.

Physical Requirements

This work requires the regular exertion of up to 25 pounds of force, frequent exertion of up to 50 pounds of force and occasional exertion of up to 100 pounds of force; work regularly requires standing, sitting, speaking or hearing, reaching with hands and arms and repetitive motions, frequently using hands to finger, handle or feel, tasting or smelling and lifting and occasionally requires walking, climbing or balancing, stooping, kneeling, crouching or crawling and pushing or pulling, lifting and repetitive motions; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception 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 other accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using measuring devices, assembly or fabrication of parts within arms length, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; worker is frequently exposure to outdoor weather conditions and occasionally requires wet, humid conditions (non-weather), working near moving mechanical parts, exposure to fumes or airborne particles, exposure to toxic or caustic chemicals, exposure to the risk of electrical shock, exposure to vibration, wearing a self contained breathing apparatus and exposure to bloodborne pathogens and may be required to wear specialized personal protective equipment; work is generally in a moderately noisy location.

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

Last Revised: February 1, 2024



Wastewater Crew Chief

Department: Public Utilities — ~~Wastewater~~
Non-Exempt

FLSA Status:

General Definition of Work

Performs difficult technical work overseeing and participating in the operation and maintenance of a Class A Major wastewater treatment plant, collection system lift stations, and related work as apparent or assigned. Work is performed under the general supervision of the Water/Wastewater Treatment Supervisor/Manager. Supervision is exercised over all personnel within the department.

Qualification Requirements

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

Essential Functions

- Plans, organizes, directs, assigns, and inspects the work of subordinate plant personnel; gives instructions and enforces general operating procedures.; ~~may provide coaching and/or recommend disciplinary action up to and including dismissal.~~
- Assists the Water/Wastewater Treatment Supervisor/Manager and participates in the overall operation, repair, and maintenance of the wastewater treatment plant with duties that include operating, monitoring, and/or troubleshooting of control panels, SCADA system, and lift stations.
- Advises and consults with Water/Wastewater Treatment Supervisor/Manager on unusual operating problems or the need for major repairs to equipment.
- Oversees all aspects of the biosolids application process.
- Responds to sewer calls; participates in an on-call rotation providing first response to after-hour alarms or calls.
- Instructs subordinates in safety, methods of operation and maintenance of equipment.
- Assists in the training and instruction of department staff in appropriate procedures regarding system operations.
- Maintains records of plant operations and prepares periodic reports for submission to local, state and federal regulatory agencies, superiors or others as required.
- Receives and responds to inquiries from the public in a prompt and professional manner regarding questions, concerns, and problems that arise.
- Oversees pretreatment and long-term monitoring programs.
- Maintains inventory of supplies and equipment; places orders to ensure crew has appropriate materials and equipment for work assignments as authorized; monitors the effective and efficient use of budgeted funds, personnel, materials, facilities, and time.
- Participates in work performed by crew including assisting with major repairs and installations and performing facility custodial and grounds maintenance duties.
- Maintains state certifications for operations by attending training seminars.
- Assists other Brainerd Public Utilities service crews as needed and in emergencies.
- Coordinates activities with other departments and supervisors.
- Performs related tasks as required.

Knowledge, Skills and Abilities

- Thorough knowledge of the operating characteristics and maintenance requirements of a wastewater treatment plant and collection system lift stations.
- Thorough knowledge of hydraulic, chemical and mechanical principles pertinent to wastewater treatment plant operations.

- Ability to maintain current knowledge of treatment processes and governmental rules and regulations pertaining to wastewater treatment industry, including MPCA, EPA, NELAC, and OSHA.
- Ability to plan and supervise the work of subordinates to meet requirements.

Wastewater Crew Chief

Page 2

Knowledge, Skills and Abilities (Cont.)

- Leadership including problem solving and decision making.
- Thorough knowledge of the occupational hazards of the work and necessary safety precautions to comply with BPU and OSHA safety requirements.
- Ability to detect flaws in the operation of mechanical equipment and to determine proper remedial measures; skilled in the use and care of hand tools.
- Ability to solve practical problems and deal with a variety of variables in situations where only limited standardization exists.
- Ability to read meters and gauges accurately and to maintain records of operations.
- Ability to write routine reports and correspondence.
- General knowledge in the use and care of laboratory testing and analysis equipment and instruments.
- General knowledge of chemistry as applied to wastewater and water treatment.
- General knowledge of testing and procedures for wastewater and water sampling.
- Ability to apply concepts such as fractions, percentages, ratios, and proportions to practical situations.
- Ability to read and interpret documents such as BPU safety rules, operating and maintenance instructions, procedure manuals, and policies.
- Ability to listen and speak effectively; follow oral and written instructions.
- Ability to establish and maintain effective working relationships with coworkers, supervisors, and customers.
- Demonstrates the ability to adapt to change in procedures and workload and able to maintain composure when confronted with stressful situations.
- Maintains skills and knowledge in the proper and safe techniques for performing job functions.

Education, Experience and Special Requirements

- Must have a minimum of five years technical training and/or applicable job experience in the operation and maintenance of a wastewater treatment plant.
- Possess a MPCA Class B Wastewater Operator Certificate.
- Possess a MDH Class D Water Operator Certificate or higher.
- Possess a MPCA Type IV Biosolid Certificate.
- Possess an applicable State of MN Department of Labor and Industry Boiler License.
- Possess a Minnesota Class A commercial driver's license with tanker endorsement or ability to obtain within six months of hire.

The following are desirable qualifications:

- Possess a MPCA Class A Wastewater Operator Certificate.
- ~~Possess a MDH Class D Water Operator Certificate or higher.~~
- Graduation from Technical/Community College training program with specialized training in wastewater operations.
- Experience in a Certified Laboratory.

Physical Requirements

This is heavy work requiring the exertion of up to 100 pounds of force rarely-not daily, up to 75 pounds of force occasionally, 50 pounds of force frequently, and/or up to 20 pounds of force constantly to move objects; work regularly requires speaking or hearing, using hands to finger, handle or feel and tasting or smelling; frequently requires standing, walking, climbing or balancing, stooping, kneeling, crouching or crawling, reaching with hands and arms, pushing or pulling and lifting; and occasionally requires sitting and repetitive motions; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception, night vision and peripheral vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, use 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, exposure to fumes or airborne particles and exposure to outdoor weather conditions, frequently requires exposure to wet, humid conditions (non-weather), exposure to toxic or caustic chemicals and exposure to the risk of electrical shock and occasionally requires working in high, precarious places, exposure to extreme heat (non-weather), exposure to vibration and exposure to blood borne pathogens and may be required to wear specialized personal protective equipment; work is generally in a loud noise location (e.g. grounds maintenance, heavy traffic).

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

Last Revised: ~~January 1, 2018~~ [February 1, 2024](#)



Wastewater Crew Chief

Department: Public Utilities

FLSA Status: Non-Exempt

General Definition of Work

Performs difficult technical work overseeing and participating in the operation and maintenance of a Class A Major wastewater treatment plant, collection system lift stations, and related work as apparent or assigned. Work is performed under the general supervision of the Water/Wastewater Manager. Supervision is exercised over all personnel within the department.

Qualification Requirements

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

Essential Functions

- Plans, organizes, directs, assigns, and inspects the work of subordinate plant personnel; gives instructions and enforces general operating procedures.
- Assists the Water/Wastewater Manager and participates in the overall operation, repair, and maintenance of the wastewater treatment plant with duties that include operating, monitoring, and/or troubleshooting of control panels, SCADA system, and lift stations.
- Advises and consults with Water/Wastewater Manager on unusual operating problems or the need for major repairs to equipment.
- Oversees all aspects of the biosolids application process.
- Responds to sewer calls; participates in an on-call rotation providing first response to after-hour alarms or calls.
- Instructs subordinates in safety, methods of operation and maintenance of equipment.
- Assists in the training and instruction of department staff in appropriate procedures regarding system operations.
- Maintains records of plant operations and prepares periodic reports for submission to local, state and federal regulatory agencies, superiors or others as required.
- Receives and responds to inquiries from the public in a prompt and professional manner regarding questions, concerns, and problems that arise.
- Oversees pretreatment and long-term monitoring programs.
- Maintains inventory of supplies and equipment; places orders to ensure crew has appropriate materials and equipment for work assignments as authorized; monitors the effective and efficient use of budgeted funds, personnel, materials, facilities, and time.
- Participates in work performed by crew including assisting with major repairs and installations and performing facility custodial and grounds maintenance duties.
- Maintains state certifications for operations by attending training seminars.
- Assists other Brainerd Public Utilities service crews as needed and in emergencies.
- Coordinates activities with other departments and supervisors.
- Performs related tasks as required.

Knowledge, Skills and Abilities

- Thorough knowledge of the operating characteristics and maintenance requirements of a wastewater treatment plant and collection system lift stations.
- Thorough knowledge of hydraulic, chemical and mechanical principles pertinent to wastewater treatment plant operations.
- Ability to maintain current knowledge of treatment processes and governmental rules and regulations pertaining to wastewater treatment industry, including MPCA, EPA, NELAC, and OSHA.
- Ability to plan and supervise the work of subordinates to meet requirements.

Knowledge, Skills and Abilities (Cont.)

- Leadership including problem solving and decision making.
- Thorough knowledge of the occupational hazards of the work and necessary safety precautions to comply with BPU and OSHA safety requirements.
- Ability to detect flaws in the operation of mechanical equipment and to determine proper remedial measures; skilled in the use and care of hand tools.
- Ability to solve practical problems and deal with a variety of variables in situations where only limited standardization exists.
- Ability to read meters and gauges accurately and to maintain records of operations.
- Ability to write routine reports and correspondence.
- General knowledge in the use and care of laboratory testing and analysis equipment and instruments.
- General knowledge of chemistry as applied to wastewater and water treatment.
- General knowledge of testing and procedures for wastewater and water sampling.
- Ability to apply concepts such as fractions, percentages, ratios, and proportions to practical situations.
- Ability to read and interpret documents such as BPU safety rules, operating and maintenance instructions, procedure manuals, and policies.
- Ability to listen and speak effectively; follow oral and written instructions.
- Ability to establish and maintain effective working relationships with coworkers, supervisors, and customers.
- Demonstrates the ability to adapt to change in procedures and workload and able to maintain composure when confronted with stressful situations.
- Maintains skills and knowledge in the proper and safe techniques for performing job functions.

Education, Experience and Special Requirements

- Must have a minimum of five years technical training and/or applicable job experience in the operation and maintenance of a wastewater treatment plant.
- Possess a MPCA Class B Wastewater Operator Certificate.
- Possess a MDH Class D Water Operator Certificate or higher.
- Possess a MPCA Type IV Biosolid Certificate.
- Possess an applicable State of MN Department of Labor and Industry Boiler License.
- Possess a Minnesota Class A commercial driver's license with tanker endorsement or ability to obtain within six months of hire.

The following are desirable qualifications:

- Possess a MPCA Class A Wastewater Operator Certificate.
- Graduation from Technical/Community College training program with specialized training in wastewater operations.
- Experience in a Certified Laboratory.

Physical Requirements

This is heavy work requiring the exertion of up to 100 pounds of force rarely-not daily, up to 75 pounds of force occasionally, 50 pounds of force frequently, and/or up to 20 pounds of force constantly to move objects; work regularly requires speaking or hearing, using hands to finger, handle or feel and tasting or smelling; frequently requires standing, walking, climbing or balancing, stooping, kneeling, crouching or crawling, reaching with hands and arms, pushing or pulling and lifting; and occasionally requires sitting and repetitive motions; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception, night vision and peripheral vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, use 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, exposure to fumes or airborne particles and exposure to outdoor weather conditions, frequently requires exposure to wet, humid conditions (non-weather), exposure to toxic or caustic chemicals and exposure to the risk of electrical shock and occasionally requires working in high, precarious places, exposure to extreme heat (non-weather), exposure to vibration and exposure to blood borne pathogens and may be required to wear specialized personal protective equipment; work is generally in a loud noise location (e.g. grounds maintenance, heavy traffic).

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



City Council Agenda Request

MEETING DATE: March 4, 2024

TITLE OF ITEM: Declare Youth Recreation Equipment as Surplus

AGENDA: Consent

ACTION REQUESTED: Approve/Deny Motion

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

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

SUMMARY OF ISSUE: As part of the recently adopted policy, the City Council is required to declare equipment as surplus to authorize staff to begin the process of donation to a non-profit. Attached to this item are photos of the surplus youth recreation equipment that is located at Lum Park. This equipment is no longer needed as the City contracts with the YMCA and Community Ed for its youth programming. The Park Board requested to arrange to have the surplus equipment donated.

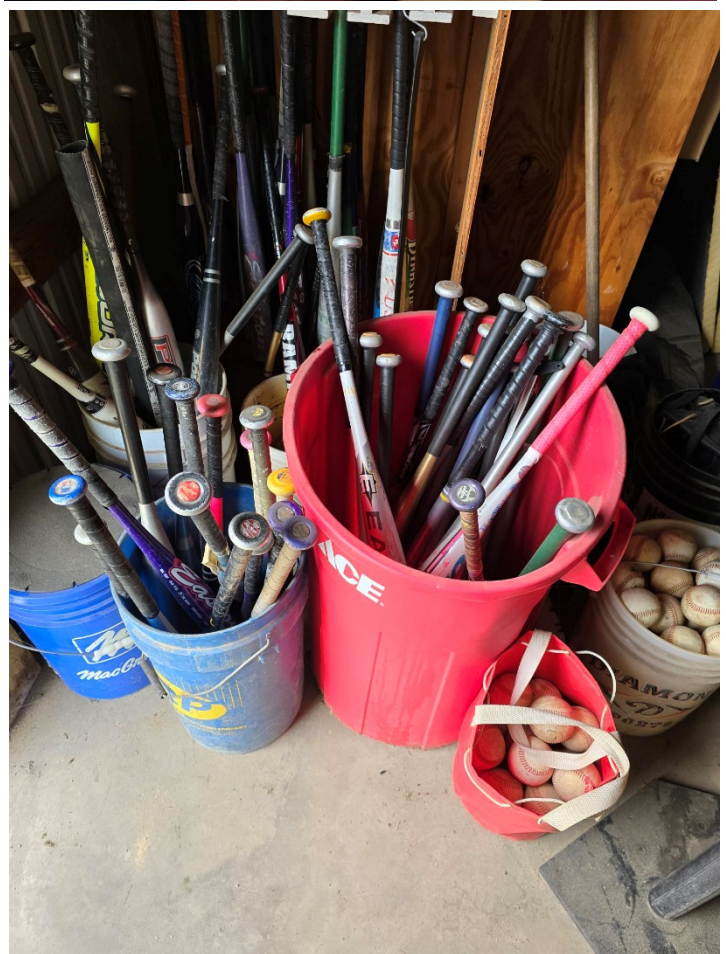
ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: There is a collection of mostly youth baseball equipment. Bats, balls, pads, masks, helmets, pants, gloves, etc. Some is new in the package but most is used. Some of the equipment doesn't meet current standards and would not be usable anymore. Staff is estimating that the equipment is valued at \$4,000.

RECOMMENDED ACTION/MOTION: Staff recommends declaring the youth recreation equipment as surplus and to authorize donation of the equipment to non-profit entities.

FINANCIAL IMPACT: N/A











City Council Agenda Request

MEETING DATE: March 4, 2024

TITLE OF ITEM: Discuss Proposed Sidewalk on Willow Street (S. 6th to S. 7th)

AGENDA: SPW Committee

ACTION REQUESTED: Direction Requested

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

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

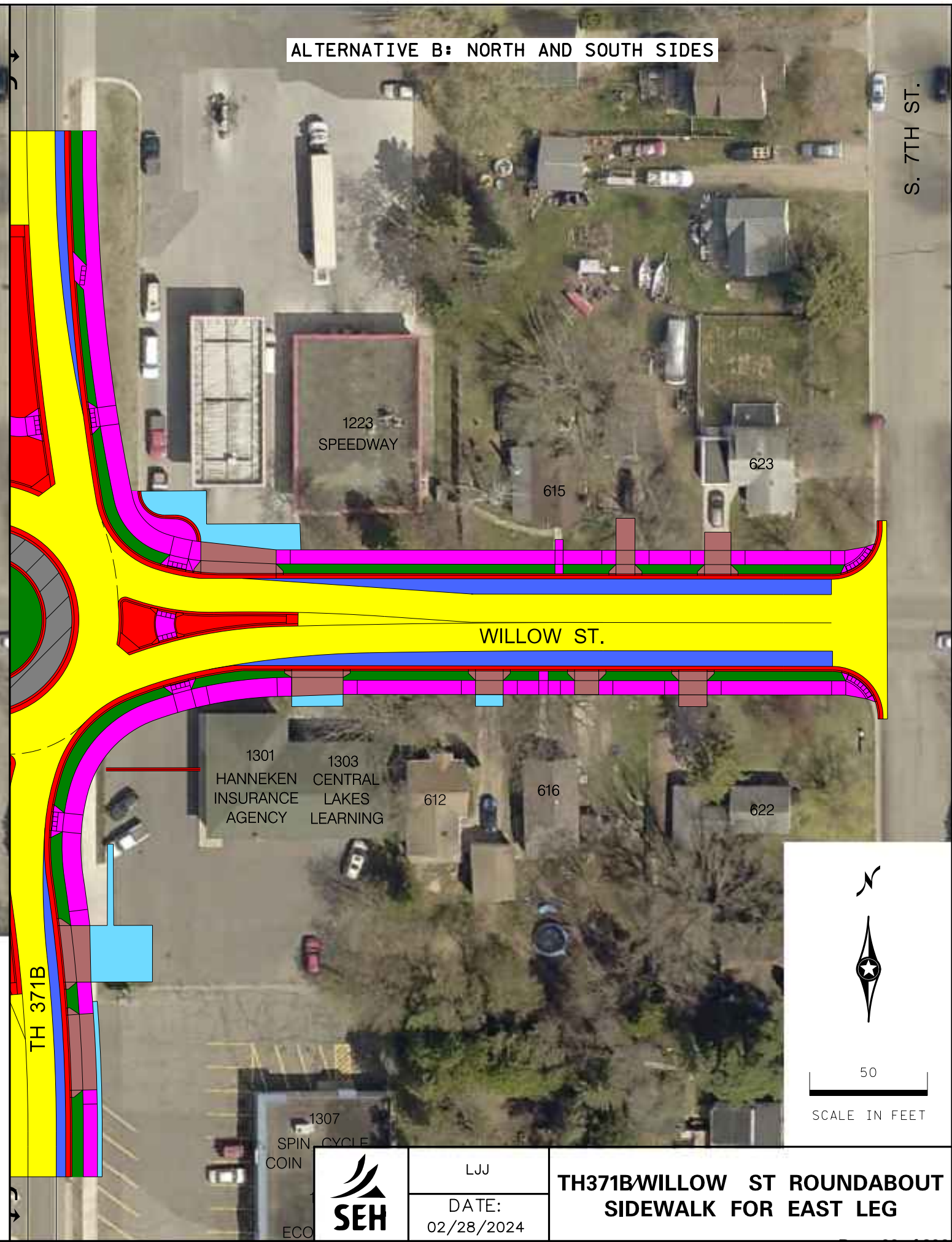
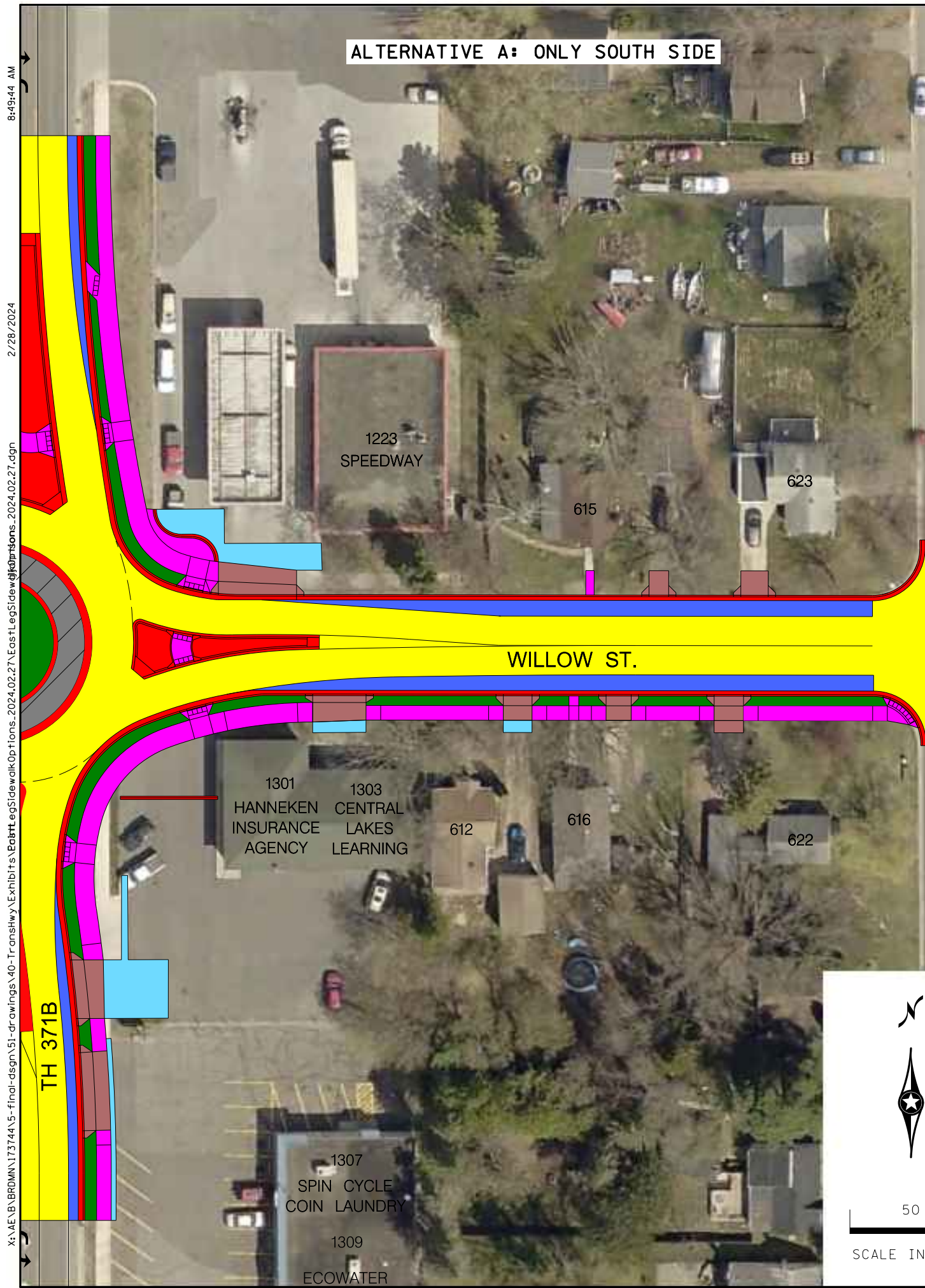
SUMMARY OF ISSUE: There is currently sidewalk that proceeds on the north side of Willow Street adjacent to Speedway and dead-ends at the end of that parcel. There are utilities and other items in the area that are likely why the sidewalk was not extended further than that point. There is not sidewalk on either side of Willow Street beyond that short segment.

Staff has been coordinating with SEH regarding the reconstruction of Willow Street from S. 6th Street to S. 7th Street in coordination of the TH 371B/Willow Street Roundabout project. In the initial concept drawings, the layout shows the dead-end sidewalk being extended through to S. 7th Street. In reviewing the Non-Motorized Transportation Plan, it indicates sidewalk on Willow Street between S. 6th Street and 13th Street SE. Further, it appears the map shows the sidewalk on the south side of Willow Street, which is likely the more constructable side with consideration for obstructions, grade and other facets.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: When the layout was discussed with the Council PMT, it was discussed that sidewalk could be placed on either side as part of the project. One comment received was to potentially include sidewalk on both sides of Willow Street. As Speedway is a larger destination for pedestrians, there would be value to having the sidewalk on the north side of this block. However, there are challenges that sidewalk would present for the residents on the north side of the block and would require additional utility relocation to accommodate. Attached to this item are two layout drawings illustrating the sidewalk options.

RECOMMENDED ACTION/MOTION: Staff recommends to place sidewalk on the south side of Willow Street between S. 6th Street and S. 7th Street.

FINANCIAL IMPACT: Unknown at this time.



LJJ
DATE: 02/28/2024

**TH371B/WILLOW ST ROUNDABOUT
SIDEWALK FOR EAST LEG**



City Council Agenda Request

MEETING DATE: March 4, 2024

TITLE OF ITEM: Direction on Active Code Enforcement Cases

AGENDA: SPW Committee

ACTION REQUESTED: Direction Requested

SUBMITTED BY: James Kramvik, Community
Development Director

DEPARTMENT: Community Development

PRESENTER: James Kramvik, Community
Development Director

ESTIMATED TIME (MIN): 5 min

SUMMARY OF ISSUE:

Section 320 of the City Code dictates that violations of the City Code shall, after receiving a notice of violation, be issued up to three administration citations for non-compliance. Once three citations have been issued, the violation shall be brought before the Safety & Public Works Committee for review. The Committee shall then make a recommendation to the City Council as to how to proceed with enforcement of the violation. Staff is bringing one (1) property before the Committee for review. Staff is looking for direction from the Council as to how to proceed with the case.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Attached is the case file for:
804 19th St SE

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

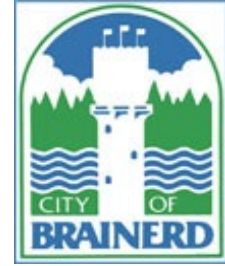
- 1) Continued administrative citations for an amount determined by the City Council
- 2) Abatement of the offense (depending on the type of offense)
- 3) Legal action (at the recommendation of the City Attorney depending on the type of the offense)
- 4) Cease corrective action

RECOMMENDED ACTION/MOTION:

Staff recommends obtaining an administrative search warrant to abate the junk and debris.

FINANCIAL IMPACT: N/A

MEMO



TO: Mayor and City Council
FROM: James Kramvik, Community Development Director
DATE: March 4, 2024
RE: Recommendation for Active Code Enforcement Cases

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

- **804 19th St SE.**
 - Received one (1) Notice of Violation Letter (01/08/24) and three (3) Citations for Junk/Debris/Blight
 - First citation 01/22/24 – Third citation 02/16/24
 - \$600 in open citations

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

Running Summary of Actions Taken

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

915 Laurel Street – Administrative warrant received 5/30/23. Abated 6/9/23 - \$1,925 in open fines to be assessed.

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

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

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

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

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

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

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

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

1306 Oak Street – Immediate \$300 fine for garbage – received administrative warrant 8/14/23 to abate garbage. Abated 8/21/23.

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

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

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

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

PID 41191502 – exterior structure - Issuing \$300 citation each month thru 12/1/2023. \$1,800 open citations. Recheck in May 2024.

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

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

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

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

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

701 4th St SW– Issuing \$300 citation monthly for non-licensed rental. Requested legal action from City Attorney 9/6/23. The property owner has submitted an application for a short-term rental to be heard at Planning Commission 12/20/23.

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

15284 Beaver Dam Rd – Issuing \$300 citations for non-licensed rental. Have been working with the tenants who signed a lease with the property owner. Property manager applied for and received a Rental License on 12/5/23.

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

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

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

319 9th St N. – Sent 10-day letter of abatement 11/21/23. Warrant was received due to non-compliance on 12/8/23. The vehicle was towed 12/11/23.

1306 Oak St – Repeat garbage issue. Obtained warrant on 02/06/24 and abated the garbage.

January 08, 2024

CONNELLY, JOHN T
PO BOX 102
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: 804 19TH ST SE
Real Estate Code: 41300506

Violation: Junk/Debris/Blight
IPMC308.1

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

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

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

Action should be taken on or before 01/22/2024

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

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

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

If you are unable to make the corrections by the date above or believe this violation is in error, please call this office to discuss or make other arrangements. Office hours are 7:30 to 4:30, Monday through Friday. **Feel free to contact Housing Inspector Jason Stockinger at 218/454-3416 if you have questions.**

Respectfully,
By Order of:
THE CITY OF BRAINERD





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

THIS IS THE ONLY NOTICE YOU WILL RECEIVE

Administrative Citation

Department of Building Safety – 218-828-2307

EN24-0004

Date of Violation: 02/16/2024

Parcel ID: 41300506

Violator(s): CONNELLY, JOHN T
PO BOX 102
BRAINERD, MN 56401

Location/Address of Violation: **804 19TH ST SE**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
IPMC 308.1	Junk/Debris/Blight	\$300.00

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

Citation Amount Due: \$300.00

Payment Due By: 30 Days from Date of Violation

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

Re-inspection Date: 02/26/2024

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

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

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

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

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

Representative: Jason Stockinger, Building Inspector

Date: 02/16/2024

Representative's Signature:

(served via first class mail)





City Council Agenda Request

MEETING DATE: March 4, 2024

TITLE OF ITEM: Paid On-call Firefighter Hiring 2024

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Tim Holmes, Fire Chief

DEPARTMENT: Fire

PRESENTER: Tim Holmes, Fire Chief, Kris Schubert, Human Resources Director

ESTIMATED TIME (MIN): 5 minutes

SUMMARY OF ISSUE: Request to establish a Paid On-Call Firefighter hiring list and hire up to 4 Paid On-Call Firefighters.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The Fire Department has 36 Paid On-Call Firefighters. Historically, the department has tried to maintain a POC staffing of 40 firefighters. We anticipate some retirements within the next year or so.

We plan to conduct testing in May and hire off of the list with a start date around August 2024.

RECOMMENDED ACTION/MOTION: Motion to approve the establishment of a Paid On-Call Firefighter hiring list and to authorize hiring up to 4 Paid On-Call Firefighters.

FINANCIAL IMPACT: Budgeted costs associated with this request. Estimated \$750 per firefighter for all pre-employment testing.



City Council Agenda Request

MEETING DATE: March 4, 2024

TITLE OF ITEM: Approve Library Capital Projects and Request Funds from Kitchigami Regional Library (KRL) Reserve Fund

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Connie Hillman, Finance Director

DEPARTMENT: Finance

PRESENTER: Connie Hillman, Finance Director

ESTIMATED TIME (MIN): 2 Minutes

SUMMARY OF ISSUE:

In 2022, the Kitchigami Regional Library System (KRLS) board developed a policy (attached) on how local library branches can request to use funds from the KRLS fund balance. The expenditure must be greater than \$5,000, and be a fixed asset. The request must be approved by the KRLS Board of Trustees, and must be approved both by the local library board and the city council.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

The two main air condenser units at the library need to be replaced before summer. Bids are being presented to the Brainerd Library Board at their meeting on February 28th. Per the attached letter, the Library Board approved the bids for Climate Maker, Inc., NAC, and Dust Busters for a total cost of \$100,623.20.

This item is on the March 3rd agenda, so it can be presented at the KRL board meeting on March 21st.

RECOMMENDED ACTION/MOTION:

Authorize the approval of the Brainerd Public Library board projects, requesting \$100,623.20 in funds from the Kichigami Regional Library reserve funds designated for the Brainerd Public Library.

FINANCIAL IMPACT:

Kitchigami Regional Library System

Capital Appropriation Policy and Directive

Introduction

This policy replaces and supersedes all earlier policies or sections thereof, relating to appropriation and use of monies from the KRLS Fund balance:

1. For purposes of capital improvements to KRLS Library buildings,
2. Building new or extending existing KRLS Library facilities,
3. Repairs or replacements of HVAC systems, roofs, plumbing fixtures, elevators and like facility items,
4. Other uses not herein defined that are pre-approved by the KRLS Board of Trustees.

No appropriation request will gain approval as a Capital Expenditure unless the following meet or exceed the minimum requirements to be considered a Capital Expenditure:

1. Total planned expenditure must be greater than \$5,000
2. All equipment or replacement acquired herein must be of the nature of a fixed asset. Key to being eligible under this policy is that acquired assets be considered “non-consumable”, e.g. a single use does not noticeably diminish the utility value of the asset

For equipment acquisitions, the total request can and should include subscription licensing, emergency maintenance expenditures, preventative maintenance expenditures for the useful life of the asset, but cannot include labor to operate, train or facilitate usage by patrons of the library. Capital appropriations are not to be considered a vehicle for payment of salaries and benefits to KRLS employees.

Process

1. Annually each Branch staff working with individual Library Boards and local city councils in the KRLS region should plan for needed capital projects, forwarding to the KRLS Administration to be placed as an agenda item for the Board of Trustees a written description of the planned acquisition, anticipated benefits, estimated costs and time frame for implementation and completion of the project. Multiple projects may be planned and executed in a fiscal year.
2. The local library board, city and county (as required) must approve said project(s). Upon approval the request, along with a letter of local support from the library board should be forwarded to the KRLS Administration to be placed as an agenda item for Board of Trustees approval. Once granted, the city/county is authorized to issue bids for project completion, pursuant to the relevant procurement policies and codes for the city/county involved.
3. Copies of the selected vendor, its submitted proposal/estimate, and expected completion dates should be forwarded to the city/county involved and to the KRLS Board of Trustees.
4. During construction/installation all local inspection processes must be observed and completed

5. Interim or “progress payments” are allowed, and should be identified in the project request and submitted with the selected vendor’s bid and defined in the contract issued by the city/country involved
6. Notify KRLS Administration, not less than 45 days prior to any needed progress payments.
7. Should at any time in the life of the project, the estimated cost at completion exceeds the original plan by more than 10%, immediate communications and resolution/actions to be taken surrounding the over-expenditure which must be forwarded to the city/country involved and the KRLS Administration.
8. Upon completion library staff and library Board with the city/council involved should complete the post project inspection (“punch list”), assuring required adjustments or do-overs are completed.
9. Post project reviews should be completed and filed with the city/country involved and forwarded to the KRLS Board of Trustees.
 - a. At minimum, these reviews should show the benefits of the project now completed,
 - b. Explain variances from anticipated benefits,
 - c. Explain significant variances in time or expenditures necessary to complete the project. Include a summary valuation of the vendor, including recommendations about using said vendor for another related project or at another library in the KRLS region.
 - d. Remaining funds (under expenditures) should be returned to KRLS Board of Trustees.
10. KRLS Administration will annotate the KRLS Fund balance with the project documentation file, fulfilling reporting requirements to KRLS Board of Trustees and appropriate county, state, or granting agencies at Board meetings.

Should an emergency need arise (e.g., roof damage) requiring immediate resolution that was not planned in the annual process described above, the basic precepts of this policy should still be attended to; with all parties executing their roles and functions with expediency.

Approved by KRLS Board of Trustees: 1.27.2022

Brainerd Public Library
Board of Directors
416 South 5th St
Brainerd, MN 56401

February 28, 2024

Mayor Dave Badeaux and Council Members
501 Laurel Street
Brainerd, MN 56401

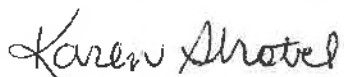
Dear Mayor Badeaux and Council Members,

The Brainerd Public Library's Board of Directors voted to accept the following bids for the Air Conditioning Replacement Project, which will utilize capital reserve funds held at Kitchigami Regional Library System. If you approve of this project, please send a letter of approval as well as the attached bid documents to the KRLS board for final approval of fund use.

Company	Details	Quoted amount
Climate Makers Inc	Two new units and refrigerant lines and coils, disposal of old units, crane work, mechanical permit, electrical work and permit	\$89,900.00
	(electrical by Holden included in Climate Makers quote)	
NAC	Updated programming of BAS control systems for new units, new control wiring	\$6,228.20
Dust Busters	Duct, Vent, and Handler cleaning	\$4,495.00
	Total for Bid	\$100,623.20

Please refer any questions and updates to Brainerd Public Library Branch Manager Laurel Hall, at 218-829-5574 or halll@krls.org.

Sincerely,



Karen Strobel
Board President
Brainerd Public Library

PROPOSAL

February 26, 2024

Brainerd Library
 416 S 5th Street
 Brainerd, MN 56401

Re: AC replacement

Scope:

- Disconnect, remove and dispose of two (2) existing Carrier 20 ton condensing units outside and dual circuit coil in air handling unit in basement
- Provide and install two (2) Carrier 20 ton condensing units with 410A refrigerant, outside, same location and add steel channel beam along current concrete pad for added condenser size, if needed
- Provide and install dual circuit coil in air handling unit w/migration controls
- Provide and install refrigeration line sets and specialties – approx. 100' run
 - Cut off existing lines at ground level, run new ones (4) up outside sidewall, over back doorway and thru wall (core drill) Down stairwell to basement mechanical room, all will be covered by black Armaflex (same as existing)
- Insulate refrigeration lines with black Armaflex – same as existing
- Includes electrical w/new disconnects and crane service
- Start up and check operation
- Permit
- One year labor warranty – 5 year parts warranty

Total cost.....\$89,900.00

Notes:

- Does not include controls for existing BAS system

ACCEPTED. The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work, as specified. Payment will be made as outlined above.

RESPECTFULLY SUBMITTED,

CLIMATE MAKERS, INC.

Date of Acceptance_____

By _____
 Lori Bauer

By _____

Note: This proposal may be withdrawn if not accepted within 10 days.

Title _____



Date: February 21st, 2024

To: Laurel Hall

Re: Cooling Upgrade

Site:

Brainerd Public Library

416 South 5th Street

Brainerd, MN 56401

Work Scope:

NAC will provide Updated AHU programming, graphic page for AHU-1 on the libraries existing BAS system. Control wiring for (2) new DX units (4 stages) on AHU-1 by NAC. All line voltage wiring and removal of existing units by others.

Total Upgrade Cost: \$6,228.20

Pricing is subject to escalation after thirty (30) days.

Current supply chain disruptions have created an environment where our vendors cannot guarantee pricing or availability of products for any amount of time. We have prepared this quotation based on current material prices and is only good for the date of the quotation. We cannot execute a contract to do this work without a material price and availability analysis at the time of award.

Respectfully Submitted

Chris Peloquin

Project Manager

Accepted by:

NAC MECHANICAL & ELECTRICAL SERVICES

Signature: Chris Peloquin

Signature: _____

Name: Chris Peloquin

Name: _____

Title: Project Manager

Title: _____

Date: 2/21/2024

Date: _____



DUST BUSTERS™
Furnace & Duct Cleaning, Inc.

866.869.5088
1464 Co Rd 4 SW
Alexandria, MN 56308

February 23, 2024

Library
416 S 5th St
Brainerd, MN
Dan.benson@crowwing.us

Re: Furnace & Duct Cleaning Quote

Quote includes: All duct work connected to 2 units.

Our cleaning process includes:

- First we will plastic off all office areas, cubicals, computers, copiers etc.
 - Clean all ceiling tiles around diffusers.
- Clean all main trunk lines and lateral runs (Supply & return)
 - Clean and hand wipe all diffusers
- Cleaning of air handler units (coils, fans, filter housing area).

Furnace & Duct Cleaning Total: \$4,495.00 plus tax

Hand Cleaning Registers Only Total: \$689.95 plus tax

Should you have any questions, concerns or need further information regarding this bid and our services, please contact us Toll free @ (866) 869-5088. You may contact Craig directly @ 320-766-0266. We appreciate this opportunity and we look forward to doing business with you.

Quotes good for 30 Days



City Council Agenda Request

MEETING DATE: March 4, 2024

TITLE OF ITEM: Authorize the Use of the City of Brainerd Logo for Water Tower Committee Merchandise

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Patrick Wussow, Interim City
Adminstrator

DEPARTMENT: Administration

PRESENTER: Nick Broyles, City Adminstrator

ESTIMATED TIME (MIN): 5 minutes

SUMMARY OF ISSUE: Request to use City Logo to generate revenue to rebuild historic water tower.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Staff received a request to use the city logo on promotional items to assist with sales to generate revenue for the committee to preserve the historic water tower. Surprisingly, staff does not recall another similar request to use the city logo for this type of promotion for this group or any other.

RECOMMENDED ACTION/MOTION: Approve use by this group to assist with saving historic water tower.

FINANCIAL IMPACT: none

Brainerd Historic Water Tower Preservation Committee
501(c)(3) organization
Tax I.D. number is 85-3466952.
501 Laurel Street
Brainerd, MN 56401



February 22, 2024

City of Brainerd
Patrick Wussow
Interim City Administrator
501 Laurel Street
Brainerd, Minnesota 56401

Good Afternoon Patrick:

My name is Paul Skogen. I am Chairman of the Citizen's Committee to Preserve the Historic Brainerd Water Tower. As a committee, we have worked closely with the City of Brainerd and Public Officials to secure plans, public funds and grant money to restore and preserve this Historic Structure.

As we all know, the Water Tower is a Symbol of Pride for the City and our Community Members. The Water Tower is symbolic on the Brainerd City Logo, Letterhead, Flag, Etc

As a committee we are always looking for different ways or ideas to raise money for our restoration efforts. One idea that has been brought forward, is the use of the City Logo on various merchandise such as flags and banners.



We are requesting permission from the City of Brainerd and City Council to use the City Logo on Water Tower Retail Merchandise. If accepted, all profits from the sale of Water Tower Merchandise depicting or portraying the City Logo will be set aside in the Water Tower Preservation Bank Account for use of future restoration projects for the Tower.

Thank You

Sincerely;

Paul Skogen
Chairman
218.831.3913



City Council Agenda Request

MEETING DATE: March 4, 2024

TITLE OF ITEM: Fire Contract Formula for 2025 - Informational

AGENDA: P&F Committee

ACTION REQUESTED: Information Only

SUBMITTED BY: Connie Hillman, Finance Director

DEPARTMENT: Finance

PRESENTER: Connie Hillman, Finance Director

ESTIMATED TIME (MIN): 5 Minutes

SUMMARY OF ISSUE: Each year at this time, Staff prepares the proposed fire contract calculation for the following year. This information is used by the townships that contract with Brainerd for fire service at their annual meetings in March, at which time the townships set their levy for 2025. This data will also be used by the cities of Baxter and Brainerd when we set our 2025 levy and budgets in the fall.

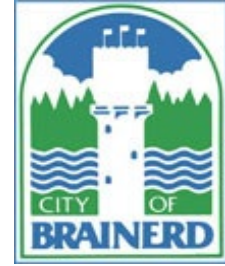
ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The attached calculation and memo was provided and explained at the February 27, 2024 FAB meeting and follows the same formula as previous years.

The overall 2025 assessment cost to be allocated increased by \$39,600 and is \$1,383,093. The City of Brainerd's overall funding share went from 42.41% to 42.80%, which resulted in a \$22,180 over the 2024 assessment calculation.

RECOMMENDED ACTION/MOTION: Informational, no action needed.

FINANCIAL IMPACT:

MEMO



TO: FAB Members
FROM: Finance Director Connie Hillman
DATE: February 26, 2024
RE: 2025 Fire Assessment Calculation

The amount that each partner of the fire service district will pay needs to be calculated by March 1st for the following year since townships set their levy for the next year in March. The calculation is attached to this memo.

The factors that are included in the cost to be allocated, as well as how the cost is to be allocated are detailed in the Fire Protection Agreements between the City of Brainerd and the Contractee (i.e. surrounding cities and townships).

Total Cost Calculation

The total fire protection cost that is to be allocated among the contractee areas is:

- The amount budgeted for fire department operations.
 - For the 2025 assessment calculation, this is the 2024 adopted budget. The 2024 budget includes \$167,000 in capital funding, in addition to the amount included below for equipment replacement. Total budget amount for 2025 assessment is **\$1,115,056**.
- An amount for equipment replacement, capital expenditures and major equipment repair.
 - For the 2025 assessment calculation, and as historically done, this amount is a 5% increase over the amount from the 2024 assessment ($\$126,348 * 5\% =$ **\$132,665**).
- Depreciation of buildings. This represents the cost of using the building for the year to house equipment and staff – this is like rent.
 - For 2025 assessment it is **\$63,405** and is the same amount as previous years.
- Amount for debt.
 - For the 2025 assessment, we are in year 6 of 10 for the debt issued for the ladder truck in 2020. This is the only outstanding debt issue for fire equipment and is **\$71,967**.

The total of the above 4 cost components equal **\$1,383,093** and is an \$39,600 increase over the 2024 assessment cost.

Factors to Allocate the Total Cost

To determine each Contractee's share of the total cost for the year, the following factors are used:

- The specific governmental unit's average number of calls for service in the last five calendar years, excluding car accidents calls. This carries a 30% weight in the overall formula.
 - For the 2025 assessment calculation, this is the average number of runs for calendar years 2019-2023.
- Population as provided by the MN State Demographer's Office. This carries a 30% weight in the overall formula.
 - For the 2025 assessment calculation, the most recent population data available on the State Demographer's website was as of 2022.
- Total market of buildings excluding tax exempt property as determined by the Crow Wing County Assessor. This carries a 30% weight in the overall formula.
 - For the 2025 assessment, this is the 2023 assessment value used for taxes payable in 2024.
- Total market value of tax-exempt property as determined by the Crow Wing County Assessor. This value is updated every 6 years. This carries a 10% weight in the overall formula.
 - For the 2025 assessment, this is 2022 assessment value.

Using Brainerd as an example, the overall percentage share is 42.797769% and was calculated by:

# of Calls (52.61 * 30%)	15.783320%
Population (40.42 * 30%)	12.124542%
Building Value (25.49 * 30%)	7.648178%
Tax Exempt (72.42 * 10%)	7.241729%
Total % of Cost	42.797769%

The total percentage of cost is then applied to the total cost calculation to get the Contractee's cost. For Brainerd this is \$591,993 (\$1,383,093 * 42.797769%).

Why does the Contractee's cost change

There are three reasons the cost can change each year:

1. Change to service area. There has been no change for assessment year 2025.

2. Change in the amount of cost increased or decreased. For assessment year 2025, the cost increased \$39,600. If there were no changed to the factors use to allocate the cost, the increased cost would have been allocated as follows:

	Change Due to Cost
BRAINERD	\$16,794
BAXTER	\$10,433
CROW WING	\$1,866
LONG LAKE	\$1,205
NOKAY LAKE	\$810
OAK LAWN	\$1,709
ST. MATHIAS	\$496
UNORGANIZED	\$6,287
TOTAL	\$39,600

3. Change to the factors used to allocate the overall cost. The factors change every year as well. Following is the impact that each one of the factors had on the 2025 assessment.

	# of Runs	Population	Taxable EMV	Tax Exmpt	Total Change
BRAINERD	\$223	(\$368)	\$5,531	\$0	\$5,386
BAXTER	(\$775)	(\$360)	(\$443)	\$0	(\$1,578)
CROW WING	\$683	\$109	(\$1,848)	\$0	(\$1,056)
LONG LAKE	(\$793)	\$150	(\$881)	\$0	(\$1,524)
NOKAY LAKE	\$285	\$129	(\$852)	\$0	(\$438)
OAK LAWN	\$640	\$95	(\$416)	\$0	\$319
ST. MATHIAS	(\$760)	\$106	\$104	\$0	(\$550)
UNORGANIZED	\$497	\$138	(\$1,195)	\$0	(\$559)
TOTAL	(\$0)	\$0	\$0	\$0	(\$0)

So putting it all together, each contractee's share of the 2025 assessment compared to the 2024 assessment is as follows:

	2025	2024		
	ASSESSMENT	ASSESSMENT	DIFFERENCE	% incr
BRAINERD	\$591,933.14	\$569,753.62	\$22,179.52	3.89%
BAXTER	\$362,808.08	\$353,952.96	\$8,855.12	2.50%
CROW WING	\$64,118.95	\$63,308.54	\$810.41	1.28%
LONG LAKE	\$40,566.85	\$40,885.63	(\$318.78)	-0.78%
NOKAY LAKE	\$27,844.53	\$27,472.52	\$372.01	1.35%
OAK LAWN	\$59,997.90	\$57,970.35	\$2,027.55	3.50%
ST. MATHIAS	\$16,783.43	\$16,837.27	(\$53.84)	-0.32%
UNORGANIZED	\$219,040.56	\$213,312.33	\$5,728.23	2.69%
TOTAL	\$1,383,093.44	\$1,343,493.22	\$39,600.22	2.95%

CITY OF BRAINERD FIRE SERVICE DISTRICTS - PAYMENT CALCULATION FOR 2025 ASSESSMENT

2024 FIRE DEPT BUDGET, INCLUDING PAID ON-CALL AND PENSION	\$1,115,056
CAPITAL EQUIPMENT FUND - is a 5% increase over 2024 Assessment	\$132,665
BUILDINGS ONLY DEPRECIATION	\$63,405
DEBT SERVICE FOR LADDER TRUCK - Year 6 of 10	\$71,967
TOTAL AMOUNT USED FOR CALCULATION	\$1,383,093

	5 YR AV # OF RUNS ('19 -'23)	30% % OF # OF RUNS	2022 POPULATION	30% % OF POP	(Asst '23 pay '24) VALUE OF BUILDINGS	30% % OF VALUE OF BLDGS	(Assessment '22) VALUE OF TAX EXEMPT BLDGS	10% % OF VALUE TAX EX BLDGS	% OF BUDGET	FUNDING SHARE
BRAINERD	270.00	52.61%	14,895	40.42%	860,410,650	25.49%	\$414,179,400	72.42%	42.797769%	\$591,933.14
BAXTER	127.60	24.86%	9,030	24.50%	1,030,754,967	30.54%	\$129,243,800	22.60%	26.231640%	\$362,808.08
CROW WING	18.00	3.51%	2,249	6.10%	195,447,881	5.79%	\$896,000	0.16%	4.635909%	\$64,118.95
LONG LAKE	10.80	2.10%	1,193	3.24%	148,604,160	4.40%	\$553,400	0.10%	2.933052%	\$40,566.85
NOKAY LAKE	8.00	1.56%	943	2.56%	84,985,140	2.52%	\$1,287,900	0.23%	2.013207%	\$27,844.53
OAK LAWN	19.60	3.82%	1,844	5.00%	166,839,486	4.94%	\$11,904,600	2.08%	4.337950%	\$59,997.90
ST. MATHIAS	3.40	0.66%	643	1.74%	51,983,931	1.54%	\$1,671,800	0.29%	1.213470%	\$16,783.43
UNORGANIZED	55.80	10.87%	6,058	16.44%	835,937,146	24.77%	\$12,197,500	2.13%	15.837004%	\$219,040.56
TOTAL	513.20	100.00%	36,855	100.00%	3,374,963,361	100.00%	\$571,934,400	100.00%	100.000000%	\$1,383,093.44
Last Year's Information	496.60		36,241		3,050,141,571		\$571,934,400			\$1,343,493.22
% Change	3.34%		1.69%		10.65%		0.00%			2.95%

	2025	2024		
	ASSESSMENT	ASSESSMENT	DIFFERENCE	% incr
BRAINERD	\$591,933.14	\$569,753.62	\$22,179.52	3.89%
BAXTER	\$362,808.08	\$353,952.96	\$8,855.12	2.50%
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UNORGANIZED	\$219,040.56	\$213,312.33	\$5,728.23	2.69%
TOTAL	\$1,383,093.44	\$1,343,493.22	\$39,600.22	2.95%



City Council Agenda Request

MEETING DATE: March 4, 2024

TITLE OF ITEM: Update on Public Utilities Director Hiring Process

AGENDA: P&F Committee

ACTION REQUESTED: Discussion Item

SUBMITTED BY: Kris Schubert, Human Resources
Director

DEPARTMENT: HR

PRESENTER: Kris Schubert, Human Resources
Director, Kara Terry, Councilmember, Nick Broyles,
City Administrator

ESTIMATED TIME (MIN): 1 Minute

SUMMARY OF ISSUE: In January 2024, the City Council accepted Public Utilities Director Todd Wicklund's retirement and also re-established the 2023 Public Utilities Director Hiring Work Group to oversee the 2024 hiring process. Ten applications were received and the Work Group invited five individuals to interviews. Interviews will be held on February 28, 2024 and March 1, 2024. The Work Group plans to provide an update at the Council meeting after the interviews are conducted.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: N/A - an update will be provided at the March 4, 2024, Council meeting.

FINANCIAL IMPACT: n/a



City Council Agenda Request

MEETING DATE: March 4, 2024

TITLE OF ITEM: Approve Memorandum of Agreement between City and IBEW Local No. 31 Administrative Support Union setting the 2024 Wage for the Environmental Resources Technician Position.

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert, Human Resources Director

DEPARTMENT: Administration

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

ESTIMATED TIME (MIN): 4 minute

SUMMARY OF ISSUE: During mediation conducted on February 29, 2024, the City and the International Brotherhood of Electrical Workers (IBEW) Local No. 31 Administrative Support Union reached an agreement regarding the 2024 wage for our new Environmental Resources Technician position. This is a new joint position for the Cities of Brainerd and Baxter. The agreed upon wage follows the recommended wage grid as proposed by Flaghery & Hood during our recent Classification and Compensation Study. The Memorandum of Agreement (MOA) signed by the Union will be presented at the March 4, 2024 Council meeting.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: After the Council approves the MOA, Staff will reach out to the City of Baxter to formalize this joint position.

RECOMMENDED ACTION/MOTION: Motion to approve the MOA between the City of Brainerd and IBEW Local No. 31 Administrative Support union setting the 2024 wage for the new Environmental Resources Technician position.

FINANCIAL IMPACT: This position was included in the 2024 budget.



City Council Agenda Request

MEETING DATE: March 4, 2024

TITLE OF ITEM: Final Reading – Proposed Ordinance 1564 – Replacement of City Code 700

AGENDA: Main

ACTION REQUESTED: Ordinance

SUBMITTED BY: Jessie Dehn, Public Works Director, **DEPARTMENT:** Public Works
Todd Wicklund, Public Utilities Director

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

SUMMARY OF ISSUE: Attached to this item is Proposed Ordinance 1564, which replaces Section 700 of the City Code related to the Sewer System. The ordinance is aimed to bring the City in compliance with requirements related to their re-issuance of the NPDES permit. One of the new requirements includes assigning the City of Brainerd delegation authority in regard to Significant Industrial Users, including those in Baxter. Included in this item is a letter from the MPCA to the City of Baxter that also expresses that Brainerd and Baxter are required to develop an intermunicipal agreement that identifies roles and responsibilities for each community.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The MPCA provided an additional recommendation on the new ordinance after the first reading. Specifically, since the First Reading of Proposed Ordinance 1564, staff has revised the ordinance to include two clarifications in the definitions section (Section 700.03, Subd. 8 and 9). The addition of these definitions more accurately reflects the definitions included in State Statute 7049.0120. Ultimately, the changes do not significantly affect the substance of the ordinance.

Based on the timelines included in the letter, it would be required that the proposed Code replacement be in place by mid-March 2024. Due to its length and the amount of changes throughout, staff is recommending a summary ordinance which would require unanimous adoption by the City Council.

RECOMMENDED ACTION/MOTION:

1. Motion to conduct the final reading of Proposed Ordinance 1564, an ordinance replacing Section 700 of the City Code
 - Note: a vote to dispense with the actual reading of the ordinance must be unanimous.
2. Hold a Public Hearing on Proposed Ordinance 1564.
3. Motion to adopt Proposed Ordinance 1564, an ordinance replacing Section 700 of the City Code
 - Note: a summary ordinance requires unanimous adoption by the City Council.

FINANCIAL IMPACT: N/A

January 4, 2024

Bradley Chapulis, Administrator
City of Baxter
13190 Memorywood Dr
Baxter, MN 56425

RE: Proposed Brainerd NPDES/SDS Permit Pretreatment Delegation
Permit No. MN0049328
Brainerd, Crow Wing County, Minnesota

Dear Bradley Chapulis:

The Minnesota Pollution Control Agency (MPCA) has reviewed your public notice comments on the draft National Pollutant Discharge Elimination System/State Discharge System (NPDES/SDS) proposed pretreatment delegation for the Brainerd Permit No. MN0049328, which were submitted to the MPCA on December 15, 2023. The following are responses to your comments in the order in which they appear in your letter.

In response to the comments received, the MPCA has the following remarks:

Based on State and Federal rule the MPCA is required to request that the City of Brainerd implement a delegated pretreatment program. Please see Minn. R. 7049.0800.

Brainerd and Baxter have a wastewater capacity agreement that was development and enacted in 2007, but this agreement does not include how industrial users and pretreatment requirements shall be managed. An intermunicipal agreement or multijurisdictional agreement between Brainerd and Baxter needs to be developed identifying the specific roles and responsibilities for each community which reflect the requirements for Minn. R. 7049.0820 and 7049.0830.

The MPCA is requesting that this agreement be completed and submitted to the MPCA no later than March 29, 2024.

Thank you for taking the opportunity to provide input into the permitting process. The MPCA intends to final issue the proposed pretreatment delegation for NPDES/SDS Permit No MN0049328 once this agreement is in place. The goal will be to final issue the pretreatment delegation in April 2024.

Bradley Chapulis

Page 2

January 4, 2024

If you have any questions regarding any of the terms and conditions of the final permit, please contact me at 218-302-6640 or by email at jaramie.logelin@state.mn.us.

Sincerely,

Jaramie Logelin

This document has been electronically signed.

Jaramie Logelin
State Pretreatment Coordinator
Municipal Division

JL:jls

cc: The Honorable Dave Badeaux, City of Brainerd
Patrick Wussow, City of Brainerd
Todd Wicklund, Brainerd Public Utilities
Charlie Gammon, Brainerd Public Utilities

NOTICE OF HEARING

The City of Brainerd City Council will be conducting a public hearing to consider Proposed Ordinance No. 1564. The purpose of this ordinance is to replace Section 700 Brainerd City Code concerning the Sewer System. The proposed ordinance is intended to bring the City of Brainerd in compliance with MPCA requirements for a delegated pretreatment system.

A Public Hearing will be conducted by the City Council at 7:30 p.m. Monday, March 4th, 2024, in City Hall Council Chambers, 501 Laurel Street, Brainerd.

The public is invited to attend the hearing to offer input regarding Proposed Ordinance No. 1564. Any individual needing special accommodations please call (218) 828-2307.

Dated this 5th day of February, 2024

Publication Date: February 10th, 2024

A handwritten signature in dark ink, appearing to read "Jessie Dehn", written over a horizontal line.

Jessie Dehn, P.E.
City Engineer/Public Works Director

**ORDINANCE
NO. 1564**

**A SUMMARY ORDINANCE REPLACING SECTION 700 OF THE CITY CODE
CONCERNING THE SEWER SYSTEM**

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Purpose and Findings.

Section 700 is being replaced to enable the City to comply with all state and federal laws, including, but not limited to, Clean Water Act section 1251 and the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations Part 403 and Minnesota Rules Part 7049.0890. Brainerd Public Utilities (BPU), a department of the City of Brainerd is required to have a Delegated Pretreatment Program in accordance with federal law since the capacity of the City's wastewater treatment plant of six million gallons per day is greater than the minimum threshold requirement of five million gallons per day.

BPU is the governmental entity that has control authority and responsibility to implement specific pretreatment standards for a specific industrial user. BPU is the control authority for purposes of preventing interference or pass-through and for implementing all local pretreatment prohibitions, limitations, or requirements required by Chapter VII.

SECTION TWO: Repeal and Replacement

1. Notice is hereby given that on February 5, 2024 and March 4, 2024 the City Council conducted the required readings of this Ordinance and the revisions contained in Chapter 700 consistent with the City Charter.

2. Notice is hereby given that this Ordinance repeals and replaces in its entirety Chapter 700 – Sewer System.

3. Further, given the length of the revisions associated with the full replacement of Chapter 700, this summary ordinance has been prepared for publication and is approved by the City Council as authorized by State law.

4. Notice is hereby given that a printed copy of the whole ordinance is available for inspection by any person during the City's regular office hours or on the City's website.

SECTION FOUR: 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 – _____

CHAPTER VII

PUBLIC UTILITIES

Section 700 – Sewer System

700.01 General Provisions. Subdivision 1. Purpose. This Section sets forth uniform requirements for discharges into the City's wastewater disposal system and enables the City to comply with all state and federal laws, including, but not limited to, Clean Water Act (33 United States Code [U.S.C.] section 1251 et seq.) and the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations [CFR] Part 403 and Minnesota Rules Part 7049.0890. This Section also establishes the determination and levying of charges of all users discharging thereto.

The objectives of this Section are:

- a) to prevent or control the introduction of pollutants into the wastewater disposal system which will interfere or are incompatible with the operation of the system or the use or disposal of the sludge; prevent the pass-through of pollutants through BPU's plant without adequate treatment; prevent interference with BPU's physical plant; collection system; physical, chemical, or biological processes; personnel; or disposal of residuals
- b) to establish the authority to determine and levy user charges that are necessary for the efficient, economic and safe operation of the City's wastewater disposal system for the protection of the health, safety and general welfare of the public; and
- c) to establish a system of regulation and charges which will provide effective operation of the City's wastewater disposal system in compliance with applicable standards and regulations of the Minnesota Pollution Control Agency and the United States Environmental Protection Agency.

700.03 Definitions. Subdivision 1. For the purpose of this Section, the following words, terms and abbreviations have the meaning given them.

Subd. 2. Act. The Clean Water Act (33 U.S.C. 1251 et seq., as amended).

Subd. 3. Biochemical Oxygen Demand (BOD) - (1) the quantity of oxygen used in the biochemical oxidation of organic matter in a specified time, at a specified temperature, and under specified conditions; (2) a standard test used in assessing wastewater strength.

Subd. 4. Brainerd Public Utilities Commission (BPUC) – the Public Utilities Commission of the City of Brainerd. Brainerd Public Utilities (BPU) is a department of the City of Brainerd.

Brainerd City Code

Subd. 5. Capital Costs. All costs and expenses incurred in planning, designing, financing, and constructing wastewater collection, conveyance, and treatment works.

Subd. 6. City. City of Brainerd, Minnesota.

Subd. 7. Building Sewer. The extension from the building drain to the public sewer or other place of disposal, sometimes called the house connection or service connection.

Subd. 8. Categorical Industrial User. “Categorical Industrial User” means an industrial user that is subject to national categorical pretreatment standards.

Subd. 9. Categorical Pretreatment Standards or National Categorical Pretreatment Standards. “Categorical Pretreatment Standards” or “National Categorical Pretreatment Standards” means the pretreatment standards from federal regulations that are incorporated by reference in part [7049.0310](#).

Subd. 10. Chemical Oxygen Demand (COD). A measure of the oxygen equivalent of that portion of organic matter that is susceptible to oxidation by a strong chemical oxidant, using EPA approved laboratory procedures.

Subd. 11. Combined Sewer. A sewer intended to serve as a sanitary sewer and a storm sewer, or as an industrial sewer and a storm sewer.

Subd.12. Commercial. All users of the system classified as industrial users in the Standard Industrial Classification Manual, 1972, U.S. Office of Management and Budget, as amended and supplemented under Divisions A, B, D, E, and I, but who are excluded from such definition for the purposes of this Section because they discharge primarily segregated domestic wastes, or wastes from sanitary conveniences; the classification shall not include such exempt users who are otherwise classified in this Section as domestic users, government users, or industrial users.

Subd. 13. Contract User. Any users who have a special contract or agreement with the City which allows discharge of wastes into the City's sewer system.

Subd. 14. Control Authority. Refers to the BPU, which is the governmental entity that has authority and responsibility to implement specific pretreatment standards for a specific industrial user.

- A. BPU is the control authority for purposes of preventing interference or pass-through and for implementing all local pretreatment prohibitions, limitations, or requirements, including limitations required by this chapter; and
- B. for the purpose of regulating industrial users subject to the national categorical pretreatment standards, BPU is the receiving POTW authority if BPU has been delegated pretreatment authority under parts [7049.0800](#) to [7049.1020](#). If BPU has not been delegated authority under parts [7049.0800](#) to [7049.1020](#), the agency is the control authority for the purpose of implementing national categorical pretreatment standards. BPU remains the control authority for item A

Brainerd City Code

Subd. 15. Construction. Any one or more of the following: preliminary planning to determine the feasibility of treatment works, engineering, architectural, legal, fiscal, or economic investigations or studies, surveys, designs, plans, working drawings, specifications, procedures, or other necessary actions, erection, building, acquisition, alteration, remodeling, improvement, or extension of treatment works, or the inspection or supervision of any of the foregoing items.

Subd.16. Debt Retirement Costs. The combined principal and interest payments necessary to pay bonded indebtedness.

Subd. 17. Domestic User. Those establishments of which its regular occupants, if any, are usually considered a domestic service and whose discharge consists solely of sanitary wastes.

Subd.18. Domestic Wastewater. Wastewater derived principally from a dwelling due to domestic activities. It may or may not contain groundwater, surface water, or storm water.

Subd.19. Flow. The quantity of sewage expressed in gallons or cubic feet per 24 hours.

Subd. 20. Garbage. Solid wastes resulting from the domestic and commercial preparation, cooling, and dispensing of food, and from the handling, storage or sale of meat, fish, fowl, fruit, vegetables, condemned food.

Subd.21. General Municipal User. Any user discharging sewage to the general municipal flow other than industrial users, municipalities, and other contract users. This category of user includes as dories, domestic users, commercial users, institutional users, governmental users, which are not contract users.

Subd.22. Government User. Those establishments whose function is the administration and execution of government programs as well as the offices of executives, legislative bodies, and agencies which provide general support services for government.

Subd. 23. Grantee. Any municipality which has been awarded a grant for construction of a treatment works: in this instance, the City.

Subd. 24. Industrial Wastewater. The liquid waste resulting from the process employed in industrial, manufacturing, trade or business establishments as distinct from domestic wastes. Any waste that is transported by a liquid waste hauler and disposed into public sewers is industrial waste. Any leachate or contaminated ground water disposed into public sewers is industrial waste.

Subd. 25. Infiltration. The water entering a sewer system, including sewer service connections, from the ground, through such means as, but not limited to, defective pipes, pipe joints, connections, or manhole walls. Infiltration does not include, and is distinguished from, inflow.

Subd. 26. Infiltration /Inflow. The total quantity of water from both infiltration and inflow without distinguishing the source.

Subd. 27. Inflow. The water discharged into a sewer system, including service connections from such sources as, but not limited to, roof leaders, cellar, yard, and area drains, foundation drains, cooling water discharges, drains from springs and swampy areas, manhole

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covers, cross connections from storm sewers and combined sewers, catch basins, storm waters, surface runoff, street wash waters, or drainage: inflow does not include, and is distinguished from, infiltrations.

Subd. 28. Interceptor Sewer. A sewer whose primary purpose is to transport or convey wastewaters from collector sewers to a treatment facility.

Subd. 29. Interference. The inhibition or disruption of the (City's) wastewater disposal system processes or operations which causes or significantly contributes to a violation of any requirement of the (City's) NPDES or State Disposal System Permit. This includes prevention of sewage sludge use or disposal by the City in accordance with published regulations providing guidelines under Section 405 of the Act (33 U.S.C. 1251 et seq.) or any regulations developed pursuant to the Solid Waste Disposal Act, the Clean Air act, the Toxic Substances Control Act, or more stringent state criteria applicable to the method of disposal or use employed by the City. This includes a cause of a violation, including an increase in the magnitude or duration of a violation, of any permit or rule controlling, prohibiting, or limiting the release of pollutants from BPU's plant into the environment.

Subd. 30. Institutional User. Those establishments engaged in activities of a noneconomic nature, frequently being the performance of services for the general public (health, education, social), and not classified as a governmental or commercial user in this Section.

Subd. 31. Leachate. Wastewater resulting from the percolation of rain water and/or internal liquids through the deposited material in a solid waste disposal facility.

Subd. 32. Liquid Waste Hauler. Any person who transports waste for the purpose of discharge into public sewers.

Subd. 33. Load. Quantities of sewer characteristics such as BOD, SS, and other constituents as expressed in milligrams per liter (mg/l) or pounds per 24 hours (lbs./24 hours).

Subd. 34. Local Charge. A treatment charge assessed by the City to liquid waste haulers based on waste volume and strength.

Subd. 35. Monitoring. The measurement, sometimes continuous, of water quality.

Subd. 36. National Pollution Discharge Elimination System Permit or NPDES Permit. The system for issuing, conditioning, and denying permits for the discharge of pollutants from point sources into the navigable waters, the contiguous zone, and the oceans by the Administrator of the Environmental Protection Agency pursuant to Section 402 and 405 of the Federal Water Pollution Control Act Amendment 1972.

Subd. 37. Natural Outlet. Any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

Subd. 38. Noncontact Cooling Water. Water used for cooling purposes that does not contact raw materials, work pieces or a finished product. Noncontact cooling water discharged to public sewers is industrial waste.

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Subd. 39. Operation and Maintenance Costs (O & M Costs). The expenses related to the costs of the operation, maintenance, replacement, and administration of the total treatment works or system.

Subd. 40. Pass-through. A discharge of sewer pollutants that flows from the City's treatment plant into the receiving stream in quantities or concentrations that, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the plant's NPDES/SDS permit, including an increase in the magnitude or duration of a violation.

Subd. 41. Person. Any individual, firm, company, association, society, corporation, municipal corporation, government unit, or group.

Subd. 42. pH. This shall mean the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen-ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of 10^{-7} .

Subd. 43. Pretreatment. The application of physical, chemical and biological processes to reduce the amount of pollutants in or alter the nature of the pollutant properties in a wastewater prior to discharging such wastewater into the publicly-owned wastewater treatment system.

Subd. 44. Pretreatment Solids. Any materials that are formed, concentrated, or removed by pretreatment performed by any person.

Subd. 45. Process Water. Any water used in the manufacturing, preparation production of goods, materials, or food. Process water is an industrial waste.

Subd. 46. Public Sewer. Any sewer owned or operated by a unit or agency of government.

Subd. 47. Replacement. Expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.

Subd. 48. Sanitary Sewer. A sewer intended to carry only sanitary or sanitary and industrial waste waters from residences, commercial buildings, industrial plants, and institutions.

Subd. 49. Sanitary Wastes. The liquid and water-carried wastes discharged from sanitary plumbing facilities.

Subd. 50. Sewage or Wastewater. The water-carried waste products from residences, public buildings, institutions, industrial establishments, or other buildings including the excrementitious or other discharge from the bodies of human beings or animals, together with such ground water infiltration and storm and surface water as may be present.

Subd. 51. Sewage Collection. Each, and all, of the common lateral sewers within a publicly owned treatment system which are primarily installed to receive waste waters directly from facilities which convey wastewater from individual structures or from private property, and

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which include service connection "Y" fittings designed for conon with those facilities. The facilities which convey wastewater from individual structures, from private property to the public lateral sewer, or its equivalent, are specifically excluded from the definition, with the exception of pumping units, and pressurized lines, for individual structures or groups of structures when such units are cost effective and are owned and maintained by the grantee.

Subd. 52. Sewer. A pipe or conduit for carrying sewage, industrial waste, or other waste liquids.

Subd. 53. Sewer System or Sewerage System. Pipelines or conduits, pumping stations, force mains, and all other devices and appliances appurtenant thereto, used for collecting or conducting sewage, industrial wastes, or other wastes to a point of ultimate disposal.

Subd. 54. Shall is mandatory, May is permissive.

Subd. 55. Significant Industrial User. Any industrial user of the City's Wastewater Treatment System whose flow (1) exceeds 25,000 gallons or more per average work day; (2) has exceeded five percent of the flow or load carried by the City's Wastewater Treatment System during any day in the past year; (3) An industrial user that is subject to national categorical pretreatment standards shall also be considered a significant industrial user, except as provided in item 4; (4) BPU may determine that an industrial user subject to national categorical pretreatment standards is a nonsignificant categorical industrial user rather than a significant industrial user on a finding that the industrial user never discharges more than 100 gallons per day of total categorical wastewater, excluding sanitary, noncontact cooling and boiler blowdown wastewater, unless specifically included in the pretreatment standard, and the industrial user

(a) prior to the control authority's finding, has consistently complied with all applicable categorical pretreatment standards and requirements;

(b) annually submits the certification statement required in Code of Federal Regulations, title 40, section 403.12(q), together with any additional information necessary to support the certification statement; and

(c) never discharges any untreated concentrated wastewater.

(5) has significant impact, either individually or in combination with other contributing industries, on the City's Wastewater Treatment System of the quality of its effluent; (5) has significant impact on the quality of sludge produced by the Wastewater Disposal System, or; (6) has a significant impact on air emission of the Wastewater Disposal System; (7) is designated by the agency or BPU as significant on the basis that it has reasonable potential to impact BPU's plant, or violate required pretreatment standards; or

Subd. 56. Significant noncompliance. An industrial user is in significant noncompliance if its violation meets one or more of the following criteria:

A. chronic violations of wastewater discharge limits, defined in this part as those in which 66 percent or more of all of the measurements taken during a six-month period exceed, by any magnitude, a numeric pretreatment standard or requirement;

B. technical review criteria (TRC) violations, defined in this part as those in which

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33 percent or more of all of the measurements for each pollutant parameter taken during a six-month period equal or exceed the product of a numeric pretreatment standard or requirement multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other pollutants except pH);

- C. any other violation of a pretreatment standard or requirement that BPU determines has caused, alone or in combination with other discharges, interference or pass-through, including endangering the health of BPU personnel or the general public;
- D. any discharge of a pollutant that has caused imminent endangerment to human health, welfare, or the environment or has resulted in BPU's exercise of its emergency authority to halt or prevent such a discharge;
- E. failure to meet, within 90 days after the scheduled date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;
- F. failure to provide, within 45 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- G. failure to accurately report noncompliance; or
- H. any other violation or group of violations, which may include a violation of best management practices, that BPU determines will adversely affect the operation or implementation of the local pretreatment program.

Subd. 57. Slug. Any discharge of water, warm or industrial waste which in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than 15 minutes more than five times the average 24-hour concentration, qualities, or flows during the normal operation.

Subd. 58. Storm Sewer (sometimes tamed "storm drain"). A sewer which carries storm and surface water and drainage but excludes sewage and industrial wastes, other than unpolluted cooling or process water.

Subd. 59. Public Utilities Director. The Public Utilities Director of the wastewater disposal system of this City or the person's duly authorized representative.

Subd. 60. Total Kjeldahl Nitrogen (TKN). A measure of total organic and ammonia nitrogen, using EPA approved laboratory procedures.

Subd. 61. Total Suspended Solids (TSS). The residue material from a wastewater sample after filtration, using EPA approved laboratory procedures.

Subd. 62. Treatment Works/Wastewater Disposal System. Any devices and systems for the storage, went, recycling, and reclamation of municipal sewage, domestic sewage, or liquid industrial wastes used to implement Section 201 of the Act, or necessary to recycle or reuse water at the most economical cost over the useful life of the works. These include intercepting

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sewers, outfall sewers, sewage collection systems, individual systems, pumping, power, and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alteration hereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment temporary storage of such compost, and land used for the storage of treated wastewater in land treatment systems before land application; or any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of municipal waste or industrial waste, including waste in combined storm water and sanitary sewer systems.

Subd. 63. User. Any person, firm, corporation, or other entity, whether municipal or otherwise, discharging sewage into the disposal system.

Subd. 64. Useful Life. Estimated period during which a treatment works will be operated.

Subd. 65. User Charge. A charge levied on users of a treatment works, or that portion of the ad valorem taxes paid by a user, for the user's proportionate share of the cost operation and maintenance (including replacement) of such works.

(Amended Ord. 837 – 1985, Ord. 1046 - 1998)

700.05 Use of Public Sewers. Subdivision 1. General Sewer Use Regulations. The public sewer of the City are governed by the provision of this Section.

Subd. 2. Discharge. It is unlawful to discharge to any natural outlet within the City Limits or City jurisdiction any sewage or other pollutant waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Section.

Subd. 3. Cesspools, Private Systems. It shall be unlawful to either construct, maintain, use or permit to be used any cesspool, privy, or privy vault on any part of any lot or parcel of land in the City abutting a public sanitary sewer with which a sewer connection may be made, if said structure on parcel of land is within 500 feet of said public sanitary sewer.

(Amended Ord. 1046 – 1998, Ord. 1115 – 2001)

Subd. 4. Water Service Terminated. Whenever any privy, privy vault, or cesspool is either erected, constructed or used, contrary to the provisions of this Section on any premises in the City, the water supply from the City waterworks, thereto, shall be terminated and shall remain cut off until the BPUC is satisfied that such violation of this Section has ceased and until the expense of turning off and turning on the water has been paid together with whatever fine for violation of this Section may be assessed.

Subd. 5. Compelling Connection. Whenever there is a public sewer in the public highways or grounds upon which abuts any part of any lot or parcel of land in the City within the distances prescribed in Section 700.05, Subd. 3, the owner or occupant of such parcel of land shall connect said premises with said public sewer by a sufficient sanitary sewer within 12 months (1 year) of the availability of the public sewer. Connection shall not be required within 12 months (1 year) if the owner or occupant can show evidence of a Certificate of Compliance

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that the existing private system satisfactorily passes a compliance inspection as set forth in Minnesota Rule Chapter 7080. Inspections are hereby required every three (3) years. In the event the existing private system is, at the time of initial or any subsequent inspection a failing system, or becomes an imminent threat to the public health or safety as defined by Minnesota Rule 7080, the BPUC shall serve upon such owner or occupant ten days' notice in writing specifying the time when such sewer connection or connections must be made and completed and if the said owner or occupant neglects to complete the same within the time specified, in addition to the penalties imposed for a violation of any provision of this Section, the BPUC may cause it to be done and shall either recover the whole amount of the expense thereof by an action against the owner, in the name of the City, before any court jurisdiction thereof, or assess the same against said premises pursuant to law.

(Amended Ord. 1046 – 1998, Ord. 1115 – 2001, Ord. 1197 – 2003)

Subd. 6. Preliminary Treatment. Where preliminary treatment facilities are required or provided for any wastes, they shall be maintained continuously in effective operation by the sewer user at its expense. Failure to do so shall void the right of sewerage system use and the BPUC reserves the right to discontinue service.

Subd. 7. Control Manholes. The BPUC may as a condition of providing sewer service require a control manhole built on the building sewer at owner's expense to facilitate observation, sampling, inspection, and measurement of wastes. Such manhole when required shall be accessible, safely located, and built in accordance with City standards for sewer manholes. The necessity of a control manhole will be based on sewage volume, whether it is a processing waste, or an industrial waste and whether the waste requires control within the operation to meet acceptable conditions for discharge to the sewage system.

Subd. 8. Special Agreements. Nothing within this Sewer Section shall be interpreted to require the service of sewage wastes at published sewer rates when such waste may impair the system or cause a higher than normal expense in operation of the sewerage system. Nor shall the Sewer Section be interpreted to prohibit the handling of deleterious wastes, requirements for pretreatment, or sewer service rates higher than published rate on an agreement basis. Such agreements may be approved by the BPUC after considering the problems in handling, the effect on the sewerage system and the cost of handling the waste. Special agreements are not allowed which would (1) cause the violation of the existing NPDES permit or State Disposal System permit and (2) allow any user subject to National Categorical Pretreatment Standards to circumvent their requirements.

(Amended Ord. 837 – 1985, Ord. 1046 – 1998)

Subd. 9. Entry on Premises. Duly authorized City and BPUC employees bearing proper identification shall, at reasonable times, be permitted to enter upon properties served by sanitary sewers for the purpose of inspection, measurement, sampling and testing in connection with operation of the sewer system.

Subd. 10. Contractors' Responsibility. Contractors employed on City contracts, plumbers, and other persons engaged in construction or maintenance activity where there is connection to or danger of damage to the sewer system shall exercise particular care to protect the sewer system, and shall at all times protect, keep foreign materials out, and accomplish construction or connections, in a neat and workmanlike manner. Failure to do so shall be a

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violation of this Section and shall not stop the City from correcting the damage or removing the foreign material, if necessary on an overtime basis, and collecting the costs therefore. For other than immediate necessary repair or removal a five-day written notice shall be deemed adequate notice to the party to repair damage, correct faulty construction or remove material from the sewerage system.

Subd. 11. Storm Water Connections. Roof, ground water, or surface drain connections to the City's sanitary sewer system is prohibited.

Subd. 12. Entrance into Manholes. Entrance into sewer manholes or opening the same for any purpose whatever except by duly authorized City or BPUC employees or their agents is prohibited.

700.07 Prohibitions and Limitation. Subdivision 1. General Discharge Prohibitions. No user shall discharge or cause to be discharged, directly or indirectly, any of the substances described in this Subsection or that cause pass-through or interference into the wastewater disposal system or to any public sewer.

Subd. 2. Explosive Gases. Any liquids, solids or gases which by reason of their nature or quantity are, or may be sufficient either alone or by interaction with other substances to cause pass through or interference, fire or explosion or be injurious in any other way to the wastewater disposal system or to the operation of the system. At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the system or at any point in the system, be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides.

Subd. 3. Grease, Garbage, Etc. Solid or viscous substances which will or may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to, grease, garbage with particles greater than one half inch (1/2") in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes.

Subd. 4. Hazardous Fluids. Any wastewater having a pH less than 5.0 or higher than 10.0 or having any other corrosive property capable to causing damage or hazard to structures, equipment, and personnel of the wastewater disposal system.

Subd. 5. Toxic Pollutants. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants or inhibit or disrupt any wastewater treatment process, constitutes a hazard to humans or animals, or create a toxic effect in the receiving waters of the wastewater disposal system. A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307(a) of the Act.

Subd. 6. Noxious Fluids. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into the sewer for their maintenance and repair.

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Subd. 7. Dyes, Etc. Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.

Subd. 8. Other Violations. Any wastewater which creates conditions at or near the wastewater disposal system which violate any statute or any rule, regulation or section of any public agency or state or federal regulator body.

Subd. 9. Heated Wastewater. Any wastewater having a temperature greater than 150 degrees F. (65.6 degrees C.), or causing, individually or in combination with other wastewater, the influent at the wastewater treatment plant to have a temperature exceeding 104 degrees F. (40 degrees C.) or having heat in amounts which will inhibit biological activity in the Treatment Works resulting in interference.

(Amended Ord. 837 – 1985, Ord. 1046 – 1998)

Subd. 10. Slug Loads. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a discharge of such volume or strength as to cause inhibition or disruption in the wastewater disposal system. In no case shall a slug load have a flow rate or contain concentrations or quantities of pollutants that exceed for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentrations, quantities, or flow of the user during normal operation.

Subd. 11. Unpolluted Water. Any unpolluted water, including but not limited, to noncontact cooling water, unpolluted storm or groundwater.

Subd. 12. Excess Grease and Oil. Any wastewater containing fats, wax, grease, or oils of animal or vegetable origin whether emulsified or not, in excess of +150 mg/l or containing substances which may solidify or become viscous at temperatures between 32 degrees F. and 150 degrees F. (0 degrees C. and 65.6 degrees C.); and any wastewater containing oil and grease concentration of mineral origin of greater than +100 mg/l, whether emulsified or not.

Subd. 13. Inert Suspended Solids. Wastewater containing inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate) in such quantities that they would cause disruption with the wastewater disposal system.

Subd. 14. Other Prohibited Substances. No user shall discharge to any public sewer any discharge which causes interference, as defined, with the wastewater disposal system. Pollutants in the effluent from an industrial user shall not be considered to cause interference where the industrial user is in compliance with specific prohibitions or standards developed by Federal, State, or Local governments. Where the industrial user is in compliance with such specific prohibitions or standards and pollutants in the effluent from the industrial user's facility nevertheless are determined to have caused or significantly contributed to a violation of any requirement of the City's NPDES or State Disposal System Permit, and are likely to cause such a violation in the future, the BPUC must take appropriate action to develop and enforce specific effluent limits for that industrial user to ensure renewed and continued compliance with the City's NPDES or State Disposal System Permit.

Subd. 15. Strong Acid or Plating Solutions. Any water or wastes containing strong acid,

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iron pickling wastes, or concentrated plating solutions, whether neutralized or not.

Subd. 16. Phenols. Any water or wastes containing phenols or other taste or odor producing substances which constitute a nuisance or hazard to the structures, equipment, or personnel of the sewage works, or which interfere with the treatment required to meet the requirements of the State and Federal government and any other public agency with proper authority to regulate the discharge from the sewage treatment plan.

Subd. 17. Radioactive Wastes. Any radioactive wastes or isotopes of such half-life or concentration that they are in non-compliance with regulations issued by the appropriate authority having control over their use or which have caused or may cause damage or hazards to the treatment works or personnel operating it.

Subd. 18. Water Insoluble Oils. Any water insoluble oils, including but not limited to, fuel oil, nonbiodegradable cutting oil, lubricating oil, hydraulic oil, mineral oil and motor oil.

Subd. 19. Medical Wastes. Whole, ground or shredded glassware, needles and other sharps, plastic and textile objects from hospitals, physician and dentist offices, clinics, veterinary facilities, other health care facilities, mortuaries, blood banks, laboratories of any kind and food preparation facilities.

Subd. 20. Infectious Wastes. Wastes, other than domestic wastes, that are infectious except as provided for in an acceptable infectious waste management plan submitted to Minnesota Department of Health or Minnesota Pollution Control Agency pursuant to Minnesota Statute 116.75-116.83.

Subd. 21. Foam Producing. Any material containing foam or foam producing substances in sufficient quantities to cause a public nuisance, operational problems in public sewers or cause interference or pass-through.

Subd. 22. Pretreatment Solids. Any pretreatment solids from an industrial pretreatment system except as provided in Section 700.13.

Subd. 23. Outside of City Wastes. Any wastes generated outside the City Limits, unless prior approval has been obtained from the Public Utilities Director.

Subd. 24. Hazardous Wastes. Any hazardous wastes, as defined by Minnesota Statutes, Section 116.06 Subdivision 13 and Minnesota Rules Chapter 7045, unless prior approval has been obtained from the Public Utilities Director and such discharge does not constitute a violation of Local, State or Federal law.

Subd. 25. Food Processing Wastes. Garbage, discarded material and grease from nondomestic sources which results from the handling, processing, storage, preparation, serving and consumption of food, when the effect of such disposal into public sewers is the avoidance of site solid waste disposal; provided, however, that this Section does not prohibit sink-fed garbage disposal units used for incidental food waste disposal.

Subd. 26. Oils. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass-through.

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Subd. 27. Toxic Gases. Pollutants that result in the presence of toxic gases, vapors, or fumes within BPU's plant in a quantity that may cause acute worker health and safety problems.

700.09 Limitation on Wastewater Strength. Subdivision 1. National Categorical Pretreatment Standards. National categorical pretreatment standards promulgated by the U.S. Environmental Protection Agency (EPA) pursuant to the Act shall be met by all users which are subject to such standards in any instance where they are more stringent than the limitations in this Section.

Subd. 2. State Requirements. State requirement and limitations on discharges shall be met by all users which are subject to such standards in any instance in which they are more stringent than federal requirements and limitations or those in this or any other applicable Section of this Code.

Subd. 3. City's Right of Revision. The City reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives stated in Subsection 700.01 of this Section.

Subd. 4. Dilution. No user shall increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained herein, contained in the national categorical pretreatment standards, or contained in any state requirements.

Subd. 5. Supplemental Limitations. The BPU may impose additional specific limitations on any wastewater that is to be discharged into the City's wastewater disposal system.

Subd. 6. Specific Local Discharge Limitations. No person, except as authorized pursuant to a compliance schedule in a permit, shall discharge or cause or allow to be discharged into public sewers any waste that causes the total facility discharge to exceed the following concentration limitations and mass loading limitations:

<u>Pollutant</u>	<u>Per Load Grab Sample mg/L</u>	<u>Month Avg. mg/L</u>	<u>Max for Any One Day – mg/L</u>	<u>Cumulative Mass Discharge lbs/Semi-annual</u>
Cadmium (Cd)	0.26	0.26	0.69	-
Chromium, Total (Cr)	1.71	1.71	2.77	-
Copper (Cu)	2.07	2.07	3.38	-
Cyanide, Total (Cn)	0.65	0.65	1.20	-
Lead (Pb)	0.40	0.40	0.69	-
Nickel (Ni)	1.00	1.00	1.75	50
Zinc (Zn)	1.49	1.49	2.61	-
<u>Industrial User</u>				
BOD	-	210	-	-
TSS	-	235	-	-
<u>Liquid Waste Haulers</u>				
BOD & TSS	10,000	-	-	-

Semi-annual mass loading periods will be from May 1 to October 31 and November 1 to April 30.

(Amended Ord. 837 – 1985, Ord. 1046 – 1998)

700.11 Accidental Discharges. Each user shall provide protection from accidental discharge or prohibition materials or other substances regulated by this Section. Where necessary, facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or users own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Public Utilities Director for review and shall be approved by the Public Utilities Director before construction of the facility. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of this Section. Users shall notify the Public Utilities Director immediately upon having a slug of accidental discharge of substances or wastewater in violation of this Section in order to enable counter measures to be taken by the Public Utilities Director to minimize damage to the wastewater disposal system and the receiving water. Such notification will not relieve users of liability for any expense, loss or damage to the wastewater disposal system or treatment process, or for any fines imposed on the BPUC on account thereof under any state or federal law. A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a slug or accidental discharge. Employers shall insure that all employees who may cause or discover such a discharge are advised of the emergency notification procedure.

700.13 Pretreatment Requirements. Subdivision 1. General Pretreatment Requirements.

Users shall provide necessary wastewater treatment as required to comply with this Section and shall achieve compliance with all national categorical pretreatment standards within the time limitations as specified by the federal pretreatment regulations. Any facilities required to pretreat wastewater shall be provided, operated, and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Public Utilities Director for review, and shall be acceptable to the Public Utilities Director before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the Public Utilities Director under the provisions of this Section. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the Public Utilities Director prior to the user's initiation of the changes.

Subd. 2. Records. All records relating to compliance with pretreatment standards shall be made available by the Public Utilities Director to Officials of the EPA or MPCA upon request.

Subd. 3. User Reports. Any user subject to a national categorical pretreatment standard, after the compliance date of such pretreatment standard, or, in the case of commencement of a new discharge to the wastewater disposal system, shall submit to the Public Utilities Director during the months of June and December, unless required more frequently in the pretreatment standard or by the Public Utilities Director, a report indicating the nature and concentration of pollutants in the effluent which are limited by such pretreatment standards. In addition, this report shall include a record of all daily flows which during the reporting period exceeded the average daily flow reported in Subsection 700.15, Subdivision 2 or 700.21 of this Section. The Public Utilities Director may agree to alter the months during which the above reports are to be submitted. Refer also to the self-monitoring reports required in Subsection 700.21.

Subd. 4. Trap and Separator Installations. Oil, grease, sand, and flammable waste traps shall be installed for the proper discharge of wastewater containing excessive amounts of oil, grease, sand, or flammable liquids when required by the Minnesota Plumbing Code, Minnesota Rules Chapter 4715, or where the Public Utilities Director determines such traps are necessary. All separators and traps shall be designed and installed to meet the minimum required specifications provided in Minnesota Rules 4715. Notwithstanding the provisions of Minnesota Rules 4715, the Public Utilities Director may require traps and separators of sufficient size and capacity to meet the requirements of these rules. The distance between the inlet and outlet of the separator or trap must be sufficient to allow gravity separation of pretreatment solids. To prevent overloading, flow control baffles and any necessary inlet flow control fitting shall be provided. Each separator or trap shall be installed to be readily accessible for removal of cover, servicing, and maintenance. If installed substantially below grade, safe access shall be provided. Separators and traps shall be maintained in efficient operating condition by periodic removal of any accumulated pretreatment solids. Floating materials shall be removed when the accumulation is within two inches of the outlet. Settled solids shall be removed when the solids reach 75 percent of the trap or separator capacity.

Subd. 5. Sludge Generated. Sludges, floats, skimmings, and similar material, generated by an industrial or commercial pretreatment system shall not be placed into the City's wastewater disposal system. Such sludges shall be contained, transported, and disposed of in accordance with all Federal, State, and Local regulations.

700.15 Wastewater Discharge Permits. Subdivision 1. Mandatory Permits. All industries proposing to connect or to commence a new discharge or having commenced a new discharge to the wastewater disposal system shall obtain a wastewater discharge permit before connecting to or discharging into the wastewater disposal system if the discharge would result in the industry being classified as a significant industrial user. No industrial user requiring a permit shall discharge into public sewers until the industrial user has been issued a permit. Issuance of an industrial discharge permit shall not relieve the industrial user from any obligation to obtain any hazardous waste license required by other authorities or to comply with any other Local, State, or Federal requirements regarding waste disposal.

Subd. 2. Permit Application. Users required to obtain a wastewater discharge permit shall complete and file with the Public Utilities Director, an application in the form prescribed by the Public Utilities Director, and accompanied by the applicable fee set by the BPUC. Proposed new users shall apply at least 180 days prior to connecting or discharging to the wastewater disposal system. In support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information:

- a) Name, address, location (if different from the address);
- b) SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;
- c) North American Industry Classification System (NAICS) code
- d) Wastewater constituents and characteristics including but not limited to those governed by Subsection 700.07 and 700.09 as determined by a reliable analytical laboratory sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the act and contained in 40 CFR, Part 136, as amended;
- e) Time and duration of discharge;
- f) Average daily and 30 minute peak wastewater flow rates, including daily, monthly, and seasonal variations, if any;
- g) Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, sewer connections, and appurtenances by the size, location, and elevation;
- h) Description of activities, facilities and plant processes on the premises including all materials which are or could be discharged, including sludges, floats, skimmings, etc.;
- i) Where known, the nature and concentration of any pollutants in the discharge which are limited by the City, State, or National categorical pretreatment standards, and (for an existing discharge) a statement regarding whether or not the pretreatment standards are being met on a consistent basis, and if not, whether additional operation and maintenance and additional pretreatment is required for the user to meet applicable pretreatment standards. If additional operation and maintenance and pretreatment will be required, a proposed schedule by which the changes will be completed shall be submitted. The

completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standard. No increment shall exceed nine months in length, and progress reports concerning each increment shall be submitted within 14 days following each increment date;

- j) Each product produced by type, amount, and rate of production;
- k) Type and amount of raw materials processed (average and maximum per day);
- l) Number of full and part time employees, and hours of work; and
- m) Any other information as may be deemed by the Public Utilities Director to be necessary to evaluate the permit application.

Subd. 3. Issuance of Industrial Discharge Permit. Within 90 calendar days, after receipt of a completed permit application from an industrial user, the Public Utilities Director shall, upon a determination that the applicant is capable of compliance with permit conditions and these rules, issue an industrial discharge permit subject to applicable terms and conditions. Industrial discharge permit duration shall be established by the Public Utilities Director. Permits shall be issued in one of the following forms:

- a) A standard permit will be issued to an industrial user with a direct discharge connection to a public sewer;
- b) A liquid waste hauler permit will be issued to an industrial user who transports and discharges industrial waste to public sewers; and
- c) A special discharge permit will be issued to an industrial user who discharges leachate, groundwater or other waste to public sewers, for which a standard form is not applicable.

Subd. 4. Permit Conditions. Wastewater discharge permits shall be subject to all provisions of this Section and all other applicable regulations, user charges and fees established by the BPUC. Permits shall contain the following, as applicable:

- a) Payment of annual permit fees.
- b) Payment of strength charge as required by the BPU's strength charge system, Subsection 700.27.
- c) Payment of load charges as required for liquid waste haulers, Subsection 700.19.
- d) Limits on the average and maximum wastewater constituents and characteristics;

- e) Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization;
- f) Requirements for installation and maintenance of inspection and sampling facilities;
- g) Requirements for installation, operation and maintenance of pretreatment facilities;
- h) Specifications for monitoring programs which may include sampling locations, frequency and method sampling, number, types and standards for tests and reporting schedule;
- i) Compliance schedules for the installation of technology required to meet required pretreatment standards and requirements;
- j) Requirements for submission and technical reports or discharge reports;
- k) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the Public Utilities Director, but in no case less than three years, and affording Public Utilities Director access thereto;
- l) Requirements for notification to and acceptance by the Public Utilities Director of any new introduction of wastewater constituents or of any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system;
- m) Requirements for notification of slug or accidental discharges as provided in Subsection 700.11 of this Section, and reporting of permit violations;
- n) Requirements for disposal of sludges, floats, skimmers, and similar materials; and
- o) Other conditions as deemed appropriate by the Public Utilities Director to ensure compliance with this Section.

Subd. 5. Permit Duration. Permits shall be issued for a specified time period, not to exceed five years. The user shall apply for permit reissuance a minimum of 180 days prior to the expiration of the user's existing permit the terms and conditions of the permit may be subject to modification by the Public Utilities Director during the term of the permit as limitations or requirements as identified in Subsection 700.07 and 700.09 are modified or other just cause exists. The user shall be informed of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

Subd. 6. Permit Modifications. Within nine months of the promulgation of a national categorical pretreatment standard, the wastewater discharge permit of users subject to such standard shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a user, subject to a national categorical pretreatment

standard, has not previously submitted an application for a wastewater discharge permit as required by Subsection 700.15, Subdivision 2, the user shall apply for a wastewater discharge permit within 180 days after the promulgation of the applicable national categorical pretreatment standard. In addition, the user with an existing wastewater discharge permit shall submit to the Public Utilities Director within 180 days after the promulgation of an applicable national categorical pretreatment standard the information required by paragraph (h) of Subsection 700.15, Subdivision 2. If the information previously submitted in an application is still current and adequate, only a letter from the user certifying such is required.

Subd. 7. Permit Transfer. Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the approval of the Public Utilities Director. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.

700.17 Confidential Information. Subdivision 1. Data Available to Public. Information and data on a user obtained from applications, permits, monitoring programs and inspections shall be available to the public or other government agencies without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the Public Utilities Director that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user.

Subd. 2. Procedure. When requested by the person furnishing a report, and until such time as the information is determined not to be confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to this Section, the NPDES permit, State Disposal System permit and the pretreatment programs; provided, however, that such portions of a report shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the permit furnished the report. Wastewater constituents and characteristics will not be recognized as confidential information. Information accepted by the Public Utilities Director as confidential, shall not be transmitted to any governmental agency or to the general public by the Public Utilities Director until and unless a ten day notification is given to the user.

Subd. 3. State Law. Data referred to in this Subsection shall be stored and released by the City only in accordance with the provisions of State law regarding data privacy.

700.19 Special Programs and Requirements. Subdivision 1. Liquid Waste Hauler Requirements.

- a) Application. Any person seeking to transport and subsequently discharge industrial waste into the public sewers of the BPU shall file a written application to discharge with the Public Utilities Director. This application shall include information about the nature and source of the wastewater as defined in Subdivision 2 of Subsection 700.15. The application shall be made on a form established by the Public Utilities Director and shall be accompanied by a required application processing fee.
- b) Each application to discharge shall include a detailed analysis of the typical wastewater characteristics including priority pollutants, COD, TSS, TKN and

pH. A form establishing the required sample analysis shall be obtained from the Public Utilities Director. An estimate of discharge volume and frequency shall also be included.

- c) Approval or Denial. Upon receipt of a complete application for discharge, the Public Utilities Director shall evaluate the application and issue an approval or denial. The Public Utilities Director shall:
 - 1) Within 30 days, issue a written approval for discharges that will not exceed 6 months in duration; or
 - 2) within 90 days, issue an industrial discharge permit for discharges that will exceed 6 months in duration; or
 - 3) deny the request for discharging into the BPU's public sewers and state the reasons for denial.

The burden of proof for reasons of denial shall not rest on the Public Utilities Director and the Public Utilities Director reserves the right to be arbitrary in what would be in the best interest of the BPU.

- d) Conditions of Discharge. Any person who has obtained a written approval or permit shall discharge in accordance with the terms of that approval or permit, any other applicable provisions of these rules, applicable pretreatment standards under the act, and any other requirements set for by the Public Utilities Director. The conditions of discharge will include designation of where discharge can occur, when discharge can occur and the rate of discharge.
- e) Monitoring and Reporting. Requirements for ongoing monitoring and reporting of the discharge characteristics shall be designated in the written approval or permit. In addition to these requirements, representative samples shall be collected from every load and turned over to the BPU. A minimum of one sample per month will be randomly selected for analysis. It is the responsibility of the liquid waste hauler to arrange for and pay for the required sample analysis. Monthly self-monitoring reports shall be submitted indicating the sample analysis and the volume discharged.
- f) Right of Recession. The Public Utilities Director may issue an order to deny discharge at any time after discharge has commenced if it is determined that the discharge is causing disruption to the BPU's treatment plant operations. Such an order shall in effect cancel any previous approval or permit issued to the discharger.
- g) Fees. In addition to applicable application and annual permit fees, liquid waste haulers shall pay load charges to the BPU. The method of determining load charges shall be established by the Public Utilities Director and shall be based on volume, strength and appropriate administration costs for record keeping and monitoring of the discharger.

Persons subject to a load charge shall pay the full amount within 30 days after the billing date. Delinquency in regard to payment of load charges shall be grounds for denial of discharge.

Application processing fees, load charge rates and strength charges shall be established annually by the BPUC.

Subd. 2. Leachate and Contaminated Groundwater Discharge Requirements.

- a) Application. Any person seeking to transport and subsequently discharge leachate or contaminated groundwater waste into the public sewers of the BPU shall file a written application to discharge with the Public Utilities Director. This application shall include information about the nature and source of the wastewater as defined in Subdivision 2 of Subsection 700.15. The application shall be made on a form established by the Public Utilities Director and shall be accompanied by a required application processing fee.
- b) Sample requirements. Each application to discharge shall include a detailed analysis of the typical wastewater characteristics including priority pollutants, COD, TSS, TKN and pH. A form establishing the required sample analysis shall be obtained from the Public Utilities Director. An estimate of discharge volume and frequency shall also be included.
- c) Approval or denial. Upon receipt of a complete application for discharge, the Public Utilities Director shall evaluate the application and issue an approval or denial. The Public Utilities Director shall:
 - 1) Within 30 days issue a written approval for discharges that will not exceed 6 months in duration; or
 - 2) Within 90 days issue an industrial discharge permit for discharges that will exceed 6 months in duration; or
 - 3) Deny the request for discharging into the BPU public sewers and state the reasons for denial.

The burden of proof for reasons of denial shall not rest on the Public Utilities Director and the Public Utilities Director reserves the right to be arbitrary in what would be the best interest of the BPU.

- d) Conditions of Discharge. Any person who has obtained a written approval or permit shall discharge in accordance with the terms of that approval or permit, any other applicable provisions of these rules, applicable pretreatment standards under the act, and any other requirements set forth by the Public Utilities Director. The conditions of discharge will include designation of where discharge can occur, when discharge can occur and the rate of discharge.
- e) Monitoring and Reporting. Requirements for ongoing monitoring and reporting of the discharge characteristics shall be designated in the written

approval or permit. In addition to these requirements, representative samples shall be collected from every load and turned over to the BPU. A minimum of one sample per month will be randomly selected for analysis. It is the responsibility of the liquid waste hauler to arrange for and pay for the required sample analysis. Monthly self-monitoring reports shall be submitted indicating the sample analysis and the volume discharged.

- f) Right of Recession. The Public Utilities Director may issue an order to deny discharge at any time after discharge has commenced if it is determined that the discharge is causing disruption to the BPU's treatment plant operations. Such an order shall in effect cancel any previous approval or permit issued to the discharger.
- g) Fees. In addition to applicable application and annual permit fees, liquid waste haulers shall pay load charges to the BPU. The method of determining load charges shall be established by the Public Utilities Director and shall be based on volume, strength, and appropriate administration costs for record keeping and monitoring of the discharger.

Persons subject to a load charge shall pay the full amount within 30 days after the billing date. Delinquency in regard to payment of load charges shall be grounds for denial of discharge.

Application processing fees and load charge rates and strength charges will be established annually by the BPUC.

Subd. 3. Septage Hauler Requirements.

- a) Application. Any person seeking to transport and subsequently discharge septage into the public sewers of the BPU shall file a written application to discharge with the Public Utilities Director. This application shall include information about the nature and source of the wastewater as defined in Subdivision 2 of Subsection 700.15. The application shall be made on a form established by the Public Utilities Director and shall be accompanied by a required application processing fee.
- b) Sample Requirements. Each application to discharge shall include a detailed analysis of the typical wastewater characteristics including priority pollutants, COD, TSS, TIQV and pH. A form establishing the required sample analysis shall be obtained from the Public Utilities Director. An estimate of discharge volume and frequency shall also be included.
- c) Approval or Denial. Upon receipt of a complete application for discharge, the Public Utilities Director shall evaluate the application and issue an approval or denial. The Public Utilities Director shall:
 - 1) Within 30 days issue a written approval for discharges that will not exceed 6 months in duration; or

- 2) Within 90 days issue an industrial discharge permit for discharges that will exceed 6 months in duration; or
- 3) Deny the request for discharging into the BPU public sewers and state the reasons for denial.

The burden of proof for reasons of denial shall not rest on the Public Utilities Director and the Public Utilities Director reserves the right to be arbitrary in what would be the best interest of the BPU.

- d) **Conditions of Discharge.** Any person who has obtained a written approval or permit shall discharge in accordance with the terms of that approval or permit, any other applicable provisions of these rules, applicable pretreatment standards under the act, and any other requirements set forth by the Public Utilities Director. The conditions of discharge will include designation of where discharge can occur, when discharge can occur and the rate of discharge.
- e) **Monitoring and Reporting.** Requirements for ongoing monitoring and reporting of the discharge characteristics shall be designated in the written approval or permit. In addition to these requirements, representative samples shall be collected from every load and turned over to the BPU. A minimum of one sample per month will be randomly selected for analysis. It is the responsibility of the liquid waste hauler to arrange for and pay for the required sample analysis. Monthly self-monitoring reports shall be submitted indicating the sample analysis and the volume discharged.
- f) **Right of Recession.** The Public Utilities Director may issue an order to deny discharge at any time after discharge has commenced if it is determined that the discharge is causing disruption to the BPU's treatment plant operations. Such an order shall in effect cancel any previous approval or permit issued to the discharger.
- g) **Fees.** In addition to applicable application and annual permit fees, liquid waste haulers shall pay load charges to the BPU. The method of determining load charges shall be established by the Public Utilities Director and shall be based on volume, strength and appropriate administration costs for record keeping and monitoring of the discharger.

Persons subject to a load charge shall pay the full amount within 30 days after the billing date. Delinquency in regard to payment of load charges shall be grounds for denial of discharge.

Application processing fees and load charge rates and strength charges will be established annually by the BPUC.

accurately characterize the discharge and shall be performed in accordance with all applicable provisions of these rules and any permit issued thereunder. Such monitoring information shall be submitted to the Public Utilities Director in a self-monitoring report. At a minimum, a summary report shall be prepared quarterly and submitted to the Public Utilities Director.

Subd. 2. Monitoring Point. Each permittee shall have an approved monitoring point provided at the permittee's expense. Liquid waste haulers and specific industrial users, may be exempted by permit from portions of this Section. An approved monitoring point shall meet the following criteria:

- a) The wastewater flow is visible and accessible for inspection and monitoring purposes;
- b) Adequate safeguards are in place to protect BPU personnel from accident or injury;
- c) The wastewater flow has appropriate velocity and is well mixed to yield representative samples;
- d) The wastewater flow at the monitoring point conveys all of the permittee's industrial waste.
- e) the monitoring point is large enough or space is provided nearby to allow for monitoring equipment placement; and
- f) the total wastewater flow of the permitted facility, if exceeding 25,000 gallons per day, can be measured using an open channel or other acceptable measuring device.

All permittees shall have an approved monitoring point within 12 months of the effective date of this Section. Design plans for constructing a monitoring point shall be submitted to the Public Utilities Director for approval 60 calendar days prior to any constructions necessary to meet the criteria specified in this Section. All new installations shall be in accordance with provisions of the Minnesota Plumbing Code.

Each permittee is responsible for all maintenance on the approved monitoring point, including routine cleaning.

Subd. 3. Representative Sampling. Representative samples shall be collected by permittees at an approved monitoring point. Sampling shall be conducted on a normal operating day and in accordance with standard monitoring techniques described herein. The samples shall accurately characterize the discharge, taking into account batch discharges, daily production variations, downtime, cleanup, and other operating conditions. Each permittee shall accurately determine wastewater flow volumes during periods of sample collection. Flow proportional compositing may be required. Samples shall be collected in a well-mixed region of the wastewater. In order to avoid collecting nonrepresentative amounts of sediment or floating material, the intake of the sampling device shall be placed appropriately. When using an automatic sampler, the intake line velocity shall be sufficient to ensure representative sampling of suspended solids. The minimum intake velocity should be two feet per second the minimum

automatic sampler intake line inside diameter shall be one-fourth inch. When, feasible, the automatic sampler intake shall be downstream of the primary flow device.

Subd. 4. Grab and Composite Samples. Samples shall be collected as specified in the permit or as determined by the Public Utilities Director. Grab and/or composite samples may be required. A series of at least four grab samples is required when analyzing wastewater pH, grease and oil, cyanide, volatile organics, total phenols, and sulfides. For other parameters, grab samples may be required when the wastewater flow is not continuous or when necessary to determine the instantaneous wastewater characteristics. Grab samples shall be taken manually.. Composite samples are formed by combining discrete samples collected either manually or by an automatic sampler. Each discrete sample shall have a minimum volume of at least 100 milliliters. Discrete samples can be composited using any of the following methods: (1) equal time intervals and equal volume samples; (2) equal time intervals and unequal volume samples; or (3) unequal time intervals and equal volume samples. Flow proportional composite sampling is the designated method for sample collection for industrial permit holders. Equal time/equal volume composition may only be utilized if the hourly waste flow volumes are nearly constant during the sampling period.

Subd. 5. Sample Handling Procedures. All samples shall be contained, preserved and held in accordance with Code of Federal Regulations, Part 136. The sample temperature shall be maintained at 4° Celsius, if necessary, from the time of collection until sample analysis is performed. When applicable, additional preservation shall be performed upon sample collection.

Subd. 6. Test Procedures for Analysis of Pollutants. All measurements, tests, and analysis of the characteristics of the industrial wastewaters shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association. The permittee or the contracted monitoring service and/or commercial analytical laboratory shall document analytical procedures including, but not limited to, the quality control and, if applicable, chain of custody procedures conducted on each sample. The Public Utilities Director may require that any sample analysis data submitted to fulfill requirements of these rules or any permit issued thereunder be obtained from a laboratory appropriately certified by the Minnesota Department of Health.

Subd. 7. Wastewater Flow Measuring. Wastewater volumes discharged by permittees to public sewers shall be accurately determined during sampling periods using metered water supply or wastewater flow measuring devices or both. Metered water supply may be used to determine reporting period discharge volumes if the Public Utilities Director determine that operating day losses can be accounted for. Operating day losses include, but are not limited to, lawn sprinkling, loss to product, or evaporation. Water meters used for wastewater discharge volume determinations shall be maintained in good operating condition. The Public Utilities Director may require outside calibration of such meters. In the event that the Public Utilities Director determines that operating day losses cannot be accounting for, or that the hourly water meter volumes do not correlate with the monitoring point hourly volumes, continuous flow measuring of industrial waste discharges to public sewers shall be required. All continuous flow measuring installations shall meet the following requirements:

- a) Primary flow devices including, but not limited to, weirs and flumes, shall be installed such that proper hydraulic conditions exist. Factors used to determine the type, size, and location of a primary flow device include:

- 1) Flow rate and velocity;
- 2) Pipe configuration and slope;
- 3) Turbulence;
- 4) Presence of nearby tributary flows;
- 5) Solids concentration; and
- 6) Other factors.

The primary flow device shall accommodate the maximum expected flow.
The primary flow device shall be properly leveled and sealed.

- b) The flow level sensing device shall be installed at a proper distance upstream of the primary flow device and in a location where excessive turbulence is not created.
- c) All continuous flow measuring installations shall include a continuous recording device.
- d) All continuous flow measuring installations shall be maintained in good operating condition. Records of all maintenance conducted on flow measuring installations shall be kept. Maintenance includes, but is not limited to, the removal of sediment from upstream and downstream of the primary device, and the calibration of the flow meter.

Subd. 8. Inspections: Access. The Public Utilities Director shall inspect the facilities of any user to ascertain whether the purpose of this Section is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the Public Utilities Director ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination or in the performance of any of their duties. The Public Utilities Director, MPCA and EPA shall have the right to set up on the user's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with any security guards so that upon presentation of suitable identification, the Public Utilities Director, MPCA and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.

Subd. 9. Confidential Information. Information received from a user shall be treated as public unless requested by the user in accordance with Subsection 700.17, and in any event in accordance with applicable law.

Subd. 10. Self-Monitoring Reports. Permittees shall submit complete and accurate self-monitoring reports to the Public Utilities Director at a frequency stated in the permit. Permittees shall use report forms provided by the Public Utilities Director. Self-monitoring reports may require the permittee to disclose the following information for each reporting period:

- a) General facility data;
- b) Operational data;
- c) Source and volume of all water supplies;

- d) Volumes of water used or lost;
- e) Use and volume of wastewater discharged to public sewers;
- f) Analytical results from wastewater monitoring;
- g) Description of sampling and analytical methods; and
- h) Other information as is relevant to determining compliance with these rules.

The frequency of routine reporting shall be based on the reporting schedule included in the individual permit. The minimum reporting frequency shall be quarterly. Industrial waste discharges subject to a strength charge or a cumulative annual metal limit shall report monthly. Liquid waste haulers shall report monthly. Refer to Subsection 700.27 for additional sampling and reporting requirements.

The Public Utilities Director may modify the above reporting schedule for any permittee based on the permittee's industrial waste characteristics or any other relevant consideration.

Permittees subject to categorical pretreatment standards shall submit self-monitoring reports and other required reports to the BPU in accordance with the general regulations established under the act and any requirement of a categorical pretreatment standard.

Permittees shall submit complete self-monitoring reports to the Public Utilities Director such that the Public Utilities Director has received such reports on or before the 30th calendar day of the month following the end of each applicable reporting period.

700.23 Enforcement. Subdivision 1. Slug or Accidental Discharges. The Public Utilities Director may suspend the wastewater treatment service of a user or a wastewater discharge permit or either of them, (after informal notice to the discharger) when such suspension is necessary in the opinion of the Public Utilities Director, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, or to the wastewater disposal system, or would cause the city to violate any condition of its NPDES or State Disposal System Permit.

Subd. 2. Compliance. Any user notified of a suspension of the wastewater treatment service or the wastewater disposal permit shall immediately stop the discharge. In the event of a failure of the user to comply voluntarily with the suspension order, the Public Utilities Director shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the wastewater disposal system or endangerment to any individuals. The Public Utilities Director shall reinstate the Wastewater Discharge Permit and/or the wastewater treatment service upon proof of the elimination of the noncomplying discharge. A detailed written statement submitted by the user describing the causes of the slug or accidental discharge and the measures taken to prevent any future occurrence shall be submitted to the Public Utilities Director within 15 days of the date of occurrence.

Subd. 3. Revocation of Permit. In accordance with the procedures of Subsection 700.23, the Public Utilities Director may revoke the permit of any user which fails to factually report the wastewater constituents and characteristics of his discharge; which fails to report significant

changes in wastewater constituents or characteristics; which refuses reasonable access to the user's premises for the purpose of inspection or monitoring; or which is in violation of conditions of its permit, this Section, or applicable State and Federal regulations.

Subd. 4. Notification of Violation. Whenever the Public Utilities Director finds that any person has violated or is violating this Section, a wastewater discharge permit, or any prohibition, limitation or requirement contained herein, the Public Utilities Director may serve upon such a person a written notice stating the nature of the violation. Within 30 days of the date of the notice, unless a shorter time is necessary due to the nature of the violation, a plan for the satisfactory correction thereof shall be submitted to the BPU by the user.

Subd. 5. Show Cause Hearing; Notice of Hearing. If the violation is not corrected by timely compliance, the Public Utilities Director may order any user which causes or allows an unauthorized discharge to show cause before the BPUC why the proposed enforcement action should not be taken. A notice shall be served on the user specifying the time and place of a hearing to be held by BPUC regarding the violation, the reason why the action is to be taken, the proposed enforcement action, and directing the user to show cause before the BPUC why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least twenty days before the hearing. Service may be made on any agent or officer of a corporation.

Subd. 6. Hearing Officials. The BPUC may itself conduct the hearing and take the evidence, or may designate any of its members or employees of the BPUC to:

- a) issue in the name of the BPUC notices of hearings requesting the attendance and testimony of witnesses and the protection of evidence relevant to any matter involved in such hearings;
- b) take the evidence; and
- c) transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the BPUC for action thereon.

Subd. 7. Transcripts. At any hearing held pursuant to this Subsection, testimony taken must be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges therefore.

Subd. 8. Issuance of Orders. After the BPUC has reviewed the evidence, it may issue an order to the user responsible for the discharge directed that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed or existing treatment facilities, devices or other related appurtenances are properly operated. Further orders and directives as are necessary and appropriate may be issued.

Subd. 9. Legal Action. If any person discharges sewage, industrial wastes or other wastes into the City's wastewater disposal system contrary to the provisions of this Section, Federal or State pretreatment requirements or any order of the BPUC, the City may commence an action for appropriate legal or equitable relief.

Subd. 10. Annual Publication. A list of the users significantly violating applicable pretreatment requirements or national categorical pretreatment standards during the 12 previous months shall be annually published by the City in a local newspaper. The notification shall also summarize any enforcement actions taken against the user during the same 12 months. For the purposes of this provision, significant violations are those violations which remain uncorrected 45 days after notification of noncompliance, which are part of a pattern of noncompliance over a twelve-month period, or which involve a failure to accurately report noncompliance.

Subd. 11. Requests for Interpretation of Ruling. Any interested party shall have the right to request in writing an interpretation or ruling on any matter covered by this Subsection and shall be entitled to a written reply from the City.

Subd. 12. Appeal to City Council. Any decision of the Public Utilities Director in the enforcement of this Section may be appealed to the City Council by filing a written petition with the City Administrator within 30 days of the Public Utilities Director's ruling. The petition shall specify in detail the matter or matters involved and every ground or basis on which objections are made. The petition shall show the names, addresses and telephone numbers of all objectors and their attorney at law or spokesman. The filing of a petition shall stay all proceedings unless the Public Utilities Director shall file within 72 hours after the filing of a petition a certificate stating that a stay would cause peril to life or property of specifying other good reason.

Subd. 13. Hearing. The City Council shall decide the appeal within a reasonable time and notify the attorney or spokesman. The minutes of the Council shall constitute the official record of the petition, hearing, and decision. Any party desiring a transcript of the proceedings shall furnish a qualified court reporter at their own expense.

700.25 Civil Damages, False Information, Tampering, and Penalties. Subdivision 1. Civil Damages. Any user violating any of the provisions of this Section or who has a discharge which causes a deposit, obstruction, damage, or other impairment to the City's wastewater disposal system shall be liable to the City for any expense, loss, or damage caused by the violation or discharge. The Public Utilities Director may add to the user's charges and fees the cost assessed for any cleaning, repair, or replacement work caused by the violation or discharge. Refusal to pay the assessed costs is a violation of this Section. BPUC shall have authority to seek injunctive relief for noncompliance with required pretreatment standards and requirements by industrial users. BPUC shall also have authority to seek or assess civil or criminal penalties of at least \$1,000 a day for each violation by industrial users of required pretreatment standards and requirements. In addition to the civil penalties provided herein, BPUC may recover reasonable attorney fees, court costs, court reporter fees and other expenses of litigation by an appropriate action against the person found to have violated this chapter or the orders, rules, regulations and permits issued hereunder;

Subd. 2. Falsifying and Tampering. No person shall knowingly make a false statement, representation or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Section or tamper or render inaccurate any monitoring device required under this Section.

Subd. 3. Penalties. Any person violating any of the provisions of this Section is guilty of a misdemeanor.

Subd. 4. Fines. The BPUC may also establish fines for any person violating the local limits established in Subsection 700.09. The BPUC shall annually review and establish the

amount of the fines. Fines shall be considered punitive to encourage compliance and will not be based on actual damages. Fines shall be assessed for a violation upon the recommendation of the Public Utilities Director and confirmation by the BPUC.

700.27 Determination and Levying of User Charges. Subdivision 1. Charge Levied. For the purpose of providing funds to meet the costs of operating the City's sewer collection and conveyance system and wastewater treatment plant and the facilities connected therewith, and the payment of capital charges represented by bond, certificates of indebtedness, or otherwise, which may be issued to finance the cost of additional treatment facilities, and the payment of reasonable requirements for replacement and obsolescence thereof, there is hereby levied and assessed upon each lot, parcel of land, building, or premises having any connection with the City's public sewer system, or otherwise discharging sewage, industrial wastes, water, or other liquids directly or indirectly into the public sewer system of the City, a sewer rental charge as hereinafter provided.

Subd. 2. Basis of Charge. The sewer rental to be so charged against any property within the city of the general municipal user category shall be based upon the quantity of water used at each lot, parcel of land, building, or premises as the water is measured by the water meter or meters there in use. Industrial or other users which discharge flows with concentration in BOD, SS, or other components that affect the treatment process and costs shall be charged a sewer rental which appropriately covers such additional costs.

Subd. 3. Discharge of Non-City Water into System. In the event any lot, parcel of land, building, or premises discharging sanitary sewage, industrial wastes, water, or other liquids into the sanitary sewer system of the City either directly or indirectly, is supplied in whole or in part with water not obtained from the City, the owner or occupant of such property shall cause to be installed, necessary metering equipment as approved by the Public Utilities Director to measure the quantity of water pumped or used and the sewer rental charge shall be based on the quantity of water so measured. Whenever the owner, lessee, or occupant fails to install such metering equipment, or where it is not practicable to measure the water consumed on any premises by a meter or meters, the Public Utilities Director shall cause to be determined in such manner and by such methods as may be practicable, considered conditions and attendant circumstances in each case, the estimated volume of water from private sources which discharge into the sanitary sewer system, and such estimate shall be used in lieu of the meter volume of water from private sources to determine the sewer rental charge thereon and therefore.

Subd. 4. Unit Costs. The BPUC shall annually determine and fix the unit costs for use of the sewer system on the basis of flow (including Infiltration/Inflow) BOD, SS and any other pollutant, taking into consideration the cost of treatment of such sewage, and may increase or decrease such unit cost as often and in such amounts as may reasonably be required to accomplish the purpose of this Section.

Subd. 5. Billings. The Public Utilities Director shall compute the amount due for sewer user charges and render a statement thereof, at periodic intervals, as directed by the BPUC to the owner or occupant of any premises using the facilities. All amounts due thereunder shall be payable at the office of the secretary of the BPUC of the City or other designated locations.

Subd. 6. Audits. The BPUC shall once each year provide an internal audit report that will address specific areas of concern including the need to generate sufficient revenue through user charges to cover total O & M costs, the necessity of maintaining a proportionate system of user charges pursuant to 40 CFR 35 935 13 (b) and the need to review the replacement account to determine its proper level of funding.

Subd. 7. Service Outside City: Charges and Control. Property outside the City Limits which is served by and uses the sanitary sewer system shall pay the same amount of sewer rental as prescribed in the above unit costs for property inside the City Limits. Additional costs may be applied for providing such service to properties outside the City Limits if such extra costs are specifically related to serving those properties. Charges for sewer service to property outside the City Limits, which is served by a collection system maintained by another governmental subdivision shall be the subject of agreements between the City and such other governmental subdivision, such agreement to be approved by the BPUC and the City Council.

a) If another municipality, or User located within another municipality, contributes wastewater to the BPU plant, the Public Utilities Director shall enter into an intermunicipal agreement with the contributing municipality.

b) Prior to entering into an agreement required by paragraph a, above, the Public Utilities Director shall request the following information from the contributing municipality:

(1) A description of the quality and volume of wastewater discharged to the BPU plant by the contributing municipality;

(2) An inventory of all Users located within the contributing municipality that are discharging to BPU's plant; and

(3) Such other information as the Public Utilities Director may deem necessary.

c) An intermunicipal agreement, as required by paragraph a, above, shall contain the following conditions:

(1) A requirement for the contributing municipality to adopt a sewer use ordinance which is at least as stringent as this ordinance and Local Limits. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to the City of Brainerd's ordinance or Local Limits;

(2) A requirement for the contributing municipality to submit a revised User inventory on at least an annual basis;

(3) A provision specifying which pretreatment implementation activities, including individual wastewater discharge permit issuance, inspection and sampling, and enforcement, will be conducted by the contributing municipality; which of these activities will be conducted by BPU staff ; and which of these activities will be conducted jointly by the contributing municipality and BPU;

- (4) A requirement for the contributing municipality to provide the Public Utilities Director with access to all information that the contributing municipality obtains as part of its pretreatment activities;
- (5) Limits on the nature, quality, and volume of the contributing municipality's wastewater at the point where it discharges to BPU's system;
- (6) Requirements for monitoring the contributing municipality's discharge;
- (7) A provision ensuring BPU staff access to the facilities of Users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the Public Utilities Director; and
- (8) A provision specifying remedies available for breach of the terms of the intermunicipal agreement

Subd. 8. Water Bills: Sewer Service Charges. The amounts due to the BPU for sewer rental charge will be computed in accordance with the provisions of this Section and statements will be rendered at the same time and on the same bill with the City water statement. If a property supplies its own water, a bill will be rendered for sewer services only.

Subd. 9. Certification of Unpaid Charges. Nothing in this Section shall be held or construed as in any way stopping or interfering with the City's right to levy as taxes against any premises affected, any delinquent or past-due sewer rental charges. Each and every sewer rental charge levied by and pursuant to this Section is hereby made a lien upon the lot, land, or premises served, and all such charges which are on October 15 of each year past-due and delinquent, shall be certified to the County Auditor as taxes on the real estate in the manner provided by law.

Subd. 10. Civil Action. Any charges levied by and pursuant to this Section, not paid and becoming delinquent may be recovered from the occupant of the premises served in a civil action by the City in any court of competent jurisdiction, if the City elects to do so.

Subd. 11. Deposit of Funds. The monies received from the rates and charges herein established shall be deposited in the sewage disposal fund of the BPU and in accordance with any bond resolution or amendment directing their payment.

Subd. 12. Allocation of Costs. The cost to be recovered pursuant to this Section and the unit cost to be fixed by the BPUC shall be determined and allocated in each of the following categories:

- a) Category "A". Operation and Maintenance of City's Wastewater Collection, Conveyance, and Treatment Facilities. This category includes the cost of administration, operation, maintenance and replacement for the City's wastewater collection, conveyance, and treatment facilities, including sludge disposal costs, and including an amount for replacement costs of equipment and real property which shall be segregated in a separate fund.

Replacement costs are expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

- b) Category "B". Industrial Pretreatment Charge. An industrial pretreatment charge is imposed upon all industrial units subject to national or local industrial pretreatment requirements. The industrial pretreatment charge shall be the amount necessary to recover administrative costs associated with permitting and monitoring the discharge of industrial wastewater into the City's wastewater disposal system. The BPUC may adopt charges and fees in this category which may include:
 - 1) Fees for reimbursement of costs of setting up and operating the City's pretreatment program;
 - 2) Fee for monitoring, inspections, and surveillance procedures;
 - 3) Fees for reviewing accidental discharge procedures and construction;
 - 4) Fees for reviewing permit applications;
 - 5) Fees for filing appeals;
 - 6) Other fees as the BPUC may deem necessary to carry out the requirements contained herein.
- c) Category "C". Connection Charge. A connection charge is imposed upon all users in an amount necessary to recover administrative and sewer billing costs. The connection charge shall be levied on each user on an equal basis and shall be a charge imposed in addition to the Category 'A' and Category 'B' charges. Allocation of costs to be recovered by the connection charge shall be determined by the BPUC and may include those costs attributable to wastewater collection and treatment but not directly related to unit charges for flow, BOD, and SS.

Subd. 13. Industrial Users Charge. The Category "A" industrial user charges for administration, operation, maintenance, and replacement of the wastewater collection conveyance, and treatment facilities shall be determined as follows:

- a) Unit costs for flow, BOD, and SS shall be calculated by apportioning each category cost to flow, BOD, and SS, and then dividing each cost so apportioned by the total estimated flow, BOD, and SS to be received at the wastewater treatment plant in that year.
- b) Industrial user charges shall be the sum of the procedures obtained by multiplying the unit costs as determined above by the user's actual flow, BOD, and SS during the billing period. However, in no case shall the charge be less than that determined by applying the prevailing domestic flow rate charge to the user's actual flow. In addition to the charges provided for herein, the

BPUC may impose a surcharge on any industrial user pursuant to the requirements herein before or based on some other pollutant loading factor which requires special treatment at the wastewater treatment plant.

- c) Industrial sewer service charges will include user charges and may also include the annual interest and principal costs necessary to retire any bonds issued to pay for construction with such debt retirement costs to be determined and allocated in same manner as described for annual operating costs herein before.

(Amended Ord. 837 – 1985, Ord. 1046 – 1998)

Subd. 14. Measurements of Strength and Volume. When required by the Public Utilities Director, each industrial user shall install suitable measuring, sampling, and analyzing devices in compliance with the sewer use code, as required hereinbefore. The Public Utilities Director shall not require installation of such devices where the industrial user has concentrations of BOD, and suspended solids no greater than the concentrations of such constituents in the general municipal flow and a satisfactory method and access exist for sampling and determining the total daily sewage flow. In such cases, the charges to those industrial users shall be based on the flow rate as determined and on BOD, and SS loads equal to the average load of the general municipal flow. Each industrial user required by the Public Utilities Director to install and maintain sewerage monitoring facilities shall submit to the Public Utilities Director a monthly report of daily flow, BOD, and SS, on a form approved by the Public Utilities Director. This report shall be used for billing purposes and shall be submitted prior to the 15th day of the subsequent month. The Public Utilities Director shall have the right to periodically or continuously inspect the monitoring facilities, to measure, sample, and analyze the user's flow and to analyze the samples obtained by the industrial user. In the event of any discrepancy between the flows or loads determined by the Public Utilities Director and the industrial user, the values determined by the Public Utilities Director shall be used for billing purposes. All measurements, tests, and analysis of the characteristics of sewage concentration shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association and shall be determined at the control manhole provided or upon suitable samples taken at said manhole. In the event that no special manhole is available, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. A 24-hour composite sample of the sewage shall be taken by the Public Utilities Director at least once each year on those customers being assessed a surcharge for the purpose of verifying sample results.

Subd. 15. Charges for Non-Industrial Users. The Category "A" charge for general users for this Section shall be determined as follows: unit costs for flow, BOD, SS shall be calculated by apportioning the total annual cost of Category A to Flow, BOD, and SS. The general users charge shall be the sum of the products obtained by multiplying the unit costs as determined above by the flow, BOD, and SS loadings of 1000 gallons of domestic wastes. The charges to domestic users shall be the product of the unit cost obtained in accordance with paragraph one above and the quantity of water used by such user as measured by the City water meter on the premises. The charges to commercial users with BOD and SS concentrations equal to or less than domestic wastes shall be the product of the unit cost obtained in accordance with paragraph one above and the quantity of water used by such user as measured by the City water meter on the premises. The charges to institutional users with BOD and SS concentrations equal to or less than domestic wastes shall be the product of the unit cost obtained in accordance with paragraph

one above and the quantity of water used by such user as measured by the City water meter on the premises. The charges to governmental users with BOD and SS concentrations equal to or less than domestic wastes shall be the product of the unit cost obtained as described above and the quantity of water used by such user as measured by the water meter on the premises. In the event a general municipal user is not supplied with City water or the water so used is not measured, the user charge shall be fixed and determined by the Public Utilities Director in such methods as it may find just, equitable, and practicable. In the event sewer service is disconnected by the City during any quarter for any reason, the sewer service charge shall be reduced proportionately in the same manner that water service rates are reduced. If a substantial portion of the water utilized by any user is not discharged into the sewer system, the volume of such water shall be deducted in computing the sewer use charge provided a separate meter is installed to measure such volume. The user desiring to install such separate meter shall make application and payment for the meter to the Public Utilities Director and engage, at its own expense, a plumber to effect the necessary piping changes and install the couplings so the meter can be set. Non-industrial sewer service charges will include user charges and may also include the annual interest and principal cost necessary to retire any bonds issued to pay for construction with such debt retirement costs to be determined and allocated in the same manner described for annual operating costs hereinbefore.

(Amended Ord. 837 – 1985, Ord. 1046 – 1998)

Subd. 16. Control Structure. When required by the Public Utilities Director the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control structure, together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of wastes. The structures and equipment when required shall be constructed at the owner's expense in accordance with plans approved by the Public Utilities Director and shall be maintained by the owner so as to be safe and accessible at all times. Refer to Subdivision 2 of 700.21 for specific requirements for a control structure (monitoring point).

Subd. 17. Measurement, Tests, Standard. All measurements, tests, and analyses of the characteristics of water and wastes to which reference is made in this Section shall be determined in accordance with 40 CFR 136 (Guidelines Establishing Test Procedures for Analysis of Pollutants): the latest edition of Standard Methods for the Examination of Water and Wastewater, and shall be determined at the control structure provided, or upon suitable samples taken at said control structure in the event that no special structure has been required, the control structure shall be construed to be the nearest downstream manhole in the public sewer from the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards of life, limb and property. (The particular analyses involved will determine whether a 24-hour composite of all outfalls of a premises is appropriate, or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24hour composite of all outfalls whereas pHs are determined from periodic grab samples.)

Subd. 18. Other Test. The Public Utilities Director may conduct such tests as are necessary to enforce this regulation, and employees of the BPU may enter upon any property for the purpose of taking samples, obtaining information or conducting surveys or investigations relating to such enforcement. Entry shall be made during operating hours unless circumstances require otherwise. In all cases where tests are conducted by the Public Utilities Director for the

purposes of checking to determine if a previously found violation of this Section has been corrected, the cost of such tests shall be charged to the user or added to the user's sewer charges. In those cases where the Public Utilities Director determines that the nature or volume of a particular user's sewage required more frequent than normal testing, the Public Utilities Director may charge such user for the tests, after giving the user ten days written notice of its intention to do so, and the cost thereof shall be added to the user's sewer charge. In any case where industrial wastes are discharged to a public sewer, the Public Utilities Director may require the user at its own expense to test the discharge on a regular basis and to report the test results to the Public Utilities Director within a reasonable time. All such tests shall be as ordered by the Public Utilities Director and shall be conducted by qualified personnel in accordance with the standards set out in this Section. Refer to Subsection 700.21 for the specific requirements for sampling and testing for industries with discharge permits.

(Amended Ord. 1046 – 1998)



City Council Agenda Request

MEETING DATE: March 4, 2024

TITLE OF ITEM: Consider Conditional Use Permit for a Child Care Facility at 418 8th Ave NE

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: James Kramvik, Community Development Director

DEPARTMENT: Community Development

PRESENTER: James Kramvik, Community Development Director

ESTIMATED TIME (MIN): 5 min

SUMMARY OF ISSUE:

Tri-County Community Action (TCC) on behalf of Bethlehem Evangelical Lutheran Church has submitted a request for a Conditional Use Permit to operate a commercial child care facility at 418 8th Ave NE. TCC requests to operate two Early Head Start Classrooms at this location. The total enrollment at this time will be 16 children, 8 in each room, with 3 staff in each room. The property is located in the Traditional Neighborhood 1 (TN-1) zoning district which requires a Conditional Use Permit to operate a commercial child care facility.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

The applicant stated that they currently have a waiting list of seventy-two children waiting to get into their program and there is a huge childcare deficit in our area. They are hoping to build on what they have going on already and offer additional spots for families.

No one from the public spoke at the public hearing other than the applicant.

Commissioners Norwood and Grunenwald stated that they strongly support the Conditional Use Permit.

Commissioner Norwood, seconded by Commissioner Stenglein, recommended approval of the Conditional Use Permit at 418 8th Ave NE with the attached conditions. The motion was approved unanimously.

RECOMMENDED ACTION/MOTION: Recommend approval of the Conditional Use Permit for a child care facility with two classrooms with a total of 16 children at 418 8th Ave NE with the following conditions:

- 1) Approved inspections and reviews by the Fire Marshal and Building Official prior to operation.
- 2) The 6-foot privacy fence slats shall be earth-tone in color and approved by the Community Development Director.

FINANCIAL IMPACT: N/A

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: February 21, 2024

RE: Consider Conditional Use Permit for a Day Care Facility at 418 8th Ave NE

INTRODUCTION

Tri-County Community Action (TCC) on behalf of Bethlehem Evangelical Lutheran Church has submitted a request for a Conditional Use Permit to operate a Commercial Day Care Facility at 418 8th Ave NE, Brainerd, MN 56401.

PUBLIC HEARING. Conditional Use Permit

CONTEXT

Parcel Number: 41191875

Zoning District: Traditional Neighborhood 1 (TN-1) District

Property Area: Approximately 2.62 acres

Adjacent Uses: North: Car Wash & Single-Family Residence
East: Car Dealership
South: Area Education Center
West: Commercial Retail & Dining

Adjacent Zoning: North: Traditional Neighborhood 1 (TN-1) District
North: Traditional Neighborhood 2 (TN-2) District
East: General Commercial (GC) District
South: General Commercial (GC) District
West: General Commercial (GC) District

AERIAL MAP



FINDINGS OF FACT

1. The property at 418 8th Ave NE Brainerd, MN 56401 is in the Traditional Neighborhood 1 (TN-1) zoning district. Zoning Ordinance [515-3 Allowed Uses. Appendix A: Table of Uses](#) allows for Commercial Day Care Facilities as a Conditional Use in the TN-1 District.
2. According to [Section 515-3-14 Commercial Day Care Facilities](#), Day care facilities shall be allowed as a principal use, provided that the day care facilities meet all the applicable provisions of this Section:
 - A. Lot Requirements and Setbacks. The proposed site for a day care facility must have a minimum lot area as required by the applicable Base Zoning District in which it is located and as determined by the Minnesota Department of Health and Human Services. The City Council may increase the required lot area in those cases where such an increase is considered necessary to ensure compatibility of activities and maintain the health, safety, and general welfare of the public. The day care facility must meet the minimum setback requirements of the respective Base Zoning District. The City Council may increase setback requirements if considered necessary to ensure compatibility.
 - i. *The TN-1 zoning district has a lot size minimum of 5,000 SQFT. The total area for Bethlehem Evangelical Lutheran Church is approximately 2.62 acres. The*

location of the proposed classrooms and outdoor play area meets the required setbacks of the TN-1 district along Mill Avenue which requires a side yard (corner) setback of 15 feet. The exact setback along Mill Avenue cannot be determined without a certificate of survey.

- B. Sewer and Water. All day care facilities shall have access to municipal sewers and water or have adequate private sewers and water to protect the health and safety of all persons who occupy the facility.
 - i. *The parcel in question at 418 8th Ave NE is connected to city sewer and water.*
 - C. Screening. A day care facility shall provide screening along any shared property boundaries, regardless of adjacent use.
 - i. *Staff's interpretation of this requirement is for the screening of outdoor play equipment and uses. The proposed childcare facility will install a 6-foot fence with privacy slats to screen the outdoor play area. The outdoor play area will be located on the south side of the building as indicated on the site plan and will be additionally screened by existing trees.*
 - D. Parking. There shall be off-street parking located separately from any outdoor play area and must comply with all applicable standards.
 - i. *The Applicant does not propose a play area on the parking lot. Additionally, the TN-1 zoning district does not have a minimum off-street parking requirement for the proposed use. The proposed day care facility will share the parking lot with the church and peak usage for day care parking and church parking will occur at opposite times of the day and week. The current facility has approximately 76 spaces.*
 - E. Loading. Off-street loading spaces must be provided.
 - i. *The existing parcel has multiple spaces for child drop off and pick up. There will be no impact on surrounding streets.*
 - F. Signage. All signing and informational or visual communication devices shall be in compliance with the provisions of Section [515-3-35] of this Ordinance.
 - i. *No signage is currently proposed in the plan documents submitted to the community development department at this time. Future signage requires a permit and will be in compliance with Section 515-3-35.*
 - G. Compliance with State Requirements. The building and operation shall be in full compliance with State of Minnesota, Department of Health and Human Services regulations and be licensed accordingly.
 - i. *The operation of a Day Care Facility regardless of location is dependent on the issuance of a certificate of occupancy, which is not issued unless the business can demonstrate their adherence to all state Department of Health and Human Services standards. Thus, their licensing and compliance will be met before any operations occur at the proposed parcel.*
3. **Criteria for Granting Conditional Use Permits.** In granting a Conditional Use Permit, the City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety, morals and general welfare of occupants or surrounding lands. Among other things, the City Council shall make the following findings where applicable.

- A. The proposed use conforms to the Zoning District and is a permitted Conditional Use identified on Appendix A: Table of Uses.
 - i. *In accordance with the City of Brainerd Zoning Code Table of Uses, a day care facility is a permitted conditional use for parcels in the Traditional Neighborhood 1 (TN-1) Zoning District.*
- B. The proposed use meets the regulations and standards established in this Ordinance.
 - i. *The TN-1 Zoning District must meet the coverage and principal building standards as defined in [Zoning Code Section 515-2-8.C](#).*
 - 1. *The applicant does not propose an expansion to the building or parking lot.*
 - 2. *The proposed outdoor play area meets all setback requirements of the TN-1 District. The six-foot chain link fence will not protrude further towards Mill Avenue than the façade of the building as indicated in the site plan.*
- C. The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.
 - i. *The proposed Day Care Facility at 418 8th Ave NE will be conducted entirely inside the building except for the outdoor play area which is screened by a 6-foot chain link fence. Neighboring properties will not be affected by the proposed use as the outdoor play area is adjacent to Mill Avenue and Washington Street.*
- D. The proposed use shall be sited, oriented, and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
 - i. *The plans as presented demonstrate no changes to the orientation of the building or landscaping. Staff is recommending that the privacy slats for the chain link fence be earth tone in color.*
- E. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
 - i. *The submitted plans include no changes to the existing building's visual impression thus retaining its consistency with the neighborhood.*
- F. The proposed use shall organize vehicular access and parking to minimize traffic congestion in a residential neighborhood.
 - i. *The attached 76 car parking lot and loading zone will accommodate the traffic presented by this use.*
- G. The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the [Comprehensive Plan](#).
 - i. *Land Use - GOAL 3: Support and invest in the incremental enhancements of quality of life. Policy 2: Encourage and attract stores and services for the daily needs of our community.*
 - 1. *The City of Brainerd and the surrounding communities are in need of childcare. There is currently a childcare shortage in the region. The proposed day care center capable of hosting 16 children would help offset this burden for parents unable to find a place for their children.*

Further, this child care facility would add additional jobs to this community.

- ii. *Economic Development – GOAL 1 : Support infill and redevelopment throughout Brainerd as a strategic component of growth. Policy 1: Drive infill development and redevelopment towards areas where current infrastructure is present, or places where high levels of blight or disinvestment exists.*
 - 1. *This property is an existing fixture in its neighborhood that has access to all city utilities. The proposed childcare facility would allow an additional use to be conducted within the building.*
- iii. *Economic Development - GOAL 2: Support our workforce and help them thrive. Policy 1: Collaborate with local partners and stakeholders to address industry workforce needs, creating a career and education pathway for residents of all ages.*
 - 1. *The shortage of childcare in the region is a concern for businesses and the workforce in the region. This project by TCC helps address a major need in the community.*

4. **Section 515-2.B.7 Conditions.** In reviewing applications for conditional use permits, the City may attach whatever reasonable conditions are deemed necessary to mitigate anticipated adverse impacts associated with the proposed use, to protect the value of property within the Zoning District, and to achieve the goals of the City’s Comprehensive Plan. In determining such conditions, special consideration shall be given to protecting nearby properties from objectionable views, noise, traffic, and other characteristics associated with such uses. Such conditions may include, but are not limited to, the following:

As of this writing, no parties have contacted the Community Development Department for more information on the Conditional Use Permit application for the proposed Commercial Day Care Facility at 418 8th Ave NE.

TCC had the Fire Marshal review the property for compliance with all Fire Code requirements. The Fire Marshal has no issues.

STAFF RECOMMENDATIONS

The Community Development Department recommends approval of the Conditional Use Permit for 418 8th Ave NE Brainerd with the following conditions.

- 1) Approved inspections and reviews by the Fire Marshal and Building Official prior to operation.
- 2) The 6-foot privacy fence slats shall be earth-tone in color and approved by the Community Development Director.

NOTICE OF HEARING

Notice is hereby given that Tri-County Community Action (TCC) on behalf of Bethlehem Evangelical Lutheran Church has submitted a request for a Conditional Use Permit to operate a Commercial Day Care Facility at 418 8th Ave NE. Brainerd, MN 56401. The property included in this application is described as:

*THAT PORTION OF THE SW1/4 OF SE1/4 DESC. AS
FOL: BEG. AT A POINT ON THE N. LINE OF SAID
SW1/4 OF SE1/4, 224 FT E. OF THE NW CORNER
THEREOF, THEN E. 300 FT ALONG SAID N. LINE,
THEN S. PARALLEL WITH THE W. LINE OF SAID
SW1/4 OF SE1/4 TO THE N'LY LINE OF STATE HWY
#210, THEN SW ALONG THE N'LY LINE OF STATE
HWY #210 TO A POINT DIRECTLY S. OF THE POINT
OF BEG, THEN N. PARALLEL WITH
THE W. LINE OF SAID SW1/4 OF SE1/4 TO THE
PLACE OF BEG. EX. HWY. SUBJECT TO HWY
EASEMENT OF RECORD. EXCEPT PART TO STATE OF
MINN. SHOWN AS PARCEL 312 ON MINN. DEPARTMENT
OF TRANSPORTATION ROW PLAT #
18-22 ON FILE IN THE CO. RECORDERS OFFICE.*

*Parcel #: 41191875
Section 19, Township 45, Range 30*

The property is zoned Traditional Neighborhood One (TN-1) District, and Zoning Ordinance Section 513-3 Appendix A Table of Uses allows Commercial Day Care Facilities as a conditional use in the TN-1 District. A copy of the proposed site plan is on file for review at the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, February 21st, 2024, in the Council Chambers at Brainerd City Hall, 501 Laurel Street, to consider the Conditional Use Permit request.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2307.

Dated this 06 day of February, 2024



James L. Kramvik
Community Development Director

Publication Date: February 10, 2024

**Community Development Department**

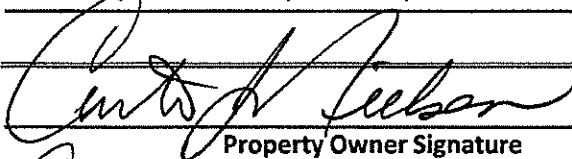
City Hall—501 Laurel Street Brainerd, MN 56401

218-828-2307

www.ci.brainerd.mn.us

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

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

PROPERTY ADDRESS: 418 8th Ave. NELEGAL DESCRIPTION: Lot(s): _____ Block: _____ Addition: _____
(attach description if lengthy)Property Owner Name: Bethlehem Evangelical Lutheran ChurchStreet Address: 418 8th Ave. NE city: Brainerd State: MN Zip Code 56401Phone Number: 218-829-3330 Fax: _____ E-mail: _____Applicant Name: (If different than Property Owner) Jessica Martinson, Tri-County Community ActionStreet Address: 2410 Oak Street city: Brainerd State: MN Zip Code: 56401Phone Number: 320-630-1290 Fax: _____ E-mail: jessica.martinson@tccaction.comDescription of Request: We are requesting to operate 2 Early Head Start Classrooms (childcare rooms) at this location.The total enrollment at this time will be 16 children, 8 children in each room. There will be 6 staff, 3 in each room.We will need room for approximately 16 vehicles during drop off and pick up. Operating hours will be 6 am to 6 pm.There will be a 6 foot screened fence added for a outdoor playground (see map) with mobile play equipment.The Early Head Start (childcare) rooms will not be in session when church services are being held.

Property Owner Signature

Curtis J. Nielsen, Treasurer

(Please print name)



Applicant Signature

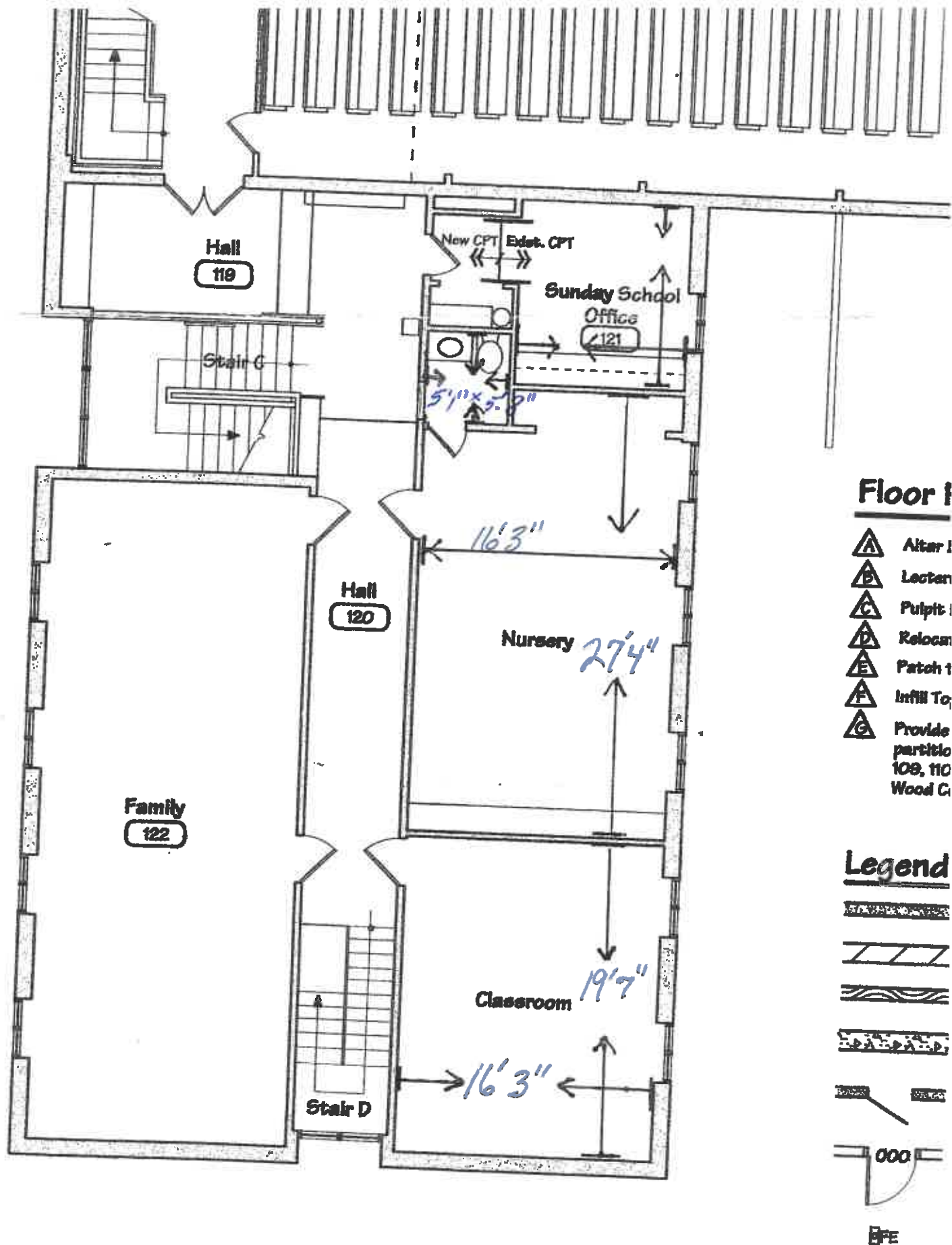
Jessica Martinson

(Please print name)

2/5/2024
Date01/17/2024

Date

(OVER)



2
A3

Main Level Floor Plan

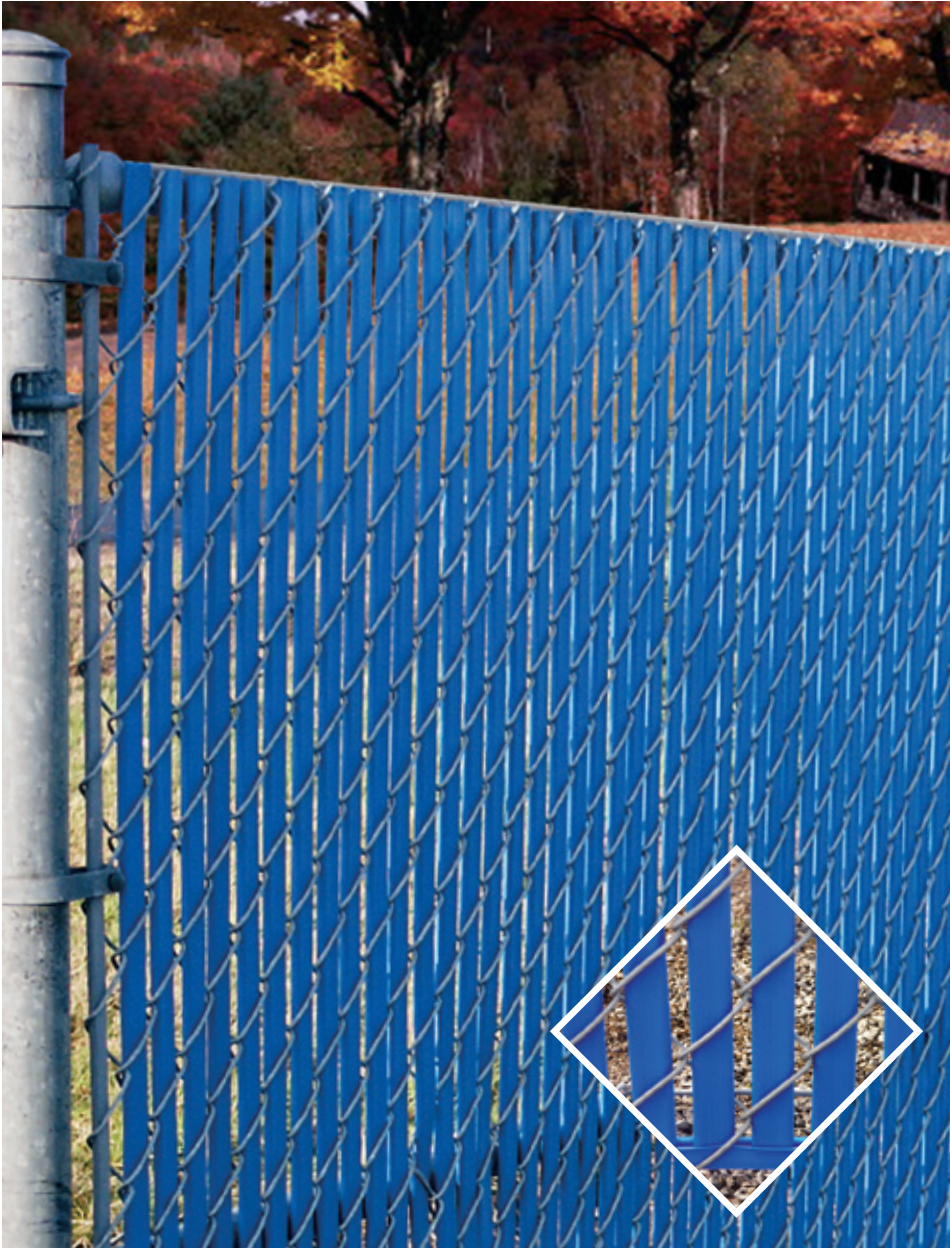
SCALE: 1/8" = 1'-0"



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Date: 1/2/2024 Time: 10:32 AM

Bottom Lock



The bottom-lock slat provides an economical and attractive way to enhance any chain link fence.

Pexco is the largest manufacturer of Bottom-Locking Slats, which are marketed under the PDS® brand name. With over 40 years of experience extruding this product and an exclusive, proprietary, locking design, you can be assured of the highest standards in quality—from the raw materials used in manufacturing to the finished product in your fence.

Design

Bottom-lock slats are flat and tubular in shape, with reinforced “legs” inside for extra durability. Our proprietary locking channel provides a “snap-in” locking effect for security and to deter vandalism.

Standard Heights

4, 5, 6, 7, 8, 10 and 12 feet. Special heights available upon requests.

Wind Load and Privacy Factor

Approximately 75%.

Slat Length

3½" shorter than overall height of fence.

Colors*



* Exact representation of slat colors in printing is difficult. Please refer to actual color samples for final matching.

Covered by one or more of the following patents: US Patent 6,068,243 / 5,165,664 / 5,234,199



PDS® is a registered trademark of Pexco.

Bottom Lock Product Specifications



Slat Type	Slat Width	Mesh Size	Wire Gauge	Slats Per Bag	Approx. Coverage Per Box
Bottom Lock 2"	1 ³ / ₃₂ "	2"	8, 9 or 11	82	10 linear feet
Bottom Lock 2¼"	1¼"	2¼ or 2 ³ / ₈ "	11½ or 12½	78	10 linear feet
Bottom Lock 1¾"	7/ ₈ "	1¾"	8, 9 or 11	100	10 linear feet
	7/ ₈ "	2"	6	100	10 linear feet

Materials

The Bottom Lock product is extruded from High Density Polyethylene (HDPE), color pigments and ultra violet (UV) inhibitors, specifically designed to retard the harmful effects of the sun and lengthen the life of the product.

Durability

Pexco PDS® HDPE Fence Products are resistant to: severe weather conditions, salt water, sand, road dirt, most acids, alcohol, alkaline, ammonia, petroleum distillates and common environmental pollutants.

Maintenance

Pressure cleaning of surface contaminants is quickly accomplished with plain water.

Wind load Disclaimer

Pexco will not be responsible for fence damage resulting from wind load conditions due to insufficient structural support.

Limited Warranty

Bottom Lock carries a 25-year, pro-rata warranty against breakage under normal conditions. Write Pexco for full warranty information.

HDPE Technical Properties

Property	Value
Melt Index	(.6) A low melt index indicates improved stress and crack resistance.
Density	(.957) Polyethylene ranges anywhere from .914 to .960 in density. A higher density yields maximum stiffness without becoming overly brittle.
Minimum Temp.	(-76° F) Polyethylene stays flexible even at this temperature extreme.
Maximum Temp.	(250° F) Polyethylene does not distort until reaching this temperature.
Tensile Strength	(3,700 psi) Material will not suffer distortion at lesser loads or impacts.

Installation Instructions

Step 1



Insert rail horizontally in first full diamond at bottom of fence with open side facing up.

Step 2



Insert vertical slats with beveled/notched end downward. Slat engages and interlocks with bottom rail.

Step 3

Push the vertical slat into the horizontal channel to lock-in place.



Pexco Tacoma
Tacoma, WA
800.822.SLAT
(7528)

Pexco Athol
Athol, MA
800.755.SLAT
(7528)

www.pexco.com/fence

Contact your local fence professional for more information about our complete line of enhancement products.





City Council Agenda Request

MEETING DATE: March 4, 2024

TITLE OF ITEM: Consider Conditional Use Permit Amendment for a 12-plex Apartment at PID 41040887

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: James Kramvik, Community Development Director

DEPARTMENT: Community Development

PRESENTER: James Kramvik, Community Development Director

ESTIMATED TIME (MIN): 5 min

SUMMARY OF ISSUE:

Vicky Kinney has submitted a request on behalf of My Neighbor to Love Coalition for a Conditional Use Permit Amendment for parcel 41040887, which is located between (NW 3rd St and NW 2nd St) and (Jackson St and James St.). The purpose of this Conditional Use Permit request is to construct a residential 12-unit multifamily apartment building consisting of two 2-bedroom units and ten studio apartment units. The original proposed 12-unit apartment approved as a Conditional Use contained eight 430 square foot efficiency units, two 910 square foot two-bedroom units, and two 1,040 square foot three-bedroom units. The unit adjustment changed the floor plan and design of the building. The parking lot has also been reduced in size to accommodate 14 parking spaces and 2 handicap spaces, which meets the recently revised off-street parking ordinance.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

A public hearing was conducted at the February 21st Planning Commission meeting and no one other than the applicant spoke.

Commissioner Duval asked the applicant if there was going to be any lighting added to the property. The applicant stated that there may be some building lighting or path lighting. Commissioner Duval added a recommendation to the CUP to address future lighting concerns.

Commissioner Duval stated that he really liked the visual interest of the previous design and the more diverse housing option in the apartment. The applicant stated that this was done to reduce costs and fulfill the needs of the community after speaking with social services. Commissioner Duval stated that he has concerns about the potential future of the building based on the new layout as the three bedroom units would have added diversity to the building. The applicant stated that they would like to build duplexes across the street to house families, as duplexes could be constructed more cost-effectively than a commercial apartment building. Commissioner Duval also would like staff to work with the applicant to create a diverse tree mixture.

Staff added a recommended condition that prior to the City Council meeting, the applicant provides a

revised site plan that meets the front yard setback requirement without reducing the number of trees in the front yard. The applicant has provided updated plans to meet this requirement.

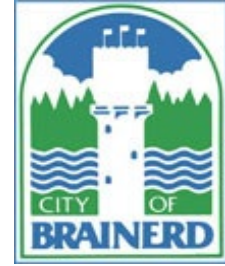
Commissioner Duval motioned, seconded by Commissioner Stenglein, to recommend approval of the Conditional Use Permit Amendment for the construction of a 12-unit multifamily apartment at PID 41040887, with the condition that any additional lighting conform to the outdoor lighting ordinance.

RECOMMENDED ACTION/MOTION:

Recommend approval of the Conditional Use Permit Amendment for the construction of a 12-unit multifamily apartment at PID 41040887, with the condition that any additional lighting conforms to the outdoor lighting ordinance.

FINANCIAL IMPACT: N/A

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: February 21, 2024

RE: Consider Conditional Use Permit Amendment on NW 3rd St for the Construction of a 12-Unit Multi-Family Apartment Building

INTRODUCTION

Vicky Kinney has submitted a request on behalf of My Neighbor to Love Coalition for a Conditional Use Permit Amendment for parcel 41040887 which is located between (NW 3rd St and NW 2nd St) and (Jackson St and James St.). The purpose of this Conditional Use Permit request is to construct a residential 12-unit multi-family apartment building consisting of two 2-bedroom units and ten studio apartment units.

PUBLIC HEARING. Conditional Use Permit Amendment

CONTEXT

Parcel Number: 41040887

Zoning District: Traditional Neighborhood 2 (TN-2) District

Property Area: 53,700 SQFT

Adjacent Uses: North: Vacant Land
East: Single-Family Residential
South: Proposed Boarding House and Health Club (Vacant)
West: Vacant Land & Multi-Family Residential

Adjacent Zoning: North: TN-2 (Traditional Neighborhood 2) District
East: CN-1 (Contemporary Neighborhood 1) District
South: TN-2 (Traditional Neighborhood 2) District
West: TN-2 (Traditional Neighborhood 2) District

AERIAL MAP



FINDINGS OF FACT

1. **PID 41040887** is located in a TN-2 (Traditional Neighborhood 2) District. Zoning Ordinance [Section 515-3 \(Allowed Uses\) Appendix A: Table of Uses](#) permits the construction of multi-family attached dwelling units (5+ Units) as a conditional use in the TN-2 District.
 - a. *The applicant proposes the construction of a 12-unit apartment that has 10 studio units and 2 two-bedroom units. The complex will also contain a laundry room for resident use and a common room.*
 - b. *The original proposed 12-unit apartment approved as a conditional use contained eight 430 SQFT efficiency units, two 910 SQFT two-bedroom units, and two 1,040 SQFT three-bedroom units.*
2. According to [Section 515-6-2.C.8 Definitions of Use, Standards and Terms](#) the definition of a Multi-family Dwelling is a building designed with five (5) or more dwelling units exclusively for occupancy by five (5) or more families living independently of each other. Such buildings may have common hallways and main entrances or have private entrances. Multi-family buildings may include, but not be limited to, efficiency units, one-bedroom, two bedroom, and three-bedroom units.
 - a. According to [Section 515-4-2.C.1](#) Multiple family dwelling units shall have the following minimum floor area per unit:

- i. Efficiency Units 400 square feet
 - ii. Two Bedroom Units 700 square feet
 - iii. More than Two Bedroom Units An additional 100 square feet per bedroom
 - 1. *The applicant is proposing ten (400 SQFT) efficiency units and two (700 SQFT) two-bedroom units. All units meet the size requirements of the zoning code.*
- 3. [Table 515-2-9.1. TN-2 Dimensional Standards – Density, Lot Size, Coverage and Height Standards](#)
 - a. Lot Size (minimum) – 4,000 SQFT
 - b. Density (range) - 9 – 20 DU/AC (20+ DU/AC requires CUP)
 - c. Front Yard Setback (range) – 0’ – 20’ if Commercial
 - d. Side Yard Setback – 5’/10’ corner
 - e. Rear Yard Setback – 10’
 - i. *The proposed structure meets the rear and side yard setback requirements of the TN-2 District. The applicant is adjusting the site plan to meet the maximum required front yard setback of 20’.*
 - ii. *The proposed lot includes 12-units on a 53,700 SQFT property which is 9.73 dwelling units per acre. This number is within range of the density requirements of the TN-2 District.*
- 4. [Table 515-4-12.3 Parking Space Minimum](#)
 - a. Attached Single-Family Dwellings, Accessory Dwelling Units, Multi-Family and Manufactured Homes within Manufactured Home Parks: Studios = one (1) space per dwelling unit and Two (2) bedrooms = two (2) spaces per dwelling unit.
 - i. *The applicant is proposing a 12-unit apartment with 10 studio units and two 2-bedroom units which require 14 parking spaces. The proposed site plan includes 17 parking spaces with 2 handicap spaces which meets the zoning code requirement.*
- 5. [Criteria for Granting Conditional Use Permits.](#) In granting a Conditional Use Permit, the City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety, morals and general welfare of occupants or surrounding lands. Among other things, the City Council shall make the following findings where applicable.
 - a. The proposed use conforms to the Zoning District and is a permitted Conditional Use identified on the Appendix A: Table of Uses.
 - i. *Multi-family apartments are a conditional use in the TN-2 District. The TN-2 Zoning District is intended to provide for compact, pedestrian-oriented mix of residential and neighborhood-serving commercial uses.*
 - b. The proposed use meets the regulations and standards established in this Ordinance.
 - i. *There are no special standards associated with this use.*
 - c. The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.
 - i. *The structure will not be dangerous, injurious, or noxious to the surrounding properties.*

- d. The proposed use shall be sited, oriented, and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
 - i. [Per Section 515-4-10.G.2](#) One (1) shrub shall be planted for every five (5) lineal feet of parking lot perimeter that is adjacent to a public street.
 - 1. *The applicant has proposed plantings along NW 3rd St. The Planning Commission previously required parking lot screening for the East side of the parking lot. However, the parking lot has been considerably reduced in size and the applicant has proposed trees and shrubs on the East end of the property.*
 - ii. In all Contemporary Neighborhood and Traditional Neighborhood Base Zoning Districts new lots or development shall include landscape plantings as identified in Table [515-4-10.2]. A minimum of one deciduous tree shall be planted in the front yard within 10-feet of the front property line, or right-of-way line. Trees retained on site following development can be reduced from the total required plantings.
 - 1. *The proposed lot is a double frontage lot, therefore the total lot width at the right-of-way is (2 x 179 ft) = 358 ft. A total of 1 tree per each 25' is required. The lot is required to have a total of 14 trees. The applicant is proposing 18 trees with a mixture of coniferous and deciduous trees.*
 - iii. Four (4) shrubs shall be planted per dwelling unit.
 - 1. *The landscape plan meets this requirement with a total of 52 shrubs.*
- e. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
 - i. *The proposed use is consistent with the environment and the neighborhood as there are other multi-family residential structures in the neighborhood.*
 - ii. As required by [Section 515-4-2.C.2](#) Exterior Building Materials. Multi-family dwelling units shall be designed to create visual interest through a variety of materials, colors, textures, installation direction or other characteristics that create articulation either between units or floors.
 - 1. *The proposed building meets these requirements as the rendering shows a different siding pattern and color between the first and second floors.*
- f. The proposed use shall organize vehicular access and parking to minimize traffic congestion in a residential neighborhood.
 - i. *As indicated in the parking calculation section, this site will have the necessary parking spaces and there should not be an increase in traffic congestion within the neighborhood streets.*
- g. The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.
 - i. **Economic Development Goal 1:** Support infill and redevelopment throughout Brainerd as a strategic component of growth.
 - 1. **Policy 1:** Drive infill development and redevelopment towards areas where current infrastructure is present, or places where high levels of blight or disinvestment exists.

6. Conditions. In reviewing applications for conditional use permits, the City may attach whatever reasonable conditions are deemed necessary to mitigate anticipated adverse impacts associated with the proposed use, to protect the value of property within the Zoning District, and to achieve the goals of the City's Comprehensive Plan. In determining such conditions, special consideration shall be given to protecting nearby properties from objectionable views, noise, traffic, and other characteristics associated with such uses.

As of this writing, no one has contacted the Community Development Department with concerns about the Conditional Use Permit application for the 12-unit multi-family apartment.

STAFF RECOMMENDATION

Staff recommends approval of the Conditional Use Permit Amendment for the construction of a 12-unit multi-family apartment at PID 41040887.

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Vicky Kinney has submitted a request on behalf of My Neighbor to Love Coalition for a Conditional Use Permit amendment to the original Conditional Use Permit for a redesign of the original 12-plex that will now contain two 2-bedroom units and ten studio apartment units.

The property is legally described as:

Creekside Community Development Lot 1 Block 1
P.I.N. 41040887
Section 4, Township 133, Range 28

The property is zoned TN-2 (Traditional Neighborhood) District, and Zoning Ordinance Section 515-3 (Allowed Uses) Appendix A: Table of Uses permits the operation of multi-family attached dwelling units (5+ Units) as a conditional use in the TN-2 District. A copy of the site plan and architectural documents are on file for review with the Community Development Department.

A Public Hearing to consider this conditional use permit amendment will be conducted by the Brainerd Planning Commission at 6:00 p.m. on Wednesday, February 21st, 2024, in the City Council Chambers at 501 Laurel St., Brainerd, MN 56401.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2307.

Dated this 06 day of February, 2024



James L. Kramvik
Community Development Director

Publication Date: February 10, 2024



Community Development Department

City Hall – 501 Laurel Street Brainerd, MN 56401

218-828-2307

www.ci.brainerd.mn.us

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

	RESIDENTIAL	COMMERCIAL
CONDITIONAL USE PERMIT	☒ (\$350.00)	☐ (\$500.00 + \$500.00 escrow deposit)
REZONING	☐ (\$350.00)	☐ (\$500.00)
VARIANCE	☐ (\$350.00)	☐ (\$500.00 + \$500.00 escrow deposit)
ZONING TEXT AMENDMENT	☐ (\$250.00)	☐ (\$400.00)

PROPERTY ADDRESS: TBD 3rd Street, Brainerd, MN

LEGAL DESCRIPTION: Lot(s): _____ Block: _____ Addition: Parcel # 41040887
(attach description if lengthy)

Property Owner Name: My Neighbor to Love Coalition

Street Address: P.O. Box 581 City: Nisswa State: MN Zip Code: 56468

Phone Number: 218-821-7875 Fax: _____ E-mail: vicky@mntlc.org

Applicant Name: (If different than Property Owner) Vicky Kinney

Street Address: 8660 Fernmont Rd. City: Lake Shore State: MN Zip Code: 56468

Phone Number: 218-821-7875 Fax: _____ E-mail: _____

Description of Request: Amendment to our CUP: Change building design of a 12-unit apartment complex. New design will have two 2-Bedroom units and 10 efficiency units. Parking stalls will follow updated zoning code.

Vicky Kinney
Property Owner Signature

2-1-2024

Date

Vicky Kinney
(Please print name)

Applicant Signature

Date

(Please print name)

(OVER)

Description and Landscaping Plan – Multi-family 12-unit building

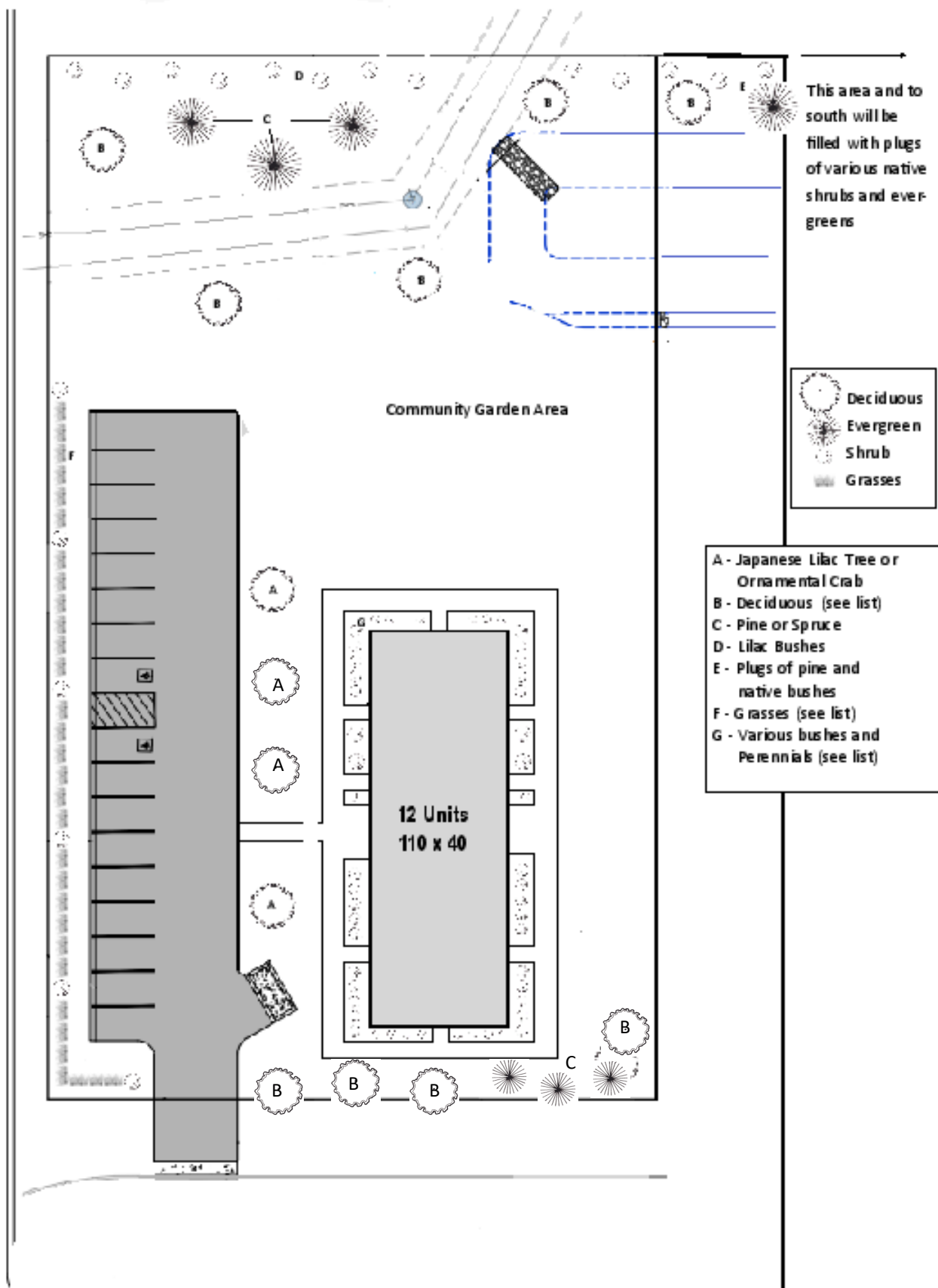
This apartment building is designed to meet the housing needs of both single adults and families, who have lower incomes. There will be 10 studio units and 2 two-bedroom units. The complex will also contain a laundry room for resident use and a common room. Six of the studio units will be on the main level while four units will be on the 2nd level. The studios are 400 square feet. The two-bedroom units are 700 square feet and on the main level.

Landscaping –

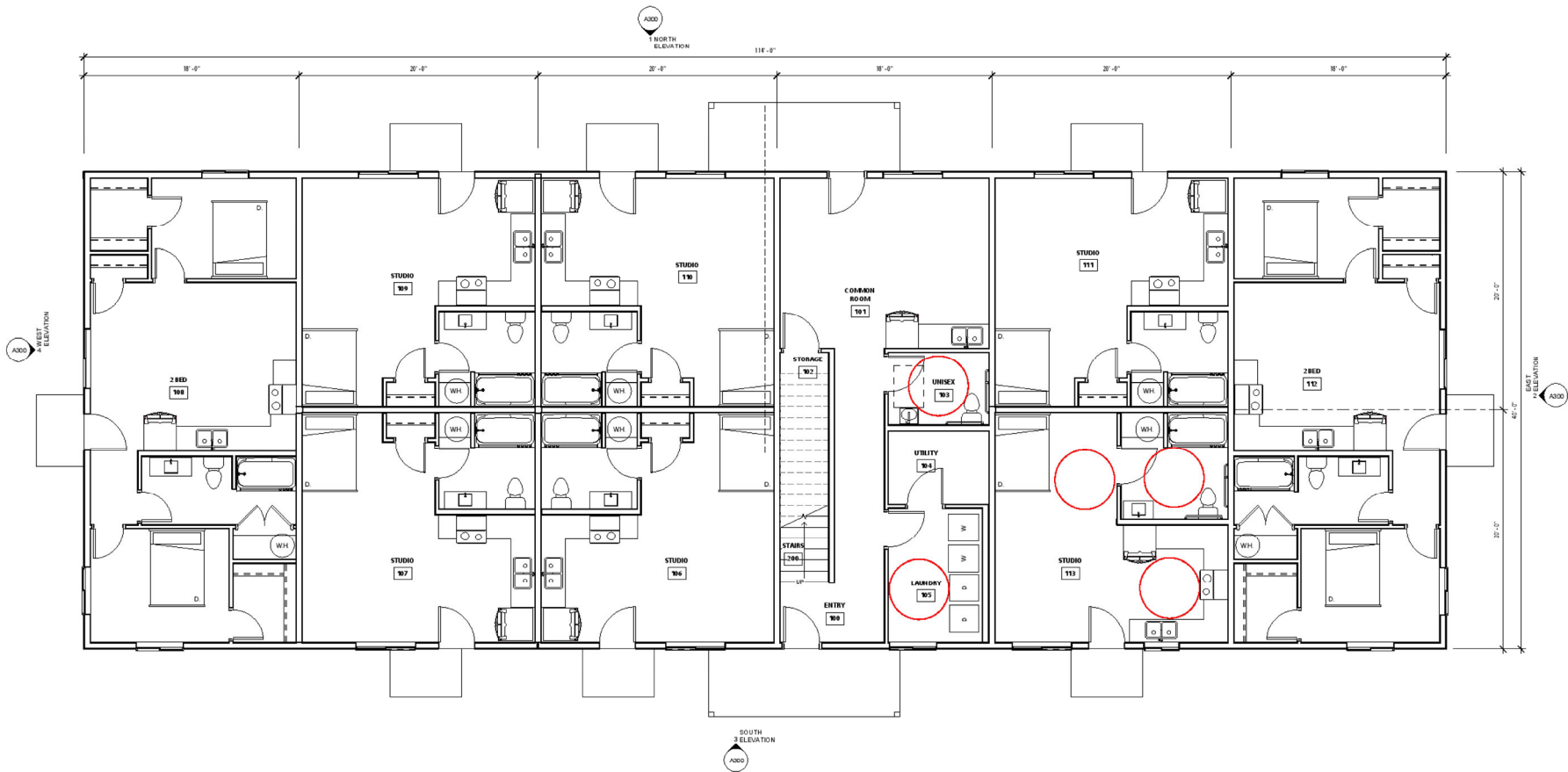
All disturbed areas will be landscaped with either planting beds with mulch and/or rock or leveled and seeded with native clover and grass seed.

- North side screening buffer planting bed edging the parking lot will contain 4-foot-high bushes of either Spirea or other species such as Ninebark, Dwarf Korean Lilac, Spirea, and Hydrangea, with Karl Forester, Blue Stem, or Silver Grasses or similar grasses planted between the bushes.
- Bushes surrounding the complex will range in species dependent on sun exposure and availability. For north facing bushes, the varieties will be Snowberry, Dogwood, Firedance Dogwood, Chokecherry. Bushes getting more sun exposure will be fruit bearing such as blueberry, or a combination of edible perennials such as rhubarb, or other species such as Alpine Currant, Hydrangea, Ninebark, Spirea, or Potentilla. A variety of perennials may replace some of the bushes.
- Japanese Lilac trees or another ornamental variety will be planted between the parking lot and north side of the complex.
- Trees – The deciduous trees within 10 feet of the ROW on 3rd Street and on the east side of the property will be of a variety of either Birch, Flowering Crab, Service Berry, Ohio Buckeye, Elm, Linden, Oak, or Maple.
- The conifer trees facing 3rd Street will be at least 4' high Spruce or Pine.
- On the east side of the property facing 2nd Street will be 5-gallon Lilac bushes spaced 10' on center.
- A future orchard area will contain fruit bearing trees variety such as Apple, Plum, or Pear.
- One the east side of the property and continuing onto the adjacent lot will be 50 evergreen plugs and 50 additional plugs of a variety of bushes such as lilacs, service berry, hazelnut, dogwood, and chokecherry. Additional trees may be planted along this side for added privacy.
- A Community Garden is planned on the east side of the complex.

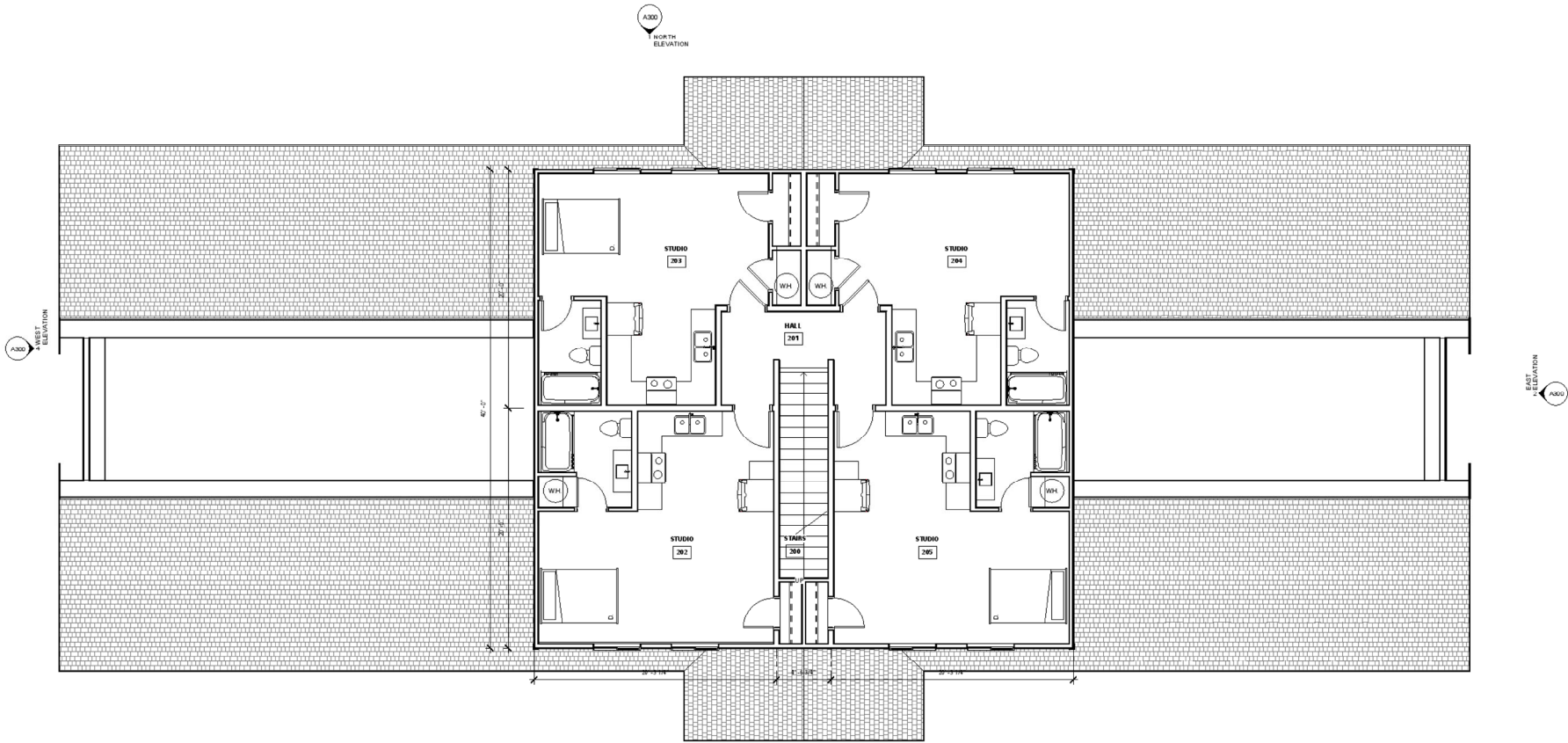
Lighting Plan – We do not plan on installing parking lot lights and instead will use porch lights, with or without motion sensors for visibility and security.



REVISION	DATE



1 LEVEL 01 FLOOR PLAN
A100 / 1/4" = 1'-0"



1 LEVEL 02 FLOOR PLAN
A.118 1/4" = 1'-0"

MY NEIGHBOR TO LOVE COALITION- 12 PLEX
BRainerd, MN 56401

PRELIMINARY

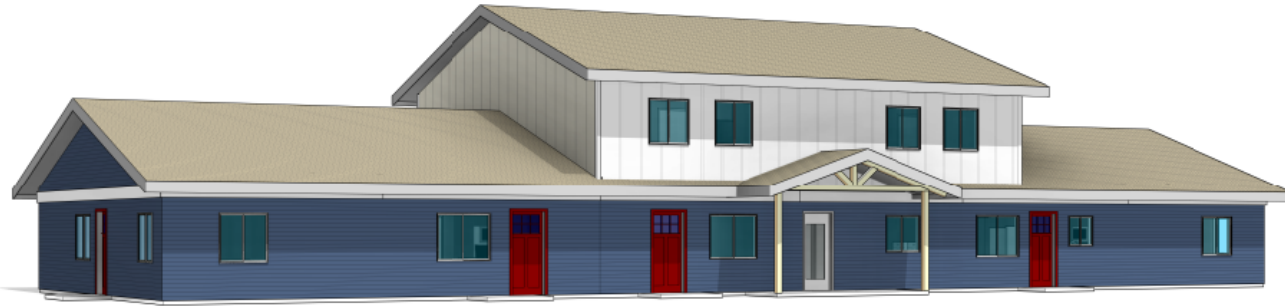
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PROJECT NUMBER:

REVISION	DATE

U.L. - FLOOR PLAN

A110



1 SOUTH ELEVATION
3/16" = 1'-0"



4 WEST ELEVATION
3/16" = 1'-0"



3 NORTH ELEVATION
3/16" = 1'-0"



2 EAST ELEVATION
3/16" = 1'-0"

MY NEIGHBOR TO LOVE COALITION- 12 PLEX
BRainerd, MN 56401

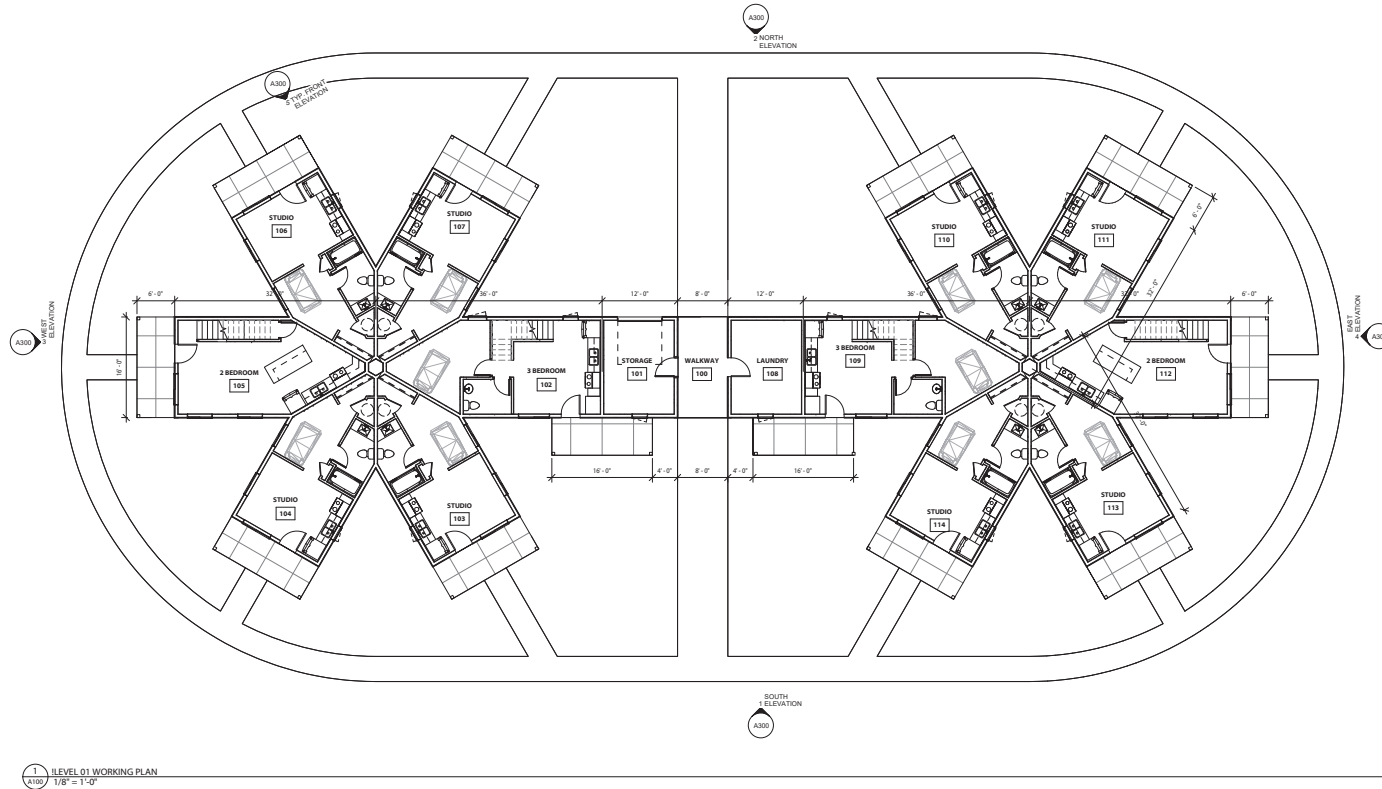
PRELIMINARY

PROJECT NUMBER: 3042

REVISION	DATE

BUILDING ELEVATIONS

A300



MY NEIGHBOR TO LOVE COALITION - 12 PLEX

BRainerd, MN 56401

PRELIMINARY

PRINTED: 10/11/2022 10:15:30 AM

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.

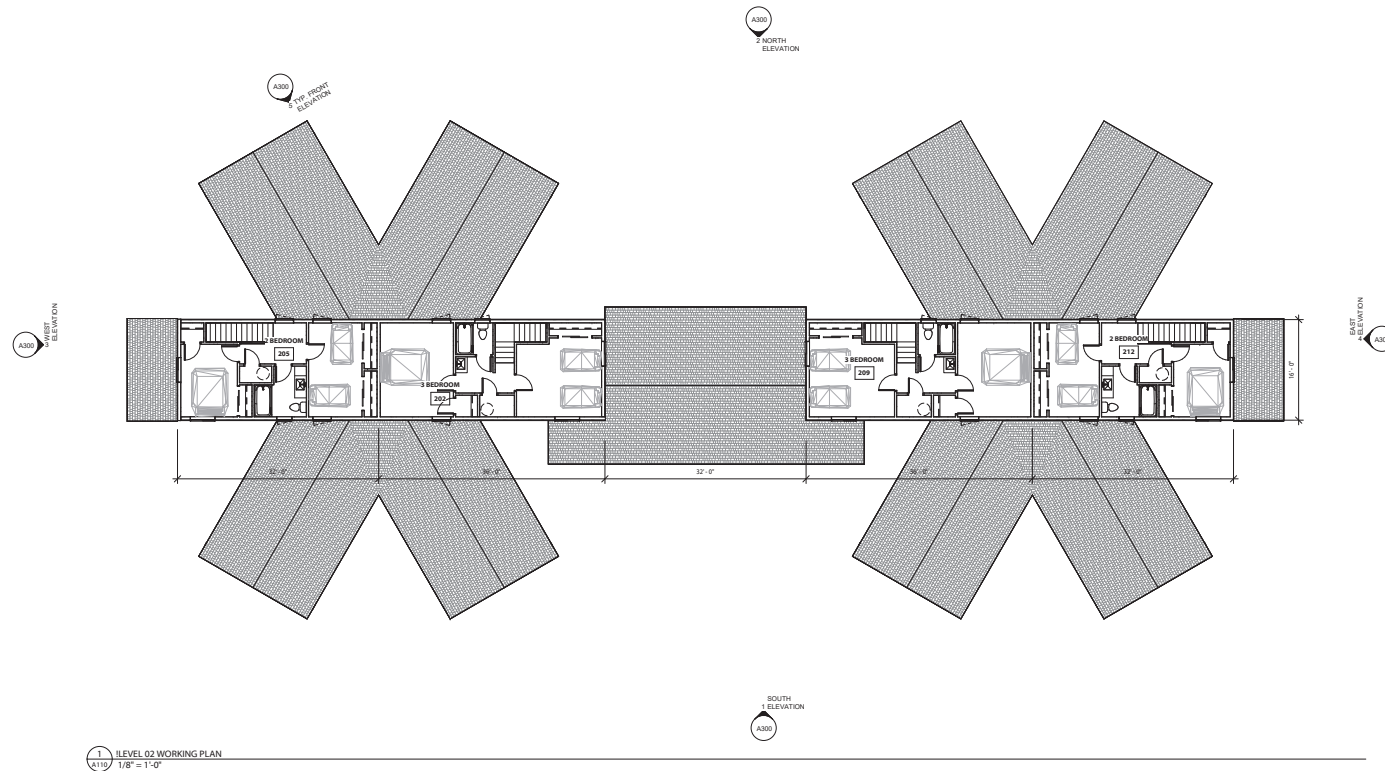
ERIC LARSON
Lic # 47862 10/03/2022

PROJECT NUMBER: 3962
ISSUED: 10/03/2022

REVISION	DATE

M.L. OVERALL FLOOR
PLAN

A100



MY NEIGHBOR TO LOVE COALITION - 12 PLEX

BRainerd, MN 56401

PRELIMINARY

PRINTED: 10/11/2022 10:11:53 AM

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.

ERIC LARSON
Lic # 47862 10/03/2022

PROJECT NUMBER: 3962
ISSUED: 10/03/2022

REVISION	DATE

U.L. OVERALL FLOOR
PLAN

A110

MY NEIGHBOR TO LOVE COALITION - 12 PLEX

BRainerd, MN 56401

PRELIMINARY

PRINTED: 10/11/2022 10:14:10 AM

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.

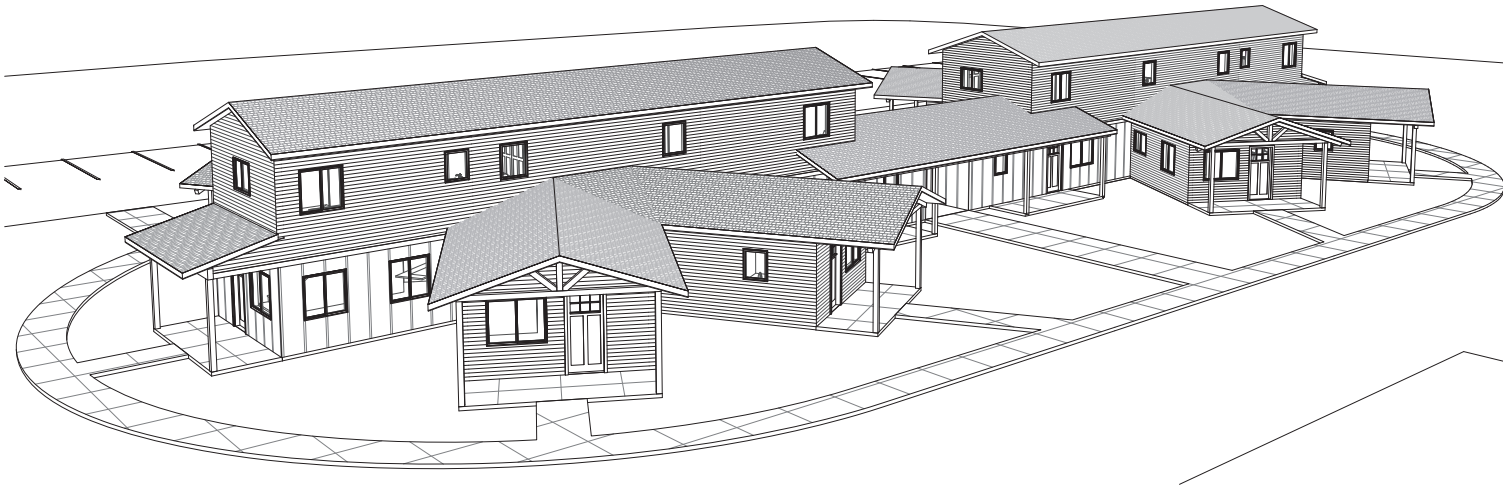
ERIC LARSON
Lic # 47862 10/03/2022

PROJECT NUMBER: 3962
ISSUED: 10/03/2022

REVISION	DATE

BUILDING ELEVATIONS

A300



1 SOUTH ELEVATION
A300 1/8" = 1'-0"



2 NORTH ELEVATION
A300 1/8" = 1'-0"



3 WEST ELEVATION
A300 1/8" = 1'-0"



4 EAST ELEVATION
A300 1/8" = 1'-0"



5 TYP. FRONT ELEVATION
A300 1/8" = 1'-0"





City Council Agenda Request

MEETING DATE: March 4, 2024

TITLE OF ITEM: First Reading - Proposed Ordinance 1565 - Administrative Subdivisions

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:

Administrative subdivisions constitute property line adjustments that do not need recommendation and approval by the Planning Commission and the City Council. Administrative subdivisions can be boundary line adjustments, lot consolidations, lot splits, or base lot subdivisions. The City of Brainerd Subdivision Ordinance currently allows for the creation or adjustment of no more than two lots.

Engineering firms and surveyors have a difficult time interpreting the current ordinance, specifically regarding lot consolidations and boundary line adjustments. In addition to amending the definitions of allowable administrative subdivisions, staff recommends adding a restriction on when parcels are allowed to apply for another administrative subdivision. The following are staff objectives for the proposed ordinance:

1. Create better definitions for boundary line adjustment and lot consolidation.
2. Allow for the adjustment or consolidation of three properties rather than two to reduce the administrative burden on developers and builders.
3. Allow for the base lot subdivision of commercial buildings.
4. State a clear restriction on when the parcel can be administratively subdivided in the future.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

A public hearing was conducted at the February 21st Planning Commission meeting to consider Proposed Ordinance 1565 and no one from the public spoke.

Commissioner Francis asked staff why property splits are allowed for only two lots while consolidations allow for three. Staff stated that boundary line adjustments and consolidations help clean parcels up when property lines are overlapping buildings and other structures on the property. Lot splits may have a bigger impact on future development of an area or neighborhood.

Commissioner Duval, seconded by Commissioner Grunenwald, motioned to recommend approval of the Administrative Subdivision Ordinance as proposed.

RECOMMENDED ACTION/MOTION:

Motion to conduct the first reading of Proposed Ordinance 1565 and to dispense with the actual reading.

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

FINANCIAL IMPACT: N/A

**ORDINANCE
NO. 1565**

AN ORDINANCE AMENDING SECTION 500-6 OF THE SUBDIVISION ORDINANCE

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Administrative Subdivisions - Section 500-6-1 Qualification is hereby amended as indicated, with deleted language struck out and new language underlined:

500-6-1: Qualification

The following shall be considered an administrative subdivision:

- A. Boundary Line Adjustment. ~~Divisions of land where the division is to permit the adding of a parcel of land to an abutting lot or the combination of recorded lots to form no more than two (2) lots.~~ An exchange of land between no more than three (3) adjacent lots that does not create an additional parcel. Newly created lots shall conform to the design and performance standards of the Brainerd Subdivision and Zoning Ordinances.
- B. Lot consolidation. The elimination of boundary lines between no more than three (3) adjacent lots under common ownership, for the purpose of development and/or construction that would otherwise be placed across a boundary line or result in inconsistency with applicable current regulations such as, but not limited to water supply, sewage disposal, building code requirements, minimum lot size requirements, critical area buffer requirements, zoning setback requirements or shoreline setback requirements. Newly created lots shall conform to the design and performance standards of the Brainerd Subdivision and Zoning Ordinances.
- C. Property Split. The simple division of a single parcel, tract or lot to create no more than two (2) lots and the newly created property line will not cause the remaining portion of the lot or any structure to be in violation with this Ordinance or the Brainerd Zoning Ordinance.
- D. Base Lot Subdivision. In the case of a request to divide a base lot upon which a two family dwelling, townhouse, ~~or a~~ quadraminium, or commercial building, which is a part of a recorded plat where the division is to permit individual private ownership of a single dwelling unit or a single commercial unit within such a structure and the newly created property lines will not cause any of the unit lots or the structure to be in violation of this Ordinance, the Brainerd Zoning Ordinance, or the International Building Code (IBC).

SECTION TWO: Section 500-6-6 Restrictions and Limitations is hereby added to Section 500-6 Administrative Subdivisions with the following language underlined:

500-6-6: Restrictions and Limitations

A. Administrative subdivisions shall not be permitted on any parcel previously approved for an administrative subdivision for a period of five (5) years. Prior to the five (5) year expiration, a property owner who wishes to further adjust, consolidate, or split a lot shall meet the requirements of Section 500-4 Preliminary Plat and Section 500-5 Final Plat.

SECTION THREE: 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

The City of Brainerd Planning Commission will be conducting a public hearing to consider a proposed ordinance amending Section 500-6 Administrative Subdivisions of the Brainerd Subdivision Ordinance. The proposed ordinance will create better definitions for boundary line adjustment and lot consolidation, allow for the adjustment or consolidation of three properties rather than two, allow for the base lot subdivision of commercial buildings, state a clear restriction on when the parcel can be administratively subdivided in the future.

A Public Hearing to consider this ordinance will be conducted by the Brainerd Planning Commission at 6:00 p.m. on Wednesday, February 21st, 2024, in the City Council Chambers at 501 Laurel St., Brainerd, MN 56401.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2307.

Dated this 8th day of February, 2024



James L. Kramvik
Community Development Director

Publication Date: February 10, 2024



City Council Agenda Request

MEETING DATE: March 4, 2024

TITLE OF ITEM: Consider Joint Workshop with Planning Commission for Short-Term Rental Ordinance

AGENDA: Main

ACTION REQUESTED: Direction Requested

SUBMITTED BY: James Kramvik, Community Development Director

DEPARTMENT: Community Development

PRESENTER: James Kramvik, Community Development Director

ESTIMATED TIME (MIN): 5 min

SUMMARY OF ISSUE:

The City Council conducted the second reading of Proposed Ordinance 1561 regarding short-term rentals at their regularly scheduled February 21st meeting. The motion to approve the ordinance as proposed failed by a 4 to 3 vote. After discussion and comments by City Council, Council Member Czczok motioned to recommend that we keep the requirement to renew at the end of the year, remove the cap with no limitation to the number owned by an individual, and to send it back to the Planning Commission. The motion was approved by a 5 to 1 vote. The Planning Commission considered the recommendation provided by City Council and provided ideas to address concerns. The ideas were not voted on, but did have a consensus for approval for the following items:

- 1) Remove the cap that limits an individual property owner to own no more than one VDU in the City.
- 2) Increase the cap from 20 VDU short-term rentals to 40 VDU short-term rentals allowed in the City.

Staff recommended that multifamily buildings, possibly 3 plus units, be allowed to operate 2 VDU units instead of one. This would remove the need to grandfather an existing property from the short-term rental municipal cap section of the proposed ordinance.

The Planning Commission continued to have concerns about opening up the Town Center and Mainstreet Districts to an unlimited number of short-term rentals based on the fact that downtown provides a good number of workforce housing units.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

After discussion, the Planning Commission directed staff to ask the City Council for a joint workshop to address the final concerns of the ordinance in order to formulate a consensus about the language and requirements for short-term rentals. Commission members would potentially be available after 7:00 PM on Mondays and 6:00 PM on Wednesdays.

Potential weeks for the joint workshop: March 11th - March 15th (school spring break) or March 25th - March 29th

RECOMMENDED ACTION/MOTION: Direct Staff to set up a joint workshop with the Planning Commission and to provide two options for potential dates.

FINANCIAL IMPACT: N/A

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: February 21st, 2024

RE: Discussion on the Proposed Short-Term Rental Ordinance

INTRODUCTION

The City Council conducted the second reading of Proposed Ordinance 1561 regarding short-term rentals at their regularly scheduled February 21st meeting. The motion to approve the ordinance as proposed failed by a 4 to 3 vote. Council members provided the following comments:

1. Council Member O'Day voted against the ordinance based on the fact that the ordinance did not exclude the Town Center and Mainstreet Districts from the municipal caps. In past meetings, Council Member O'Day believed this area could benefit from tourists staying downtown and may help incentivize owners to revitalize their buildings.
2. Council Member Johnson voted against the ordinance as he stated that he did not like the cap of one, or the grandfather clause that one person gets to own three but did believe the cap of twenty is ok.
3. Council Member Stenglein supports the ordinance because if someone wanted to open up a hotel in the downtown district that would be great, but the piecemeal short-term rental approach wouldn't be a fit for our downtown. This ordinance is meant to be more restrictive than where we want to be because it is easier to loosen up than try to become more restrictive later. This is not meant to be a permanent ordinance but puts blocks in place to adjust as needed in the future.
4. Council Member Czczok voted against the ordinance as he does not believe in the limitation of one per person but understands the grandfathering clause and was in favor of it because the individual already had three and would be penalizing them for something they were doing in good faith. Having a cap of twenty is an arbitrary number. He thinks there are many reasons we should let people do more with their property as they feel is best for them.
5. Council President Bevans voted yes and agreed with Council Member Stenglein that it would be easier to loosen up restrictions in the future rather than attempting to reign in existing short-term rentals in the future if it becomes a problem. Council Member Bevans believes there are restrictions in the ordinance that are questionable but believes we have to start somewhere and that this is a pretty good place to start. We can always reevaluate, but if we do nothing it could become a problem.

6. Due to a tied vote with Council Member Terry not present, Mayor Badeaux voted against the ordinance. He stated that there were not many changes from the last time it was presented to Council. He stated there are things that he really liked and things that he really doesn't like and believes the ordinance as presented is not the right way to do this.

CITY COUNCIL RECOMMENDATION

Council Member Czczok motioned to recommend that we keep the recertification at the end of the year, remove the cap with no limitation to the number owned by an individual, and to send it back to the Planning Commission. The motion was approved by a 5 to 1 vote.

STAFF RECOMMENDATION

Review the comments and recommendations from the City Council, direct staff to amend the ordinance, and direct staff to bring the ordinance back to the next Planning Commission meeting for review and to conduct the public hearing.



PARK BOARD AGENDA

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Tuesday, February 27, 2024 @ 4:00 PM

The public is invited to attend these meetings in person

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

1. **Call To Order**

2. **Roll Call**

___T. Rushmeyer ___K. Schaefer ___A Shipe ___J. Miller ___Vacant

3. **Pledge of Allegiance**

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

5. **Consent Calendar**

NOTICE TO PUBLIC - all matters listed are considered routine by the Board 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 Board votes on the motion to be ADOPTED BY ROLL CALL

A. **Approval of Minutes**

B. **Approval of Disbursements**

C. **Approve Event Application - BLADE Recovery Walk**

6. **Presentations**

7. **Unfinished Business**

8. **New Business**

A. **Ski Loons Discussion and Public Hearing**

B. **Approve Event Application - Arts in the Park**

C. **Approve Events - The Center 2024 Performances in the Park**

D. **Approve Easter Egg Hunt Event at Gregory Park**

E. **Approve Food Delivery at Memorial Park**

- F. **Approve Letter of Support - TH 210/Lum Park Pedestrian Bridge**
- G. **Approve 2024 Tree Plantings**
- H. **Approve Mills Field Fencing Quote**
- I. **Approve Self-Service Kayak Rental Details**
- J. **Request Forming Work Group to Develop a 30-Year Parks Capital Plan**
- 9. **Public Forum**
Time allocated for citizens to bring matters not on the agenda to the attention of the Board - Time limits may be imposed
- 10. **Staff Reports**
(Verbal: Any Updates since Packet)
 - A. **Recreation and Maintenance Report**
- 11. **Board Member Reports**
- 12. **Adjourn**

Visit the Parks and Recreation Website at www.ci.brainerd.mn.us/parks

MISSION

"To serve Brainerd residents and visitors by offering high-quality, affordable recreational opportunities and by providing a clean, well-maintained park system"



PUBLIC UTILITIES COMMISSION AGENDA

City of Brainerd, Minnesota
BPU Service Center, 8027 Highland Scenic Rd, Commission Room
Tuesday, February 27, 2024 @ 9:00 AM

The public is invited to attend these meetings in person

1. **Call To Order**

2. **Roll Call**

___M. Angland ___T. Johnson ___M. O'Day ___T. Erickson ___D.Matten

3. **Pledge of Allegiance**

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

5. **Consent Calendar**

NOTICE TO PUBLIC - all matters listed are considered routine by the Commission 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 Commission votes on the motion to be ADOPTED BY ROLL CALL

A. **Approval of Minutes**

B. **Approval of Bills**

C. **Minger Construction Change Order 3: Bolt Down Casting \$2,376.13**

6. **Public Forum**

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

7. **Commission Committee Reports**

A. **Personnel Committee**

B. **Finance Committee**

8. **Unfinished Business**

A. **Adoption of Frozen Water Lines Policy 2024-01**

B. **Approval of Revised Job Descriptions**

C. **Alley Project Ronald to Joseph**

- D. **See attached separate memo regarding updates on unfinished business**
- 9. **New Business**
See attached memo for unfinished business.
 - A. **Approve Amendment 16 with AEP Energy Partners**
 - B. **Discuss Hydro Generation options**
 - C. **Distributed Energy Resources (DER)**
- 10. **Staff Reports**
(Verbal: Any Updates since Packet)
 - A. **City Administrator Report**
 - B. **Council Liaison Report**
 - C. **Public Utilities Director Report**
 - D. **HR Director Report**
 - E. **Finance Manager**
 - F. **Managers Reports**
- 11. **Commission Member Reports**
- 12. **Adjourn**
 - A. **Adjourn to closed session pursuant to Statute 13D.05 to discuss the purchase of Roberts property.**

Visit Brainerd Public Utilities website at www.bpu.org

MISSION

"The mission of Brainerd Public Utilities is to provide safe, reliable, environmentally friendly electric, water and sewer services to our customers at the lowest reasonable cost."



PLANNING COMMISSION AGENDA

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Wednesday, February 21, 2024 @ 6:00 PM

The public is invited to attend these meetings in person
Attend by Phone: 1-844-992-4726 Meeting Access Code: 2497 537 8789

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

1. **Call To Order**

2. **Roll Call**

___ M. Duval ___ D. Gorham ___ J. Grunenwald ___ J. Norwood
___ T. Stenglein ___ D. Peterson ___ C. Francis

3. **Pledge of Allegiance**

4. **Oath of Office**

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

6. **Approval Of Minutes**

A. **Draft Minutes of the January 17, 2024 Meeting**

7. **Unfinished Business**

A. **Conduct Public Hearing and Review Administrative Subdivision Ordinance**

8. **New Business**

A. **Conduct Public Hearing and Consider Conditional Use Permit for a Day Care facility at 418 8th Ave NE**

B. **Conduct Public Hearing and Consider Conditional Use Permit amendment for a 12-plex Apartment at PID 41040887**

C. **Cannabis Dispensary Discussion**

9. **Public Forum**

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

10. **Staff Reports**

(Verbal: Any Updates since Packet)

11. **Commission Member Reports**

12. **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"