



CITY COUNCIL AGENDA

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

Monday, June 3, 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: 2485 656 2452

Personnel and Finance Committee was held 5/29

Safety and Public Works Committee at 7:00 PM - Meeting Access Code: 2489 335 2950

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

1. **Call To Order**

2. **Roll Call**

___G. Johnson ___J. Czeczok ___M. O'Day ___K. Stunek ___K. Terry___T. Stenglein ___K.
Bevans ___Mayor Badeaux

3. **Pledge of Allegiance**

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

5. **Consent Calendar**

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

A. **Approval of Bills**

B. **Approval of Minutes**

C. **Approval of Licenses**

D. **Department Activity Reports**

E. **Approve Temporary On-Sale Liquor License Application Submitted by Cuyuna Brewing Company for an Event to be held on June 21, 2024 at Endurance Shop, 423 Washington St - Contingent upon approvals**

F. **Approve New On-Sale Restaurant and Sunday Sales Liquor License Application Submitted by East Coast Hospitality LLC DBA Sage on Laurel at 606 Laurel St - Contingent upon approvals**

- G. **Approve New Wine/Strong Beer Liquor License Application Submitted by Chick N Rice LLC, DBA Chick N Rice at 603 Laurel St - Contingent upon approvals**
- H. **Approve Temporary On-Sale Liquor License Applications Submitted by Crossing Arts Alliance for Events to be held on June 14, July 12, August 9, September 6, and October 11 at 711 Laurel Street - Contingent upon Approvals**
- I. **Authorize Hiring of 2024 Summer Temporary Employees**
- J. **Approve Event Application - BHS Homecoming 5K**
- 6. **Council Committee Reports**
 - A. **Personnel & Finance Committee**
 - 1. Authorize the Fire Department to apply for the 2024-2025 ARMER Equipment Grant through the MN DPS ECN
 - 2. Approve the Resignation of Community Service Officer Richard Berry
 - 3. Ratify the Hiring of Community Service Officer Drew Belton
 - 4. Authorize Reestablishment of the Transit Operations Specialist Position
 - 5. Adopt Resolution Appointing Election Judges and Setting Pay
 - 6. Consider Subordination Agreement
 - 7. Authorize the Police Department to Apply for the Traffic Safety Enforcement Grant
 - B. **Safety & Public Works Committee**
 - 1. Approve Change Order Request - Imp 21-15 Buffalo Hills Gully Remediation
 - 2. Approve Change Order Request - Imp 22-08 - South Brainerd Reconstruction
 - 3. Information on Tree Knockdown Cost Recovery
 - 4. Review Vacant Building Registry Ordinance
 - 5. Direction on Active Code Enforcement Cases
- 7. **Unfinished Business**
 - A. **Accept Resignation of Troy Rushmeyer from the Park Board**
 - B. **Call for Applicants**
 - Mayor Recommended: (terms to expire on 12/31 of said year)**
 - Charter Commission – 2 terms (Expire 2026) 2 terms (Expire 2025)**

Transportation Advisory Committee- 2 terms (Expire 2026)
Mayor Recommended: (terms to expire on 9/7 of said year)
Economic Development Authority- 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)

- C. **Final Reading and Conduct Public Hearing - Proposed Ordinance 1565 - Short-Term Rentals**
 - D. **Consider Sound Review Report Documents for Proposed Crypto-Mining Outdoor Storage Facility**
 - E. **Strike Contingency Work Group Update**
8. **New Business**
- A. **First Readings - Proposed Ordinances 1567 & 1568 - Cannabis and Off-Sale Liquor**
 - B. **First Reading- Proposed Ordinance 1569- Restricting Residential Picketing**
 - C. **Consider Updating Rules of Decorum**
9. **Public Forum**
Time allocated for citizens to bring matters not on the agenda to the attention of the Council -
Time limits may be imposed
10. **Staff Reports**
(Verbal: Any Updates since Packet)
11. **Mayor's Report**
12. **Council Member Reports**
13. **Adjourn**
- A. **Adjourn to Closed Labor Negotiation Strategy Session pursuant to MN Statutes, 13D.03, Subd 1(b) to prepare for Negotiations with the IBEW 31 (Public Utilities) and LELS Unions**

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

MISSION

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

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
Vendor 0011 - ACE HARDWARE:							
324144/1 82874	ACE HARDWARE MULCHING TOOLS 235-3100-42220	05/20/2024 pziemer REPAIR & MAINT	06/05/2024	112.47 112.47	112.47	Open	N 06/05/2024
324188/1 82879	ACE HARDWARE INSECT REPELLANT 237-3190-42220	05/21/2024 pziemer REPAIR & MAINT	06/05/2024	17.98 17.98	17.98	Open	N 06/05/2024
324105/1 82883	ACE HARDWARE WET/DRY VAC 225-2120-42240	05/17/2024 pziemer SMALL TOOLS	06/05/2024	43.64 43.64	43.64	Open	N 06/05/2024
324255/1 82919	ACE HARDWARE STAPLES FOR NO-PARKING SIGNS 235-3100-42220	05/23/2024 pziemer REPAIR & MAINT	06/05/2024	28.76 28.76	28.76	Open	N 06/05/2024
324212/1 82923	ACE HARDWARE SQUAD WINDSHIELD WASH 225-2120-42221	05/21/2024 pziemer SQUAD CAR REPAIR SUPPLIES	06/05/2024	8.98 8.98	8.98	Open	N 06/05/2024
324346/1 82942	ACE HARDWARE BEDDING/MULCH FORK 235-3100-42220	05/28/2024 pziemer REPAIR & MAINT	06/05/2024	40.49 40.49	40.49	Open	N 06/05/2024
324287/1 82943	ACE HARDWARE SCRAPER WITH BLADES 235-3100-42220	05/24/2024 pziemer REPAIR & MAINT	06/05/2024	17.08 17.08	17.08	Open	N 06/05/2024
324267/1 82945	ACE HARDWARE GRAY PRIMER SPRAY 230-5200-42220	05/23/2024 pziemer REPAIR & MAINT	06/05/2024	6.29 6.29	6.29	Open	N 06/05/2024
324380/1 83002	ACE HARDWARE FASTENERS FOR BUS 142 203-9000-42220	05/29/2024 pziemer REPAIR & MAINT	06/05/2024	25.45 25.45	25.45	Open	N 06/05/2024
324394/1 83007	ACE HARDWARE COLLEGE DR BRIDGE TRAIL PAINT 235-3170-42210	05/30/2024 pziemer OPERATING SUPPLIES	06/05/2024	72.95 72.95	72.95	Open	N 06/05/2024
Total for vendor 0011 - ACE HARDWARE:				374.09	374.09		

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
Vendor 2902 - ADVANCE AUTO PARTS:							
6574413784675 82857	ADVANCE AUTO PARTS BUTANE REFILL CYLINDER 235-3100-42220	05/16/2024 pziemer	06/05/2024	6.50	6.50	Open	N 06/05/2024
	REPAIR & MAINT			6.50			
6574413884697 82858	ADVANCE AUTO PARTS TRUCK 102 PINTLE HOOK, BALL COMBO, M 235-3100-42220	05/17/2024 pziemer	06/05/2024	155.78	155.78	Open	N 06/05/2024
	REPAIR & MAINT			155.78			
6574413884698 82859	ADVANCE AUTO PARTS TRUCK 102 PINTLE HOOK RETURN AND PUR 235-3100-42220	05/17/2024 pziemer	06/05/2024	30.40	30.40	Open	N 06/05/2024
	REPAIR & MAINT			30.40			
6574414229964 82903	ADVANCE AUTO PARTS BUS 142 REPAIR PARTS 203-9000-43401	05/21/2024 pziemer	06/05/2024	21.52	21.52	Open	N 06/05/2024
	VEHICLE REPAIRS			21.52			
	Total for vendor 2902 - ADVANCE AUTO PARTS:			214.20	214.20		
Vendor 1453 - AMERICAN DOOR WORKS:							
03-015173 82899	AMERICAN DOOR WORKS REPLACE BEARINGS ON DOOR 235-3100-42220	05/17/2024 pziemer	06/05/2024	601.52	601.52	Open	N 06/05/2024
	NORTH GARAGE DOOR REPAIR			601.52			
03-015159 82900	AMERICAN DOOR WORKS DOOR ROLLERS 235-3100-42220	05/14/2024 pziemer	06/05/2024	263.36	263.36	Open	N 06/05/2024
	WEST GARAGE DOOR REPAIR			263.36			
03-015160 82901	AMERICAN DOOR WORKS DOOR HINGES 235-3100-42220	05/14/2024 pziemer	06/05/2024	17.52	17.52	Open	N 06/05/2024
	GARAGE DOOR HINDGES AND ROLLERS			17.52			
	Total for vendor 1453 - AMERICAN DOOR WORKS:			882.40	882.40		
Vendor 2846 - AMERICAN WELDING-GAS INC:							
0010116731 82862	AMERICAN WELDING-GAS INC OXYGEN FOR CUTTING TORCH 235-3100-42220	05/17/2024 pziemer	06/05/2024	71.20	71.20	Open	N 06/05/2024
	REPAIR & MAINT			71.20			
	Total for vendor 2846 - AMERICAN WELDING-GAS INC:			71.20	71.20		
Vendor 0041 - ANDERSON BROTHERS CONSTRU:							

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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
34262 82870	ANDERSON BROTHERS CONSTRU QTY 2.030 HOT MIX 235-3100-42220 REPAIR & MAINT Total for vendor 0041 - ANDERSON BROTHERS CONSTRU:	05/15/2024 pziemer	06/05/2024	152.25 152.25 152.25	152.25 152.25	Open	N 06/05/2024
Vendor 3343 - ARROW MANAGEMENT:							
33079 82877	ARROW MANAGEMENT ABATEMENTS X3: 408 2ND AVE, 1201 NORW 101-2400-43405 NUISANCES Total for vendor 3343 - ARROW MANAGEMENT:	05/21/2024 pziemer	06/05/2024	225.00 225.00 225.00	225.00 225.00	Open	N 06/05/2024
Vendor 4273 - ATLAS ABSTRACT & TITLE, INC:							
A-62119 82915	ATLAS ABSTRACT & TITLE, INC SEARCH/EXAM 41360511 401-9030-43300-23:13 PROFESSIONAL SERVICES Total for vendor 4273 - ATLAS ABSTRACT & TITLE, INC:	05/22/2024 pziemer	06/05/2024	500.00 500.00 500.00	500.00 500.00	Open	N 06/05/2024
Vendor 0319 - BAKER TILLY MUNICIPAL ADVISORS, LLC:							
BTMA25861 82925	BAKER TILLY MUNICIPAL ADVISORS, LLC COUNTRY MANOR ABATEMENT 295-0000-20600 DEPOSITS PAYABLE Total for vendor 0319 - BAKER TILLY MUNICIPAL ADVISORS, LLC:	05/17/2024 pziemer	06/05/2024	5,200.00 5,200.00 5,200.00	5,200.00 5,200.00	Open	N 06/05/2024
Vendor 0748 - BJERGA FEED STORES:							
1448454 82860	BJERGA FEED STORES 50LB GRASS SEED 235-3100-42220 REPAIR & MAINT Total for vendor 0748 - BJERGA FEED STORES:	05/17/2024 pziemer	06/05/2024	140.00 140.00 140.00	140.00 140.00	Open	N 06/05/2024
Vendor 3966 - BLUE SKY TRANSIT:							
43024 83008	BLUE SKY TRANSIT APR 2024 THIRD PARTY SERVICE 203-9000-43401 VEHICLE REPAIRS 203-9000-43440 TRANSIT SERVICE CONTRACT PY Total for vendor 3966 - BLUE SKY TRANSIT:	05/01/2024 pziemer	06/05/2024	97,648.13 8,203.29 89,444.84 97,648.13	97,648.13 97,648.13	Open	N 06/05/2024

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Vendor 0603 - BNSF RAILWAY COMPANY:							
24002738 82937	BNSF RAILWAY COMPANY 2024 PARKING LOT LEASE 3/30/24-3/29/pziemer 236-3180-43430 236-0000-15510	05/13/2024	06/05/2024	15,579.67	15,579.67	Open	N 06/05/2024
	MISCELLANEOUS			11,684.75			
	PREPAID			3,894.92			
	Total for vendor 0603 - BNSF RAILWAY COMPANY:			15,579.67	15,579.67		
Vendor 3906 - BRAINERD FAMILY YMCA:							
193 82944	BRAINERD FAMILY YMCA 1ST HALF 2024 PARKS PROGRAMMING pziemer 230-5200-43300	05/29/2024	06/05/2024	10,000.00	10,000.00	Open	N 06/05/2024
	PROFESSIONAL SERVICES			10,000.00			
	Total for vendor 3906 - BRAINERD FAMILY YMCA:			10,000.00	10,000.00		
Vendor 0078 - BRAINERD LAKES AREA DEV C:							
MAY 2024 82867	BRAINERD LAKES AREA DEV C MAY 24 ECONOMIC DEVELOPMENT CONSULTING pziemer 295-6510-43300	05/21/2024	06/05/2024	3,000.00	3,000.00	Open	N 06/05/2024
	PROFESSIONAL SERVICES			3,000.00			
	Total for vendor 0078 - BRAINERD LAKES AREA DEV C:			3,000.00	3,000.00		
Vendor 0296 - BRAINERD PUBLIC UTILITIES:							
MAY 2024 COBRA 82869	BRAINERD PUBLIC UTILITIES REMIT MAY 2024 COBRA pziemer 101-0000-20850	05/20/2024	06/05/2024	75.55	75.55	Open	N 06/05/2024
	DUE TO COMPONENT UNIT			75.55			
APR 24/CITY 82909	BRAINERD PUBLIC UTILITIES 3/24/24-4/24/24 CITY UTILITIES pziemer 101-1940-43381 101-9200-43381 236-3180-43381 401-1003-43380	05/23/2024	06/05/2024	2,149.79	2,149.79	Open	N 06/05/2024
	BPU UTILITIES			1,916.57			
	BPU UTILITIES			144.02			
	BPU UTILITIES			37.50			
	UTILITIES			51.70			
APR 24/STREETS 82910	BRAINERD PUBLIC UTILITIES 3/24/24-4/24/24 STREET DEPT UTILITIES pziemer 235-3100-43381 230-5200-43381	05/23/2024	06/05/2024	24,257.31	24,257.31	Open	N 06/05/2024
	BPU UTILITIES			23,520.14			
	BPU UTILITIES			737.17			
APR 24/PD 82911	BRAINERD PUBLIC UTILITIES 3/24/24-4/24/24 POLICE DEPT UTILITIES pziemer 225-2120-43381	05/23/2024	06/05/2024	4,803.67	4,803.67	Open	N 06/05/2024
	BPU UTILITIES			4,803.67			

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APR 24/FD 82912	BRAINERD PUBLIC UTILITIES 3/24/24-4/24/24 FIRE DEPT UTILITIES 225-2220-43381	05/23/2024 pziemer	06/05/2024	2,098.19 2,098.19	2,098.19	Open	N 06/05/2024
APR 24/LIB 82913	BRAINERD PUBLIC UTILITIES 3/24/24-4/24/24 LIBRARY UTILITIES 211-5500-43381	05/23/2024 pziemer	06/05/2024	1,521.75 1,521.75	1,521.75	Open	N 06/05/2024
APR 24/PARKS 82914	BRAINERD PUBLIC UTILITIES 3/24/24-4/24/24 PARKS UTILITIES 230-5200-43381 230-5280-43380	05/23/2024 pziemer	06/05/2024	3,031.52 2,973.54 57.98	3,031.52	Open	N 06/05/2024
Total for vendor 0296 - BRAINERD PUBLIC UTILITIES:				37,937.78	37,937.78		

Vendor 1528 - BROWN & BIGELOW:

30855437 82904	BROWN & BIGELOW QTY 2000 RED TOKENS 203-9000-42210	05/21/2024 pziemer	06/05/2024	957.59 957.59	957.59	Open	N 06/05/2024
Total for vendor 1528 - BROWN & BIGELOW:				957.59	957.59		

Vendor MISC - BRUCE CLARK:

B23-0001 - ADJ 82871	BRUCE CLARK BD Bond Refund 101-0000-20701	05/21/2024 pziemer	06/05/2024	500.00 500.00	500.00	Open	N 06/05/2024
Total for vendor MISC - BRUCE CLARK:				500.00	500.00		

Vendor 0102 - CANON FINANCIAL SERVICE:

32680879 82947	CANON FINANCIAL SERVICE 6/1/24-6/30/24 LIB COPIER CONTRACT 211-5505-43430	05/22/2024 pziemer	06/05/2024	19.73 19.73	19.73	Open	N 06/05/2024
32693092 82948	CANON FINANCIAL SERVICE 6/1/24-6/30/24 FD COPIER CONTRACT 225-2220-43331	05/23/2024 pziemer	06/05/2024	80.69 80.69	80.69	Open	N 06/05/2024
Total for vendor 0102 - CANON FINANCIAL SERVICE:				100.42	100.42		

Vendor 4030 - CARR'S TREE SERVICE INC:

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50971 82872	CARR'S TREE SERVICE INC REMOVE CHRISTMAS LIGHTS GREGORY PARK 230-5200-42220 REPAIR & MAINT Total for vendor 4030 - CARR'S TREE SERVICE INC:	05/17/2024 pziemer	06/05/2024	475.00 475.00 475.00	475.00 475.00	Open	N 06/05/2024
Vendor 0447 - CDW GOVERNMENT, INC:							
RG08874 82918	CDW GOVERNMENT, INC LOGITECH WAVE KEYS	05/10/2024 pziemer	06/05/2024	54.59 54.59	54.59	Open	N 06/05/2024
Vendor 0849 - CENTRAL LAKES COLLEGE :							
00244040 83005	CENTRAL LAKES COLLEGE FD BACKDROP & TABLECLOTH DESIGN -LES 225-2220-42210 OPERATING SUPPLIES Total for vendor 0849 - CENTRAL LAKES COLLEGE :	05/23/2024 pziemer	06/05/2024	738.00 738.00 738.00	738.00 738.00	Open	N 06/05/2024
Vendor 1343 - CHARTER COMMUNICATIONS:							
0280094051224 82878	CHARTER COMMUNICATIONS REDUNDANT INTERNET 5/12-6/11 101-1800-43321 TELEPHONE Total for vendor 1343 - CHARTER COMMUNICATIONS:	05/12/2024 pziemer	06/05/2024	114.98 114.98 114.98	114.98 114.98	Open	N 06/05/2024
Vendor 1513 - CITY OF BAXTER:							
2023 TRANSIT 82946	CITY OF BAXTER 2023 TRANSIT RECONCILIATION 203-0000-20800 DUE TO OTHER GOVT UNITS Total for vendor 1513 - CITY OF BAXTER:	05/28/2024 pziemer	06/05/2024	14,050.40 14,050.40 14,050.40	14,050.40 14,050.40	Open	N 06/05/2024
Vendor 0229 - CLIFTONLARSONALLEN LLP:							
L241331951 82938	CLIFTONLARSONALLEN LLP 2023 AUDIT 2ND INSTALLMENT AUDIT SER 101-9200-43300 PROFESSIONAL SERVICES	05/23/2024 pziemer	06/05/2024	18,724.65 18,724.65	18,724.65	Open	N 06/05/2024
L241331796 82939	CLIFTONLARSONALLEN LLP IMPLEMENTATION OF NEW RISK AUDITING	05/23/2024 pziemer	06/05/2024	4,200.00	4,200.00	Open	N 06/05/2024

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	101-9200-43300	PROFESSIONAL SERVICES		4,200.00			
	Total for vendor 0229 - CLIFTONLARSONALLEN LLP:			22,924.65	22,924.65		

Vendor 0122 - COMMUNITY ACTION:

2024 FIREWORKS

82926	COMMUNITY ACTION	05/20/2024	06/05/2024	8,000.00	8,000.00	Open	N 06/05/2024
	2024 FIREWORKS DONATION	pziemer					
	101-9200-43438	MISC SPECIAL PROJECTS		8,000.00			
	Total for vendor 0122 - COMMUNITY ACTION:			8,000.00	8,000.00		

Vendor 0900 - CUB FOODS - BRAINERD:

TRX: 034712 PD

82928	CUB FOODS - BRAINERD	05/24/2024	06/05/2024	7.28	7.28	Open	N 06/05/2024
	DISH SOAP/SPONGE	pziemer					
	225-2120-42220	REPAIR & MAINT		7.28			
	Total for vendor 0900 - CUB FOODS - BRAINERD:			7.28	7.28		

Vendor 3438 - DAHLHEIMER BEVERAGE:

2192507

82927	DAHLHEIMER BEVERAGE	05/24/2024	06/05/2024	207.30	207.30	Open	N 06/05/2024
	JANITORIAL SUPPLIES -LIBRARY	pziemer					
	211-5500-42220	REPAIR & MAINT		207.30			
	Total for vendor 3438 - DAHLHEIMER BEVERAGE:			207.30	207.30		

Vendor 0440 - DESTINATION DOWNTOWN BRAINERD COALI:

MAY 2024

82866	DESTINATION DOWNTOWN BRAINERD COALI	05/21/2024	06/05/2024	833.34	833.34	Open	N 06/05/2024
	MAY 24 ECONOMIC DEVELOPMENT CONSULTING	pziemer					
	295-6510-43300	PROFESSIONAL SERVICES		833.34			
	Total for vendor 0440 - DESTINATION DOWNTOWN BRAINERD COALI:			833.34	833.34		

Vendor 4297 - DIAMOND MAPS:

7318

82902	DIAMOND MAPS	05/17/2024	06/05/2024	1,404.00	1,404.00	Open	N 06/05/2024
	BRAINERD SAN/SWR MAPPING	pziemer					
	237-3190-43300	PROFESSIONAL SERVICES		409.50			
	237-0000-15510	PREPAID OTHER		292.50			
	238-3160-43300	PROFESSIONAL SERVICES		409.50			
	238-0000-15510	PREPAID OTHER		292.50			
	Total for vendor 4297 - DIAMOND MAPS:			1,404.00	1,404.00		

Vendor 2527 - DIGITAL INK DESIGN & GRAPHICS:

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35456 82906	DIGITAL INK DESIGN & GRAPHICS MILLS FIELD - SIGNS 230-5200-42221 R&M- MILLS FIELD Total for vendor 2527 - DIGITAL INK DESIGN & GRAPHICS:	05/17/2024 pziemer	06/05/2024	103.60 103.60 103.60	103.60 103.60	Open	N 06/05/2024
Vendor 0170 - FASTENAL COMPANY:							
MNBAX267958 82916	FASTENAL COMPANY BUS 201 REPAIRS 203-9000-43401 VEHICLE REPAIRS Total for vendor 0170 - FASTENAL COMPANY:	05/20/2024 pziemer	06/05/2024	49.00 49.00 49.00	49.00 49.00	Open	N 06/05/2024
Vendor 3865 - FIRST ARRIVING IO INC:							
3411 82956	FIRST ARRIVING IO INC 8/3/24-8/2/25 DASHBOARD RENEWAL 225-2120-43309 COMPUTER TECHNICAL SUPPORT Total for vendor 3865 - FIRST ARRIVING IO INC:	05/20/2024 pziemer	06/05/2024	493.78 493.78 493.78	493.78 493.78	Open	N 06/05/2024
Vendor 3402 - FLEETPRIDE:							
116937616 82876	FLEETPRIDE BUS 201 REPAIRS 203-9000-43401 VEHICLE REPAIRS Total for vendor 3402 - FLEETPRIDE:	05/17/2024 pziemer	06/05/2024	30.78 30.78 30.78	30.78 30.78	Open	N 06/05/2024
Vendor 0193 - GOODIN COMPANY:							
6660766-00 82936	GOODIN COMPANY MMP REPAIR - PVC PIPES 230-5200-42220 REPAIR & MAINT Total for vendor 0193 - GOODIN COMPANY:	05/20/2024 pziemer	06/05/2024	43.98 43.98 43.98	43.98 43.98	Open	N 06/05/2024
Vendor 0209 - HEARTLAND TIRE INC.:							
3049109 82884	HEARTLAND TIRE INC. SQUAD 435 TIRE REPAIR 225-2120-42221 SQUAD CAR REPAIR SUPPLIES Total for vendor 0209 - HEARTLAND TIRE INC.:	05/17/2024 pziemer	06/05/2024	37.55 37.55 37.55	37.55 37.55	Open	N 06/05/2024
Vendor 0203 - HOLDEN ELECTRIC:							

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
75917 82955	HOLDEN ELECTRIC MOVE ELECTRICAL SERVICE 401-9030-45530-22:08	05/07/2024 pziemer	06/05/2024	689.40 689.40	689.40	Open	N 06/05/2024
	CAPITAL-PYMTS TO CONTRACTS			689.40			
	Total for vendor 0203 - HOLDEN ELECTRIC:			689.40	689.40		
Vendor 3220 - IMPERIAL DADE:							
4238679/CH 82949	IMPERIAL DADE CITY HALL JANITORIAL SUPPLIES 101-1940-42220	05/28/2024 pziemer	06/05/2024	310.05 310.05	310.05	Open	N 06/05/2024
	REPAIR & MAINT			310.05			
4238679/FD 82950	IMPERIAL DADE FIRE DEPT JANITORIAL SUPPLIES 225-2220-42220	05/28/2024 pziemer	06/05/2024	110.17 110.17	110.17	Open	N 06/05/2024
	REPAIR & MAINT			110.17			
4238679/PARKS 82951	IMPERIAL DADE JANITORIAL SUPPLIES - PARKS 230-5200-42220	05/28/2024 pziemer	06/05/2024	55.08 55.08	55.08	Open	N 06/05/2024
	REPAIR & MAINT			55.08			
4238679/PD 82952	IMPERIAL DADE JANITORIAL SUPPLIES - POLICE DEPT 225-2120-42220	05/28/2024 pziemer	06/05/2024	314.77 314.77	314.77	Open	N 06/05/2024
	REPAIR & MAINT			314.77			
4238679/STRT 82953	IMPERIAL DADE JANITORIAL SUPPLIES - STREETS 235-3100-42220	05/28/2024 pziemer	06/05/2024	55.08 55.08	55.08	Open	N 06/05/2024
	REPAIR & MAINT			55.08			
	Total for vendor 3220 - IMPERIAL DADE:			845.15	845.15		
Vendor 3795 - INDEPENDENT TESTING TECHNOLOGIES:							
43817 82875	INDEPENDENT TESTING TECHNOLOGIES IMP 22-08 TESTING 401-9030-43300-22:08	05/15/2024 pziemer	06/05/2024	1,950.00 1,950.00	1,950.00	Open	N 06/05/2024
	PROFESSIONAL SERVICES			1,950.00			
	Total for vendor 3795 - INDEPENDENT TESTING TECHNOLOGIES:			1,950.00	1,950.00		
Vendor 0213 - INTOXIMETERS INC:							
760617 82885	INTOXIMETERS INC PBT MOUTHPIECES 225-2120-42210	05/14/2024 pziemer	06/05/2024	69.00 69.00	69.00	Open	N 06/05/2024
	OPERATING SUPPLIES			69.00			
	Total for vendor 0213 - INTOXIMETERS INC:			69.00	69.00		

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
Vendor 3517 - ISD #181 BRAINERD PUBLIC SCHOOLS:							
BRD 2024-1 82922	ISD #181 BRAINERD PUBLIC SCHOOLS	05/22/2024	06/05/2024	7,500.00	7,500.00	Open	N 06/05/2024
	1ST HALF 2024 RECREATION PROGRAMMING pziemer						
	230-5200-43300 PROFESSIONAL SERVICES			7,500.00			
	Total for vendor 3517 - ISD #181 BRAINERD PUBLIC SCHOOLS:			7,500.00	7,500.00		
Vendor 3488 - JEFFERSON FIRE & SAFETY:							
IN314704 82931	JEFFERSON FIRE & SAFETY	05/15/2024	06/05/2024	660.86	660.86	Open	N 06/05/2024
	ROPE RESCUE SUPPLIES pziemer						
	225-2220-42210 OPERATING SUPPLIES			660.86			
	Total for vendor 3488 - JEFFERSON FIRE & SAFETY:			660.86	660.86		
Vendor 4290 - KARATE BUSHCRAFT LLC:							
316 82892	KARATE BUSHCRAFT LLC	05/01/2024	06/05/2024	325.00	325.00	Open	N 06/05/2024
	YOUTH SKILLS PROGRAM AT LIBRARY pziemer						
	211-5501-43430 MISC - SPECIFIED DONATION USE			325.00			
	Total for vendor 4290 - KARATE BUSHCRAFT LLC:			325.00	325.00		
Vendor 0221 - KITCHIGAMI REG LIBRARY:							
BR2024-1 82897	KITCHIGAMI REG LIBRARY	05/01/2024	06/05/2024	44,409.00	44,409.00	Open	N 06/05/2024
	1ST HALF LEVY PAYMENT AND AUTOMATION pziemer						
	211-5500-43450 KITCHIGAMI REGIONAL LIBR PYMT			39,750.00			
	211-5502-43430 TECHNOLOGY FUND EXPENDITURES			4,659.00			
	Total for vendor 0221 - KITCHIGAMI REG LIBRARY:			44,409.00	44,409.00		
Vendor 3545 - KITCHIGAMI REGIONAL LIBRARY - CC:							
5/10/24 82917	KITCHIGAMI REGIONAL LIBRARY - CC	05/10/2024	06/05/2024	257.10	257.10	Open	N 06/05/2024
	REMIT LIB CC CHARGES THRU 5/7/24 pziemer						
	211-0000-20800 DUE TO OTHER GOVT UNITS			257.10			
	Total for vendor 3545 - KITCHIGAMI REGIONAL LIBRARY - CC:			257.10	257.10		
Vendor 0223 - L & M STEEL:							
040658 82861	L & M STEEL	05/16/2024	06/05/2024	26.73	26.73	Open	N 06/05/2024
	MISC. SHOP STEEL pziemer						
	235-3100-42220 REPAIR & MAINT			26.73			
	Total for vendor 0223 - L & M STEEL:			26.73	26.73		

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
Vendor 3469 - LAKES AREA MAT SERVICE INC:							
20240507 #522 82888	LAKES AREA MAT SERVICE INC CITY HALL FLOOR MATS 101-1940-43410	05/07/2024 pziemer	06/05/2024	45.60	45.60	Open	N 06/05/2024
	RENTAL EXPENSE			45.60			
20240521 #522 82889	LAKES AREA MAT SERVICE INC CITY HALL FLOOR MATS 101-1940-43410	05/21/2024 pziemer	06/05/2024	45.60	45.60	Open	N 06/05/2024
	RENTAL EXPENSE			45.60			
20240507 #520 82890	LAKES AREA MAT SERVICE INC POLICE DEPT FLOOR MATS 225-2120-43300	05/07/2024 pziemer	06/05/2024	44.40	44.40	Open	N 06/05/2024
	PROFESSIONAL SERVICES			44.40			
20240521 #520 82891	LAKES AREA MAT SERVICE INC POLICE DEPT FLOOR MATS 225-2120-43300	05/21/2024 pziemer	06/05/2024	44.40	44.40	Open	N 06/05/2024
	PROFESSIONAL SERVICES			44.40			
	Total for vendor 3469 - LAKES AREA MAT SERVICE INC:			180.00	180.00		
Vendor 3627 - LAKES AREA WILDLIFE CONTROL:							
MAY 2024 82863	LAKES AREA WILDLIFE CONTROL MAY 24 ANIMAL CONTROL CONTRACT 225-2700-43300	05/10/2024 pziemer	06/05/2024	3,168.00	3,168.00	Open	N 06/05/2024
	PROFESSIONAL SERVICES			3,168.00			
	Total for vendor 3627 - LAKES AREA WILDLIFE CONTROL:			3,168.00	3,168.00		
Vendor 0607 - LEGIONVILLE SCHOOL SAFETY PATROL CA:							
2024 82930	LEGIONVILLE SCHOOL SAFETY PATROL CA 2024 SCHOOL SAFETY PATROL CAMP 226-2160-43430	05/25/2024 pziemer	06/05/2024	8,000.00	8,000.00	Open	N 06/05/2024
	MISCELLANEOUS			8,000.00			
	Total for vendor 0607 - LEGIONVILLE SCHOOL SAFETY PATROL CA:			8,000.00	8,000.00		
Vendor 0239 - MACQUEEN EQUIPMENT INC:							
P57837 82855	MACQUEEN EQUIPMENT INC VACTOR TOOL REBUILD KIT 237-3190-42220	05/16/2024 pziemer	06/05/2024	276.30	276.30	Open	N 06/05/2024
	REPAIR & MAINT			276.30			
P57957 82924	MACQUEEN EQUIPMENT INC VACTOR HYDRO EXCAVATION WAND 237-3190-42220	05/23/2024 pziemer	06/05/2024	1,157.32	1,157.32	Open	N 06/05/2024
	REPAIR & MAINT			1,157.32			

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 0239 - MACQUEEN EQUIPMENT INC:				1,433.62	1,433.62		
Vendor 4066 - MADD MINNESOTA:							
5/20/24 82886	MADD MINNESOTA 707 MADD DEATH NOTIFICATION TRAINING 225-2120-43330	05/20/2024 pziemer	06/05/2024	75.00	75.00	Open	N 06/05/2024
Total for vendor 4066 - MADD MINNESOTA:				75.00	75.00		
Vendor 1753 - MARCO:							
INV12533282 82896	MARCO MICROSOFT 365 4/16/24-5/15/24 101-1800-43309 260-9020-43309	05/21/2024 pziemer	06/05/2024	2,575.50 2,351.50 224.00	2,575.50	Open	N 06/05/2024
Total for vendor 1753 - MARCO:				2,575.50	2,575.50		
Vendor 0243 - MARCO FINANCING:							
INV12522719 82868	MARCO FINANCING UNIFY IT 5/19/24-6/18/24 101-1800-43309 260-9020-43309	05/17/2024 pziemer	06/05/2024	1,218.36 1,111.82 106.54	1,218.36	Open	N 06/05/2024
Total for vendor 0243 - MARCO FINANCING:				1,218.36	1,218.36		
Vendor 0889 - MENARDS - BAXTER:							
21147 82908	MENARDS - BAXTER LUM PARK -BLEACH, SIGN, LUMBER 230-5200-42220	05/17/2024 pziemer	06/05/2024	130.42 130.42	130.42	Open	N 06/05/2024
Total for vendor 0889 - MENARDS - BAXTER:				130.42	130.42		
Vendor 0669 - MICKEY'S PIZZA - J&T FOOD SERVICE:							
948444 83003	MICKEY'S PIZZA - J&T FOOD SERVICE MAY 24 LUNCH N LEARN 278-6515-43430	05/29/2024 pziemer	06/05/2024	342.79 342.79	342.79	Open	N 06/05/2024
Total for vendor 0669 - MICKEY'S PIZZA - J&T FOOD SERVICE:				342.79	342.79		
Vendor 3394 - MIDWEST MACHINERY CO:							

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10044837 82907	MIDWEST MACHINERY CO J/D 750 MOWER REPAIR 230-5200-42220	05/17/2024 pziemer	06/05/2024	45.35	45.35	Open	N 06/05/2024
	REPAIR & MAINT			45.35			
	Total for vendor 3394 - MIDWEST MACHINERY CO:			45.35	45.35		

Vendor 0147 - MINNESOTA SOFTBALL:

7793 82856	MINNESOTA SOFTBALL QTY 1 UMP REGISTRATION 230-5215-42210	05/16/2024 pziemer	06/05/2024	75.00	75.00	Open	N 06/05/2024
	OPERATING SUPPLIES			75.00			
	Total for vendor 0147 - MINNESOTA SOFTBALL:			75.00	75.00		

Vendor 0445 - MN FIRE SERVICE CERTIFICATION BOARD:

12643 82932	MN FIRE SERVICE CERTIFICATION BOARD APPARATUS OPERATOR CERTIFICATION 225-2220-43330	05/20/2024 pziemer	06/05/2024	177.25	177.25	Open	N 06/05/2024
	PROFESSIONAL DEVELOPMENT			177.25			
	Total for vendor 0445 - MN FIRE SERVICE CERTIFICATION BOARD:			177.25	177.25		

Vendor 3197 - MORTON SALT INC:

5403056069 82934	MORTON SALT INC BULK ROAD SALT 235-3125-42220	05/28/2024 pziemer	06/05/2024	2,058.87	2,058.87	Open	N 06/05/2024
	REPAIR & MAINT			2,058.87			
	Total for vendor 3197 - MORTON SALT INC:			2,058.87	2,058.87		

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

224098 82940	M-R SIGN CO., INC. PARKS- DOG WASTE SIGNS 230-5200-42220	05/22/2024 pziemer	06/05/2024	112.00	112.00	Open	N 06/05/2024
	REPAIR & MAINT			112.00			
224099 82941	M-R SIGN CO., INC. NO PARKING SIGNS 235-3170-42210	05/22/2024 pziemer	06/05/2024	97.80	97.80	Open	N 06/05/2024
	OPERATING SUPPLIES			97.80			
	Total for vendor 1449 - M-R SIGN CO., INC.:			209.80	209.80		

Vendor 0273 - NAPA AUTO PARTS:

706819 82880	NAPA AUTO PARTS BATTERY OPERATED FLASHLIGHT	05/21/2024 pziemer	06/05/2024	50.95	50.95	Open	N 06/05/2024
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Inv Num Inv Ref#	Vendor Description	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
	GL Distribution						
	235-3100-42220	REPAIR & MAINT		50.95			
706688 82881	NAPA AUTO PARTS	05/21/2024	06/05/2024	170.05	170.05	Open	N
	SWEEPER 111 & 118 FILTERS	pziemer					06/05/2024
	235-3100-42220	REPAIR & MAINT		170.05			
708906 82954	NAPA AUTO PARTS	05/28/2024	06/05/2024	150.18	150.18	Open	N
	TRUCK 101 BATTERY REPLACEMENT	pziemer					06/05/2024
	235-3100-42220	REPAIR & MAINT		150.18			
707657 83004	NAPA AUTO PARTS	05/23/2024	06/05/2024	23.99	23.99	Open	N
	GRIP TAPE	pziemer					06/05/2024
	235-3125-42220	REPAIR & MAINT		23.99			
Total for vendor 0273 - NAPA AUTO PARTS:				395.17	395.17		

Vendor 1066 - SCHUBERT, KRIS:

5/15/24 82882	SCHUBERT, KRIS	05/21/2024	06/05/2024	37.52	37.52	Open	N
	REIMB MILEAGE INSURANCE POOL MTG	pziemer					06/05/2024
	101-1400-43330	PROFESSIONAL DEVELOPMENT		37.52			
Total for vendor 1066 - SCHUBERT, KRIS:				37.52	37.52		

Vendor 3612 - SEVERSON PORTER LAW:

MAY 2024 82864	SEVERSON PORTER LAW	05/20/2024	06/05/2024	18,883.33	18,883.33	Open	N
	MAY 24 PROSECUTION AGREEMENT	pziemer					06/05/2024
	225-2127-43310	MISDEMEANOR PROSECUTOR		18,883.33			
Total for vendor 3612 - SEVERSON PORTER LAW:				18,883.33	18,883.33		

Vendor 0315 - SHERWIN WILLIAMS:

6455-1 82935	SHERWIN WILLIAMS	05/28/2024	06/05/2024	83.79	83.79	Open	N
	PAINT STRAINERS/TIP	pziemer					06/05/2024
	237-3190-42210	OPERATING SUPPLIES		83.79			
Total for vendor 0315 - SHERWIN WILLIAMS:				83.79	83.79		

Vendor 0317 - SHORT ELLIOTT HENDRICKSON:

465959 82920	SHORT ELLIOTT HENDRICKSON	05/06/2024	06/05/2024	11,178.26	11,178.26	Open	N
	WILLOW/6TH ROUNDAABOUT THRU 4/27/24	pziemer					06/05/2024
	401-9030-43300-23:13	PROFESSIONAL SERVICES		11,178.26			

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467109 82921	SHORT ELLIOTT HENDRICKSON BRDMN I&I SEWER STUDY THRU 4/27/24 401-9030-43300-20:07	05/14/2024 pziemer	06/05/2024	5,610.10 5,610.10	5,610.10	Open	N 06/05/2024
	Total for vendor 0317 - SHORT ELLIOTT HENDRICKSON:			16,788.36	16,788.36		
Vendor 0322 - STREICHERS PROF EQUIP:							
I1699475 82887	STREICHERS PROF EQUIP CSO: 772JG & 776DB INITIAL ISSUES 225-2121-41113	05/16/2024 pziemer	06/05/2024	62.96 62.96	62.96	Open	N 06/05/2024
I1700284 82929	STREICHERS PROF EQUIP 772JG & 776DG - CSO'S INITIIAL ISSUE 225-2121-41113	05/15/2024 pziemer	06/05/2024	164.97 164.97	164.97	Open	N 06/05/2024
	Total for vendor 0322 - STREICHERS PROF EQUIP:			227.93	227.93		
Vendor 3838 - SWANSON HASKAMP CONSULTING:							
MAY 2024 82865	SWANSON HASKAMP CONSULTING MAY 24 ECONOMIC DEVELOPMENT CONSULTING 295-6510-43300	05/21/2024 pziemer	06/05/2024	2,916.67 2,916.67	2,916.67	Open	N 06/05/2024
	Total for vendor 3838 - SWANSON HASKAMP CONSULTING:			2,916.67	2,916.67		
Vendor 3902 - TEAM LAB:							
INV0041025 82873	TEAM LAB WEED KILLER 235-3100-42220	05/14/2024 pziemer	06/05/2024	2,330.00 2,330.00	2,330.00	Open	N 06/05/2024
	Total for vendor 3902 - TEAM LAB:			2,330.00	2,330.00		
Vendor 0325 - THELEN HTG & RFG CO:							
23:26 PAY REQ 1 82898	THELEN HTG & RFG CO IMP 23:26 PAY REQ 1 THRU 4/30/24 229-0000-45530-23:26	05/20/2024 pziemer	06/05/2024	222,300.00 222,300.00	222,300.00	Open	N 06/05/2024
	Total for vendor 0325 - THELEN HTG & RFG CO:			222,300.00	222,300.00		
Vendor 0329 - TOMS BACKHOE SERVICE INC:							
21-15 PAY REQ 5 83006	TOMS BACKHOE SERVICE INC IMP 21-15 PAY REQ 5	05/24/2024 pziemer	06/05/2024	76,134.01	76,134.01	Open	N 06/05/2024

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
	401-9030-45530-21:15	CAPITAL-PYMTS TO CONTRACTS		76,134.01			
	Total for vendor 0329 - TOMS BACKHOE SERVICE INC:			76,134.01	76,134.01		
Vendor 0039 - VESTIS:							
2530273936 82854	VESTIS RUGS AND OVERALLS 235-3100-43430	05/16/2024 pziemer MISCELLANEOUS	06/05/2024	59.47 59.47	59.47	Open	N 06/05/2024
2530276482 82933	VESTIS RUGS AND OVERALLS 235-3100-43430	05/23/2024 pziemer MISCELLANEOUS	06/05/2024	83.75 83.75	83.75	Open	N 06/05/2024
	Total for vendor 0039 - VESTIS:			143.22	143.22		
Vendor 0087 - VISIT BRAINERD:							
MAY 2024 82893	VISIT BRAINERD MAY 24 ECONOMIC DEVELOPMENT CONSULTING 295-6510-43300	05/21/2024 pziemer PROFESSIONAL SERVICES	06/05/2024	3,333.34 3,333.34	3,333.34	Open	N 06/05/2024
	Total for vendor 0087 - VISIT BRAINERD:			3,333.34	3,333.34		
Vendor 0888 - WEST BRAINERD AUTO SERVICE:							
050066 82895	WEST BRAINERD AUTO SERVICE WINCH-OUT OF CAMPER FROM SITE 230-5280-42210	05/21/2024 pziemer OPERATING SUPPLIES	06/05/2024	300.00 300.00	300.00	Open	N 06/05/2024
	Total for vendor 0888 - WEST BRAINERD AUTO SERVICE:			300.00	300.00		
# of Invoices:	108	# Due:	108	Totals:	643,346.50	643,346.50	
# of Credit Memos:	0	# Due:	0	Totals:	0.00	0.00	
Net of Invoices and Credit Memos:					643,346.50	643,346.50	

--- TOTALS BY GL DISTRIBUTION ---

101-0000-20701	B23-0001	500.00
101-0000-20850	DUE TO COMPONENT UNIT	75.55
101-1400-43330	PROFESSIONAL DEVELOPMENT	37.52
101-1800-43309	COMPUTER SUPPORT	3,463.32
101-1800-43321	TELEPHONE	114.98
101-1940-42220	REPAIR & MAINT	310.05
101-1940-43381	BPU UTILITIES	1,916.57
101-1940-43410	RENTAL EXPENSE	91.20
101-2400-43405	NUISANCES	225.00
101-9200-43300	PROFESSIONAL SERVICES	22,924.65
101-9200-43381	BPU UTILITIES	144.02

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
	101-9200-43438	MISC SPECIAL PROJECTS		8,000.00			
	203-0000-20800	DUE TO OTHER GOVT UNITS		14,050.40			
	203-9000-42210	OPERATING SUPPLIES		957.59			
	203-9000-42220	REPAIR & MAINT		25.45			
	203-9000-43401	VEHICLE REPAIRS		8,304.59			
	203-9000-43440	TRANSIT SERVICE CONTRACT PY		89,444.84			
	211-0000-20800	DUE TO OTHER GOVT UNITS		257.10			
	211-5500-42220	REPAIR & MAINT		207.30			
	211-5500-43381	BPU UTILITIES		1,521.75			
	211-5500-43450	KITCHIGAMI REGIONAL LIBR PYMT		39,750.00			
	211-5501-43430	MISC - SPECIFIED DONATION USE		325.00			
	211-5502-43430	TECHNOLOGY FUND EXPENDITURES		4,659.00			
	211-5505-43430	MISC - COPY MACHINE PYMTS		19.73			
	225-2120-42210	OPERATING SUPPLIES		69.00			
	225-2120-42220	REPAIR & MAINT		322.05			
	225-2120-42221	SQUAD CAR REPAIR SUPPLIES		46.53			
	225-2120-42240	SMALL TOOLS		43.64			
	225-2120-43300	PROFESSIONAL SERVICES		88.80			
	225-2120-43309	COMPUTER TECHNICAL SUPPORT		493.78			
	225-2120-43330	PROFESSIONAL DEVELOPMENT		75.00			
	225-2120-43381	BPU UTILITIES		4,803.67			
	225-2121-41113	UNIFORM ALLOWANCE		227.93			
	225-2127-43310	MISDEMEANOR PROSECUTOR		18,883.33			
	225-2220-42210	OPERATING SUPPLIES		1,398.86			
	225-2220-42220	REPAIR & MAINT		110.17			
	225-2220-43330	PROFESSIONAL DEVELOPMENT		177.25			
	225-2220-43331	LEASED PAYMENTS		80.69			
	225-2220-43381	BPU UTILITIES		2,098.19			
	225-2700-43300	PROFESSIONAL SERVICES		3,168.00			
	226-2160-43430	MISCELLANEOUS		8,000.00			
	229-0000-45530-23:26	PYMTS TO CONTRACTORS		222,300.00			
	230-5200-42220	REPAIR & MAINT		868.12			
	230-5200-42221	R&M- MILLS FIELD		103.60			
	230-5200-43300	PROFESSIONAL SERVICES		17,500.00			
	230-5200-43381	BPU UTILITIES		3,710.71			
	230-5215-42210	OPERATING SUPPLIES		75.00			
	230-5280-42210	OPERATING SUPPLIES		300.00			
	230-5280-43380	UTILITIES		57.98			
	235-3100-42220	REPAIR & MAINT		4,420.32			
	235-3100-43381	BPU UTILITIES		23,520.14			
	235-3100-43430	MISCELLANEOUS		143.22			
	235-3125-42220	REPAIR & MAINT		2,082.86			
	235-3170-42210	OPERATING SUPPLIES		170.75			
	236-0000-15510	PREPAID		3,894.92			
	236-3180-43381	BPU UTILITIES		37.50			
	236-3180-43430	MISCELLANEOUS		11,684.75			
	237-0000-15510	PREPAID OTHER		292.50			
	237-3190-42210	OPERATING SUPPLIES		83.79			
	237-3190-42220	REPAIR & MAINT		1,451.60			
	237-3190-43300	PROFESSIONAL SERVICES		409.50			
	238-0000-15510	PREPAID OTHER		292.50			
	238-3160-43300	PROFESSIONAL SERVICES		409.50			
	260-9020-43309	COMPUTER SUPPORT		330.54			
	278-6515-43430	MISCELLANEOUS		342.79			
	295-0000-20600	DEPOSITS PAYABLE		5,200.00			
	295-6510-43300	PROFESSIONAL SERVICES		10,083.35			
	401-1003-43380	UTILITIES		51.70			

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DB: Brainerd

INVOICE REGISTER REPORT FOR CITY OF BRAINERD
EXP CHECK RUN DATES 06/03/2024 - 06/03/2024
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
	401-9030-43300-20:07	PROFESSIONAL SERVICES		5,610.10			
	401-9030-43300-22:08	PROFESSIONAL SERVICES		1,950.00			
	401-9030-43300-23:13	PROFESSIONAL SERVICES		11,678.26			
	401-9030-45530-21:15	CAPITAL-PYMTS TO CONTRACTS		76,134.01			
	401-9030-45530-22:08	CAPITAL-PYMTS TO CONTRACTS		689.40			

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User: pziemer

DB: Brainerd

INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 06/03/2024 - 06/03/2024

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Page: 19/20

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
--- TOTALS BY FUND ---							
	101 - GENERAL FUND			37,802.86	37,802.86		
	203 - TRANSIT FUND			112,782.87	112,782.87		
	211 - LIBRARY FUND			46,739.88	46,739.88		
	225 - PUBLIC SAFETY FUND			32,086.89	32,086.89		
	226 - SCHOOL PATROL FUND			8,000.00	8,000.00		
	229 - PANDEMIC GRANTS			222,300.00	222,300.00		
	230 - PARK & RECREATION FUND			22,615.41	22,615.41		
	235 - STREET & SEWER FUND			30,337.29	30,337.29		
	236 - PARKING LOT FUND			15,617.17	15,617.17		
	237 - SANITARY SEWER FUND			2,237.39	2,237.39		
	238 - STORM SEWER FUND			702.00	702.00		
	260 - AIRPORT FUND			330.54	330.54		
	278 - HEALTHY EMPLOYEE INITIATIVE			342.79	342.79		
	295 - EDA FUND			15,283.35	15,283.35		
	401 - CONSTRUCTION FUND			96,113.47	96,113.47		
--- TOTALS BY DEPT/ACTIVITY ---							
	0000 -			246,862.97	246,862.97		
	1003 - 10:03 DWNTWN MAIN CNTRACT			51.70	51.70		
	1400 - ADMINISTRATION			37.52	37.52		
	1800 - IT/GIS			3,578.30	3,578.30		
	1940 - CITY HALL			2,317.82	2,317.82		
	2120 - POLICE DEPARTMENT			5,942.47	5,942.47		
	2121 - COMMUNITY SERVICE			227.93	227.93		
	2127 - MISDEMEANOR PROSECUTOR			18,883.33	18,883.33		
	2160 - SCHOOL PATROL EXPENSE			8,000.00	8,000.00		
	2220 - FIRE DEPARTMENT			3,865.16	3,865.16		
	2400 - COMMUNITY DEVL/INSPECTION			225.00	225.00		
	2700 - ANIMAL CONTROL			3,168.00	3,168.00		
	3100 - S & S MAINTENANCE			28,083.68	28,083.68		
	3125 - SNOW REMOVAL			2,082.86	2,082.86		
	3160 - STORM SEWER EXPENSE			409.50	409.50		
	3170 - TRAFFIC CONTROL			170.75	170.75		
	3180 - PARKING LOTS EXPENSE			11,722.25	11,722.25		
	3190 - SANITARY SEWER EXPENSE			1,944.89	1,944.89		
	5200 - PARK MAIN/ADMINISTRATION			22,182.43	22,182.43		
	5215 - ADULT SOFTBALL			75.00	75.00		
	5280 - CAMPGROUND			357.98	357.98		
	5500 - LIBRARY-BUDGETED			41,479.05	41,479.05		
	5501 - SPECIFIED DONATION USE			325.00	325.00		
	5502 - GENERAL DONATION USE			4,659.00	4,659.00		
	5505 - TAXABLE FEES			19.73	19.73		

05/30/2024 01:07 PM
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INVOICE REGISTER REPORT FOR CITY OF BRAINERD
EXP CHECK RUN DATES 06/03/2024 - 06/03/2024
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 ---							
	6510 - ECONOMIC DEVELOPMENT AUTH			10,083.35	10,083.35		
	6515 - HEALTHY EMPLOYE INITIATIVE			342.79	342.79		
	9000 - TRANSIT FUND			98,732.47	98,732.47		
	9020 - AIRPORT M & O			330.54	330.54		
	9030 - CONSTRUCTION PROJ-MISC			96,061.77	96,061.77		
	9200 - CITY-WIDE			31,068.67	31,068.67		

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

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

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO APPROVE THE AGENDA MOVING ITEM 9A INTERIM USE PERMIT FOR OUTDOOR STORAGE AS A PRINCIPAL USE AT 1918 THIESSE DRIVE AFTER THE CONSENT CALENDAR.

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

- A. Approval of Bills
- B. Approval of Minutes
- C. Department Activity Report
- D. Approve MN Lawful Gambling Application Submitted by Central Lakes College Foundation for an Event to be held on December 28, 2024, at 501 W College Dr
- E. Authorize Hiring of 2024 Summer Temporary Employees
- F. Approve Event/Street Closure Application - StreetFest
- G. Approve Event/Street Closure - Play-N-Trade Grand Opening
- H. Event Application - Westgate Mall Carnival

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

Consider Interim Use Permit (IUP) for Outdoor Storage as a Principal Use at 1918 Thiesse Drive

Community Development Director Kramvik gave an overview of the application. He stated that at the Planning Commission public hearing there were concerns about possible noise, environmental effect, health of the community, use of electricity, and hunting. The Planning Commission recommended the denial of the Interim Use Permit by a 3-2 vote. The Staff recommends the approval of the Interim Use Permit for storage as a principal use.

Attorney Langel stated that IUPs in the Brainerd Code are processed the same way as CUPs. If the standards are met, the applicant has the right to an IUP.

Member O'Day asked about "abutting" and "corner to corner". He asked what the risk is if the City denies the permit based on utilities.

Community Development Director Kramvik stated that as on a map, two parcels who only touch on the corners are considered not abutting. The surrounding abutting parcels are zoned industrial.

Interim Public Utilities Director Wussow stated that VCV has invested about \$600,000 in utility infrastructure. VCV had a contract with the City of Brainerd that had expired and was renegotiated at the previous Public Utilities Commission meeting.

Member Johnson asked about the current crypto mining operation in the City, and whether that business needed an IUP for storage. He also asked about the noise comparison between the two companies.

Community Development Director Kramvik stated that since the Just for Krypto operation has a principal structure an interim use permit is not required. Staff will be meeting with them this week to work through screening requirements since they have added outdoor storage. Regarding noise, "Just for Crypto" does not have much emersion technology. He stated he is not an expert, but emersion technology should make the machines at VCV quieter.

Member Terry stated that in Ms. Thiesse's e-mail she asked about delaying the decision to explore the noise concern further. She asked whether more time to explore the noise concern is something that the Council could act on.

Attorney Langel stated that due to this being a land use application there is a 60-day time limit. A 60-day extension is possible, anything after that would need to be approved by both VCV and the City.

Member Czeczok asked about the initial IUP issued to the applicant. He questioned whether the original IUP has any bearing on Council's decision on this IUP.

Community Development Director Kramvik stated that this is a unique application and should be viewed as independent from the previous permit.

Attorney Langel stated that there has been an IUP previously granted by the Council. In order to deny this IUP there will have to be findings of fact that would provide differentiation between the two permits. The logical question would be what has changed.

Member Czeczok stated that the Planning Commission cited the comprehensive plan and excessive power use, and number of employees. These reasons have everything to do with Crypto mining as a business and not land use.

Community Development Director Kramvik stated that staff's recommendation to approve the permit was based on outdoor storage as a principal use rather than crypto mining. He believes the Planning Commission's recommendation to deny was heavier on crypto mining.

Member Stenglein asked whether the number and size of containers is a valid reason to look at this iteration of the permit differently.

Attorney Langel stated that that would depend on how the zoning code reads. He doesn't believe that the size and number make any difference.

Chair Bevans asked whether this IUP covers all of the properties owned by VCV. He also asked for clarification on whether if VCV put the containers in a building the Council would have anything to approve. Finally, he asked about time limits to the permit and penalties for not following the permitting process.

Community Development Director Kramvik stated that the EDA approved a change in scope for the north property that would have a principal structure. The Planning Commission could review the future of crypto mining. There may be potential to limit the number of

megawatts that the City wants to contract for. If the principal structure was a building, the Council would have nothing to consider. Time limits may be imposed with a permit and penalties would be more typically imposed through an injunction.

Mayor Badeaux asked whether there have been noise complaints about the other property. He also asked about the use of land for crypto mining and whether the general industrial zone is the only zone in the City where it is allowed as a use. Finally, he asked about the IUP process and how to cancel an IUP once it has been granted.

Community Development Director Kramvik stated that there have not been complaints about the other crypto mining business in regard to noise. Crypto mining as a use would be conditional in other zones like business and makerspace. He stated that an expiration or removing storage as a principal permitted use could be solutions. This is the best option for regulation of this property in Staff's opinion.

Member Czczok asked what would happen if the Council took no action.

Chair Bevans stated that the Council may all go to jail. Extending the time by 60 days is also an option.

Member Czczok stated that he appreciates the sentiment of researching the noise. However, he is concerned about identifying the concern before the concern exists. He would question at whose cost would the noise be studied.

Member Terry stated that she is not an expert but wonders whether there are other facilities that have the same or similar facilities to consult with. She does not know what the best way to go about this is.

Member Czczok asked about the 60-day extension, whether the Council should set the term shorter.

Chair Bevans stated that it could be done the meeting previous to the expiration.

Member O'Day stated that the EDA has a meeting at the beginning of the month, this may coincide with the land use the EDA has to review.

Member Johnson stated that adding an end date to the IUP would be more effective than researching something that does not exist.

Mayor Badeaux is concerned with the idea that the City wants to measure decibels. Where is the line drawn with our other valuable businesses. He stated that when you find a city with a lack of sounds, sights, or smells, you will find a city that is dying or dead. The City's job is to find places for things and where they fit, not measuring sound.

MOVED AND SECONDED BY COUNCIL MEMBERS TERRY AND STUNEK TO EXTEND THE IUP CONSIDERATION FOR 60 DAYS WHILE THE NOISE PORTION OF THE PERMIT IS EXPLORED FURTHER.

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

Chair Bevans submitted e-mails into the public record from Glynnis Thiesse, Loretta Wulff, Sarah Thiesse, Megan Thiesse, and Andrew Shipe.

Member Czczok asked if it would be advantageous of the City to draft an RFP for professionals to measure the sound.

Member Stenglein stated that the Planning Commission has put noise on its itinerary. The Planning Commission will discuss when to discuss the subject.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND STENGLEIN TO DIRECT STAFF TO DRAFT AN RFP TO FIND AN EXPERIENCED SOUND/NOISE PROFESSIONAL TO DETERMINE CONCERNS THAT MAY DEVELOP WITH THIS PERMIT.

Council Member Czczok voted “aye”. Members Johnson, O’Day, Stunek, Terry, Stenglein, and Bevans voted “nay”. The Chair declared the motion failed.

Presentation

Public Hearing- Annual MS4 Meeting

City Engineer/Public Works Director Dehn conducted the presentation of the 2023 Annual Storm Water Public Meeting.

Member Czczok asked about areas of the City where there is no storm sewer. He asked whether the presentation is about best management practices for our storm sewer. He questioned why enforcement of best management practices happens in areas where there is no storm sewer. He mentioned Beaver Dam Road, if it is necessary to have site restrictions.

City Engineer/Public Works Director Dehn stated that even ditches, and anywhere that soil can leave an individual site is regulated by the State. A property still has other drainage ways even if they don’t have access to the storm sewer.

The Chair opened the Public Hearing at 8:25 p.m.

No one came forward.

The Chair closed the public hearing at 8:26 p.m.

Council Committee Reports

Personnel and Finance Committee

Approve Revised IBEW Local No. 31 (Administrative Support) Union Job Descriptions as Presented

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE THE UPDATED JOB DESCRIPTIONS AS PRESENTED.

Approve the Promotion of Stephanie Bestul to Zoning Specialist/Permit Technician

Committee Chair Johnson stated that Staff has estimated a \$75,000 to \$80,000 savings with this promotion.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND TERRY, DULY CARRIED, TO APPROVE THE PROMOTION OF STEPHANIE BESTUL TO THE ZONING SPECIALIST/PERMIT TECHNICIAN POSITION EFFECTIVE MAY 21, 2024, AT STEP 4

(\$31.58 PER HOUR); FURTHER TO AUTHORIZE STAFF TO START THE HIRING PROCESS FOR A PART-TIME ADMINISTRATIVE SUPPORT EMPLOYEE THAT WILL WORK UP TO 67 WORKING DAYS PER YEAR.

Consider Joint Powers Agreement with Baxter on Shared Environmental Resources Technician Position

Committee Chair Johnson stated that the position is paid out of the storm water funds.

Member Czczok asked if this position would present the MS4 permit presentation.

City Engineer/Public Works Director Dehn stated that it could be a possibility.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE THE JOINT POWERS AGREEMENT BETWEEN THE CITY OF BRAINERD AND CITY OF BAXTER FOR THE SHARED POSITION OF ENVIRONMENTAL RESOURCES TECHNICIAN; FURTHER TO AUTHORIZE ADVERTISEMENT FOR THE ENVIRONMENTAL RESOURCES TECHNICIAN POSITION.

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

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

Committee Chair Johnson stated that all of the legacy employees moved to the grid.

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

RESOLUTION 26:24

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

Authorize Sale of Community Development Department Jeep

Committee Chair Johnson stated that the vehicle only has 30,000 miles on it.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO AUTHORIZE THE SALE OF THE 2014 JEEP COMPASS USING ENTERPRISE FLEET SERVICES.

Consider Cannabis License Number and Registration Fees

Committee Chair Johnson stated that Council would like to charge a fee for cannabis dispensary licenses and limit the number of cannabis dispensaries to the two required by law. The Council will review after two years to determine if they want to loosen the ordinance.

Community Development Director Kramvik stated that the Planning Commission held a public hearing on the time, manner, and place regarding the zoning code. The City Council will consider two ordinances at the next meeting.

Chair Bevans requested that the committee make a motion to direct staff to draft an ordinance.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND TERRY, DULY CARRIED, TO DRAFT AN ORDINANCE FOR REGISTRATION AND LICENSING OF CANNABIS DISPENSARIES.

Consider Request From Brainerd Community Action for Independence Day Fireworks Donation

Member Czczok stated that the amount that has been donated has exceeded \$80,000. He would like to keep people thinking about that number when considering funds for other things that may not be as supported. These are taxpayer dollars, he supports the motion, but wanted to make a point of discussion.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE THE REQUEST FROM BRAINERD COMMUNITY ACTION FOR A DONATION FOR INDEPENDENCE DAY FIREWORKS IN THE AMOUNT OF \$8,000. TO BE PAID FROM THE SPECIAL PROJECTS BUDGETED LINE ITEM.

Safety and Public Works Committee

Approve Contract Amendment - SEH - Buffalo Hills Gully

Committee Chair O'Day stated that the project has taken a little longer than expected.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND STENGLEIN, DULY CARRIED, TO APPROVE THE CONTRACT AMENDMENT FROM SEH IN THE AMOUNT OF \$7,825.

Approve Memorandum of Understandings with Crow Wing County - Road Maintenance Agreements

Committee Chair O'Day stated that this is a technical and official agreement for plowing and storm water pond maintenance.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO APPROVE MEMORANDUMS OF UNDERSTANDING BETWEEN CROW WING COUNTY AND THE CITY OF BRAINERD FOR CROSS-JURISDICTIONAL MAINTENANCE.

Authorize Bidding - O Street Outfall Replacement

Committee Chair O'Day stated that \$50,000 is budgeted annually. The estimate is closer to \$70,000. There are options to consider removing portions of the reconstruction to bring the cost closer to budget.

Member Czczok asked about the alternate plan and whether there should be two bids.

Committee Chair O'Day stated that it was not officially in the motion. When the bids are returned, the Council can decide whether they want to include or exclude the additional portion.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO AUTHORIZE TO BID THE O STREET OUTFALL REPLACEMENT PROJECT AS PRESENTED.

Approve Transit Operating Policy Updates

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO APPROVE THE RECOMMENDED CHANGES TO THE TRANSIT OPERATING POLICIES.

Approve Transit Procurement Policy

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND STENGLEIN, DULY CARRIED, TO APPROVE THE TRANSIT PROCUREMENT POLICY.

Award Transit Operating Contract - 2024-2027

Committee Chair O'Day stated that this was the only proposal submitted for transit services.

Member Johnson asked whether we were confident that the fares would cover the local share of the contract.

City Engineer/Public Works Director Dehn stated that for at least year one it is projected that the fares will cover the cost. For years two and three, it is unclear what the MnDOT share will be, but staff will continue to analyze.

Member Czeczok stated that there was an e-mail shared about information he requested on a transit levy. He stated that it was very interesting to learn about the number of dollars levied against the taxpayers for transit. In the big picture, it is a very small amount when considering the service that is provided.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO AWARD THE 2024-2027 TRANSIT OPERATING CONTRACT WITH BLUE SKY.

Direct Staff to Draft a Vacant Building Registry Ordinance

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND STENGLEIN, DULY CARRIED, TO DIRECT STAFF TO DRAFT A VACANT BUILDING REGISTRY ORDINANCE.

Direction on Active Code Enforcement Cases

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO ISSUE AN "ORDER TO CORRECT" LETTER AND OBTAIN A SEARCH WARRANT TO ABATE THE NUISANCE AT 813 HOLLY STREET.

Unfinished Business

Call for Applicants – Informational:

Mayor Recommended: (terms to expire on 12/31 of said year)
Charter Commission – 2 terms (Expire 2026) 2 terms (Expire 2025)

Transportation Advisory Committee- 2 terms (Expire 2025)

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

Economic Development Authority- 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)

Update on the Conversations with Crow Wing County on the Ownership of the Brainerd Lakes Regional Airport

Administrator Broyles gave an overview of staff discussions regarding the ownership of the airport.

Member O'Day asked whether the airport is a liability or an asset.

Finance Director Hillman stated that the airport brings in millions of State and Federal dollars. When you look at that compared to the City's contribution the airport is obviously making money. The airport is an asset to the community. The City has conversations every ten years or so about the City levy and double taxation. Due to the airport serving multiple communities, it makes sense to have it be County owned or a separate taxing authority. If the ownership stays status quo, she believes that operationally there needs to be changes.

Member O'Day asked if the Federal and State dollars would be affected by the County solely owning the airport.

Airport Director Wright stated that with a change in ownership there would be FAA oversight and dialogue. With the grant monies received and land ownership there would be significant legal work when considering the ownership of the airport. Prior to the pandemic, the State of Minnesota identified a \$34 million economic impact to the region. When the report is updated, he will provide the information.

Member Czeczok asked if the County were to take over the levy, if the City of Brainerd residents would still see the benefit. He stated that the residents of Brainerd would still be paying the levy if the County were to take over ownership. The goal is to make things fair.

Airport Director Wright stated that the airport is in Crow Wing County, the residents would be able to enjoy the benefits of the airport.

Member Terry asked about impacts in changing the airport staff to City employees if the ownership by the City is maintained.

HR Director Schubert stated that there would likely not be additional costs. The difference would be that the City policy would be able to be utilized if there was an issue with employee performance or violation of technology policies. She spoke with the City's employment lawyer, and he stated that at the very least the joint powers agreement would need to be clearer about how airport employees are employed.

Member Johnson stated that if he's given a binary choice on whether to give ownership to the County or add additional duties to our already burdened staff, he would choose the County owning the airport. His understanding of the ordinance establishing the ownership of the airport is that it does not say anything about providing HR or IT services. If maintained, the IT and HR services by the City would need to be removed from City duties.

Member Czczok stated that based on Mr. Johnson's comments, he may not have all the information. The Airport Commission is in the process of hiring their own legal counsel as the County legal is not able to assist.

Member Johnson stated that the ordinance states nothing about IT or HR services.

Member Stenglein asked what the Airport Commission would look like without the City.

Airport Director Wright stated that in the event that it would go solely to the County, it would become a department of the County and would become an advisory committee to the County Board.

Member O'Day stated that it is definitely worth looking into, obviously there are more questions to answer. He doesn't know how he will vote in the future.

Member Czczok stated that he would like to reflect back on the statement by the County Administrator that this is "a once in a lifetime opportunity". This would be a far better way to fund the airport.

Chair Bevans clarified that this is to explore the possibilities, not inking the deal on the County ownership of the airport.

Member Stunek stated that as the liaison to the airport, he will support the exploration, but he believes it's best that the airport ownership stays the same.

Member Stenglein asked whether the work group could also consider operational changes if the ownership does remain between the City and County.

Member Czczok stated that the work group could also work on recommending operational changes if the County is unable to take sole ownership. The County Commission would need to approve the new agreement.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND O'DAY TO DIRECT STAFF TO FORM A WORKING GROUP OF ONE OR TWO COUNCIL MEMBERS, COUNTY COMMISSIONERS, AND STAFF TO DISCUSS THE CITY SEEKING OUT THE COUNTY TO TAKE OVER THE OWNERSHIP OF THE AIRPORT AND OPERATIONAL CHANGES IF THE OWNERSHIP DOES NOT CHANGE.

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

Chair Bevans recommended appointing Council Member Stunek to the work group. If the County allows for a second Member, that it be Member Czczok.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO APPOINT MEMBERS STUNEK AND CZECZOK TO THE WORK GROUP.

New Business

First Reading- Proposed Ordinance 1565- Short Term Rentals

Community Development Director Kramvik gave an overview of the updates to the ordinance. The ordinance now recommends a cap of 40 units, no cap to the number of units a sole owner can operate and allowing up to two units in a 4-plex.

Member Johnson asked what the problem was with the current ordinance and what was the proposed solution.

Community Development Director Kramvik stated that the concerns were the number of short-term rentals that would be allowed in the City and the effect that they would have on the housing stock. The solution was a cap.

Member Czczok asked about the grandfather clause.

Community Development Director Kramvik stated that there would be no need for the grandfather clause with the proposed changes. The owner that it did affect was not opposed to the changes.

Mayor Badeaux stated that he supports the issues that the Council had, this is a safe way to start. He thanked the Planning Commission for the work that they did on the ordinance.

Chair Bevans stated that he has supported every version of the ordinance restricting short-term rentals. This is so non-restrictive that its practically not an ordinance at all. It is not what he had in mind, but something is better than nothing. He will likely vote against the ordinance.

MOVED AND SECONDED BY COUNCIL MEMBMERS STENGLEIN AND CZECZOK, DULY CARRIED, TO CONDUCT THE FIRST READING OF PROPOSED ORDINANCE 1565 AND DISPENSE WITH THE ACTUAL READING.

First Reading- Proposed Ordinance 1566- Trees

Community Development Director Kramvik gave an overview of the ordinance. Staff is considering increasing the budget in 2025 to remove affected trees and a different funding source for injecting trees in the parks so that it does not affect the planting of trees in parks.

Member Johnson stated that the ordinance includes a “tree committee” appointed by the Mayor. He volunteers his services to be on the tree committee when the committee is established.

Mayor Badeaux stated that Park budget trees, should be for trees in the parks.

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND TERRY, DULY CARRIED, TO CONDUCT THE FIRST READING OF PROPOSED ORDINANCE OF 1566 AND DISPENSE WITH THE ACTUAL READING.

Public Forum

The Chair opened the public forum at 9:16 p.m.

No one came forward.

The Chair closed the public forum at 9:17 p.m.

Staff Reports

Finance Director Hillman stated that filings for City office open on May 21st and close at 5:00 p.m. on June 4th. The cost to file is \$5, you must be a legal resident, and at least 21 years of age or older. Seats for Wards 1, 3, and two At-Large positions are open.

City Engineer/Public Works Director Dehn stated that the City received the SRTS grant for Lowell Elementary.

Community Development Director Kramvik stated that the department received a complaint about off-street parking at Paradigm Auto. Staff are working with Paradigm to resolve the issue.

Administrator Broyles stated that Staff received a letter from the Minnesota Bureau of Mediation Services regarding the Brainerd Public Utilities Managers and Supervisors Association having filed a petition requesting exclusive representation for collective bargaining purposes. The Commissioner of the bureau will decide the definition of the appropriate unit, the scope of the membership of the unit, and whether a majority of the qualified members are interested in participating in the unit. The City needs to provide stipulations to the bureau by Friday, May 31st.

Mayor Report

Mayor Badeaux asked about the right of way trees that are taken out by vehicles and whether the City pursues reparation for trees. If not, we should pursue so they can be replaced. He also noted that it is not legal to park on or across a sidewalk in the City of Brainerd. He sends images constantly to Community Development Director Kramvik.

Council Member Reports

Member Czczok stated that the Public Utilities Director is here tonight, and he submitted a staff report, he looks forward to the Director continuing to attend the meetings.

Chair Bevans stated that the Member Czczok and himself met with Public Utilities, the previous number of properties not annexed into the City or connected is much lower than originally thought. He gave an overview of the properties that staff are working with. Public Utilities really impressed him with the management of these properties. The other thing that was stated is that when someone outside of the City hooks up to City utility, the Public Utility does have the right to enter their property if there is concern.

Adjourn

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

The Chair adjourned the meeting at 9:30 p.m.

Nicholas W. Broyles
City Administrator

Pursuant to due call and notice thereof, the special meeting of the Brainerd City Council was called to order at 11:30 A.M. by Council President Bevans.

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

New Business

Discuss the City's Response to Bureau of Mediation Services

Administrator Broyles gave an overview of the petition received from Bureau of Mediation Services. He stated that the City is required to complete and submit a stipulation form to BMS no later than Friday, May 31st regarding the membership for this proposed union. The City's position is that the IT Supervisor does not supervise employees; therefore, that position does not meet the definition of a supervisor; and the Finance Manager is considered a confidential employee as he has access and uses labor relations information; further, he participates in negotiations on behalf of the City.

HR Director Schubert stated that the Business Office Supervisor, Electric Distribution Supervisor, Wastewater Supervisor, and Operations Manager could be included.

Chair Bevans asked about the Public Utilities Director being included in the union.

HR Director Schubert stated that due to the Public Utilities Director overseeing the entire department, per State law, it would not be appropriate for them to be in the same union as employees they directly supervise.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND TERRY, DULY CARRIED, TO DIRECT STAFF TO SUBMIT THE CITY'S RESPONSE AS PRESENTED.

Adjourn

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

The Chair adjourned the meeting at 11:35 a.m.

Nicholas W. Broyles
City Administrator

**2024-2025 LICENSE RENEWALS
JUNE 3, 2024 COUNCIL MEETING**

BULK & FILLING STATION LICENSES: 8 RENEWALS

Mill Ave Holiday
1500 Mill Ave
Brainerd, MN 56401

Mid Town Depot
321 Washington Street
Brainerd, MN 56401

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

SAVE Liquor LLC
701 Industrial Park Road SW
Brainerd, MN 56401

NORTHDAL OIL INC
421 Washington St NE
Brainerd, MN 56401

Casey's General Store #3654
850 Lum Park Rd
Brainerd, MN 56401

Speedway #4076 Northern Tier
1223 South 6th Street
Brainerd, MN 56401

Best Oil Company, LLC
1202 Madison Street
Brainerd MN 56401

OFF SALE BEER – 3 Renewals

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

Casey's General Store #3654
850 Lum Park Rd
Brainerd, MN 56401

Super America #4076 Northern Tier
1223 South 6th Street
Brainerd, MN 56401

COCKTAIL ROOM / DISTILLERY – 2 Renewal

BRAINERD DISTILLING COMPANY – COCKTAIL
ROOM
25 WASHINGTON ST NE
BRAINERD MN 56401

BRAINERD DISTILLING COMPANY -
DISTILLERY
25 Washington St NE
Brainerd MN 56401

ON SALE LIQUOR LICENSES – 4 Renewals

9th Street Social Club
212 S 9th Street
Brainerd, MN 56401

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

The Local 218
723 Mill Ave
Brainerd, MN 56401

CC'S BAR
121 WASHINGTON ST
BRAINERD MN 56401

O'Neary's Irish Pub
305 S 7th Street
Brainerd, MN 56401

CLASS 2 RESTAURANT

VFW Post #1647
309 South 6th Street
Brainerd, MN 56401

CLUB ON SALE LICENSES – 2 Renewals

Brainerd Elks Lodge
215 South 9th Street
Brainerd, MN 56401

SAVE Liquor
701 Industrial Pk Rd SW
Brainerd, MN 56401

Coborn's - Cash Wise Liquor
513 B Street NE
Brainerd, MN 56401

Cornerstone Liquor
817 Washington Street
Brainerd, MN 56401

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

BEER/WINE LICENSE – 2 Renewal

Big Jay's Pizza Arcade
217 S 7th St
Brainerd MN 56401

Slice on Oak
625 Oak Street
Brainerd, MN 56401

Contingent Upon Inspection by the Fire Department

ON SALE LIQUOR LICENSES – 7 Renewal

Pit Stop Bar
723 Laurel Street
Brainerd, MN 56401

Northern Pacific Hospitality (Notch 8)
1551 Northern Pacific RD
Brainerd MN 56401

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

El Potro Mexican Restaurant
314 S. 7th Street
Brainerd, MN 56401

Jack's House
300 Hwy 25 South
Brainerd, MN 56401

The Parlor
714 Laurel Street
Brainerd MN 56401

CLASS 2 RESTAURANT

CLASS 2 RESTAURANT

CLASS 3 BOWLING/HOTEL

SE'z LLC
707 Laurel Street (Basement)
Brainerd, MN 56401

CLUB ON SALE LICENSES – 2 Renewal

American Legion #255
708 Front Street
Brainerd, MN 56401

Brainerd Eagles #287
124 Front Street
Brainerd, MN 56401

OFF SALE BEER – 1 Renewal

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

BULK AND FILLING STATION - 1 RENEWAL

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



Brainerd Fire Department Monthly Report

May 2024

ACTIVITIES

It was another busy month for the Brainerd Fire Department, marked by a series of community engagements and detailed training sessions for our firefighters.

With the end of the school year, we conducted several fire safety presentations to educate the community. At Forestview Middle School, we spent two days participating in their Health and Safety Days, delivering critical fire safety information to students.

In addition to school presentations, we were actively involved in the Lakes Area Rescue Family Night. This event provided an excellent opportunity to promote fire safety and showcase our equipment to families in the community.



We also helped the Brainerd Jaycees Rubber Ducky Race by filling the tank for the event. This fun community activity allowed us to support a great service organization.



TRAINING

This month, our training focused on the operations of the first arriving engine at a fire scene. Emphasis was placed on search techniques and general fire ground operations. We utilized our new fog machine, obtained through a generous donation from the Brainerd Fire Department Relief Association, to simulate real-life smoke conditions and enhance our training exercises.



Additionally, our firefighters trained with our boat to prepare for water-related emergencies. This training ensures our readiness to respond effectively to incidents on the water, highlighting our commitment to comprehensive emergency preparedness. At the end of the month, we had technical rope rescue training at Camp Ripley, utilizing their excellent facilities. We trained with Camp Ripley Fire Department who is a strong mutual aid partner.

This month demonstrated our commitment to both community engagement and rigorous firefighter training. By participating in local events and enhancing our operational readiness, the Brainerd Fire Department continues to serve and protect our community effectively.

CROW WING COUNTY ALERT



Your safety is our top concern – that's why the City of Brainerd has teamed up with Crow Wing County to make sure you know about emergencies and incidents as they happen.

The City of Brainerd uses Crow Wing County Alert powered by Everbridge to make sure you know about issues that may affect your safety. This system allows the City of Brainerd to contact thousands of residents in seconds, so you can find out about an emergency right away.

How Does It Work?

The process begins when the City of Brainerd issues a message about a potential safety hazard or concern. Next, a message from Crow Wing County Alert will be sent through your primary contact path. If you don't confirm receipt of the message, the system will try to reach your second contact path and continues trying to reach you until you confirm receipt.

The success of this service relies on ***YOU***. ***Having your latest contact information is the only way to ensure that we can contact you in an emergency.***

Please sign up at <https://member.everbridge.net/index/892807736729514#/signup> – it only takes about a minute to enroll!



Brainerd Fire Department Monthly Report

May 2024

INSPECTIONS	
Fire Alarm	13
Hood Suppression	15
Special Suppression	14
Commercial Kitchen Exhaust	4
Fire Pump	2
5 Year Sprinkler	1
Sprinkler System	25

BRAINERD FIRE COVERAGE AREA INCIDENT REPORT	
Type of NFIRS Incident (National Fire Incident Reporting System)	Coverage Area Total Incidents (Includes City of Brainerd)
Fire	8
Overpressure, Rupture, Explosion, Overheat	1
Rescue & Emergency Medical Service	9
Hazardous Condition	3
Service Calls	4
Good Intent Call	6
Alarm Activation	15
TOTAL	46
Type of NFIRS Incident (National Fire Incident Reporting System)	City of Brainerd Total Incidents
Fire	2
Rescue & Emergency Medical Service	4
Hazardous Condition	2
Service Call	1
Good Intent Call	3
Alarm Activation	11
TOTAL	23



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PulsePoint

HR DIRECTOR REPORT



In this report:

- Health Insurance for 2025
- Union Negotiations
- Job Descriptions
- Performance Evaluation Work Group
- Public Utilities Director
- Personnel
- Wellness Committee
- City-Wide IT Department

Health Insurance for 2025

I was asked to assist the Better Health Collective (formerly known as Sourcewell) to complete their Request for Proposal (RFP) process for a health insurance administrator/provider. This RFP process must be completed at least every four years. As a result of that process, the Better Health Collective has decided to switch to Blue Cross Blue Shield of MN effective 1/1/25. A copy of the press release is attached. More details will be provided in the near future.

Union Negotiations

A tentative agreement has been reached with the LELS Local #65 Union. The City's negotiating team will discuss the details of the tentative agreement with the Council on June 3rd.

Our fifth Mediation session with the IBEW Local No. 31 Public Utility Union is scheduled for June 4th. Since we have met the minimum timing when the union could file for a strike, a Strike Contingency Work Group has been formed and has been meeting on Monday and Thursday's over the last month.

Job Descriptions

Council approved all updated IBEW Local No. 31 Administrative Support Union updated job descriptions at the May 20th Council meeting. All updated job descriptions were individually emailed to each employee as well as updated on SharePoint.

Performance Evaluation Work Group

The Performance Evaluation Work Group met on April 29th with City Administrator Broyles's providing his expectations for the group. The Work Group decided to meet every other week. The meetings were temporarily put on hold to focus on the Strike Work Group process and IBEW mediation and are expected to resume on June 18th. It was determined that any formal adjustments to our process or forms will be implemented after the 2023-2024 Performance Evaluations are completed.

Public Utilities Director

GMP Consultants posted our Public Utilities Director job profile on April 26th. First review of applicants is scheduled for June 2, 2024. GMP will review the applications and complete their own interviews prior to providing the Work Group with recommendation on which applicants to interview. If we stay on schedule, we are hoping to conduct interviews mid-July. As of May 24th, GMP had received seven applications.

Personnel

New Hires/Promotions for City/BPU/HRA:

Drew Belton - Community Service Officer (5/29)

Stephanie Bestul - Promoted to Zoning Specialist/Permit Tech. (5/21)

Farewell to:

Richard Berry - Community Service Officer (5/3)

Current Job Opportunities:

Paid on-call Firefighter - Written/Physical testing took place on May 18, 2024. Interviews will be scheduled in the near future.

Part-Time/Internships/Seasonal Positions:

Part-time Administrative Specialist - Accepting applications until filled.

Engineering Intern - Accepting applications until filled.

Parks Weekend Custodial Worker - Accepting applications until filled.

Umpire Adult Softball - Accepting applications until filled.

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

Wellness Committee

Our Wellness Committee applied for a SHIP grant through Crow Wing Energized in April with the hopes of funding the installation of a water bottle filling station in the front office at the Utility Department. The Wellness Committee received the grant and within two weeks had the filling station ordered and installed. This was at zero cost to the Wellness Committee's budget due to the knowledgeable and multi-talented staff we have in the Utility Department!

Our May Wellness Event was a "Walk in the Park" on May 29 at Kiwanis Park.

City-Wide IT Department

This discussion was temporarily put on hold to focus on the Strike Contingency Work Group duties.

May 22, 2024

Better Health Collective Awards Contract to Blue Cross and Blue Shield of Minnesota

New partnership aims to offer better rate stability and innovative health plan benefits



The Better Health Collective, an independent, state-certified government organization, provides high-quality group health insurance solutions to qualifying public entities in Minnesota. The Collective recently conducted an RFP for a health plan administrator and awarded the contract to Blue Cross and Blue Shield of Minnesota.

The Better Health Collective is thrilled to announce its new partnership with Blue Cross and Blue Shield of Minnesota (Blue Cross) which will bring its public entity members greater rate stability, increased transparency, and more choice. Effective January 1, 2025, Blue Cross will serve as the Collective's health plan administrator for all groups with January renewals. Groups with July renewals will start with Blue Cross on July 1, 2025. The four-year contract introduces an innovative plan design and provides access to an extensive network of health care providers.

"I am the most excited about bringing the strength of the Blue Cross organization to our 6,000+ members," said [Better Health Collective Board of Trustees](#) Chairperson, Scott Veronen. "Blue Cross is a leader in the health insurance industry, and we are very excited to partner with them. Blue Cross provides a cutting-edge approach to health care which will greatly benefit our members."

A rigorous selection process

Every four years, the Better Health Collective, which is sponsored and serviced by Sourcewell, conducts a Request For Proposal (RFP) for a health plan administrator to meet the evolving needs of its members. Blue Cross was awarded the contract following a meticulous, three-month solicitation process.

"We went through a very rigorous RFP process with three strong responses from three great companies," Veronen shared. "The scoring of the RFPs was very close with Blue Cross coming out on top."

The RFP evaluation committee, made up of Sourcewell risk management specialists and three Collective members, evaluated three within-scope proposals. Key assessment criteria included affordability, innovation, transparency, and collaboration. An outside actuarial firm also reviewed each proposal, providing insights for an impartial, strategic decision.

"This RFP process ensures the best care and costs for our members," Veronen added. "I would also like to thank HealthPartners for the many years of partnership, and the care we provided to our members through this partnership." HealthPartners previously served as the Collective's health plan administrator.

Expanding wellness while ensuring continuity

Blue Cross is set to further empower schools, unions, and other public entities to cultivate a culture of wellness. In addition to comprehensive insurance

coverage, members will have access to programs for mental health, chronic disease prevention, and other initiatives designed to support healthier living.

One standout feature of the new partnership is Coupe Health, a leading solution in health plan design. Coupe Health offers end users greater control and price certainty over health care choices. Using the Coupe Health mobile app or online portal, users can find health care facilities and providers, and see the cost of medical services upfront. This simplifies the search for care and empowers individuals to find and select low-cost, high-quality care.

While the health plan administrator is changing, Better Health Collective members will retain their current insurance plans with minimal administrative impact on benefits administrators. Plan components will remain largely the same, including billing, Smart Plans, Health Source Solutions, Progyny, Omada, and the WellRight portal. Enrolled members will gain access to a larger network of care providers and specialists, both in and outside of Minnesota.

About the Better Health Collective

The Better Health Collective, an independent, state-certified government organization, provides high-quality group health insurance solutions to public entities in Minnesota. Members receive comprehensive health coverage that offers rate stability and compliance, while their employees benefit from affordability, transparency, and choice. The Better Health Collective is open to Minnesota public entities with more than 25 enrolled employees. To learn more, visit the [Better Health Collective](#) online or contact your broker.



CITY ENGINEER/PUBLIC WORKS DIRECTOR REPORT JUNE 3, 2024 CITY COUNCIL MEETING

Recreation Report

Fishing clinic 2024

Saturday, June 8th, 2024

Lum Park, Brainerd MN

Ages 4-12

Time 9:00 am -1:30 pm

The clinic will consist of informational sessions, lunch, fishing from the shore and off the pier (contest), and taking some fishing tackle home. This event is free! A parent or guardian must be present at all times.

** Children must be signed in by 9:30 a.m. and participate in all learning stations to be eligible for the afternoon lunch, fishing contest, and prizes. **

There will be three age groups for the fishing contest 4-6, 7-9, and 10-12. Children are encouraged to bring their fishing poles; limited loaner equipment is available.

Check-in is from 9:00 - 9:30 a.m. by Pavilion 1 in Lum Park (closest to the beach). The event begins at 9:30 a.m. with learning stations from 9:45-11:30 a.m. The fishing contest is from 12:00-1:00 p.m. Prizes and participation bags will be handed out from 1:00-1:30 p.m.

For more information, contact the Park Office at 218-828-2320.

Timeline

Check-in 9:00-9:30 Pavilion 1

Rules/ Announcements 9:30-9:45

Learning stations 9:45-11:30 (6 Stations)

1. Wheel of Fish (Jadyn Gohman) *Confirmed*
2. Minnow Races (Jadyn Gohman) *Confirmed*
3. Reel Races (Jadyn Gohman) *Confirmed*
4. Education Station (Jessamyn DNR) *Confirmed*
5. Live Fish Display (David DNR)
6. Boating Safety (Brad T – Crow Wing Sheriff's office) *Confirmed*

Lunch- 11:30-12:00

Fishing Contest 12:00-1:00

Prizes and participation Bags 1:00-1:30

Adult Sports

Softball - Registration Update as of 05/22/2024

- MS1: 8 out of 12 Teams
 - MS2: 11 out of 12 Teams
 - Women's: 11 out of 12 Teams
 - Upper Coed: 4 out of 6 Teams
 - Lower Coed: 6 out of 6 Teams
- Held 3 meet and Greet – Around 8 people attended.

Pickleball - Registration Update as of 05/22/2024

- Tuesday Competitive League: 10 out of 10 Teams
- Tuesday Just for Fun League: 10 out of 10 Teams

- Thursday Competitive League: 10 out of 10 Teams
 - Thursday Just for Fun League: 8 out of 10 Teams
- Pickleball Starts June 4th and June 6th*

Men's Early Bird Tournament -

- Tournament was canceled due to weather and field conditions

Surplus Equipment

- We received two applications. The YMCA and Community Education.



Banner Program

The Banner Program was dispatched on April 11th. This year, the program retains its structure, offering \$150 for a single banner provided by participants. Expect potential updates to the program for the 2025 cycle.

Total of \$1,825 collected as of 5/22/2024

Rent.Fun (Kayak and Paddle Board rental at Lum Park)

Due to the current inventory shortage, Rent.Fun is tentatively targeting a June installation date. Please note that this date is provisional. The team is diligently working to expedite the process and will provide a confirmed installation date shortly.

Concession POS Summary

We are excited to announce the introduction of tablets at our concession stand in Memorial Park. The implementation of these tablets brings numerous benefits, including:

- Quick Transactions: Ensuring faster service and shorter wait times for our customers.
- Multiple Payment Options: Accepting both cash and card payments for added convenience.
- Detailed Inventory and Sales Reports: Providing insights into our best-selling items and helping us make informed decisions.

Since incorporating the tablets, we've noticed that our top-selling items are popcorn, hotdogs, soda, water, and candy. These improvements enhance our efficiency and allow us to serve the community better.

Miscellaneous

- Staffing:
 - Umpires -7 Hired.
 - Concession stand Workers -3 Hired one in hiring Process
 - Intern- Jack Huges- Starting May 30th

Parks Maintenance Report

- Constructed garbage run ramp for dumpster
- Planted some grass seed at Gregory Park
- Ordered aggregate & mound clay
- Putting bases out
- Picnic table to Airport F/D
- Boat dock out
- Host site power and water-ready to go
- Prepping Memorial for early bird tournament
- Fixing toilets and urinals
- Spread chips in dog park
- Ordered groomer parts
- Campground power on
- Changing batteries in all auto-flush toilets
- Bench slabs delivered
- Pickleball nets-2 new are up
- Fixed leak in drinking fountain
- Picked up free shrubs from county
- Cleaning up along fences
- Putting up Mutt Mitt dispenser at Lyman P
- Cut out mounds and added material Jaycees Park
- Planting grass seed
- Getting quotes on fertilizer and herbicide spraying
- Ordered signs for Rotary Park
- BHP irrigation on
- Satellite toilets set out

- Softballs moved to Memorial storage
- Pumping out lake Wayne
- Getting estimates for weed spraying
- Uncovered flower bed
- Replaced vandalized toilet paper dispenser
- Picking up brush piles
- Removed graffiti from Lum restrooms
- Finished dump station landscaping and new poles
- Back flow preventers installed at campground
- Fixed vandalized lock at Jaycees Park women's restroom
- Removed all flooding equipment, hose reel, hoses, fittings, etc. from vehicles
- Received delivery of disc golf equipment for Memorial Park
- Measured acreage of all fields
- Repositioned Lum boat dock
- Checked irrigation boxes
- Put up buff sign
- Put up barricade for dog park shelter
- Cleaning up plow piles
- Removed dead tree from Triangle Park
- Ground stump on 8th Ave NE-Elm disease
- Picked up trees for Mills field
- Splash pad water turned on
- Fixed community garden planter and delivered bag of straw
- Request for benches on end of pier at Lum
- Request for Mutt Mitts and pick up after pet signs
- Signs on BHP trail from 6th down to park
- Started spraying weed and feed in parks
- Put out A.E.D for softball
- Remind BBBA coaches to lock things back up
- Cleaned out center court Gregory Park-prep for NS Association
- Annual paint job on Gregory Park fountain—up and running
- Made sign for campground wood
- Splash pad ready to open by Memorial
- Cleaned kitchenettes
- Picked up supplies for blood spills on fields
- Cleaned out beach house for fishing clinic
- Constructed benches for fishing pier
- Maintenance on mowers
- Marking tee boxes for new course
- Researching basketball goals
- Spraying herbicide on fence lines
- Replaced broken belt on bagger
- Put up distance signs at Bane baseball field

Projects Report

Parks ARPA Projects

The project has been awarded. Staff will be scheduling a preconstruction meeting with DeChantal Excavating to discuss project details including proposed schedule. It is expected that work will take place through summer and fall 2024.

Buster Park Pavilion

Foundations have been poured and are ready. Staff will be assembling the pavilion when time allows.

Memorial Park Disc Golf Course

The City has received the signs and baskets for the new course. The disc golf group has completed staking out locations for tees and baskets. Staff will be requesting quotes for the concrete tee boxes. The disc golf association is targeting a July grand opening date.

Building Demolitions

Staff will be completing topsoil and seeding at the Lum Park building site over the next several days. The demo at Jaycees will be discussed further at the July Park Board meeting.

Bane Park Garage Roof

This work has been completed.

Gregory Park Warming House/Pavilion Gutter Replacement

This work is anticipated to take place this summer.

Buffalo Hills Park Playground Replacement

Staff has began discussions with the Lions Club regarding the playground replacement details. Further meetings are planned to refine details. The project is now planned for 2025.

Memorial Park Rink Lights Automatic Timer

Staff has received the timer. We are working with Holden for installation.

Lum Park Pavilion Rehabilitations

Based on the discussion with Park Board, only Pavilion #2 was solicited for proposals. That item was presented at the Park Board meeting. This work is expected to occur in 2024.

Streets Maintenance Report

Maintenance Tasks Completed Month Prior

- Sewer inspection on various streets
- Continued cleaning and clearing of trouble grease lines, typically from restaurants
- Marking utility locates
- Continued in-house DOT inspections and certifications of maintenance equipment
- Assisted with DOT inspections and minor repairs of Transit buses as time is available
- Continued street sweeping on various streets while weather was permitting
- Patching on various streets
- Continued grading in gravel alleys as moisture allows

- Performed repairs from plow damage to turf and sod
- Received updated pricing for 2025 skid steer capital replacement
- Began weekly downtown street sweeping
- Placed downtown urn planters for summer season
- Placed red mulch on all roundabouts
- Addressed grading concerns in North Brainerd
- Removed pavement and regraded area from demolished Lum Park maintenance building
- Placed signs and adjusted placement for E. River Road by high school parking
- Provided traffic control materials for Memorial Day events
- Cleared various wipes and debris from sewer lines
- Prepared various public awareness materials for FOG in sewer lines
- Reviewed right-of-way tree complaint in North Brainerd
- Began downtown painting of pavement markings
- Assisted with providing materials for bridge graffiti coverup
- Assisted with providing materials for Tamarac volunteer clean up
- Reviewed complaint for mailbox hit, determined this was a rotted post
- Ordered road salt for 2024-2025 winter season
- Assisted with providing traffic control materials for Habitat for Humanity water line
- Assisted with providing traffic control materials for Harrison Elementary ninja anywhere event
- Assisted with evaluation of trees in Lum Park for removals
- Monitored trouble storm sewer grates for backups during heavier rain events
- Evaluated sewer back up issue in NE Brainerd
- Addressed washout issue at Tyrol and James
- Assisted with installation of gate operator at Public Works maintenance facility
- Checked exterior light timer at City Hall
- Assisted Police Department for tree hits on College Drive
- Cleaned up oil spills at City Hall, Laurel Street and at Fire Station
- Cleaned up fish disposed in Maple Street parking lot

Engineering Report

North Brainerd Reconstruction Project

Most of the construction on the project is completed. The contractor has placed final seeding Phase 3 and other places as needed throughout. Staff will follow up with any remaining punch list items before close out.

South Brainerd Reconstruction Project

Progress continues quickly on this project. Watermain and sanitary sewer main and service replacement continues along S. 7th Street north towards Pine Street. New curb and gravel base has continued to follow behind on Tamarac and S. 7th and will continue as utilities are completed. It is anticipated that Phase 1 (north portion) should be complete and reopened to the public towards the end of June. The contractor is expected to begin work on Todd Street in mid-June with removals. The contractor will be coordinating with residents on the timing as this gets closer.

S. 6th/Willow Roundabout Project

Staff will likely begin the right-of-way discussions with property owners and SEH shortly. Formal design of the project continues based on the approved layout from the Council and MnDOT.

SW 4th Street Storm Outfall Project

The contractor has completed the permanent repairs on this project, including seeding and tree planting. Staff is continuing to monitor the site for final turf establishment before final close out.

Buffalo Hills Gully Remediation Project

The majority of the pipe and grading work has been completed on this project. The contractor has also placed the topsoil throughout the project. It is anticipated that the contractor will begin working on final stabilization work including seeding/mulching, tree plantings and live stakes (for slope stabilization). This work will likely occur in early June.

Other Activities

- Participated in weekly check-in meetings for TH 371B/Willow Street Roundabout Project
- Coordinated with contractor on Parks ARPA project
- Reviewed upcoming event applications
- Participated in MnMUTCD re-write committees
- Prepared and submitted CRP grant application for TH 210/Lum Park Pedestrian Bridge
- Reviewed change order request for Buffalo Hills Gully project
- Reviewed change order request for South Brainerd Reconstruction project
- Presented to County Board regarding Transit
- Performed financial analysis of Transit based on proposed costs in new contract
- Attended District 3 City Engineers Pre-Screening meeting
- Met with MnDOT to discuss bridge lighting on TH 210 project
- Met and walked streambank restoration project with WSB to discuss tree planting locations
- Attended APWA-MN Spring Conference
- Met with Community Development to discuss potential development of Buffalo Hills property
- Met with Baxter staff to discuss details of Environmental Resources Technician position
- Engineering staff met to discuss staff availability for design and construction admin for 2025 projects
- Discussion of Engineering RFP's for 2025 projects
- Met with BPU and Council members to discuss extension of utilities outside of city limits
- Evaluated trees in Lum Park with tree inspectors
- Met with developer in Serene Pines to discuss driveway and drainage issue
- Met with VCV to discuss site development questions
- Met with MnDOT to discuss draft AADT counts for city state aid streets
- Met with Just for Krypto to discuss action items for expansion of parcels to the south
- Discussed details of security camera layout for Kiwanis Park and College Drive bridge
- Met with potential developer regarding Trailside land
- Discussed Historic Water Tower Phase 3 funding with Water Tower Committee members
- Met with BPU and SRF to discuss TH 210 watermain and street lighting details
- Issued request for quotes for disc golf tee boxes and basket holes for Memorial Park
- Reviewed request for fencing along Riverside Drive and Beaver Dam Road
- Reviewed O Street Outfall scope of work

- Investigated history of Riverside Drive utilities and extension project
- Provided Thiesse Industrial Park information to potential developer
- Reviewed contract towing proposals
- Addressed private road dispute on Sycamore Street
- Provided stormwater modeling files and information to SRF for TH 210 project
- Assisted volunteers with process to perform cleanup projects in the city
- Sent grease awareness fliers to restaurants within the city
- Collected easement information regarding several parcels included in the TH 371B/Willow Roundabout project
- Met with property owners adjacent to Buffalo Hills Gully to discuss concerns
- Provided information per request for Historic Water Tower Phase 2 project
- Reviewed request for sale of City-owned parcel adjacent to CR 45
- Requested update for patching on Oak Street adjacent to hydrant repair
- Reviewed sewer back up concern in NE Brainerd

Transit Report

Activities

- 3PC has hired a new on-site manager and will start on June 10th. The previous one was released in March. Issues continue to occur with operations management for Blue Sky. Have filled in the gap with temporary/interim managers from out of town with results lacking.
- Coleman (Streets Mechanic) assisted with repair of a couple buses. He's ordered DOT inspection stickers and is willing to assist with annual DOT inspections to save costs.
- Maintenance issues continue to occur. Staff is meeting with 3PC twice weekly to address these issues. 3PC is making efforts to address the issues and is working on getting them caught up.
- MnDOT Operating and Capital Vehicle Grant solicitation is now open and staff will be preparing the applications for the grants this summer.
- CWC has approved the new agreement. Baxter will be reviewing at their June 4th meeting.
- Provided closeout documents to MnDOT for 2023
- Reviewed Transit Specialist job description and updated accordingly
- Ridership Reporting for April 2024
 - Year To Date
 - 2023 = 19,143
 - 2024 = 11,764 (-7,379, -38.5%)
 - Brainerd Only
 - 2023 = 13,150
 - 2024 = 8,892 (-4,258, -32.4%)
 - Baxter Only
 - 2023 = 1,802
 - 2024 = 2,048 (+246, +13.7%)
 - Crow Wing County Only
 - 2023 = 3,706
 - 2024 = 625 (-3,081, -83.1%)

- April 2024 vs. March 2024
 - March 2024 = 2,664 (21 operating days)
 - Brainerd-origin = 2,051
 - Baxter-origin = 487
 - CWC = 126
 - April 2024 = 3,100 (+436) (22 operating days)
 - Brainerd-origin = 2,362 (+311)
 - Baxter-origin = 565 (+78)
 - CWC = 173 (+47)
 - 436 New Customers in April

Brainerd Public Utilities
May 28, 2024

Interim Public Utility Director Update

Attended Planning Commission On May 15th, 2024 (at the request of the Community development Director) and City Council meeting on May 20, 2024. During Both meetings, the VCV Interim Use Permit was discussed. The Planning Commission held a public hearing which did have numerous attendees related to the VCV discussion. The Planning Commission recommended denial to the City Council. The City Council delayed action for up to 60 days, to review noise that may be generated at this site due to this type of operation.

Roberts Property update – No legal description has been received from the Roberts for the private sewer line on the land BPU has proposed purchasing. The last communication was when Todd called them on May 1st, 2024. AFTER THE BOARD MEETING ON MAY 28TH, KEITH ROBERTS CALLED AND LEFT A MESSAGE THAT THE LEGAL DESCRIPTION SURVEYING WAS COMPLETE AND HIS ATTORNEY WILL BE CONTACTING JOE LANGEL TO FINALIZE AGREEMENT.

BPU staff have put a tremendous amount of time into the newly created Strike Contingency Plan.

Friday May 17th held a joint meeting with Council President Bevans, City Council Liaison Czezok, City Hall staff and BPU staff related to the properties hooking up to city water and sewer. The conversation centered around properties outside the city limits. BPU staff was able to work with City Hall staff to update municipal boundaries and clarify who should be charged the 200% fee for being outside city limits.

Working to clarify completed performance evaluations.

Attended meeting with representatives from JFK as they explained why they didn't obtain city building permits, fence permits, or city and state NPDES permits. They indicated they would come into compliance.

Finance Managers Update

Financial Reports

Preparation of the January – May financial statements has been delayed with the preparation of the audit, and work related to on-going projects.

2023 Audit

The audit has been completed and CLA will provide their report during the meeting. The report of the audit indicates an unmodified opinion on the financial statements, meaning the statements were presented fairly and materially correct.

Water Treatment Facility Reclamation and Backwash Project

Meetings have occurred with Bolton & Menk and on-going funding discussions related to the project and financing with the state. The project is progressing on schedule. In conjunction with

this project the operations manual water plant project has been on-going and the 4 trips that were budgeted were reduced to 1. As was requested in the quoting process by the finance committee.

Wellhead Protection Plan

The final meeting for the plan was held on April 25. The plan has been submitted for the 60-day public comment period. As of the writing of this report, no comments have been received. A final presentation by Bolton & Menk is scheduled for the June meeting related to the report.

Credit Card Transaction Fees

This project is ongoing. As we prepare our quotes and receive additional information it is noted that the quotes received are not comparable or would provide the same level of service we receive presently i.e. if we change providers our customers are unable to see their usage online. Staff are considering the options received and will be working with the finance committee when information is available.

Streetlighting Project

Work has begun on the streetlighting cost analysis project and determinations related to streetlight billing. The current project phase is collecting information and determining cost options for personnel and truck use rates by hour for use by Utility Financial Solutions. Staff will have recommendations on updated rates and costing when the Streetlight Cost study is completed.

Crypto Mining Customers

Frontier energy has noted that the cryptocurrency miners are large enough they may opt out of BPU's local CIP program and manage their own program. Discussions occurred with Frontier Energy and JFK as it relates to their CIP attendance and rebate programs. If the miners opt out of the local program it will lead to a decrease in the 1.5% revenue required by the state and reduce BPU's expense requirement as well. Discussion on VCV will occur at the meeting.

Strike Workforce Group

Management has been working diligently to provide the information requested and meet with the workforce group.

Operations Managers Updates

South 7th Reconstruction Project

Street lighting conduit are installed on the S. 7th reconstruction project on Pine St, Rosewood St, Sycamore St, and Tamarac St. In addition to street light conduit at Tamarac, crews also have installed conduit for 3 phase primary and an extra conduit for future BPU fiber that is part of our Tamarac VFI project for this summer. We also removed the existing VFI basement and replaced it with a new primary cabinet to allow room for the new sidewalk. In the next two weeks we are planning to finish installing light conduit on Phase 1 at Quince Street. Crews will also be working on S 7th between Paul St and Wright St in preparation for removals in Phase 2. This work involves replacing old infrastructure that is buried at a shallow depth and placed right behind the old curb. The new installation will relocate the utilities to the back side of the ROW to avoid future conflicts and will upgrade the secondary feeds to five houses. In addition, staff will add extra conduit infrastructure to be able to add an extra transformer in the future to help serve future electrical growth on the block. Staff is working on getting a final street light layout configured for phase 2 to meet the city's Street lighting policy.

2024 Pole Inspection Report

Star Energy to perform our Pole audit. This is a procedure where we break our service territory into manageable sections to have our wood poles inspected for deterioration each year. The entire system will be inspected in the next 4 years. We review the results and prioritize pole replacement as needed to maintain a reliable infrastructure.

- 480 poles inspected.
- Priority replacement – 7 (*5 have been replaced already*)
- Pole rejects – 32 (*not immediate*) *this work will be done in 2024.*

Water Tower Maintenance (State Hospital)

The state hospital water tower will be out of service for up to two weeks for cleaning the interior and exterior of the tower. There will be an inspection of the tank and any repairs will be made as needed during this drawdown. This work is done through the Maintenance agreement with SEH.

Hydro Operations & Maintenance Incentive Program

The League of Minnesota Cities Insurance Trust team of, Julie Jelen LMCIT, Paul Helling MMUA and Jeff Fassett IEM Energy Consultants, Keith Willoughby (Marsh McLennan) conducted our O&M Assessment at the City of Brainerd Public Utilities, (“BPU”), hydroelectric power plant. This assessment targets proper operational procedures and preventative/predictive maintenance practices coupled with appropriate administrative oversight, which have been identified as being critical to the continued safe and reliable operations of power plants of this type. This is an annual assessment of this facility. Since 2015 we have had high marks from LMCIT team. This has allowed us to receive a 10% reduction in our insurance premiums. I will report their findings when its available.

Safety training

Staff have completed the annual pole top and bucket rescue training. This training is designed to simulate an injured electrical worker. Nine lineworkers completed both bucket and pole top rescue. Additionally, our maintenance mechanic, meter tech/ locator and meter service worker completed bucket rescue training. This training is designed to simulate a “MAYDAY” call into the repair office for EMS responses. Each staff member made a test “mayday” call in to the repair office, and the repair office staff trained on their check list of procedures for EMS response.

With recent events that occurred in Baxter related to the EV charger accident, I want to express gratitude for the professionalism and response of: Brainerd Fire, North Memorial Ambulance, North Memorial Air Care and Baxter Police Department in response to the electrical arch flash they responded to. As these dangers are present in our work it is a relief knowing that if an event were to happen the first responders in our local area have the experience and knowledge to respond to such incidents.

2040 Renewable Energy Legislation

New information is being presented to staff on the close of the legislative session. With this information staff and Interim Director are working with state representatives, MMUA, and NEMMPA (NE Minnesota Municipal Power Association) on the results and next steps for BPU. As information becomes available, we plan to engage all necessary stakeholders i.e. AEP.

Water Production Department Report

April 2024 Water Pumping Statistics

Water pumped to North distribution system was 27.842 MG for an average of 0.928 MGD. Water pumped to the South distribution system was 4.315 MG for an average of 0.143 MGD. Chemical usage averages for the month: 1.71 gallons of fluoride per day, 8.395 gallons of caustic soda per day, 2.4 gallons of orthophosphate per day, 11.5 pounds of chlorine per day. Five filter backwash events using an average of 0.348 MG per event.

Baxter Public Works

We had communication with Baxter Public Works related to their municipal well rehabilitation project and the necessity of running their interconnect pump station to fill their elevated storage tanks. Thursday May 2, 2024, they started the interconnect pump at 8:00 am and turned it off at 11:45 am. Usage was approximately 300,000 gallons.

Wells

Water levels and pumping performance are stable during weekly evaluation events. Flow meters for wells 4 and 6 were replaced on May 8, 2024.

Filtration Plant

Operating efficiently; all controls and valve operators functioning properly. Received all of the new plant valve actuators and adapter hardware from the most recent order.

Corrosion Control

Chemical feed pumps for feeding orthophosphate solution to the water distribution system are working well and we are finding good results testing at various locations in the distribution system.

Booster Pump Stations

Riverside booster station and Lum Park booster station continue to operate effectively. Met with representative from Quality Flow Systems about pump and piping improvements at Riverside Booster and they will give us a quote.

Bolton and Menk consulting for Reclaim Tank Project

Brief conversations with and visits from the B&M team to gather information on various details about site conditions and location of the tank.

Wastewater Managers Report

Lift stations

Ongoing maintenance of wet wells, backup floats and generator testing, for the 17 lift stations continues. Replaced malfunctioning Controller at SW6th Lift station.

Wastewater treatment plant

Cleaned and inspected small-storage, On-call operator tested WWTF and lift stations SCADA alarms. Equipment maintenance is ongoing.

Biosolids

Land application was temporarily postponed from May 1 to May 12 due to adverse weather conditions. Met with contractors from Great Northern Environmental and Rice Lake to strategize load-out and mixing solutions. 907,752 gallons were applied to 10 approved application sites for spring land application.

Lab

Received results back from the MPCA Wastewater Compliance and Enforcement Inspection from March 2024. Corrective actions were taken on the 3 items in question. MPCA conducted Laboratory On-Site Evaluation May 7, 2024, awaiting the evaluation report. Taking corrective actions on items that were discussed during the inspection. Sent Electronic Daily Monitoring Report (eDMR) in with corrective actions. The wet test sampling passed. Sampled 2- plant copper and 1- biosolids copper and sent to Minnesota Valley Testing Lab. Ongoing: Mercury Minimization Plan, Copper Minimization Plan. Met with Baxter on site locations to sample for PFOS/PFAS. Ongoing delegation with Brainerd Significant Industrial Users and Categorical Industrial Users.

Drinking Water

Collected MDH 15 required drinking water samples throughout the Brainerd distribution system for coliform and e-coli, with the addition of on-site testing the Total Chlorine, Free Chlorine, Phosphate. Sampled 15 coliform and e-coli at the water plant with the addition of on-site testing the Total Chlorine, Free Chlorine, Phosphate. Responded to 7 residential drinking water concerns. Flushed hydrants at bowling Alley, Circle Pines Apartments. Sent samples for Alkalinity,

Calcium, and pH on 10 sites throughout distribution system to MDH Laboratory. Distributed 60 scheduled Lead and Copper bottles to residents in the program.

River crossing

Finalizing landscaping on the Baxter side and completing the road project on the Brainerd side of the Mississippi River. Pay application 5 was included in the consent agenda.

Generators

Test ran Evergreen Lift, Main Lift, SW 6th Lift, portable 25KW, 150KW, 45KW and both plant generators. Added fuel where needed.

Personnel

Jason Gage completed the biosolids land application course work and passed the examination on 5/9/24



City Council Agenda Request

MEETING DATE: June 3, 2024

TITLE OF ITEM: Authorize Hiring of 2024 Summer Temporary Employees

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

SUMMARY OF ISSUE: Attached is a listing of 2024 temporary employees that have currently received a conditional job offer and have successfully completed their background checks.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Pursuant to MN Statute, seasonal assignments are limited to 67 working days per calendar year or 100 working days per calendar year if the employees are under the age of 22, are full-time students enrolled in a nonprofit or public educational institution prior to being hired by the employer, and have indicated either in an application for employment or by being enrolled at an educational institution for the next academic year or term, an intention to continue as a student during or after their temporary employment.

RECOMMENDED ACTION/MOTION: Motion to authorize the hiring of the 2024 temporary employees as presented on the attached listing.

FINANCIAL IMPACT: The positions are included in the 2024 budget.

2024 Summer Temporary Employees

	<u>Name</u>	<u>Job Title</u>	<u>Hourly Rate</u>	<u>Budgeted Wage</u>
1	Jude Gregersen	Police Intern	\$20.09	\$20.09
2	Jack Hughes	Parks & Rec. Intern	\$15.00	\$15.00
3	Conrad Greene	Umpire	\$32.00	\$32.00/Game
4	Alyssa Schelito	Concession Stand	\$15.00	\$14.00 - \$16.00

Submitted for Consideration for the June 3, 2024 Council Meeting

* Returning Employee



City Council Agenda Request

MEETING DATE: June 3, 2024

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

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: Attached to this request is an Event Application for the 2024 Brainerd Homecoming 5K to be held on Saturday, September 28, 2024 starting in Kiwanis Park and utilizing Brainerd Street trails for the run. The 5K run has a proposed route utilizing the Buffalo Hills and Boom Lake Trails, East River Road, and Kiwanis Park. The route map is attached to this application.

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

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

FINANCIAL IMPACT: N/A



SPECIAL EVENT APPLICATION

Date of Application: 5/21/24

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

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

Name of event: 2024 Brainerd Homecoming 5k

Organizer Information

Organizer's Name: _____

Organizer's Address: _____

Event Contact Person: _____

Event Contact Daytime Phone: _____

Event Contact E-mail Address: _____

Contact Name/Number Day of Event: _____

For Profit/Nonprofit Status (type): _____

Applicant information (if different from the event organizer):

Applicant Name: _____

Applicant Address: _____

Applicant Phone: _____

Applicant E-mail Address: _____

Event Information

Event Details (list each date separately)

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

Recurring event (requires only one application submittal per year)

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

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

Description of Activities

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

Site Information

Electrical usage	Yes	No

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

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

Restrooms provided	Yes	No

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

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

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

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

Trash Receptacle Disposal	Yes	No
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Company contracted for trash receptacle disposal: _____

Additional Event Information

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

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

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

Street Closure Request Information

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

Date and time for beginning of street closures: _____

Date and time for reopening of streets: _____

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

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

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

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

Hold Harmless Agreement and Insurance Information

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

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

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

Signature of Event Applicant

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



Signature of Applicant

Print Name

Contacts, Permits, and Fees Checklist

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

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

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

Contact Information

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

For Official Use Only

Department Sign-offs Required

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

Event Application Approval

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

City Administrator

Date

Approval Conditions

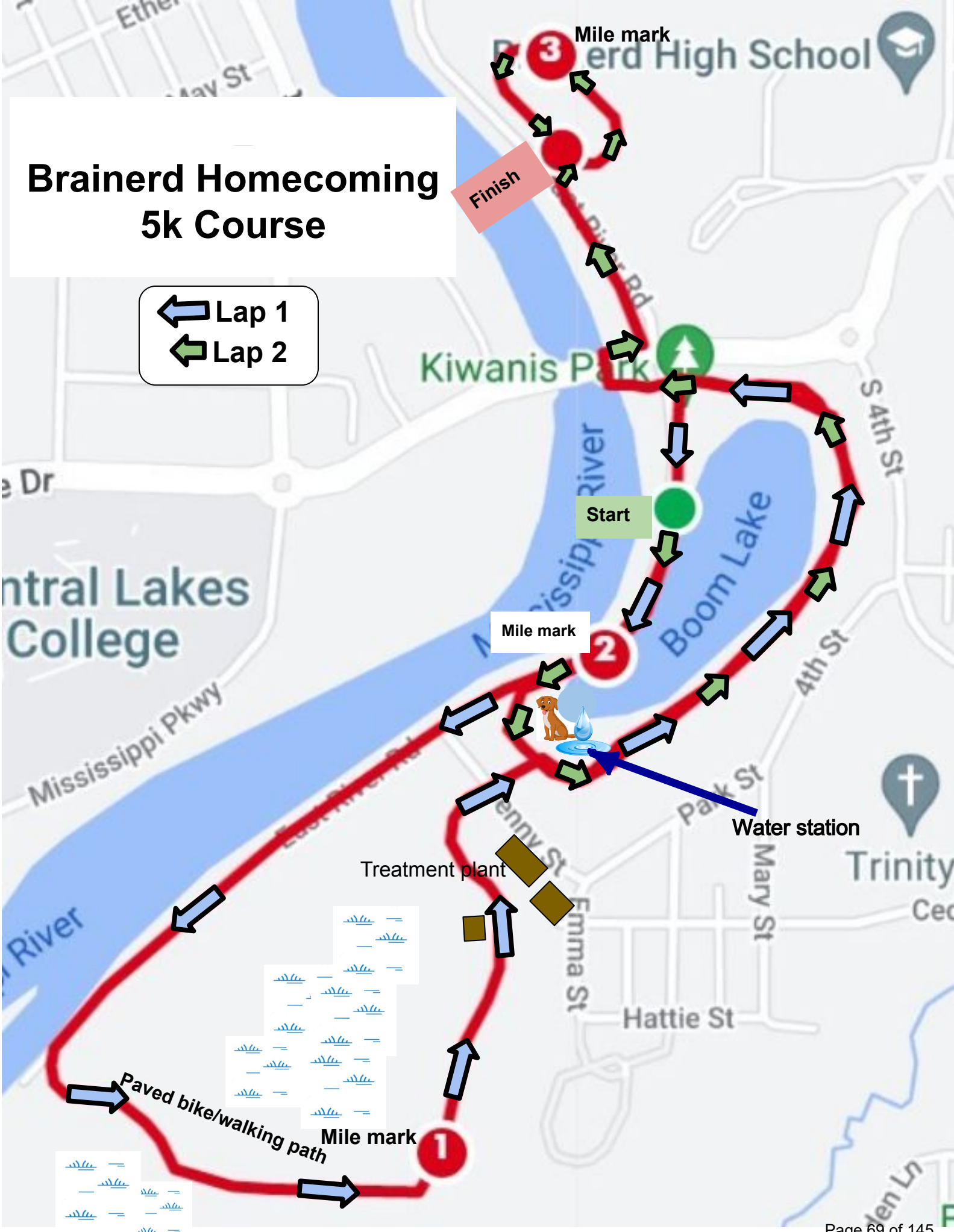
Certification of Street Closure Approval

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

Brainerd Homecoming 5k Course

 Lap 1

 Lap 2





City Council Agenda Request

MEETING DATE: June 3, 2024

TITLE OF ITEM: Authorize the Fire Department to apply for the 2024-2025 ARMER Equipment Grant through the MN DPS ECN

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Tim Holmes, Fire Chief

DEPARTMENT: Fire

PRESENTER: Connie Hillman, Finance Director, Tim Holmes, Fire Chief

ESTIMATED TIME (MIN): 5 minutes

SUMMARY OF ISSUE: The fire department is seeking authorization to apply for the 2024-2025 ARMER Equipment Grant through the MN Department of Public Safety Emergency Communication Network to purchase new portable radios. The estimated cost of replacing 20 portable radios is \$136,000. The grant requires a 5% match, \$6800. The match will come out of the 2024 budget for Radios/ Pagers.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The radios the fire department is currently using have an end of life date of December 2019. The radio is no longer manufactured, but some parts are still available. These radios were purchased through a countywide FEMA AFG grant in 2011-2012.

RECOMMENDED ACTION/MOTION: Motion to approve the fire department to apply for the 2024-2025 ARMER Equipment Grant through the MN Department of Public Safety Emergency Communication Network.

FINANCIAL IMPACT: The match amount (\$6800) for this grant would come out of the 2024 budgeted \$20,000 for Radios/ Pagers. This grant would allow us to leverage our existing budget to increase the number of radios we could replace.



City Council Agenda Request

MEETING DATE: June 3, 2024

TITLE OF ITEM: Approve the Resignation of Community Service Officer Richard Berry

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

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

DEPARTMENT: HR

PRESENTER: Kris Schubert, Human Resources
Director

ESTIMATED TIME (MIN): 1 minute

SUMMARY OF ISSUE: On May 20, 2024, Community Service Officer Richard Berry submitted his letter of resignation. Richard's last date of employment with the City of Brainerd is Monday, June 3, 2024.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: Motion to accept the resignation of Community Service Officer Richard Berry effective Monday, June 3, 2024.

FINANCIAL IMPACT: N/A

Dear Chief Davis,

I hope this letter finds you well. It is with mixed emotions that I write to inform you of my decision to resign from my position as Community Service Officer at the Brainerd Police Department, effective 06/03/2024.

Working at the Brainerd Police Department has been an incredible journey filled with growth, learning, and memorable experiences. I am truly grateful for the opportunities I've had to serve the community alongside such dedicated and passionate individuals.

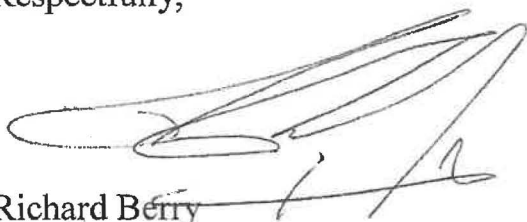
I have come to the difficult, albeit necessary, decision to move on to the next chapter of my career. This decision was not made lightly, as I have developed deep connections with my colleagues and the community I have been blessed to work in.

I want to express my heartfelt appreciation for the support, mentorship, and camaraderie that I've received from you and the entire department. Your leadership and guidance have been invaluable to me, both personally and professionally, and I am deeply grateful for the trust you've placed in me.

While I am sad to be leaving, I am excited about the opportunities that lie ahead and am eager to stay connected with the Brainerd Police Department. I will always cherish the memories and friendships I've made here and will carry the lessons I have learned throughout my career. I hope to one day work alongside the officers at this great agency.

Thank you once again for everything. It has been an honor and a privilege to serve as a Community Service Officer with the Brainerd Police Department. I wish the department continued success and prosperity in the future.

Respectfully,



Richard Berry

05/20/2024





City Council Agenda Request

MEETING DATE: June 3, 2024

TITLE OF ITEM: Ratify the Hiring of Community Service Officer Drew Belton

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

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

DEPARTMENT: HR

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

ESTIMATED TIME (MIN): 2 minutes

SUMMARY OF ISSUE: We received 6 applications for the part-time Community Service Officer position. Staff offered the position to Drew Belton who started with us on May 29, 2024, at \$20.09 an hour.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: Ratify the hiring of Drew Belton effective May 29, 2024, at \$20.09 per hour.

FINANCIAL IMPACT: This position was included in the City's 2024 budget as well as a current cost savings due to current CSO's attending skills this summer.



City Council Agenda Request

MEETING DATE: June 3, 2024

TITLE OF ITEM: Authorize Reestablishment of the Transit Operations Specialist Position

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

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

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

SUMMARY OF ISSUE: On August 1, 2022, the City accepted Transit Coordinator Anders Stone's retirement and promoted Crystal Gauthier to the Transit Coordinator position effective October 18, 2022. At that time, Staff did not request to backfill the Transit Operations Specialist position (Ms. Gauthier's previous position) as we were hoping to transfer the majority of those duties to other administrative staff; further, it was stated that we would observe this practice to determine if staff coverage was adequate or if we needed to backfill the position at a later date. While observing the workload for the past 18 months, Staff has determined that we do need to backfill the Transit Operations Specialist position. Below is the proposed Transit Operations Specialist 2024 wage grid:

	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>	<u>Step 8</u>
1/1/2024	23.05	23.93	24.81	25.69	26.57	27.45	29.64	30.74
7/1/2024	23.57	24.47	25.37	26.27	27.17	28.07	30.31	31.43
1/1/2025	24.45	25.39	26.32	27.26	28.19	29.12	31.45	32.61
7/1/2025	25.12	26.09	27.04	28.01	28.97	29.92	32.31	33.51
1/1/2026	25.87	26.87	27.85	28.85	29.84	30.82	33.28	34.52

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Attached is a preliminary financial analysis completed using our new financial modeling tool to evaluate the ability to support the Transit Specialist position. Some estimates are made in this calculation, such as the MnDOT operating grant amount, future ridership, and some other inflationary measures. However, we are confident this is a realistic reflection of estimated costs and the analysis shows that the program can support the position through 2025. Staff would continue to evaluate the Transit program overall each year to ensure that the program is self-sustaining.

RECOMMENDED ACTION/MOTION: Motion to:

1. Reestablish the Transit Operations Specialist position with the attached updated job description;
2. Approve the Transit Operations Specialist job classification points at 241; and

3. Authorize Staff to negotiate the wage for the Transit Operations Specialist position with the IBEW Administrative Support Union.

FINANCIAL IMPACT: The Transit Program is funded through a combination of a MnDOT operating grant and fares collected by users. This position would be funded through the Transit Fund, through these two sources of funding.



Transit Operations Specialist

Department: ~~Public Works-Engineering/Transit~~

FLSA Status: Non-Exempt

General Definition of Work

This position performs technically specialized operational support to the Transit Department. Under general direction of the Transit Coordinator, provides leadership, direction, and development support to all daily transit operations including completing ridership reports in compliance with FTA standards, verification of previous days' data within Transit software and supervision of third-party contractor's daily operations. Performs other related duties as apparent or assigned.

A successful Transit Operations Specialist will provide overall safe, courteous, and dependable transportation for the Brainerd and Crow Wing County Transit system. The nature of this work demands a very high level of precision.

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 them 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

- Assists the Transit Coordinator in overseeing the third-party contractor operations to ensure contract and regulatory compliance. [Documents instances of non-compliance.](#)
- Verifies end-of-day fares including cash, tickets, tokens, and voucher rides; Delivers end-of-day farebox vaults to the Finance Department. Verifies daily plans.
- Completes ridership verification duties including current and previous day's trip activities including bus mileage, transit times, cancellations, correct billing rules, and no-show riders.
- Corrects, verifies, and maintains databases of previous day's activities, analyzes passenger logs and customer information as well as other needed reports for FTA reporting.
- Assists in monitoring and the reporting of third-party contractor staff hours.
- Assists customers by telephone, electronically or in person and responds promptly to customer inquiries; Assists the Transit Coordinator with addressing and resolving complaints.
- Uses RouteMatch software to dispatch, schedule, and route trips based upon the needs of the customer in emergency situations where the third-party contractor is in immediate need of assistance.
- Conducts business in a professional, courteous manner with all contacts including but not limited to customers, co-workers, third party contractor, the public, and other agencies working with the transit system.
- Represents the transit system in accordance with adopted Transit and City policy.
- Assists with preparing policies and training materials for transit operation.
- Supports the creation and editing of marketing materials to promote the transit operation.
- Assists with preparing, soliciting, and negotiating the RFP for third-party contractor
- Assists the Transit Coordinator with preparation and submission of grant applications, budgets etc.
- Performs accounts receivable and payable functions to ensure optimal financial record keeping.
- Reports any accidents, incidents, and or injuries to the proper authorities and follows all data retention policies and laws.

Transit Operations Specialist

Page 2

Essential Functions (Cont.)

- Assists with scheduling TAC meetings, development of agenda documents and completion of follow up meeting minutes.
- Performs other duties as assigned or apparent.

Knowledge, Skills and Abilities

- Demonstrates organizational and time management skills.
- Ability to handle multiple interruptions and adjustment of priorities throughout the day without compromising accuracy or efficiency.
- Ability to work with minimal direct supervision.
- Outstanding communication and interpersonal skills and a commitment to customer service.
- General knowledge with the ability to interpret and apply department-specialized programs, policies, procedures, statutes, regulations, and records relating to the department.
- Ability to communicate courteously and tactfully, both orally and in writing, by always representing the Transit department and City in a positive and professional manner with an internal/external customer-driven attitude; Provides friendly, courteous responses to coworkers, government officials, the public external agencies, associates and vendors. Remains calm and professional under difficult, sensitive, stressful/hostile situations; or when dealing with diverse individuals.
- Proficient on computer operations, scanner, printer, and department required software. Accurately manage files and records; possess ability to create spreadsheets, compose correspondence, reports, and documents.
- Ability and desire to learn and grow within an ever-changing environment.

Education, Experience & Special Requirements

Minimum Qualifications:

- ~~Two-year associates degree with an accounting, administrative assistant~~business management, or related emphasis and;
- ~~Two~~ two years of responsible accounting or administrative experience;
- Equivalent combination of education and experience may be considered as determined by Department Head~~management~~; and
- Valid driver's license.

Desired Training and Experience:

- Bachelor's degree with coursework in business or related emphasis;
- Other degrees with coursework in transportation, communications, planning, logistics, administration, accounting, or a related field.
- Experience and/or knowledge of transit operations;
- Previous dispatching service for another agency;
- Experience with a ~~computerized~~ transit software, specifically RouteMatch, accounting software and proficient in Microsoft Office including but not limited to Outlook, Word, and Excel; ~~Fluent in computer operations including maintaining databases and MS Office Applications specifically Word and Excel;~~
- Working knowledge of mobile tablets or other devices.

Physical Requirements

This work requires the occasional exertion of up to 25 pounds of force; work regularly requires reaching with hands and arms, frequently requires sitting, speaking or hearing and repetitive motions and occasionally requires standing, walking, using hands to finger, handle or feel and lifting; work requires close vision, distance vision, ability to adjust focus 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, operating machines and observing general surroundings and activities; work occasionally requires exposure to outdoor weather conditions~~has no exposure to environmental conditions~~; work is generally in a moderately noisy location (e.g. business office, light 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: May~~re~~ ~~28~~¹⁰, 202~~4~~²



Transit Operations Specialist

Department: Public Works

FLSA Status: Non-Exempt

General Definition of Work

This position performs technically specialized operational support to the Transit Department. Under general direction of the Transit Coordinator, provides leadership, direction, and development support to all daily transit operations including completing ridership reports in compliance with FTA standards, verification of previous days' data within Transit software and supervision of third-party contractor's daily operations. Performs other related duties as apparent or assigned.

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Qualification Requirements

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Essential Functions

- Assists the Transit Coordinator in overseeing the third-party contractor operations to ensure contract and regulatory compliance. Documents instances of non-compliance.
- Verifies end-of-day fares including cash, tickets, tokens, and voucher rides; Delivers end-of-day farebox vaults to the Finance Department. Verifies daily plans.
- Completes ridership verification duties including current and previous day's trip activities including bus mileage, transit times, cancellations, correct billing rules, and no-show riders.
- Corrects, verifies, and maintains databases of previous day's activities, analyzes passenger logs and customer information as well as other needed reports for FTA reporting.
- Assists in monitoring and the reporting of third-party contractor staff hours.
- Assists customers by telephone, electronically or in person and responds promptly to customer inquiries; Assists the Transit Coordinator with addressing and resolving complaints.
- Uses RouteMatch software to dispatch, schedule, and route trips based upon the needs of the customer in emergency situations where the third-party contractor is in immediate need of assistance.
- Conducts business in a professional, courteous manner with all contacts including but not limited to customers, co-workers, third party contractor, the public, and other agencies working with the transit system.
- Represents the transit system in accordance with adopted Transit and City policy.
- Assists with preparing policies and training materials for transit operation.
- Supports the creation and editing of marketing materials to promote the transit operation.
- Assists with preparing, soliciting, and negotiating the RFP for third-party contractor
- Assists the Transit Coordinator with preparation and submission of grant applications, budgets etc.
- Performs accounts receivable and payable functions to ensure optimal financial record keeping.
- Reports any accidents, incidents, and or injuries to the proper authorities and follows all data retention policies and laws.

Essential Functions (Cont.)

- Assists with scheduling TAC meetings, development of agenda documents and completion of follow up meeting minutes.
- Performs other duties as assigned or apparent.

Knowledge, Skills and Abilities

- Demonstrates organizational and time management skills.
- Ability to handle multiple interruptions and adjustment of priorities throughout the day without compromising accuracy or efficiency.
- Ability to work with minimal direct supervision.
- Outstanding communication and interpersonal skills and a commitment to customer service.
- General knowledge with the ability to interpret and apply department-specialized programs, policies, procedures, statutes, regulations, and records relating to the department.
- Ability to communicate courteously and tactfully, both orally and in writing, by always representing the Transit department and City in a positive and professional manner with an internal/external customer-driven attitude; Provides friendly, courteous responses to coworkers, government officials, the public external agencies, associates and vendors. Remains calm and professional under difficult, sensitive, stressful/hostile situations; or when dealing with diverse individuals.
- Proficient on computer operations, scanner, printer, and department required software. Accurately manage files and records; possess ability to create spreadsheets, compose correspondence, reports, and documents.
- Ability and desire to learn and grow within an ever-changing environment.

Education, Experience & Special Requirements

Minimum Qualifications:

- Two-year associates degree with business management, or related emphasis and two years of responsible accounting or administrative experience;
- Equivalent combination of education and experience may be considered as determined by Department Head; and
- Valid driver's license.

Desired Training and Experience:

- Bachelor's degree with coursework in business or related emphasis;
- Other degrees with coursework in transportation, communications, planning, logistics, administration, accounting, or a related field.
- Experience and/or knowledge of transit operations;
- Previous dispatching service for another agency;
- Experience with a transit software, specifically RouteMatch, accounting software and proficient in Microsoft Office including but not limited to Outlook, Word, and Excel.
- Working knowledge of mobile tablets or other devices.

Physical Requirements

This work requires the occasional exertion of up to 25 pounds of force; work regularly requires reaching with hands and arms, frequently requires sitting, speaking or hearing and repetitive motions and occasionally requires standing, walking, using hands to finger, handle or feel and lifting; work requires close vision, distance vision, ability to adjust focus 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, operating machines and observing general surroundings and activities; work occasionally requires exposure to outdoor weather conditions; work is generally in a moderately noisy location (e.g. business office, light 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.

Surplus/Deficit:	\$85,314
-------------------------	-----------------

Total Costs:	\$1,605,469
Operating Costs	\$1,487,914
Operations Contract	\$1,062,207
Fuel & Maintenance	\$241,543
Administration	\$189,163
Capital Costs	\$117,555
Vehicles	\$117,555
Technology	\$0
Facilities	\$0
Other	\$0

Total Revenues:	\$1,690,783
State/Federal Grant	\$1,515,649
Operating	\$1,409,850
Capital	\$105,800
Generated	\$175,134
Brainerd Fare	\$101,454
Baxter Fare	\$47,176
Crow Wing County Fare	\$15,744
New Service Fare	\$0
Contracts	\$0
Other Revenue	\$10,760

Additional Local Match Contributions to Break-Even:				\$ (85,314)
Locality	Share	Current Fare	Break-Even	Discrepancy
Brainerd	65%	\$101,454	\$51,389	\$50,065
Baxter	18%	\$47,176	\$14,231	\$32,945
Crow Wing County	17%	\$15,744	\$13,440	\$2,304
New Service	0%	\$0	\$0	\$0



City Council Agenda Request

MEETING DATE: June 3, 2024

TITLE OF ITEM: Adopt Resolution Appointing Election Judges and Setting Pay

AGENDA: P&F Committee

ACTION REQUESTED: Adopt Resolution

SUBMITTED BY: Connie Hillman, Finance Director

DEPARTMENT: Administration

PRESENTER: Connie Hillman, Finance Director

ESTIMATED TIME (MIN): 5 Minutes

SUMMARY OF ISSUE:

Attached is a copy of the resolution passed by Council in 2022 setting pay for election and trainee judges. \$20 per hour for assistant and head judges and \$15 per hour for election and trainee judges. Currently, the City does not pay mileage to anyone, but head judges do get an hour of pay for picking up supplies the day before each election and lunch and dinner is provided at each precinct on election days - pizza and subs.

The resolution passed in 2022 matched the County's rates. The County does reimburse judges at the standard IRS mileage rate, and no meals are provided.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: For 2024, the County's election judge pay rates are \$25 per hour for head judges and \$18 per hour for regular judges. They are paying \$20 per hour for temp workers who will be working the absentee ballot counter, and judges working in unorganized territory. Baxter is paying \$17 for head judges and \$14 for regular judges.

It is difficult to staff 8 precincts with 6-10 election judges from 5:30 am to 10:00 + p.m. The days are very long for our election judges, and we don't have enough judges to do shifts. The City budgeted \$35,000 for elections in 2024. We spent \$10,593 on the PNP election and have submitted a reimbursement request to the State in the amount of \$10,155 for the PNP. Elections costs totaled approximately \$33,200 in 2022 and \$26,500 in 2020.

Attached is a draft resolution appointing and setting pay for election judges for training and the primary and general elections. The hourly rates are not completed, as Staff would appreciate Council's direction if the City should match the County pay rates or set wages at \$22 for head and assistant judges and \$18 for regular and trainee judges.

RECOMMENDED ACTION/MOTION: Discussion and adoption of the attached draft resolution appointing and setting wages for election judges.

FINANCIAL IMPACT:

RESOLUTION NO. 25:22

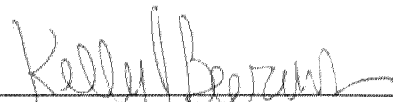
**RESOLUTION APPOINTING & SETTING PAY FOR ELECTION JUDGES FOR
TRAINING AND THE PRIMARY AND GENERAL ELECTIONS**

BE IT RESOLVED by the Council of the City of Brainerd that the judges of the Election are those individuals who have completed training as required by MN Statutes and are on file with the Administrator's Office.

BE IT FURTHER RESOLVED that the rate of pay of judges for the election be fixed as follows:

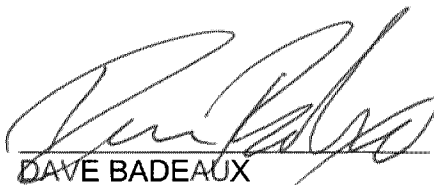
Precinct Head and Assistant Head Judges - \$20.00 per hour;
Election Judges - \$15.00 per hour; ~
Trainee Election Judges \$15.00 per hour.

Adopted this 5th day of July 2022



KELLY BEVANS
President of the Council

Approved this 6th day of July 2022



DAVE BADEAUX
Mayor

ATTEST: 

JENNIFER BERGMAN
City Administrator

RESOLUTION NO. XX:24

**RESOLUTION APPOINTING & SETTING PAY FOR ELECTION JUDGES FOR
TRAINING AND THE PRIMARY AND GENERAL ELECTIONS**

BE IT RESOLVED by the Council of the City of Brainerd that the judges of the Election are those individuals who have completed training as required by MN Statutes and are on file with the Administrator's Office.

BE IT FURTHER RESOLVED that the rate of pay of judges for the election be fixed as follows:

Precinct Head and Assistant Head Judges - \$XX.00 per hour;
Election Judges - \$XX.00 per hour;
Trainee Election Judges \$XX.00 per hour.

Adopted this ____ day of June 2024

KELLY BEVANS
President of the Council

Approved this ____ day of June 2024

DAVE BADEAUX
Mayor

ATTEST: _____
NICHOLAS W. BROYLES
City Administrator



City Council Agenda Request

MEETING DATE: June 3, 2024

TITLE OF ITEM: Consider Subordination Agreement

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): 5 Minutes

SUMMARY OF ISSUE: A resident who has a SCDG loan through the City of Brainerd is refinancing the mortgage on their home. In order to do so, the City needs to issue the lender a subordination agreement. The City is currently in second position and would retain the same position. The loan was originally for \$19,958.96, is interest free and forgivable 10% each year over 10 years. The loan is in the final year and will be forgiven in August 2024.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: Authorize signature of the subordination agreement, whereas the City retains second position on the mortgage for 1614 Laurel Street.

FINANCIAL IMPACT: N/A



City Council Agenda Request

MEETING DATE: June 3, 2024

TITLE OF ITEM: Authorize the Police Department to Apply for the Traffic Safety Enforcement Grant

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: John Davis, Police Chief

DEPARTMENT: Police

PRESENTER: John Davis, Police Chief

ESTIMATED TIME (MIN): 3 minutes

SUMMARY OF ISSUE: The 2025 fiscal year grant cycle for the Department of Public Safety (DPS) Office of Traffic Safety (OTS) Traffic Safety Enforcement Grant will begin October 1, 2024. Staff is currently working on completion of the 2025 grant application which must be submitted by June 10, 2024. The Brainerd Police Department is the fiscal agency for the Traffic Safety Enforcement Grant.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The National Highway Traffic Safety Administration (NHTSA) provides federal funding to DPS-OTS to implement a safety program to reduce traffic crashes and the deaths, injuries, and property damage resulting from those crashes. The grant funding supports targeted enforcement in high risk areas identified by the Brainerd Lakes Towards Zero Death Passenger Safety Coalition. The grant funding request that will be made is estimated to be between \$55,000 and \$65,000, a portion of which can be used by the fiscal agency for administrative costs which the police department has used and plans to continue using. In addition, as the fiscal agency, we will receive a matching equipment purchase for preliminary breath tests and full tuition reimbursement towards Breath Test Operator certification and recertification courses. Coordination of the enforcement program also allows the Brainerd Police Department to schedule enforcement projects within the City of Brainerd during times when there are increased needs for targeted enforcement. Once completed, the application will be available for review upon council request prior to submission.

RECOMMENDED ACTION/MOTION: Authorize the Police Department to apply for the Traffic Safety Enforcement Grant from the MN Department of Public Safety, Office of Traffic Safety.

FINANCIAL IMPACT: none



City Council Agenda Request

MEETING DATE: June 3, 2024

TITLE OF ITEM: Approve Change Order Request - Imp 21-15 Buffalo Hills Gully Remediation

AGENDA: SPW Committee

ACTION REQUESTED: Approve/Deny Motion

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

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

SUMMARY OF ISSUE: Attached to this item is a Change Order request for raising of 3 manhole lids from Tom's Backhoe. During a walkthrough of the gully with City, SEH, and contractor, it was determined that there were 3 manholes that were considerably lower to the adjacent slope. To better tie them into the adjacent embankment, it was agreed that these 3 manhole lids would need to be raised a varying amount of height, roughly from 1 to 3 feet each.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The total Change Order request for the work is for \$6,150.16. Adding this amount to the previous contract amount and approved change orders, this would amend the contract to \$882,783.26. As a reminder, the grant for the project is for \$975,000, of which \$905,000 is available to the City for construction. The project is proposed to be funded using the Storm Water fund.

RECOMMENDED ACTION/MOTION: Staff recommends approval of the Change Order request as presented in the amount of \$6,150.16.

FINANCIAL IMPACT: \$6,150.16



Tom's Backhoe Service, Inc.

**323 Woodland Hills Ln
Brainerd, MN 56401**

Invoice

Date	Invoice #
5/22/2024	7482

Bill To
City of Brainerd - Buffalo Hills Gully Brainerd, MN 56401

Terms	Due Date	Project	Other
Net 30	6/21/2024		Change Order

Date	Description	Amount
	CHANGE ORDER - EXTRA TO CONTRACT	
	City of Brainerd - Buffalo Hills Gully Project	
	Raise 3 Manholes as per City Engineer, Materials and Labor	
	Rinker Materials includes tax	3,046.93
	Concrete Type S Mortor Mix	235.81
	Tom's Backhoe Service markup charge @ 15% on materials	492.42
	Tom's Backhoe freight to pick up Rinker Materials	500.00
	Labor and Equipment, 3 hrs. Excavator @ \$200.00 per hr.	600.00
	3 hrs. Loader @ 175.00 per hr.	525.00
	2 Laborers @ 6 hrs. @ \$125.00 per hr.	750.00

1.5% Interest Charge after 30 days

Total	\$6,150.16
Payments/Credits	\$0.00
Balance Due	\$6,150.16

Phone #	Fax #
2188284232	218-829-3746

INVOICE

Page No. 1 of 1

INVOICE NO.

29145205



R E M I T T O	RINKER MATERIALS P.O. BOX 936217 ATLANTA, GA 31193-6217	
	B Y	ABA: 121000248 (Wells Fargo) ACCOUNT: 2052700385107 SWIFT: WFBUS6S CHIPS 0407 REMIT INFO: ach@quikrete.com

B I L L T O	794046	TOM'S BACKHOE SERVICE 323 WOODLAND HILLS LN SW BRainerd MN 56401
	888195	BRainerd, MN - BUFFALO HILLS GULLY STORM 323 WOODLAND HILLS LN CALL BEFORE LEAVING TOM (218)820-7478 BRainerd MN 56401

CUSTOMER P.O. NUMBER	ORDER DATE	REF NO.	DATE DUE	DUNS NUMBER
Signed Quote - 6323412PM1	05/06/24		06/08/24	

INVOICE SHIP DATE	SHIP VIA	TERMS	TAX ID
05/09/24	Pickup	Net 30	

ORDERED	SHIPPED	PIECES	BO #	ITEM NO.	DESCRIPTION	PRICE	U/M	AMOUNT
5			24534445	9090100271200	Adjusting Ring 27x 12 Inch PRO#:6323412PM1 SB#:00747002 SC#: STAdded	189.000	EA	945.00
1			24534445	20840100100000030	J84x3.0 BBL NJ S PRO#:6323412PM1 SB#:00747002 SC#: STAdded	1879.500	EA	1,879.50
1			24534445	2207208000410	72x8 Cvr Tp2 27 Ecc PRO#:6323412PM1 SB#:00747002 SC#: ST14	955.500	EA	955.50

THIS MATERIAL SHIPPED FROM PLANT NUMBER: 6315	RINKER MATERIALS 401 MICHAEL ST S HAWLEY MN 56549 Tel: (763)694-3250 Fax: (000)000-0000	SUB-TOTAL ►	3,780.00
		TAX ►	297.68
		INVOICE TOTAL ►	4,077.68
		USD DOLLARS	PLEASE PAY FROM THIS INVOICE



WW Thompson Concrete Products
702 INDUSTRIAL PARK ROAD
P.O.BOX 87
Brainerd MN 56401
218-829-9674
Fax: 218-828-1161

CUSTOMER COPY



INVOICE

2405-700679 PAGE 1 OF 1

SOLD TO
TOM'S BACKHOE 323 WOODLAND HILLS LANE BRAINERD MN 56401

JOB ADDRESS
TOM'S BACKHOE 323 WOODLAND HILLS LANE BRAINERD MN 56401 2188284232

ACCOUNT	JOB
TO250	0
SOLD ON	5/7/2024 12:52:25 PM
CUST PICKUP	
BRANCH	1000
CUSTOMER PO#	BUFFALO HILLS GULLEY
STATION	BCT3
CASHIER	DN
SALESPERSON	H
ORDER ENTRY	

Thank you we appreciate your
business!

Quantity	UM	Item	Description	D	T	Price	Per	Amount
20	EA	CSPEC	SPEC MIX TYPE S 80# BAG 101013 40 units/Cube		Y	10.9300	EA	218.60

Payment Method(s)

Charge to Acct 235.81

MN-BRD 7.875%	SubTotal	218.60
	Sales Tax	17.21
	Deposit	
Please Pay This Amount		235.81

1 cents per masonry unit goes to the Concrete Masonry Checkoff Board pursuant to the Federal Concrete Masonry Products Research, Education and Promotion Act of 2018.

Signature



City Council Agenda Request

MEETING DATE: June 3, 2024

TITLE OF ITEM: Approve Change Order Request - Imp 22-08 - South Brainerd Reconstruction

AGENDA: SPW Committee

ACTION REQUESTED: Approve/Deny Motion

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

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

SUMMARY OF ISSUE: Attached to this item is a Change Order request for Improvement 22-08 - South Brainerd Reconstruction project. The request includes several items added to the project that were not originally in the scope of work that were necessary for completion. A summary of the additional work is as follows:

- Keystone Retaining Wall - existing retaining wall was installed on top of existing sidewalk that was needing replacement. Contractor needed to remove and reinstall the retaining wall to allow for the sidewalk construction.
- Concrete Retaining Wall - existing retaining wall was in conflict with existing sidewalk that was needing replacement. Contractor needed to remove the retaining wall to allow for the sidewalk construction. Staff had discussed this with the property owner and they will be installing their own retaining wall on their own after the project.
- Relocate Shed - a small tool shed that housed a lawn tractor was not present during the survey of the project. It was located within 2-3 feet of the storm sewer line that was being replaced. The shed was relocated to allow for the storm sewer replacement work to occur.
- Timber Retaining Wall - existing retaining wall was found at the storm sewer adjacent to the storm pond by the apartment building where replacement of the storm sewer was going to occur. This was not found during survey and needed to be removed/reinstalled to allow for replacement of the storm sewer line.
- Parking Lot Unknown Storm Line Repair - a drain tile line connection to the storm sewer was discovered as the storm sewer line to the pond was replaced. The line was reconnected. This was not known at the time of survey or design.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Staff has reviewed the Change Order request. In review, staff believes that this work was justified and that the proposed costs for the work appear appropriate for the work that was completed. Costs associated with the retaining walls would be allocated to the street reconstruction portion of the project and costs associated with the storm sewer line work would be proposed to be paid using the Storm Water fund.

Overall cost of the Change Order request is \$6,682.52. \$3,279.10 would be allocated to the street reconstruction and \$3,403.42 would be allocated to the storm sewer.

RECOMMENDED ACTION/MOTION: Staff recommends approval of the Change Order request as presented in the amount of \$6,682.52.

FINANCIAL IMPACT: \$6,682.52



**P.O. Box 315
Brainerd, MN 56401**

Quote

Date	Quote #
5/27/2024	1699

Name / Address
Brainerd

Description	Quantity	Unit Cost	Unit	Total
* South Brainerd Reconstruction Extra's				
* Keystone Retaining Wall				
1. Salvage Wall	74	11.00	LF	814.00
2. Reinstall Retaining Wall	17	95.00	SY	1,615.00
10% OH&P	1	242.90	LS	242.90
Subtotal				2,671.90
* Remove Concrete Retaining Wall				
1. Labor	48	11.50	LF	552.00
10% OH&P	1	55.20	LS	55.20
Subtotal				607.20
* Relocate Shed				
1. Labor	1	550.00	LS	550.00
10% OH&P	1	55.00	LS	55.00
Subtotal				605.00
* Timber Retaining Wall				
1. Remove Retaining Wall	1	475.00	LS	475.00
2. Install New Retaining Wall - Labor	1	950.00	LS	950.00
3. Install New Retaining Wall - Materials	1	743.88	LS	743.88
10% OH&P	1	216.89		216.89
Subtotal				2,385.77
* Parking Lot Unknown Storm Line Repair				
1. Labor	1	240.00	LS	240.00
2. Materials	1	135.14	LS	135.14
10% OH&P	1	37.51	LS	37.51
Total				

**Office: 218-828-4636
Cell: 218-839-1318
Fax: 218-824-1510
Email: adechantal@gmail.com**



**P.O. Box 315
Brainerd, MN 56401**

Quote

Date	Quote #
5/27/2024	1699

Name / Address

Brainerd

Description	Quantity	Unit Cost	Unit	Total
Subtotal				412.65
Total				\$6,682.52

**Office: 218-828-4636
Cell: 218-839-1318
Fax: 218-824-1510
Email: adechantal@gmail.com**



City Council Agenda Request

MEETING DATE: June 3, 2024

TITLE OF ITEM: Information on Tree Knockdown Cost Recovery

AGENDA: SPW Committee

ACTION REQUESTED: Information Only

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

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

SUMMARY OF ISSUE: At the May 20th Council meeting, Mayor Badeaux requested information regarding the ability for the City to recoup costs for trees to be replanted when motorists hit them. Since 2022, we have seen an average of about 2 trees knocked down per year. Typically, have been on College Drive, although this corridor have the youngest (and smallest) trees compared with other corridors in the city.

When a traffic incident has occurred, we have worked with the Police Department to file a police report and have indicated an approximate cost of \$1,000 per tree as this is a typical cost for tree installation. If a driver is insured, we can file a claim against their insurance to request reimbursement for the losses. Should the City be reimbursed for costs from a driver's insurance, it would be likely that the funds would come directly to the General Fund and not to the Tree Replacement budget.

In the past, issues that we have encountered have been drivers that do not carry insurance. Options are limited if this occurs. We could file a criminal complaint for criminal damage to property if the damage was caused by an intentional act. If that goes to court, it would be up to the judge then to determine what and how much would be included in restitution. For example, in the past, we have seen in cases of vandalism that the results opt towards hours of community service in lieu of monetary compensation. If the City wished to not pursue criminal charges, another option would be to file a complaint in small claims court. Similarly, the resulting outcome would be at the decision of the presiding judge. Staff has not historically explored these options for the incidents resulting in 1-2 tree hits as the cost of pursuing reimbursement could exceed the cost to replace.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: For College Drive specifically, staff is aiming to replace several trees with the 2024 Tree Replacement budget. We are hopeful that with one more year (2025), we will have fully stocked the corridor with tree plantings in areas where appropriate. Staff would be receptive to direction from Council on another approach for addressing tree hits in the right-of-way.

RECOMMENDED ACTION/MOTION: Information only.

FINANCIAL IMPACT: N/A



City Council Agenda Request

MEETING DATE: June 3, 2024

TITLE OF ITEM: Review Vacant Building Registry 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:

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 promote community pride. The past few years have seen an increase in the number of dwellings abandoned and neglected due to property maintenance issues or fire damage. The City currently relies on property maintenance codes from resident complaints to address vacant properties. Many of the buildings do not meet the standard of condemnation and removal, as the problems are repairable with the work of a residential building contractor. It is in the City's best interest with the housing shortage to find a solution to rehabilitate these properties.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Staff received direction from City Council to proceed with a Vacant Building Registry Ordinance and to review it at the next Safety and Public Works Committee meeting. Staff modeled the proposed ordinance after the City of Minneapolis ordinance for vacant buildings, as Minneapolis has been successful in the reclamation of nuisance properties. Homes placed on the Vacant Building Registry are those that are vacant with significant property maintenance issues and violations. The City of Minneapolis currently charges property owners \$7,228.70 for the vacant building registry, but they do give the property owner the ability to make corrections within six months and not be charged. If payment is not made to the City, the fee is assessed to the property.

RECOMMENDED ACTION/MOTION: Review the proposed Vacant Building Registry Ordinance and direct staff to bring it back to the next City Council meeting to conduct the first reading.

FINANCIAL IMPACT: N/A

**ORDINANCE
NO. 15xx**

**AN ORDINANCE AMENDING SECTION 445 AND SECTION 1000 APPENDIX A FEE
SCHEDULE OF THE CITY CODE**

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Purpose

The purpose of this ordinance is to enhance the livability and preserve the tax base and property values of buildings within the city, and the need to assure that buildings which are capable of rehabilitation are promptly rehabilitated and buildings which are not capable of rehabilitation be promptly demolished, the city hereby declares that it is the policy of the city to promote rehabilitation of vacant and unoccupied buildings, and to assure a prompt process for demolition of hazardous buildings through a procedure fixing appropriate responsibility in accordance with due process requirements.

SECTION TWO: Section 445 of the City Code is hereby amended as indicated, with the new language underlined:

445.09 Vacant Building Registration

Subd. 1 The owner of a building shall register the building with the director of regulatory services within five (5) days after it becomes a vacant building. In this section, a "vacant building" is one that is:

- 1) Condemned; or
- 2) Unoccupied and unsecured for five (5) days or more; or
- 3) Unoccupied and secured by means other than those normally used in the design of the building for thirty (30) days or more; or
- 4) Unoccupied and has multiple housing maintenance, fire or building code violations existing for thirty (30) days or more; or
- 5) Unoccupied for a period of time over three hundred sixty-five (365) days and during which time an order has been issued to correct a nuisance condition; or
- 6) A vacant commercial or residential building or structure, which is unable to receive a certificate of occupancy due to expired permits, or demonstrated work stoppage of one hundred eighty (180) days or more as determined by the building official.

Subd. 2 The owner of a building or structure designated as vacant pursuant to this section may appeal such designation to the City Administrator or designated representative within twenty-one (21) days after receipt of the designation. The administrative hearing procedure shall follow the procedure pursuant to Section 320.19 of the City Code.

Subd. 3 The registration shall be submitted on forms provided by the director of regulatory services and shall include the following information supplied by the owner:

- 1) A description of the premises;
- 2) The names and addresses of the owner or owners;

- 3) The names and addresses of all known lienholders and all other parties with an ownership interest in the building;
- 4) The period of time the building is expected to remain vacant; and a plan and timetable for returning the building to appropriate occupancy or for demolition of the building.
- 5) The owner shall submit a plan and timetable that must comply with the guidelines adopted by the director of regulatory services. The guidelines are adopted for purposes of preventing nuisance conditions and maintaining compliance with this Code. These guidelines shall be made available to building owners. The plan shall be submitted at the time of registration, or within a reasonable period of time thereafter to be determined by the director of regulatory services.

Subd. 4 The owner shall comply with all applicable laws and codes. The owner shall notify the Building Official of any changes in information supplied as part of the vacant building registration within thirty (30) days of the change. If the plan or timetable for the vacant building is revised in any way, the revisions must meet the approval of the Building Official.

Subd. 5 The owner and the subsequent owners shall keep the building secured and safe and the building and grounds properly maintained until the rehabilitation or demolition has been completed.

Subd. 6 Failure of the owner or any subsequent owner to maintain the building and premises that result in abatement completed by the city shall be grounds for revocation of the approved plan and shall be subject to any applicable penalties provided by law.

Subd. 7 The new owner(s) shall register or re-register the vacant building with the Building Official within thirty (30) days of any transfer of an ownership interest in a vacant building. The new owner(s) shall comply with the approved plan and timetable submitted by the previous owner until any proposed changes are submitted and meet the approval of the Building Official.

Subd. 8 The Building Official shall include in the file any property-specific written statements from community organizations, other interested parties or citizens regarding the history, problems, status or blighting influence of a vacant building.

Subd. 9 Vacant building fees:

- 1) The owner of a vacant building shall pay an annual fee as established pursuant to Section 1000 Appendix A Fee Schedule. The fee is imposed to recover all costs incurred by the city for monitoring and regulating vacant buildings, including nuisance abatement, enforcement and administrative costs. This fee may be waived or suspended for the current year as a term or condition of a written restoration agreement. This fee may be waived for the current year and previous years if the property is acquired by a government agency.
- 2) The first annual fee shall be paid no later than five (5) days after the building becomes vacant. Subsequent annual fees shall be due on the anniversary date of initial vacancy. The fees shall be paid in full prior to the issuance of any building permits, with the exception of a demolition permit.
- 3) Unpaid fees shall be levied and collected as a special assessment against the property as provided for under Section 320.23. Upon transfer of ownership, the new owner(s) shall be responsible for all unpaid and subsequent annual fees.

Subd. 10 A building owner shall provide access to all interior portions of an unoccupied building in order to permit a complete inspection for the purpose of enforcing and assuring compliance with the provisions of this chapter.

SECTION THREE: Section 1000 General Provisions Appendix A: Fee Schedule of the City Code is hereby amended as indicated, with the new language underlined:

Building Dept	Residential	Commercial
<u>Vacant Building Registry</u>	<u>\$7,000</u>	<u>\$7,000</u>

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: _____
NICHOLAS W. BROYLES
City Administrator

Published: One Time – _____



City Council Agenda Request

MEETING DATE: June 3, 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:

320 8th St N - Junk and Debris

Section 320, action that could be taken against this property include:

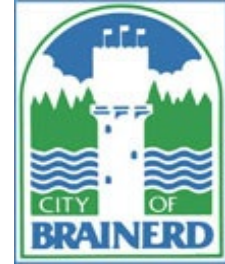
- 1) Continued administrative citations for an amount determined by the City Council
- 2) Abatement of the offense (depending on the type of offense)
- 3) Legal action (at the recommendation of the City Attorney depending on the type of the offense)
- 4) Cease corrective action

RECOMMENDED ACTION/MOTION:

Staff recommends issuing an order to correct letter and obtaining a search warrant to abate the nuisance at 320 8th St N.

FINANCIAL IMPACT: N/A

MEMO



TO: Mayor and City Council

FROM: James Kramvik, Community Development Director

DATE: June 3rd, 2024

RE: Recommendations for Active Code Enforcement Cases

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

- **320 8th St N**
 - Received one (1) Notice of Violation Letter (04/11/24) and three (3) Citations for Junk/Debris/Blight
 - First citation 04/25/24 – Third citation 5/17/24
 - \$600 in open citations

Staff recommends issuing an order to correct letter and obtaining a search warrant to abate the nuisance at 320 8th St N.

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 02/06/24 to abate the garbage.

804 19th St SE – Obtained administrative warrant and abated junk/debris 3/21/2024.

1017 10th Ave NE – Obtained administrative warrant and abated junk/debris 3/22/2024.

1420 Quince St – Administrative warrant to abate junk/debris received 5/6/2024. Property owner complied, staff will continue to monitor the site.

1424 8th St S – Final 10-day letter sent to property owner for junk/debris 5/7/2024 prior to administrative warrant. Owner complied prior to abatement. No action taken.

1119 13th St SE – Final 10-day letter sent to property owner 5/7/2024 for unlicensed/inoperable vehicles. Property owner paid the fines and will have everything cleaned up by June 1st. Reinspection scheduled for June 3rd.

813 Holly St. – Final 10-day letter sent to the property owner for animal feces 5/7/2024 – no action needed, as owner complied and cleaned up.

April 11, 2024

HUNTER, IVY RAE
6078 DONALD ST
BAXTER, MN 56425

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: 320 8TH ST N
Real Estate Code: 41241205

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 04/25/2024

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

EN24-0124

Date of Violation: 05/17/2024

Parcel ID: 41241205

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

Location/Address of Violation: **320 8TH ST N**

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: 05/27/2024

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: 05/17/2024

Representative's Signature:

(served via first class mail)





City Council Agenda Request

MEETING DATE: June 3, 2024

TITLE OF ITEM: Accept Resignation of Troy Rushmeyer from the Park Board

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

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

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

SUMMARY OF ISSUE: At the May 28th Park Board meeting, Park Board member Troy Rushmeyer announced his resignation from the Brainerd Park Board effective May 28th, 2024. The Board thanked him for his service to the Park Board, parks, and recreation programs through the years and approved his resignation at the meeting.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: Staff recommends accepting, with regret, the resignation of Troy Rushmeyer from the Park Board and to begin accepting applications for the open seat on the Park Board, effective June 4th, 2024.

FINANCIAL IMPACT: N/A



City Council Agenda Request

MEETING DATE: June 3, 2024

TITLE OF ITEM: Final Reading and Conduct Public Hearing - Proposed Ordinance 1565 - Short-Term Rentals

AGENDA: Main

ACTION REQUESTED: Ordinance

SUBMITTED BY: James Kramvik, Community Development Director

DEPARTMENT: Community Development

PRESENTER: James Kramvik, Community Development Director

ESTIMATED TIME (MIN): 5 min

SUMMARY OF ISSUE:

Upon discovering several Short-Term Rental properties in the City of Brainerd operating without a valid Interim-Use Permit, staff worked with existing operators to bring their properties into compliance with the Zoning Code. In addition to working with property owners to bring their short-term rentals into compliance, staff received direction from the Planning Commission to discuss further regulations or capping the number of short-term rentals allowed in the City. The concern with short-term rentals is the potential loss of long-term workforce housing, in which the City is experiencing a shortage. The subtraction of long-term housing is a concern in relation to Brainerd's Comprehensive Plan and has an impact on future economic development of the community.

The City Council conducted the second reading of Proposed Ordinance 1561 regarding short-term rentals at their regularly scheduled February 20th meeting. The motion to approve the ordinance as proposed failed by a 4 to 3 vote.

The Planning Commission considered changes to the proposed ordinance at their April 17th meeting, directed staff to make those changes, and requested the ordinance be brought back to the next meeting to conduct a public hearing. The Planning Commission conducted a public hearing and considered the Proposed Ordinance at their May 15th meeting and unanimously recommended approval. The City Council conducted the first reading at the May 20th meeting.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

CHANGES TO THE PROPOSED ORDINANCE

1. Removal of the cap that limits an individual property owner from operating no more than one VDU in the City.
2. Increased the City's total cap from (20) VDU short-term rentals to (40) VDU short-term rentals allowed in the City, while restricting (20) to the Main Street District and (20) to the Town Center District.
3. Allow up to two short-term rental units in 4+ unit buildings.
4. All multi-family dwellings with (3 units) or less shall contain no more than (1) short-term rental of any

type at any given time.

5. Removed the “grandfather clause”.

UNCHANGED ITEMS IN PROPOSED ORDINANCE

1. In all other zoning districts there shall be no more than ten (10) total VDU’s permitted at any given time.
2. Only one (1) building with a permitted VDU may be located on any platted block and shall not abut another property approved for a short-term rental.
3. All short-term rentals operating prior to the effective date of these standards shall be compliant with this section by December 31, 2025. All previously issued Interim Use Permits for short-term rentals shall expire December 31, 2025.

RECOMMENDED ACTION/MOTION:

1. Conduct the final reading of Proposed Ordinance 1565 and dispense with the actual reading.
Note: a vote to dispense with the actual reading of the ordinance must be unanimous.
2. Approve Proposed Ordinance 1565 pertaining to short-term rentals

FINANCIAL IMPACT: N/A

**ORDINANCE
NO. 1565**

AN ORDINANCE AMENDING SECTION 515-3-34 OF THE ZONING CODE

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Purpose

1. The purpose and intent of this ordinance is to regulate short-term rental properties within the City of Brainerd.
2. This ordinance is intended to cap the number of permitted short-term rentals to ensure an adequate supply of workforce housing in Brainerd and to distribute short-term rentals throughout the City.

SECTION TWO: Section 515-3-34 is hereby amended by adding and striking the following:

515-3-34 Short-Term Rentals

A. Definitions: For the purposes of this article, the following definitions apply:

1. Accessory Home Share (AHS): A rental where the property owner is a permanent resident of the homesteaded unit and is present on the premises during the rental period.
2. Accessory Vacation Dwelling Units, Limited (ADVUL): A rental where the property owner permanently resides at the homesteaded unit but does not need to be present during the rental period.
3. Vacation Dwelling Unit (VDU): A rental where the property owner is not a permanent resident of the unit, and the entire unit is rented without the property owner present during the rental period.

B. Short-term rentals are subject to the following length of stay and total number of annual rental days:

1. Accessory Home Share (AHS): May allow a maximum of four (4) guests to stay on the premises a total of one (1) to twenty-eight (28) days.
2. Accessory Vacation Dwelling Units, Limited (ADVUL): May allow a maximum number of guests as determined by Section 515-3-34-C.4 to stay on the premises a total of two (2) to seven (7) consecutive nights. ADVUL's may not be operated more than twenty-one (21) rental days per calendar year.
3. Vacation Dwelling Units (VDU): May allow a maximum number of guests as determined by Section 515-3-34-C.4 to stay on the premises a total of one (1) to twenty-eight (28) days.

C. Regulations: Any short-term rental must comply with the following minimum standards:

~~A.~~ _____

~~1.~~ The maximum rental period shall not be more than 28 consecutive nights.

1. The permit holder (owner) of a short-term rental must apply for and receive an Interim Use Permit.

a. The duration of the first Interim Use Permit granted to an applicant for a short-term rental at a premises shall be twelve (12) months.

~~2.~~b. Renewal for an Interim Use Permit for an existing short-term rental at a premises shall be granted for a duration not to exceed twenty-four (24) months.

~~3.~~2. The application for an Interim Use Permit shall include:

- a. The number of bedrooms with dimensions and all other sleeping accommodations.
- b. The number of off-street parking spaces available to guests.
- c. All accessory structures and outdoor recreational features available for guest use.
- d. A pet, garbage, noise, and parking policy.
- e. The permit holder shall post emergency contact information (police, fire, hospital) and show renters the location of fire extinguishers in the short-term rental unit.

~~4.~~3. A permit holder must disclose in writing to their renters the following information regarding property policies and City codes:

- a. **Contact Information.** The managing agent or local contact's name, address, and phone number. The agent shall be available 24 hours a day, seven days a week, whenever the property is being rented. Property contact information will be accessible to the public at all times on the City of Brainerd website.
- b. **Occupancy.** The maximum number of guests allowed on the property.
- c. **Vehicles.** The maximum number of vehicles, recreational vehicles, and trailers allowed on the property and where they are to be parked. Parking in a yard that fronts a street as well as along an interior side of a house is required to be on an improved surface. Recreational vehicles shall not be parked in any right-of-way or utility easement. No vehicle or trailer shall be parked on a street for a period of time in excess of forty-eight (48) continuous hours.
- d. **Garbage.** Garbage and refuse containers shall be placed out for collection no earlier than 6:00 P.M. the day before collection and removed by the end of the day of collection. Garbage shall be placed in fly tight containers sufficient to receive all garbage which may accumulate between times of collection.
- e. **Noise.** No person shall, between the hours of 10:00 P.M. and 7:00 A.M. congregate at, or participate in the any party or gathering of two or more people from which noise emanates of a sufficient volume so as to disturb the peace, quiet, or repose of another person.
- f. **Pets.** No person shall keep, maintain, or otherwise house more than a total of four cats or dogs within any household in the City of Brainerd. It shall be unlawful for any person to allow a dog or cat to run at large and to keep or harbor a dog that habitually barks, yelps, howls, cries, or whimpers so as to unreasonably disturb the peace and quiet of any person in the vicinity. The owner of any animal shall be responsible for cleaning up any feces of the animal and disposing of such feces in a sanitary manner.

~~5.~~4. The occupancy of a short-term rental shall be limited to not more than 3 people per bedroom or the occupancy set by the Building Official, whichever is less.

~~6.~~5. Rooms used for sleeping shall be provided with egress windows and smoke detectors in locations that comply with the Minnesota State Building Code or the requirements of the building department, whichever is stricter.

~~7.6.~~ The short-term rental shall be connected to city sewer and water or an approved septic system. A valid septic system certificate of compliance is required at the time of rental license issuance and annual renewal. A short-term rental shall have a full bathroom (sink, toilet, and tub or shower).

~~8.7.~~ Additional occupancy by use of recreational vehicles, tents, accessory structures, or fish houses is not permitted.

~~9.8.~~ The permit holder shall keep a report, detailing use of the short-term rental by recording the full name, address, phone number and vehicle license number of the guest reserving the rental. A copy of the report shall be provided to the Zoning Administrator upon request.

9. A short-term rental shall be a licensed rental unit by the city and shall meet the requirements of all statutes, rules, regulations, and ordinances including, but not limited to the City of Brainerd's rental housing maintenance code. Each unit shall be inspected annually by the rental housing inspector and the Fire Marshal.

10. The owner or property manager shall reside within 50 miles of the property. An emergency contact does not constitute a property manager. A property manager shall be a relative or compensated individual or company.

~~10.11.~~ The Planning Commission may impose conditions that will reduce the impacts of the proposed use on neighboring properties, public services, nearby water bodies, public safety, and safety of renters. Said conditions may include but not be limited to – fencing or vegetative screening, native buffer along the shoreline, noise standards, duration of permit, restrictions as to the docking of watercraft, and number of renters.

~~11.12.~~ A permit holder must post their rental license permit number on all print, poster, or web advertisements.

13. It is the owner's responsibility to apply for state and local sales tax numbers, including hotel and motel use sales tax. It is the owner's responsibility to contact the Minnesota Department of Health about lodging license requirements.

14. All short-term rentals operating prior to the effective date of these standards shall be compliant with this section by December 31, 2025. All previously issued Interim Use Permits for short-term rentals shall expire December 31, 2025.

D. Ownership, Limitations, and Municipal Caps:

1. Any property owner may utilize their permanent residence as an AHS or ADVUL upon the receipt of a rental housing license and the approval of an Interim Use Permit.

2. There are to be no more than forty (40) operational VDU's at any given time in the City and is granted on a first-come first-serve basis.

a. There shall be no more than twenty (20) VDU's at any given time in the Town Center and Main Street District and in all other zoning districts there shall be no more than ten (10) total VDU's permitted at any given time.

l. Only one (1) building with a permitted VDU may be located on any platted block and shall not abut another property approved for a short-term rental.

b. A designated city official shall create a waiting list which will be posted on the City of Brainerd website with a recorded date and time of an interested applicant if the City has approved the maximum allotment of VDU's in the City or a zoning district.

l. Applicants on the waiting list shall be contacted and given ten (10) days to submit a complete application and provide payment for their Interim Use Permit.

c. All short-term rentals applying for renewal will be given preference over new applicants if they are compliant with the rental code, are without outstanding violations of the Code, and are not on a required management plan. The property must have an approved Interim Use Permit by City Council prior to expiration of their existing permit.

I. Upon expiration of the Interim Use Permit, the property owner can no longer operate a short-term rental at the premises and will be required to reapply as a new applicant.

3. All multi-family dwellings with (3 units) or less shall contain no more than (1) short-term rental of any type at any given time.

4. No multi-family dwellings (4+ units) may contain more than two (2) short-term rentals of any type at any given time.

1. _____

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: _____
NICHOLAS W. BROYLES
City Administrator

Published: One Time – _____

NOTICE OF HEARING

Notice is hereby given that the City of Brainerd Planning Commission will be conducting a public hearing to consider a proposed ordinance amending Section 515-3-34 of the Brainerd Zoning Code relating to short-term rentals. The proposed ordinance would define short term rentals into three different classifications, Accessory Home Share, Accessory Vacation Dwelling Units, Limited, and Vacation Dwelling Units and regulate the rental duration of each category. Additionally, the proposed ordinance will set the expiration of interim use permits issued for short term rentals and institute limitations on the number allowed in the City of Brainerd. As proposed, no more than two short-term rental units can be in a multifamily building.

A Public Hearing will be conducted by the Planning Commission at 6:00 p.m. Wednesday, May 15, 2024, in City Hall Council Chambers, 501 Laurel Street, Brainerd.

The public is invited to attend the hearing to offer input regarding the proposed ordinance. Any individuals needing special accommodations please call (218) 828-2307.

Dated this 1st day of May 2024

Publication Date: May 4th, 2024



James L. Kramvik
Community Development Director



City Council Agenda Request

MEETING DATE: June 3, 2024

TITLE OF ITEM: Consider Sound Review Report Documents for Proposed Crypto-Mining Outdoor Storage Facility

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): 10 min

SUMMARY OF ISSUE:

Jerry Tang has submitted a request on behalf of VCV Digital Infrastructure Minnesota, LLC for an Interim Use Permit for outdoor storage as a principal use to operate a crypto mining facility at 1918 Thiesse Dr. The City Council considered the request at the May 20th meeting and motioned to extend the 60-day review period by another 60 days and for staff to draft a sound report for the Council to review before consideration of the Interim Use Permit for Outdoor Storage.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Staff is looking for direction from the City Council as to how to proceed with a sound report for the proposed crypto-mining facility at 1918 Thiesse Drive. Staff does not recommend commissioning an RFP from an engineering firm as the City would most likely not meet the statutorily required deadline to provide an answer to the applicant. Staff proposes the following report documentation:

- 1) A report from VCV detailing expected decibel levels based on distance and time of year. Staff will review and comment on the report.
- 2) Case studies from other municipalities with crypto-mining facilities, preferably those with immersion technology.
- 3) Decibel reading at the Just for Krypt mining facility and accompanying observations of sound impact on surrounding properties.
- 4) YouTube video with sound displaying the difference between open air mining and immersion mining.

RECOMMENDED ACTION/MOTION:

Staff recommends approval of the required report documents and that the City Council should reconsider the IUP after all documents have been reviewed and collected by staff.

FINANCIAL IMPACT: N/A

May 22, 2024

VCV DIGITAL INFRASTRUCTURE MINNESOTA LLC
1540 BROADWAY STE 1010
NEW YORK NY 10036



www.ci.brainerd.mn.us

Dear Mr. Tang,

Your application for an Interim Use Permit for Outdoor Storage as a Principal Use for a crypto-mining facility was received by e-mail on 4/30/2024. The Planning Commission conducted the public hearing at their May 15th meeting and recommended denial of the Interim Use Permit. The City Council considered the Interim Use Permit request for outdoor storage as a principal use at their May 20th meeting and motioned to approve a 60-day extension to the review period for Interim Use Permits pursuant to MN State Statute. The City Council directed staff to generate a sound study/ report to properly review the potential effects to surrounding properties.

Municipalities are required to approve or deny an application for an Interim Use Permit within 60 days of the application submittal. Minnesota State Statute allows municipalities to extend this review period by another 60 days. The City of Brainerd is extending the time limit by an additional 60 days to act on your request for an Interim Use Permit at 1918 Thiesse Drive, which moves the deadline to July 30th, 2024.

Sincerely,

James Kramvik
Community Development Director
City of Brainerd



City Council Agenda Request

MEETING DATE: June 3, 2024

TITLE OF ITEM: Strike Contingency Work Group Update

AGENDA: Main

ACTION REQUESTED: Information Only

SUBMITTED BY: Nick Broyles, City Administrator

DEPARTMENT: Administration

PRESENTER: Nick Broyles, City Administrator

ESTIMATED TIME (MIN): 1 Minute

SUMMARY OF ISSUE: See attachment.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: No action is recommended. This is an update for Council's information.

FINANCIAL IMPACT: n/a at this time.

MEMO



TO: Mayor Badeaux, City Council, and Public Utility Commission

FROM: Nick Broyles, City Administrator

DATE: May 22, 2024

RE: Update on Strike Contingency Plan

The City Council created the Strike Contingency Plan Committee at their April 22, 2024, City Council meeting. The Committee was created to review each department's preparedness if a strike were to occur. The Public Utility Department was chosen first as the IBEW Public Utility Union contract has expired and we have met the minimum timing when they could consider a strike vote. The Committee members are the City Administrator, Human Resources Director, two City Council members - Terry and Czczok, two Public Utility Commission members - Angland and Erickson, and the Interim Public Utility Director. Commissioner O'Day was chosen as an alternate.

The Committee has been meeting twice a week since April 30th. The first meeting on April 30th was used to clarify roles, organization, outcomes, and how to proceed. The second meeting was held on May 2, 2024, where Public Utility managers and supervisors were invited. They have attended all the meetings until recently as they needed time to finalize their reports. Since the first meeting, the Committee has met for one hour every Monday and Thursday for four weeks. The Committee received information and heard presentations from the Public Utility Finance/IT, Operations, Hydroelectric, Electrical, Water and Wastewater Divisions as well as Human Resources and Emergency Services staff. Staff have reached out to various industries in both the public and private sectors for potential assistance in the event of a strike. Contacts have included external groups such as Camp Ripley, other municipalities, regional power companies, public safety agencies, and engineering consultants and we have received varying degrees of potential support. The final report of this work group will be more detailed and will include requisite financial information.

During their presentations, staff provided a review of their division giving background, operations, risks, options, and recommendations to the Committee. The Committee provided general guidance on the presentation format, however, left the details to the staff given the short timeframe to prepare and compile each presentation. Each presentation provided the Committee with an opportunity to better define what the Committee was seeking. Staff are currently modifying their presentations into the recommended format. The goal of this Committee is the creation of a final document that will be used as a guideline should a strike occur. The final document should be substantially complete by the second week of June. The Committee continues to work toward that end. Some of the documents still needed are Standard Operating Procedures, which are currently being drafted (i.e. Water Treatment Plant operations). The Committee asked each functional area for written reports and staff has been responsive to Committee requests.



City Council Agenda Request

MEETING DATE: June 3, 2024

TITLE OF ITEM: First Readings - Proposed Ordinances 1567 & 1568 - Cannabis and Off-Sale Liquor

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:

Minnesota is the 23rd state in the nation to legalize cannabis use for people 21 and older. The legislation creates the framework for adult-use cannabis in Minnesota and establishes a new Office of Cannabis Management, which will regulate cannabis (including for the adult-use market, the Medical Cannabis Program, and for lower-potency hemp edibles) and issue licenses and develop regulations outlining how and when businesses can participate in the industry. The legislation proposes that retail sales for adult use cannabis in Minnesota begin in the first quarter of 2025. Some businesses may be able to start earlier for social equity considerations. Cities are allowed to consider the following regulations for adult use cannabis businesses:

1. Municipalities must allow for cannabis dispensaries based on population size, but are allowed to adopt reasonable restrictions on the time, place, and manner of the operations of a cannabis business, provided that such restrictions do not prohibit the establishment of the operation of cannabis businesses.
2. A city may impose an initial retail fee of \$500 or up to half the amount of the applicable initial license fee charged by the OCM, whichever is less. The city may also charge a renewal retail registration fee of \$1,000 or up to half the amount of the applicable renewal license fee charged by the OCM, whichever is less.
3. A city that issues cannabis retailer registrations may, by ordinance, limit the number of licensed cannabis retailers, cannabis mezzobusinesses with a retail operations endorsement, and cannabis microbusinesses with a retail operations endorsement to no fewer than one registration for every 12,500 residents. In addition, if a county has one active registration for every 12,500 residents, a city within the county is not obligated to register any additional cannabis businesses.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

The Planning Commission conducted a public hearing and considered Proposed Ordinance 1567 regulating adult use cannabis businesses at their May 15th meeting and unanimously recommended approval.

The proposed ordinance would regulate the time, manner, and place that such facilities would be allowed to operate. As proposed, new commercial dispensaries would be allowed in commercial zoning districts and would be required to be located at least 100 feet from a school, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field. A Conditional Use Permit would be required for new dispensaries within 300 feet of the same facilities. As proposed, the growing and manufacturing of cannabis products would be allowed in the General Industrial Zoning District by a Conditional Use Permit. The Commission also recommended that off-sale liquor be removed from the Traditional Neighborhood 2 (TN-2) District to align with the sale of adult use cannabis.

The City Council directed staff at the May 20th meeting to draft Proposed Ordinance 1568 allowing a maximum of two retail dispensaries in Brainerd and to charge the maximum allowable registration fee of \$500 and reregistration fee of \$1,000.

RECOMMENDED ACTION/MOTION:

1. Conduct the first reading of Proposed Ordinance 1567 and dispense with the actual reading.
Note: a vote to dispense with the actual reading of the ordinance must be unanimous.
2. Conduct the first reading of Proposed Ordinance 1568 and 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. 1567**

AN ORDINANCE AMENDING SECTION 515-3 OF THE ZONING CODE

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Purpose

1. The purpose and intent of this ordinance is to regulate the time, place, and manner of the operations of a cannabis business and an off-sale alcohol business within the City of Brainerd.

SECTION TWO: Section 515-3 is hereby amended with the following new language underlined and shall be added to Section 515-3 in alphabetical order with all other required numerical sections to change in descending order:

Section 515-3-XX Cannabis Retail Dispensary

A. Any cannabis retail store selling adult use cannabis products, not including lower-potency hemp products, must comply with the following minimum standards:

1. New dispensaries cannot be within 100 feet of a school, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field.
2. New dispensaries within 300 feet of a school, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field requires a conditional use permit.
3. Cannabinoid Product sales are only permitted between 8 a.m. and 10 p.m.
4. All State Statutes and regulations governing such use are strictly adhered to and all required operating licenses are secured.
5. Payment of an annual registration renewal fee.

Section 515-3-XX Cannabis Cultivation, Manufacturing, and Other Cannabis-Related Business Activity

A. The following cannabis business types apply to this Section:

1. Cannabis microbusinesses and mezzobusinesses, industrial-scale cannabis cultivation, outdoor cultivation of cannabis, cannabis and hemp product manufacturing, cannabis wholesale businesses, cannabis delivery service and cannabis transporters, and cannabis testing facilities.

B. Any cannabis cultivation, manufacturing, and other cannabis-related business must comply with the following minimum standards:

1. A waste water plan that details how wastewater generated during the processing of cannabis products shall be disposed of in compliance with applicable state and local laws and regulation, including delineation of the measures that will be taken to contain the chemicals/wastewater onsite in the event of an accidental spill.
2. A plant waste disposal plan that at a minimum.

- a. Details how cannabis product waste will be destroyed, or rendered into an unusable and unrecognizable form and recorded in the statewide monitoring system. Disposal by on-site burning or via the sewer system is prohibited;
3. All State Statutes and regulations governing such use are strictly adhered to and all required operating licenses are secured.
4. Payment of an annual registration renewal fee.

SECTION THREE: Section 515-3 Appendix A Table of Uses (Commercial/ General Business Uses) is hereby amended with the following new underlined language added to the table:

ZONING DISTRICT	Section Reference	RL-1	RL-2	GL	CN-1	CN-2	TN-1	TN-2	TN-3	GC	CC	TC	MS	ME	GI	PSP	P
<u>Cannabis Retail Dispensary</u>	<u>515-3-XX</u>								<u>C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>		

SECTION FOUR: Section 515-3 Appendix A Table of Uses (Industrial and Utility Uses) is hereby amended with the following new underlined language added to the table:

ZONING DISTRICT	Section Reference	RL-1	RL-2	GL	CN-1	CN-2	TN-1	TN-2	TN-3	GC	CC	TC	MS	ME	GI	PSP	P
<u>Cannabis Cultivation, Manufacturing, and Related Activity</u>															<u>C</u>		

SECTION FIVE: Section 515-3 Appendix A Table of Uses (Commercial/ General Business Uses) is hereby amended with the following deleted language stuck out of the table:

ZONING DISTRICT	Section Reference	RL-1	RL-2	GL	CN-1	CN-2	TN-1	TN-2	TN-3	GC	CC	TC	MS	ME	GI	PSP	P
Liquor sales, off sale								P	P <u>C</u>	P	P	P	P	P	P		

SECTION SIX: 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: _____
NICHOLAS W. BROYLES
City Administrator

Published: One Time – _____

**ORDINANCE
NO. 1568**

AN ORDINANCE AMENDING SECTION 1110 AND SECTION 1000 OF THE CITY CODE

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Section 1110 (Blank) of the City Code is hereby amended as indicated, with the new language underlined:

Section 1110 – Cannabis, Hemp, and Related Businesses

1110.01 Definitions. Subdivision 1. For the purposes of this section, the following words, terms and abbreviations shall have the definitions given to them.

Subd. 2 Adult-use cannabis flower. “Adult-use cannabis flower” means cannabis flower that is approved for sale by the office.

Subd. 3 Adult-use cannabis product. “Adult-use cannabis product” means a cannabis product that is approved for sale by the office or is substantially similar or is substantially similar to a product approved by the office. Adult-use cannabis product includes edible cannabis products but does not include medical cannabinoid products or lower-potency hemp edibles.

Subd. 4 Cannabis business. “Cannabis business” means any of the following licensed (full definitions can be located in the glossary):

1. Cannabis microbusiness
2. Cannabis mezzo business
3. Cannabis cultivator
4. Cannabis manufacturer
5. Cannabis retailer
6. Cannabis wholesaler
7. Cannabis transporter
8. Cannabis testing facility
9. Cannabis event organizer
10. Cannabis delivery service
11. Medical cannabis cultivator
12. Medical cannabis processor
13. Medical cannabis retailer
14. Medical cannabis combination business

Subd. 5 Cannabis flower. “Cannabis flower” means the harvested flower, bud, leaves, and stems of a cannabis plant. Cannabis flower includes adult-use cannabis flower and medical cannabis flower. Cannabis flower does not include cannabis seed, hemp plant parts, or hemp-derived consumer products.

Subd. 6 Cannabis plant. “Cannabis plant” means all parts of the plant of the genus Cannabis that is growing or has not been harvested and has a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent on a dry weight basis.

Subd. 7 Cannabis product. “Cannabis product” means any of the following:

1. Cannabis concentrate
2. A product infused with cannabinoids, including but not limited to tetrahydrocannabinol, extracted or derived from cannabis plants or cannabis flower or
3. Any other products that contain cannabis concentrate; cannabis product includes adult-use cannabis products, including but not limited to edible cannabis products and medical cannabinoid products. Cannabis product does not include cannabis flower, artificially derived cannabinoid, lower-potency hemp edibles, hemp-derived consumer products, or hemp derived topical products.

Subd. 8 Edible Cannabis Product. “Edible Cannabis Product” means any product that is intended to be eaten or consumed as a beverage by humans; contains a cannabinoid other than an artificially derived cannabinoid in combination with food ingredients; is not a drug, and is a type of product approved for sale by the office, or is substantially similar to a product approved by the office including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods. Edible cannabis product does not include lower-potency hemp edibles.

Subd. 9 Hemp business. “Hemp business” means either of the following licensed under this chapter:

1. Lower-potency hemp edible manufacturer
2. Lower-potency hemp edible retailer

Hemp business does not include a person or entity licensed under chapter 18k to grow industrial hemp for commercial or research purposes or to process industrial hemp for commercial purposes.

Subd. 10 Hemp-derived consumer product. “Hemp-derived consumer product” means a product intended for human or animal consumption, does not contain cannabis flower or cannabis concentrate, and:

1. Contains or consists of hemp plant parts; or
2. Contains hemp concentrate or artificially derived cannabinoids in combination with other ingredients.

Hemp-derived consumer product does not include artificially derived cannabinoids, lower-potency hemp edibles, hemp-derived topical products, hemp fiber products, or hemp grain.

Subd. 11 Lower-potency hemp edible. “lower-potency hemp edible” means any product that:

1. Is intended to be eaten or consumed as a beverage by humans;
2. Contains hemp concentrate or an artificially derived cannabinoid, in a combination with food ingredients;
3. Is not a drug;
4. Consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabigerol, or any combination of those cannabinoids that does not exceed the identified amounts;
5. Does not contain more than a combined total 0.5 milligrams of all other cannabinoids per serving;

6. Does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol;
7. Does not contain a cannabinoid derived from cannabis plants or cannabis flower; and
8. Is a type of product approved for sale by the office or is substantially similar to a product approved by the office, including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods.

Subd. 12 Medical cannabis business. "Medical cannabis business" means an entity licensed under this chapter to engage in one or more of the following:

1. The cultivation of cannabis plants for medical cannabis flower;
2. The manufacture of medical cannabinoid products; and
3. The retail sale of medical cannabis flower and medical cannabinoid products.

1110.03 Cannabis Businesses Definitions. Subdivision 1. For the purposes of this section, the following words, terms and abbreviations shall have the definitions given to them.

Subd. 2 Cannabis microbusiness. Under Article 1, Section 28, a cannabis microbusiness may grow cannabis plants, make cannabis concentrate, make hemp concentrate, manufacture artificially derived cannabinoids, manufacture adult-use cannabis products, lower-potency hemp edibles, and hemp derived consumer products for public consumption, purchase hemp or hemp concentrate parts, package and label cannabis and hemp products, and sell cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp products, and hemp-derived consumer products. A cannabis microbusiness that cultivates cannabis at an indoor facility may cultivate up to 5,000 square feet of plant canopy. A cannabis microbusiness that cultivates cannabis at an outdoor location may cultivate up to one-half acre of mature, flowering plants unless the office increases that limit. A cannabis microbusiness with the appropriate endorsement may operate one retail location. A cannabis microbusiness may permit on-site consumption of edible cannabis products and lower potency hemp edibles on a portion of its premises. Cannabis microbusiness must ensure that the display and consumption of any edible product or lower-potency hemp edible is not visible from outside the licensed premises of the business.

Subd. 3 Cannabis mezzo business. Under Article 1, Section 29, a cannabis mezzo business may grow cannabis from seed or immature plant for cannabis products or medical cannabis flower, make cannabis and hemp concentrate, manufacture adult-use cannabis products, lower-potency hemp edibles, and hemp derived consumer products for public consumption, process medical cannabinoid products, sell immature cannabis plants and seedlings, and purchase cannabis concentrate, hemp concentrate, and synthetically derived cannabinoids from another cannabis business. A cannabis mezzo business that cultivates cannabis at an indoor facility may cultivate up to 15,000 square feet of plant canopy. A cannabis mezzo business that cultivates cannabis at an outdoor location may cultivate up to one acre of mature, flowering plants unless the office increases the limit.

Subd. 4 Cannabis cultivator. Under Article 1, Section 30, a cannabis cultivator can grow cannabis plants within the approved amount of space from seed to immature plant to mature plant, harvest cannabis flower, package and label immature cannabis plants and seedlings and cannabis flower, and transport cannabis flower to cannabis manufacturers.

Subd. 5 Cannabis manufacturer. Under Article 1, Section 31, a cannabis manufacturer may purchase cannabis flower, cannabis products hemp plant parts, hemp concentrate, and

artificially derived cannabinoids from a cannabis business, purchase hemp plants and hemp concentrates, make cannabis hemp concentrate, manufacture artificially derived cannabinoids, manufacture adult-use cannabis products, lower-potency hemp edibles, and hemp derived consumer products, and sell cannabis concentrate, hemp concentrate, artificially derived cannabinoids, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products to other cannabis businesses.

Subd. 6 Cannabis retailer. Under Article 1, Section 31, a cannabis retailer may purchase immature cannabis plants and seedlings, cannabis flower, cannabis products, and lower-potency hemp products, from cannabis businesses, and sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other products authorized by law to customers.

Subd. 7 Cannabis wholesaler. Under Article 1, Section 33, a cannabis wholesaler may purchase immature cannabis plants and seedlings, cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products from cannabis businesses, and purchase hemp plant parts and hemp concentrates. Cannabis wholesalers may sell immature cannabis plants and seedlings, cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products to cannabis microbusinesses, cannabis mezzo businesses, cannabis manufacturers, and cannabis retailers, sell lower-potency hemp edibles to lower-potency-hemp edible retailers, and import hemp-derived consumer products and lower-potency hemp edibles that contain hemp concentrate or artificially derived cannabinoids.

Subd. 8 Cannabis transporter. Under Article 1, Section 35, a cannabis transporter may transport immature cannabis plants and seedlings, cannabis flower, cannabis products, artificially derived cannabinoids, hemp plant parts, hemp concentrate, lower-potency hemp edibles, and hemp-derived consumer products from cannabis microbusinesses, cannabis mezzo businesses, cannabis cultivators, cannabis manufacturers, cannabis wholesalers, lower-potency hemp edible manufacturers, medical cannabis retailers, medical cannabis processors, and industrial hemp growers to cannabis microbusinesses, cannabis mezzo businesses, cannabis manufacturers, cannabis testing facilities, cannabis wholesalers, cannabis retailers, lower-potency hemp edible retailers, medical cannabis processors, medical cannabis retailers, and medical cannabis combination businesses and perform other actions approved by the office.

Subd. 9 Cannabis testing facility. Under Article 1, Section 37, a cannabis testing facility may obtain and test immature cannabis plants and seedlings, cannabis flower, cannabis products, hemp plant parts, hemp concentrate, artificially derived cannabinoids, lower-potency hemp edibles, and hemp-derived consumer products from cannabis microbusinesses, cannabis mezzo businesses, cannabis cultivators, cannabis manufacturers, cannabis wholesalers, lower-potency hemp edible manufacturers, medical cannabis cultivators, medical cannabis processors, medical cannabis combination businesses, and industrial hemp growers.

Subd. 10 Cannabis event organizer. Under Article 1, Section 39, a cannabis event organizer may organize a temporary cannabis event lasting no more than four days. A cannabis event organizer must receive local approval, including obtaining any necessary permits or licenses issue by a local unit of government before holding a cannabis event. If approved by the local unit of government, a cannabis event may designate an area for consumption of adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, or any combination of those items.

Subd. 11 Cannabis delivery service. Under Article 1, Section 41, a cannabis delivery service may purchase cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products from licensed cannabis microbusinesses with a retail endorsement, cannabis mezzo businesses with a retail endorsement, cannabis retailers, medical cannabis retailers, and medical cannabis combination businesses; transport and deliver cannabis flower, cannabis products, lower potency hemp edibles, and hemp-derived consumable products to customers; and perform other actions approved by the office. Prior to completing a delivery, a cannabis delivery service must verify that the customer is at least 21 years of age or is enrolled in the registry program. The office shall establish limits on the amount of cannabis and hemp products that a cannabis delivery service may transport. Cannabis and hemp must be stored in a locked safe, and secure storage compartment that is part of the cannabis delivery vehicle.

Subd. 12 Medical cannabis cultivator. Under Article 1, Section 49, a medical cannabis cultivator may grow cannabis plants within the approved amount of space (60,000 square feet of plant canopy) from seed or immature plant, harvest cannabis flower from a mature plant, package and label cannabis flower as medical cannabis flower, sell medical cannabis flower to medical cannabis processors and medical cannabis retailers, transport medical cannabis flower to a medical cannabis processor located on the same premises, and perform other actions approved by the office. A medical cannabis cultivator must verify that every batch of medical cannabis flower has passed safety, potency, and consistency testing at a cannabis testing facility approved by the office for testing of medical cannabis flower before the medical cannabis cultivator may package, label, or sell the medical cannabis flower to any other entity.

Subd. 13 Medical cannabis processor. Under Article 1, Section 50, a medical cannabis processor may purchase medical cannabis flower, medical cannabinoid products, hemp plant parts, and hemp concentrate from medical cannabis cultivators and other medical cannabis processors, purchase hemp plant parts from industrial hemp growers, make cannabis and hemp concentrate from medical cannabis flower, manufacture medical cannabinoid products, package and label medical cannabinoid products for sale to other medical cannabis processors and to medical cannabis retailers. A medical cannabis processor must verify that every batch of medical cannabis flower has passed safety, potency, and consistency testing at a cannabis testing facility approved by the office for testing of medical cannabis flower before the medical cannabis cultivator may package, label, or sell the medical cannabis flower to any other entity.

Subd. 14 Medical cannabis retailer. Under Article 1, Section 51, medical cannabis retailers may purchase medical cannabis flower and medical cannabinoid products from medical cannabis cultivators and medical cannabis processors and sell or distribute medical cannabis flower and medical cannabinoid products to any person authorized to receive medical cannabis flower or medical cannabinoid products.

Subd. 15 Medical cannabis combination business. Under Article 1, Section 52, a medical cannabis combination business may grow cannabis plants from seed to immature plant to mature plant and harvest adult-use cannabis flower and medical cannabis flower from a mature plant, make cannabis concentrate, make cannabis and hemp concentrate, manufacture artificially derived cannabinoids, manufacture medical cannabinoid products, package and label medical cannabis and medical cannabinoid products for sale to medical cannabis processors, medical cannabis retailers, other medical cannabis combination businesses, and patients enrolled in the registry program, registered caregivers, and parents, legal guardians, and spouses of an enrolled patient.

1110.05 Hemp Businesses Definitions. Subdivision 1. For the purposes of this section, the following words, terms and abbreviations shall have the definitions given to them.

Subd. 2 Lower-potency hemp edible manufacturer. Under Article 1, Section 45, a lower-potency hemp edible manufacturer may purchase hemp plant parts, hemp concentrate, and artificially derived cannabinoids from cannabis microbusiness, cannabis mezzo businesses, cannabis manufacturers, cannabis wholesalers, and lower-potency edible hemp edible manufacturers. Lower-potency hemp edible manufacturers may also purchase hemp parts and hemp concentrate, make hemp concentrate, manufacture artificially derived cannabinoids, manufacture lower-potency hemp edibles for public consumption, package and label lower potency hemp edibles, and sell hemp concentrate, artificially derived cannabinoids, and lower-potency hemp edibles to other cannabis businesses and hemp businesses.

Subd. 3 Lower-potency hemp edible retailer. Under Article 1, Section 46, a lower-potency hemp edible retailer may only sell lower-potency hemp edibles to individuals who are at least 21 years of age. A lower-potency hemp edible retailer may sell lower-potency hemp edibles that are obtained from a licensed Minnesota cannabis microbusiness, cannabis mezzo business, cannabis manufacturer, cannabis wholesaler, or lower-potency hemp edible manufacturer, and meet all applicable packaging and labeling requirements.

1110.07 Cannabis Business Registration. Subdivision 1. A city shall not require additional licenses other than the cannabis licenses issued by the Office of Cannabis Management. The City shall issue a retail registration to a cannabis microbusiness with a retail operations endorsement, cannabis mezzo business with a retail operations endorsement, cannabis retailer, medical cannabis retailer, or lower-potency hemp edible retailer that:

1. Has a valid license issued by the OCM.
2. Has paid the registration fee.
3. Is found to be in compliance with the requirements of the applicable state laws through a preliminary compliance check performed by the city.
4. Is current on all property taxes and assessments at the location where the retail establishment is located.

Subd. 2 Registration Fees. The annual fees for registration under this Section are set by Section 1000 General Provisions Appendix A: Fee Schedule.

1110.9 Retail Limitations. Subdivision 1. The City shall allow two (2) cannabis retailer registrations include the following:

1. Cannabis retailers
2. Cannabis mezzo businesses with a retail operations endorsement
3. Cannabis microbusinesses with a retail operations endorsement

SECTION TWO: Section 1000 General Provisions Appendix A: Fee Schedule of the City Code is hereby amended as indicated, with the new language underlined:

Liquor/Tobacco/ <u>Cannabis</u>	Annual Fees Unless Indicated Otherwise July 1st – June 30th
<u>Cannabis Retail Registration</u>	<u>\$500 Initial Retail Fee</u>
	<u>\$1,000 Renewal Retail Registration</u>

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: _____
NICHOLAS W. BROYLES
City Administrator

Published: One Time – _____

NOTICE OF HEARING

Notice is hereby given that the City of Brainerd Planning Commission will be conducting a public hearing to consider a proposed ordinance amending Section 515-3 (Allowed Uses) of the Brainerd Zoning Code relating to cannabis dispensaries and the growing and manufacturing of cannabis products. The proposed ordinance would regulate the time, manner, and place that such facilities would be allowed to operate. As proposed, new commercial dispensaries would be allowed in commercial zoning districts and would be required to be located at least 100 feet from a school, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field. A Conditional Use Permit would be required for new dispensaries within 300 feet of the same facilities. As proposed, the growing and manufacturing of cannabis products would be allowed in the General Industrial Zoning District by a Conditional Use Permit.

A Public Hearing will be conducted by the Planning Commission at 6:00 p.m. Wednesday, May 15, 2024, in City Hall Council Chambers, 501 Laurel Street, Brainerd.

The public is invited to attend the hearing to offer input regarding the proposed ordinance. Any individuals needing special accommodations please call (218) 828-2307.

Dated this 1st day of May 2024

Publication Date: May 4th, 2024



James L. Kramvik
Community Development Director



City Council Agenda Request

MEETING DATE: June 3, 2024

TITLE OF ITEM: First Reading- Proposed Ordinance 1569- Restricting Residential Picketing

AGENDA: Main

ACTION REQUESTED: Ordinance

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

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

SUMMARY OF ISSUE: The Strike Contingency Plan Work Group recommends that the City Council adopt an Ordinance that restricts targeted residential picketing. Attached is a draft proposed ordinance for consideration by the City Council.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The proposed ordinance addresses targeted residential picketing as the practice causes emotional distress of the dwelling occupants, obstructs and interferes with the free use of the public rights-of-way, and has as its object the harassment of the dwelling occupants. The proposed ordinance does recognize that picketers have ample opportunities to exercise their constitutionally-protected freedom of speech and expression.

RECOMMENDED ACTION/MOTION: Conduct the first reading of Proposed Ordinance 1569 and 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 XXXX

AN ORDINANCE RESTRICTING RESIDENTIAL PICKETING

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: THAT SECTION 2045 OF THE BRAINERD CITY CODE BE ADDED:

2045.01 Purpose. Subdivision 1. The City Council finds that targeted residential picketing in front of or about a residential dwelling causes emotional distress to the dwelling occupants, obstructs and interferes with the free use of public rights-of-way and has as its object the harassment of the dwelling occupants;

Subdivision 2. The City Council further finds that, without resorting to targeted residential picketing, ample opportunities exist for those otherwise engaged in targeted residential picketing to exercise constitutionally protected freedom of speech and expression; and

Subdivision 3. The protection and preservation of the home is the keystone of democratic government; the public health and welfare and the good order of the community require that members of the community enjoy, in their homes and dwellings, a feeling of well-being, tranquility and privacy and, when absent from their homes and dwellings, carry with them the sense of security inherent in the assurance that they may return to the enjoyment of their homes and dwellings; the practice of picketing before or about residences and dwellings causes emotional disturbance and distress to the occupants, obstructs and interferes with the free use of public sidewalks and public ways of travel; such practice has as its object the harassing of such occupants and, without resort to such practice, full opportunity exists, and under the terms and provisions of this chapter, will continue to exist for the exercise of freedom of speech and their constitutional rights; and that the provisions hereinafter enacted are necessary for the public interest to avoid the detrimental results herein set forth.

2045.03 Definitions. For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

a) Targeted Residential Picketing. An activity, including but not limited to marching, standing, or patrolling, that is focused on a single residential dwelling without the consent of the dwelling's occupant(s).

2045.05 Prohibited Activity.

No person shall engage in targeted residential picketing within the City.

2045.07 Violation Penalty.

Every person convicted of a violation of any provision of this chapter shall be guilty of a misdemeanor.

SECTION TWO: This ordinance shall take effect and be in full force 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: _____
NICHOLAS W. BROYLES
City Administrator



City Council Agenda Request

MEETING DATE: June 3, 2024

TITLE OF ITEM: Consider Updating Rules of Decorum

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Nick Broyles, City Administrator

DEPARTMENT: Administration

PRESENTER: Nick Broyles, City Administrator

ESTIMATED TIME (MIN): 5 minutes

SUMMARY OF ISSUE:

Section 9., COMMUNICATION, Subd. 3. of the Rules of Decorum states that, “*Mayor and Council member e-mail communications should be directed either to the City Administrator or to a department head, copying the City Administrator*”. I would like to broaden this statement to include all correspondence and communication (i.e. emails, phone calls, texts etc.). Staff suggests the exhaustive list of Department Heads are the following:

City Administrator
Public Utility Director
Finance Director
Human Resource Director
Police Chief
Fire Chief
Public Works Director / City Engineer
Community Development Director
IT/GIS Director

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Staff are committed to acting in the most responsive and responsible manner to the City Council. To facilitate this end through good order and discipline, it is imperative that Department Heads are fully aware and engaged with all activities under their purview and for which they are responsible.

RECOMMENDED ACTION/MOTION: Motion to modify the Rules of Decorum to capture the above intent.

FINANCIAL IMPACT: N/A

RULES OF PROCEDURE AND DECORUM CITY COUNCIL AND COMMITTEE MEETINGS BRAINERD, MINNESOTA

Adopted April 4, 1994

Reaffirmed and Amended December 1, 2003; November 2, 2020; August 7, 2023

SECTION 1. PURPOSE

Subd. 1. General. It is recognized that in order to enhance the concept of effective and democratic government, it is essential that a legislative body establish formal rules of procedure and decorum so that a true deliberative process will be observed and not disturbed.

SECTION 2. GENERAL

Subd. 1. Law. The City Charter, Ordinances and State Statutes governing the City Council shall be followed and supplemented by these Rules of Procedure and Decorum.

Subd. 2. General Rules. In all matters of parliamentary procedures, the Council shall be governed by the latest printed edition of The Standard Code of Parliamentary Procedure as published from time to time except as modified by these rules.

Subd. 3. Applicability. These Rules also apply to committees of the Council as well as City boards and commissions, whether created by Charter or City Code. The term “Council” shall be substituted with “Committee,” “Commission” or “Board,” and terms “President” and “Vice President” shall be substituted with “Chair” and “Vice Chair”, as appropriate.

Subd. 4. Direction. Direction to staff will be provided by the majority vote of the City Council.

SECTION 3. PRESIDING OFFICER

Subd. 1. Who Presides. The Council President shall preside at all meetings of the Council. In the absence of the Council President, the Council Vice-President shall preside. The presiding officer shall have the power to preserve strict order and decorum at meetings, enforce the rules of procedure and determine without debate, subject to the final decision of the Council on appeal, all questions of procedure and order.

Subd. 2. Appeal of the Ruling of the Presiding Officer. Any member of the Council may appeal from a ruling of the presiding officer. If the appeal is seconded, the member may speak once solely on the question involved and the presiding officer may explain the ruling, but no other Council member shall participate in the discussion. The appeal shall be sustained if it is approved by a majority vote.

- Subd. 3. Rights of the Presiding Officer. The presiding officer may speak on any question. The presiding officer may only make motions and second motions after stepping down as presiding officer.

SECTION 4. AGENDA

- Subd. 1. Matters for Consideration. Matters for Council action shall be submitted by members of the Council and residents in writing by 12:00 on the Tuesday immediately preceding the City Council to the City Administrator or to city staff representatives in the case of Committee business.

- Subd. 2. Preparation. An agenda of business for each regular and special meeting shall be established by the City Administrator or by City Staff in the case of Committees and copies thereof delivered to each Council member as far in advance of the meeting as time for preparation will permit. The City Administrator shall meet with the chairs of the Personnel and Finance Committee and Safety and Public Works Committee along with the Finance Director and Public Works Director (the appointed liaisons to the Committee's) prior to the City Council meeting to review the agendas. The City Administrator shall meet with the Council President prior to the City Council meeting to review the overall Council agenda.

- Subd. 3. Order of Business at Regular Meetings. The Brainerd City Council hold regular meetings on the 1st and 3rd Monday's of the month at 7:30 p.m. At the hour appointed for the regular meeting of the City Council, the meeting shall be called to order by the presiding officer. If a quorum is present, the City Council shall then proceed with its business in the following order as applicable:

- * Call to Order
- * Roll Call
- * Pledge of Allegiance
- * Approval of Agenda
- * Consent Calendar, including approval of minutes, licenses, reports, bills, fund transfers and other routine, non-controversial items needing little or no deliberation
- * Presentations (if any)
- * Council Committee Reports (Personnel & Finance; Safety & Public Works)
- * Unfinished Business - action items including public hearings, ordinance readings and various other items requiring Council action
- * New Business - action items including public hearings, ordinance readings and various other items requiring Council action
- * Public Forum
- * Staff Reports (Verbal: Any updates since the packet)
- * Mayor's Report
- * Council Member Reports
- * Adjournment

- Subd. 4. Varying Order of Business. The order of business may be varied by the presiding officer.

Subd. 5. Consent Calendar. Matters for the Council of a routine or non-controversial nature which need minimal Council deliberation shall be placed on the Consent Calendar. A motion to approve the Consent Calendar shall not be debated. At the request of any individual Council member, an item shall be removed from the Consent Calendar and placed upon the regular agenda for debate immediately following the Consent Calendar. The Consent Calendar shall only be adopted by a roll call vote of those Council members present at the meeting.

Subd. 6. Items Not on the Agenda. The Council may consider items not appearing on the agenda as normal business if an objection is not raised by the Mayor or a Council member. If an objection is raised by the Mayor or a Council member to consider an item not appearing on the agenda, a vote shall be taken by the Council to determine the appropriateness of further consideration of the matter at that time.

Subd. 7. Public Participation. Members of the public may address the City Council during:

A: Public Hearings.

B: Public Forum. This portion of the meeting shall be limited to fifteen minutes and individuals shall be requested to limit their comments to four minutes or less. If the majority of the Council determines that additional time on a specific issue is warranted, then discussion on that issue may be continued under New Business at the end of the agenda.

C: Specific issues scheduled on the agenda but in accordance with Section 6, Subd. 6, of these rules entitled, Addressing the Council.

Subd. 8. Written Communications on All Matters. All interested parties or their authorized representatives may address the Council by written communication regarding all matters under the Council's consideration. The City Administrator shall copy these communications to the Council and forward said communications with the Council meeting packet if possible. If written communications are received after meeting packets are delivered to the Mayor and Council, such communications will be emailed to Mayor and Council and/or handed out at the meeting with a copy available to the public at the Council meeting.

SECTION 5. VOTING

Subd. 1. Procedure. The votes of the members on any ordinance or resolution pending before the Council shall be by roll call vote. The votes of the members on any motion shall be by voice vote unless the Mayor or any member of the Council requests that a roll call vote be taken. The presiding officer shall call for a roll call vote whenever a voice vote of the Council is not clear as to the disposition of the action before the Council. The Mayor shall cast the deciding vote upon any question before the Council when the Council Members composing the said

Council present, and voting are equally divided.

Subd. 2. Abstention. If a Council member does not vote, the abstention shall be recorded as Abstain – name along with the reason for the abstention.

Subd. 3. Voting Order for Roll Call (applicable to City Council only). The City Administrator shall call for the vote in consecutive order of Wards, with Ward One voting first rotating one position every two months. The presiding officer shall always vote last.

SECTION 6. RULES OF DECORUM

Subd. 1. Members of Council. While the meeting is in session, the members must preserve order and decorum. A member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the meeting nor disturb any member while speaking or refuse to obey the orders of the presiding officer.

Subd. 2. Recognition. No person or member shall address the other members without being recognized by the presiding officer.

Subd. 3. Discussion. No member of the Council shall speak more than twice on any question, nor more than five minutes each time without consent of the Council.

Subd. 4. Staff. Members of the City staff shall observe the same rules of order and decorum as are applicable to the City Council.

Subd. 5. Pertinent to Matter Under Debate. Members, staff, and public shall confine remarks to the matter under debate.

Subd. 6. Addressing the Council. Each member of the public addressing the Council shall step up to a microphone provided for the use of the public after being recognized by the presiding officer and give his/her name and address in an audible tone of voice for the records, state the subject to be discussed and state who the speaker is representing if representing an organization or other persons. Unless further time is granted by a majority vote of the Council, remarks from the public shall be limited to four (4) minutes. All remarks shall be addressed to the Council as a whole and not to any member thereof. No person other than members of the Council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Council, without permission of the presiding officer. No question may be asked of a member or a member of the staff without the permission of the presiding officer.

Subd. 7. Spokesperson for Group of Persons. In order to expedite matters and to avoid repetitious presentations, whenever any group of persons wishes to address the Council on the same subject, it shall be proper for the presiding officer to request that a spokesperson be chosen by the group to address the Council and, in case

additional matters are to be presented by any other member of said group, to limit the number of such persons addressing the Council.

- Subd. 8. After Motion. After a motion has been made or a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so by a majority vote of the City Council.
- Subd. 9. Conduct. Any member of the Council, staff or person indulging in personalities or making impertinent, slanderous or profane remarks or who willfully utters loud, threatening or abusive language, or engages in any disorderly conduct which would impede, disrupt or disturb the orderly conduct of any meeting, hearing or other proceeding, shall be called to order by the presiding officer and, if such conduct continues, may at the discretion of the presiding officer, be ordered barred from further audience before the Council during that meeting.
- Subd. 10. Members of the Audience. No person in the audience shall engage in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling and similar demonstrations, which conduct disturbs the peace and good order of the meeting.

SECTION 7. ENFORCEMENT OF DECORUM

- Subd. 1. Warning. All persons shall, at the request of the presiding officer, be silent. If, after receiving a warning from the presiding officer, a person persists in disturbing the meeting, said officer may order this person removed from the meeting. If this person does not leave willingly, the presiding officer may call a recess and order that the person be removed by the Sergeant-at-Arms.
- Subd. 2. Sergeant-at-Arms. The Chief of Police, or such member or members of the Police Department, shall be Sergeant-at-Arms of the Council meetings or as asked to be present at a Committee meeting. The Chief or other Police Department representative shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Council meeting. Upon instruction of the presiding officer, it shall be the duty of the Sergeant-at-Arms to remove from the meeting any person who intentionally disturbs the proceedings of the Council.
- Subd. 3. Resisting Removal. Any person who resists removal by the Sergeant-at-Arms may be charged with violating City Ordinance.
- Subd. 4. Motions to Enforce. Any Council member may move to require the presiding officer to enforce these rules and the affirmative vote of a majority of the Council shall require the presiding officer to do so.
- Subd. 5. Adjournment. In the event that any meeting is willfully disturbed by a group or

group of persons so as to render the orderly conduct of such meeting unfeasible and when order cannot be restored by the removal of individuals who are creating the disturbance, the meeting may be adjourned with the remaining business considered at the next regular meeting.

- Subd. 6. Special Meetings. If the matter being addressed prior to adjournment is of such a nature as to demand immediate attention, the presiding officer may adjourn the meeting to another date.

SECTION 9. COMMUNICATION

- Subd. 1. Mayor and City Council Emails. Each Council Member and Mayor shall be assigned a unique City email address for City-related email communication. It is strongly advised the Mayor and Council Members use this email address exclusively for the City business emails. Use of personal email for City business could create government data to their personal account subjecting them to retention laws and possibility of discovery if the City receives a data request. All emails sent through the City server shall be saved per the City's data retention policy.
- Subd. 2. Communication with Council Members regarding Agenda Items. If the Mayor or a Council Member requests information or has questions regarding a council agenda item, the email shall come to the City Administrator who will then forward the response to the Mayor and all City Council members.
- Subd. 3. Communication Between Council and Staff. Mayor and Council Member e-mail communications should be directed either to the City Administrator or to a department head, copying the City Administrator. Council Members may not copy more than one other Council Member in their correspondence nor should email messages be forwarded from one member to another as to create a "walking quorum."
- Subd. 4. Communication Regarding Potential or Pending Litigation. The City Administrator shall as soon as practical notify the City Council of lawsuits filed against the City.

SECTION 10. CAMERAS AND RECORDING DEVICES

- Subd. 1. Use of Cameras and Recording Devices Limited. Cameras, including television and motion picture cameras, electronic sound recording devices and any other mechanical, electrical, or electronic recording devices may be used in the Council Chamber, but only in such a manner as will cause a minimum of interference with or disturbance of the proceedings of the Council and at the discretion of the presiding officer.

SECTION 11. SEVERABILITY

- Subd. 1. General. If any section, subsection, sentence, clause, phrase, or portion of these Rules of Procedure and Decorum is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

CITY MEETINGS

CITIZEN PARTICIPATION GUIDELINES

The City Council is meeting as a legislative body to conduct the business of the City. Unless so ordered by the Council President, citizen participation is limited to the following times and always within the prescribed rules of conduct for public input at meetings.

A) Public Hearings. Public hearings are conducted so that the public affected by a proposal may have input into the decision. During hearings, all affected residents will be given an opportunity to speak.

B) Public Forum. Any member of the public may speak at this time on any item NOT on the agenda. In consideration for the public attending the meeting for specific items on the agenda, this portion of the meeting will be limited to fifteen (15) minutes. Individuals are requested to limit their comments to four (4) minutes or less. If the majority of the Council determines that additional time on a specific issue is warranted, then discussion on that issue may be continued under New Business at the end of the agenda.

Before addressing the City Council, members of the public are asked to step up to the microphone, give their name, address and state the subject to be discussed. All remarks shall be addressed to the Council as a whole and not to any member thereof. No person other than members of the Council and the person having the floor shall be permitted to enter into any discussion without permission of the presiding officer. No question may be asked of a member or a member of the staff without permission of the presiding officer.

Your participation, as prescribed by these rules, is welcomed and your cooperation is greatly appreciated.