



CITY COUNCIL AGENDA

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Monday, November 4, 2024 @ 7:30 PM

The public is invited to attend these meetings in person

Attend by phone: 1-844-992-4726

City Council - Meeting Access Code:

Personnel and Finance Committee was held 10/30

Safety and Public Works Committee at 7:15 PM

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

1. **Call To Order**

2. **Roll Call**

___K. Stunek ___K. Terry___T. Stenglein ___G. Johnson ___J. Czczok ___M. O'Day___K.
Bevans ___Mayor Badeaux

3. **Pledge of Allegiance**

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

5. **Consent Calendar**

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

A. **Approval of Bills**

B. **Approval of Minutes**

C. **Department Activity Reports**

D. **Adopt Resolution Accepting 3rd Quarter Parks Donations**

E. **Approve Event/Street Closure Application- Community Thanksgiving**

F. **Approval of Transfers of Funds**

6. **Council Committee Reports**

A. **Personnel & Finance Committee**

1. Ratify Hiring of Samuel Richey as Police Officer
2. Approve Deferment of Assessments
3. 2025 Levy and Budget Update
4. Adopt Resolution Relating to Finance Transferring Certain Funds to and From Sinking Funds 316 and 321
5. Adopt Resolution Reaffirming the Purchase of the Roberts Property and Discussion of the Wellhead Protection Partner Grant

B. Safety & Public Works Committee

1. Adopt Resolutions - IJJA Technical Assistance Grant Agreement and Support NSBP Grant Application
2. Authorize Application - Carbon Reduction Program Grant - TH 210/Lum Park Pedestrian Bridge Project
3. Authorize Application - Surface Transportation Block Grant Program - Oak Street Reconstruction Project
4. Discussion on Lowell Safe Routes to School Project Construction Detour
5. Approve Bolton & Menk Amendment Request - Laurel Street Bridge Repair Project
6. Award Engineering Services Proposal - Hawkins/Ronald/Joseph Resurfacing Project
7. Update on TH 371B/Willow Street Comparison of Costs

7. Unfinished Business

A. Call for Applicants

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

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

Library Board - **1 term** (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)

Planning Commission-- **1 term** (Expire 2024) **1 term** (Expire 2026)

B. Final Reading and Public Hearing - Proposed Ordinance 1574 - Fee Schedule

C. Final Reading and Public Hearing - Proposed Ordinance 1575 - Burning Restrictions

- D. **Integration Work Group Update**
- E. **Update on Information Requested on BLRA**
- F. **Provide Direction for Paradigm Auto Code Violations**
- G. **Provide Direction for Contested Nuisance Assessments**
- 8. **Public Forum**
Time allocated for citizens to bring matters not on the agenda to the attention of the Council -
Time limits may be imposed
- 9. **Staff Reports**
(Verbal: Any Updates since Packet)
- 10. **Mayor's Report**
- 11. **Council Member Reports**
- 12. **Adjourn**

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

MISSION

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

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 11/04/2024 - 11/04/2024

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

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Inv Num Inv Ref# GL Distribution	Vendor Description GRANT	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
Vendor 3572 - AAA EQUIPMENT CENTER:							
118244 85433	AAA EQUIPMENT CENTER REPAIR PARTS - ZERO TURN MOWER	10/01/2024 pziemer	11/06/2024	255.19	255.19	Open	N 11/06/2024
230-5200-42220	REPAIR & MAINT			255.19			
115122 85434	AAA EQUIPMENT CENTER SWITCH	10/01/2024 pziemer	11/06/2024	131.84	131.84	Open	N 11/06/2024
230-5200-42220	REPAIR & MAINT			131.84			
118321 85435	AAA EQUIPMENT CENTER REPAIR PARTS	10/02/2024 pziemer	11/06/2024	195.48	195.48	Open	N 11/06/2024
230-5200-42220	REPAIR & MAINT			195.48			
Total for vendor 3572 - AAA EQUIPMENT CENTER:				582.51	582.51		
Vendor 0011 - ACE HARDWARE:							
328298/1 85395	ACE HARDWARE SAFETY TOWN SUPPLIES	10/29/2024 pziemer	11/06/2024	45.77	45.77	Open	N 11/06/2024
225-2120-43430	B-LAKEZ T MISCELLANEOUS			45.77			
Total for vendor 0011 - ACE HARDWARE:				45.77	45.77		
Vendor 2902 - ADVANCE AUTO PARTS:							
6574421386660 85440	ADVANCE AUTO PARTS ELECTRICAL TAPE	10/01/2024 pziemer	11/06/2024	3.76	3.76	Open	N 11/06/2024
235-3100-42220	REPAIR & MAINT			3.76			
6574421886799 - ADJ 85441	ADVANCE AUTO PARTS TO CORRECT CREDIT APPLIED INCORRECTLY	10/01/2024 pziemer	11/06/2024	24.48	24.48	Open	N 11/06/2024
235-3100-42220	REPAIR & MAINT			24.48			
Total for vendor 2902 - ADVANCE AUTO PARTS:				28.24	28.24		
Vendor 2846 - AMERICAN WELDING-GAS INC:							
0010390100 85269	AMERICAN WELDING-GAS INC PLASMA TORCH CONTACT TIP	10/17/2024 pziemer	11/06/2024	38.10	38.10	Open	N 11/06/2024
235-3100-42220	REPAIR & MAINT			38.10			
186150 85299	AMERICAN WELDING-GAS INC PARKS WELDING SUPPLIES	10/01/2024 pziemer	11/06/2024	151.67	151.67	Open	N 11/06/2024
230-5200-42210	OPERATING SUPPLIES			151.67			

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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
0010416806							
85398	AMERICAN WELDING-GAS INC	10/01/2024	11/06/2024	82.70	82.70	Open	N
	WELDING GAS CYLINDER RENTAL	pziemer					11/06/2024
235-3100-43410	RENTAL EXPENSE			82.70			
	Total for vendor 2846 - AMERICAN WELDING-GAS INC:			272.47	272.47		
Vendor 0041 - ANDERSON BROTHERS CONSTRU:							
36102							
85404	ANDERSON BROTHERS CONSTRU	10/22/2024	11/06/2024	47,950.00	47,950.00	Open	N
	NORTHTOWN PATCHING	pziemer					11/06/2024
	Total for vendor 0041 - ANDERSON BROTHERS CONSTRU:			47,950.00	47,950.00		
Vendor 2740 - AT&T MOBILITY:							
X11032024/FD							
85424	AT&T MOBILITY	10/25/2024	11/06/2024	344.07	344.07	Open	N
	ACCT 287312856222 FIRE DEPT	pziemer					11/06/2024
225-2220-43321	TELEPHONE			344.07			
X11032024/ADM							
85425	AT&T MOBILITY	10/25/2024	11/06/2024	99.84	99.84	Open	N
	ACCT 287292136423 ADMIN 9/26-10/25	pziemer					11/06/2024
101-1400-43321	TELEPHONE			99.84			
X11032024/CDD							
85426	AT&T MOBILITY	10/25/2024	11/06/2024	149.76	149.76	Open	N
	ACCT 287292136423 COM DEV 9/26-10/25	pziemer					11/06/2024
101-2400-43321	TELEPHONE			149.76			
X11032024/ENG							
85427	AT&T MOBILITY	10/25/2024	11/06/2024	359.25	359.25	Open	N
	ACCT 287292136423 ENGINEERING 9/26-10/25	pziemer					11/06/2024
101-1700-43321	TELEPHONE			276.14			
238-3160-43321	TELEPHONE			83.11			
X11032024/HR							
85428	AT&T MOBILITY	10/25/2024	11/06/2024	49.92	49.92	Open	N
	ACCT 287292136423 HR PHONE 9/26-10/25	pziemer					11/06/2024
101-1400-43321	TELEPHONE			49.92			
X11032024/IT							
85429	AT&T MOBILITY	10/25/2024	11/06/2024	176.30	176.30	Open	N
	ACCT 287292136423 IT DEPT 9/26-10/25	pziemer					11/06/2024
101-1800-43321	TELEPHONE			176.30			
X11032024/PKS							
85430	AT&T MOBILITY	10/25/2024	11/06/2024	229.34	229.34	Open	N
	ACCT 287292136423 PARKS 9/26-10/25	pziemer					11/06/2024
230-5200-43321	TELEPHONE			196.02			
230-5204-42210	OPERATING SUPPLIES			33.32			

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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 GRANT							
X11032024/STRTS							
85431	AT&T MOBILITY	10/25/2024	11/06/2024	209.49	209.49	Open	N
	ACCT 287292136423 STREETS 9/26-10/25 pziemer						11/06/2024
	235-3100-43321 TELEPHONE			209.49			
X11032024/TRANSIT							
85432	AT&T MOBILITY	10/25/2024	11/06/2024	49.92	49.92	Open	N
	ACCT 287292136423 TRANSIT 9/26-10/25 pziemer						11/06/2024
	203-9000-43321 TELEPHONE			49.92			
	Total for vendor 2740 - AT&T MOBILITY:			1,667.89	1,667.89		
Vendor 0745 - BATTERIES PLUS:							
P77217086							
85396	BATTERIES PLUS	10/28/2024	11/06/2024	23.98	23.98	Open	N
	BATTERIES pziemer						11/06/2024
	225-2120-42210 OPERATING SUPPLIES			23.98			
	Total for vendor 0745 - BATTERIES PLUS:			23.98	23.98		
Vendor 3120 - BOLTON & MENK:							
0346786							
85275	BOLTON & MENK	10/01/2024	11/06/2024	5,353.50	5,353.50	Open	N
	24:06 LAUREL ST BRIDGE pziemer						11/06/2024
	401-9030-43300-24:06 PROFESSIONAL SERVICES			5,353.50			
	Total for vendor 3120 - BOLTON & MENK:			5,353.50	5,353.50		
Vendor 0206 - BRAINERD HOUSING AUTHORITY:							
10/22/24							
85276	BRAINERD HOUSING AUTHORITY	10/22/2024	11/06/2024	614.66	614.66	Open	N
	POSTAGE - UPCOMING SCDP GRANT pziemer						11/06/2024
	275-6550-43430 MISCELLANEOUS			614.66			
	Total for vendor 0206 - BRAINERD HOUSING AUTHORITY:			614.66	614.66		
Vendor 0078 - BRAINERD LAKES AREA DEV C:							
OCT 2024							
85331	BRAINERD LAKES AREA DEV C	10/28/2024	11/06/2024	3,000.00	3,000.00	Open	N
	OCT 24 ECONOMIC DEVELOPMENT CONSULTING pziemer						11/06/2024
	295-6510-43300 PROFESSIONAL SERVICES			3,000.00			
	Total for vendor 0078 - BRAINERD LAKES AREA DEV C:			3,000.00	3,000.00		
Vendor 2684 - BRAINERD PARKS & RECREATION:							
10/24/24							
85293	BRAINERD PARKS & RECREATION	10/24/2024	11/06/2024	39.95	39.95	Open	N
	REIMBURSE PETTY CASH FUND pziemer						11/06/2024
	230-5204-42210 OPERATING SUPPLIES			19.95			

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Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
230-5204-42210	OPERATING SUPPLIES			20.00			
	Total for vendor 2684 - BRAINERD PARKS & RECREATION:			39.95	39.95		
Vendor 0296 - BRAINERD PUBLIC UTILITIES:							
10/21/24							
85274	BRAINERD PUBLIC UTILITIES	10/21/2024	11/06/2024	75.55	75.55	Open	N
	REMIT OCT 24 COBRA	pziemer					11/06/2024
101-0000-20850	DUE TO COMPONENT UNIT			75.55			
SEPT 24/CITY							
85336	BRAINERD PUBLIC UTILITIES	10/24/2024	11/06/2024	2,904.10	2,904.10	Open	N
	8/24/24-9/24/24 CITY UTILITIES	pziemer					11/06/2024
101-1940-43381	BPU UTILITIES			2,675.48			
101-9200-43381	BPU UTILITIES			139.92			
236-3180-43381	BPU UTILITIES			37.50			
401-1003-43380	UTILITIES			51.20			
SEPT 24/LIB							
85337	BRAINERD PUBLIC UTILITIES	10/24/2024	11/06/2024	2,234.97	2,234.97	Open	N
	8/24/24-9/24/24 LIBRARY UTILITIES	pziemer					11/06/2024
211-5500-43381	BPU UTILITIES			2,234.97			
SEPT 24/FD							
85338	BRAINERD PUBLIC UTILITIES	10/24/2024	11/06/2024	1,808.16	1,808.16	Open	N
	8/24/24-9/24/24 FIRE DEPT UTILITIES	pziemer					11/06/2024
225-2220-43381	BPU UTILITIES			1,808.16			
SEPT 24/PD							
85339	BRAINERD PUBLIC UTILITIES	10/28/2024	11/06/2024	3,528.08	3,528.08	Open	N
	8/24/24-9/24/24 POLICE DEPT UTILITIES	pziemer					11/06/2024
225-2120-43381	BPU UTILITIES			3,528.08			
SEPT 24/STRTS							
85340	BRAINERD PUBLIC UTILITIES	10/28/2024	11/06/2024	23,824.63	23,824.63	Open	N
	8/24/24-9/24/24 STREET DEPT UTILITIES	pziemer					11/06/2024
235-3100-43381	BPU UTILITIES			23,208.99			
230-5200-43381	BPU UTILITIES			615.64			
SEPT 24/PARKS							
85341	BRAINERD PUBLIC UTILITIES	10/28/2024	11/06/2024	11,937.50	11,937.50	Open	N
	8/24/24-9/24/24 PARKS UTILITIES	pziemer					11/06/2024
230-5200-43381	BPU UTILITIES			11,295.33			
230-5280-43380	UTILITIES			642.17			
INV22457							
85439	BRAINERD PUBLIC UTILITIES	10/29/2024	11/06/2024	5,506.46	5,506.46	Open	N
	CAMPGROUND EXPANSION - LUM PARK	pziemer					11/06/2024
229-0000-45530-23:10	PYMTS TO CONTRACTORS			5,506.46			
	Total for vendor 0296 - BRAINERD PUBLIC UTILITIES:			51,819.45	51,819.45		

Vendor 3598 - BS&A SOFTWARE:

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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
156662							
85273	BS&A SOFTWARE	10/24/2024	11/06/2024	222.00	222.00	Open	N
	PERMIT APPLICATIONS 7/9/24-10/2/24	pziemer					11/06/2024
	101-1800-43309	COMPUTER SUPPORT		222.00			
	Total for vendor 3598 - BS&A SOFTWARE:			222.00	222.00		

Vendor 0102 - CANON FINANCIAL SERVICE:

35955472							
85292	CANON FINANCIAL SERVICE	10/23/2024	11/06/2024	80.69	80.69	Open	N
	11/1/24-11/30/24 FD COPIER CONTRACT	pziemer					11/06/2024
	225-2220-43331	LEASED PAYMENTS		80.69			
35959494							
85371	CANON FINANCIAL SERVICE	10/23/2024	11/06/2024	77.97	77.97	Open	N
	11/1/24-11/30/24 LIBRARY COPIER CONT	pziemer					11/06/2024
	211-5505-43430	MISC - COPY MACHINE PYMTS		77.97			
35951570							
85372	CANON FINANCIAL SERVICE	10/22/2024	11/06/2024	19.73	19.73	Open	N
	11/1/24-11/30/24 LIBRARY COPIER/FAX	pziemer					11/06/2024
	211-5505-43430	MISC - COPY MACHINE PYMTS		19.73			
	Total for vendor 0102 - CANON FINANCIAL SERVICE:			178.39	178.39		

Vendor 0307 - CENTERPOINT ENERGY:

92166-0/SEPT24/CH							
85413	CENTERPOINT ENERGY	10/24/2024	11/06/2024	247.79	247.79	Open	N
	9/18/24-10/16/24 CITY UTILITIES	pziemer					11/06/2024
	101-1940-43380	UTILITIES		247.79			
92166-0/SEPT24/STRTS							
85414	CENTERPOINT ENERGY	10/24/2024	11/06/2024	57.82	57.82	Open	N
	9/18/24-10/16/24 STREET DEPT UTILIT	pziemer					11/06/2024
	235-3100-43380	UTILITIES		57.82			
92166-0/SEPT24/PKS							
85415	CENTERPOINT ENERGY	10/24/2024	11/06/2024	57.82	57.82	Open	N
	9/18/24-10/16/24 PARKS GARAGE UTILIT	pziemer					11/06/2024
	230-5200-43380	UTILITIES		57.82			
92166-0/SEPT24/FD							
85416	CENTERPOINT ENERGY	10/24/2024	11/06/2024	79.42	79.42	Open	N
	9/18/24-10/16/24 FIRE DEPT UTILITIES	pziemer					11/06/2024
	225-2220-43380	UTILITIES		35.77			
	225-2220-43380	UTILITIES		43.65			
92166-0/SEPT24/PD							
85417	CENTERPOINT ENERGY	10/24/2024	11/06/2024	22.45	22.45	Open	N
	9/18/24-10/16/24 POLICE DEPT UTILIT	pziemer					11/06/2024
	225-2120-43380	UTILITIES		22.45			

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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 GRANT						
92166-0/SEPT24/LIB							
85418	CENTERPOINT ENERGY	10/24/2024	11/06/2024	705.91	705.91	Open	N
	9/18/24-10/16/24 LIBRARY UTILITIES	pziemer					11/06/2024
211-5500-43380	UTILITIES			705.91			
	Total for vendor 0307 - CENTERPOINT ENERGY:			1,171.21	1,171.21		
Vendor 1343 - CHARTER COMMUNICATIONS:							
175587701102124							
85373	CHARTER COMMUNICATIONS	10/21/2024	11/06/2024	46.85	46.85	Open	N
	10/30/24-11/29/24 BUSINESS TV	pziemer					11/06/2024
225-2120-43380	UTILITIES			46.85			
	Total for vendor 1343 - CHARTER COMMUNICATIONS:			46.85	46.85		
Vendor 1653 - CIVICPLUS:							
318513							
85307	CIVICPLUS	10/25/2024	11/06/2024	3,534.73	3,534.73	Open	N
	WEBSITE ANNUAL FEES 12/8/24-12/7/24	pziemer					11/06/2024
230-5200-43309	COMPUTER TECHNICAL SUPPORT			294.56			
230-0000-15510	PREPAID OTHER			3,240.17			
	Total for vendor 1653 - CIVICPLUS:			3,534.73	3,534.73		
Vendor 4269 - COLUMN SOFTWARE:							
425BB603-0065							
85290	COLUMN SOFTWARE	10/09/2024	11/06/2024	40.48	40.48	Open	N
	NOH: PROP ORD 1574 AMEND FEES 10-9-24	pziemer					11/06/2024
101-9200-43350	LEGAL PUBLICATIONS			40.48			
425BB603-0066							
85291	COLUMN SOFTWARE	10/09/2024	11/06/2024	41.69	41.69	Open	N
	NOH PROP ORD 1575 - BURNING RESTRICTI	pziemer					11/06/2024
101-9200-43350	LEGAL PUBLICATIONS			41.69			
425BB603-0068							
85412	COLUMN SOFTWARE	10/22/2024	11/06/2024	153.92	153.92	Open	N
	ORD 1576 - 15106 RIVERSIDE ANNEXATION	pziemer					11/06/2024
101-9200-43350	LEGAL PUBLICATIONS			153.92			
	Total for vendor 4269 - COLUMN SOFTWARE:			236.09	236.09		
Vendor 1058 - COMMUNITY TRANSPORTATION:							
74656/2025							
85306	COMMUNITY TRANSPORTATION	10/08/2024	11/06/2024	750.00	750.00	Open	N
	2025 MEMBERSHIP DUES	pziemer					11/06/2024
203-9000-43433	DUES & SUBSCRIPTIONS			750.00			
	Total for vendor 1058 - COMMUNITY TRANSPORTATION:			750.00	750.00		

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
Vendor 0134 - CWC SANITARY LANDFILL:							
205209							
85295	CWC SANITARY LANDFILL	10/21/2024	11/06/2024	31.00	31.00	Open	N
	CLEANING CITY HALL GARAGE	pziemer					11/06/2024
101-9200-43430	MISCELLANEOUS			31.00			
	Total for vendor 0134 - CWC SANITARY LANDFILL:			31.00	31.00		
Vendor 0440 - DESTINATION DOWNTOWN BRAINERD COALI:							
OCT 2024							
85332	DESTINATION DOWNTOWN BRAINERD COALI	10/28/2024	11/06/2024	833.34	833.34	Open	N
	OCT 24 ECONOMIC DEVELOPMENT CONSULTING	pziemer					11/06/2024
295-6510-43300	PROFESSIONAL SERVICES			833.34			
	Total for vendor 0440 - DESTINATION DOWNTOWN BRAINERD COALI:			833.34	833.34		
Vendor 3353 - DTM FLEET SERVICE:							
2160							
85277	DTM FLEET SERVICE	10/09/2024	11/06/2024	8,743.81	8,743.81	Open	N
	SQD 415 NEW BUILD	pziemer					11/06/2024
400-9050-45530	CAPITAL - OTHER			8,743.81			
2161							
85278	DTM FLEET SERVICE	10/09/2024	11/06/2024	11,623.07	11,623.07	Open	N
	SQD 413 NEW BUILD	pziemer					11/06/2024
400-9050-45530	CAPITAL - OTHER			11,623.07			
2162							
85279	DTM FLEET SERVICE	10/09/2024	11/06/2024	8,861.57	8,861.57	Open	N
	SQD 414 NEW BUILD	pziemer					11/06/2024
400-9050-45530	CAPITAL - OTHER			8,861.57			
	Total for vendor 3353 - DTM FLEET SERVICE:			29,228.45	29,228.45		
Vendor 1286 - EAST SIDE OIL COMPANY:							
R114112							
85328	EAST SIDE OIL COMPANY	10/23/2024	11/06/2024	100.00	100.00	Open	N
	OIL FILTERS	pziemer					11/06/2024
227-3230-43428	USED OIL RECYCLING EXPENSE			100.00			
	Total for vendor 1286 - EAST SIDE OIL COMPANY:			100.00	100.00		
Vendor 3402 - FLEETPRIDE:							
120813673							
85399	FLEETPRIDE	10/21/2024	11/06/2024	66.18	66.18	Open	N
	VACTOR U-JOINT	pziemer					11/06/2024
237-3190-42220	REPAIR & MAINT			66.18			
	Total for vendor 3402 - FLEETPRIDE:			66.18	66.18		

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
Vendor 0186 - GALLS LLC:							
029261575							
85288	GALLS LLC	10/04/2024	11/06/2024	182.99	182.99	Open	N
	723 BOOTS	pziemer					11/06/2024
225-2120-41113	UNIFORM ALLOWANCE			182.99			
Total for vendor 0186 - GALLS LLC:				182.99	182.99		

Vendor 0203 - HOLDEN ELECTRIC:

77852							
85285	HOLDEN ELECTRIC	10/23/2024	11/06/2024	6,800.00	6,800.00	Open	N
	COLLEGE DR BRIDGE - LIGHTS/BOXES FOR	pziemer					11/06/2024
77882							
85422	HOLDEN ELECTRIC	10/24/2024	11/06/2024	161.75	161.75	Open	N
	REPAIR SITE 8 LUM CAMPGROUND	pziemer					11/06/2024
230-5280-42220	REPAIR & MAINT			161.75			
Total for vendor 0203 - HOLDEN ELECTRIC:				6,961.75	6,961.75		

Vendor 3220 - IMPERIAL DADE:

4302209/FD							
85406	IMPERIAL DADE	10/29/2024	11/06/2024	89.48	89.48	Open	N
	JANITORIAL SUPPLIES - FIRE DEPT	pziemer					11/06/2024
225-2220-42220	REPAIR & MAINT			89.48			
4302209/PKS							
85407	IMPERIAL DADE	10/29/2024	11/06/2024	44.62	44.62	Open	N
	JANITORIAL SUPPLIES - PARKS	pziemer					11/06/2024
230-5200-42220	REPAIR & MAINT			44.62			
4302209/PD							
85408	IMPERIAL DADE	10/29/2024	11/06/2024	255.36	255.36	Open	N
	JANITORIAL SUPPLIES - POLICE DEPT	pziemer					11/06/2024
225-2120-42220	REPAIR & MAINT			255.36			
4302209/STRTS							
85409	IMPERIAL DADE	10/29/2024	11/06/2024	44.62	44.62	Open	N
	JANITORIAL SUPPLIES - STRTS	pziemer					11/06/2024
235-3100-42220	REPAIR & MAINT			44.62			
4302209/CH							
85410	IMPERIAL DADE	10/29/2024	11/06/2024	251.64	251.64	Open	N
	JANITORIAL SUPPLIES - CITY HALL	pziemer					11/06/2024
101-1940-42220	REPAIR & MAINT			251.64			
Total for vendor 3220 - IMPERIAL DADE:				685.72	685.72		

Vendor 4360 - JOHNSON, BRYCE:

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	GL Distribution GRANT						
10/10/24							
85280	JOHNSON, BRYCE	10/10/2024	11/06/2024	363.96	363.96	Open	N
	BCA DMT TRNG - REIMB HOTEL/MEAL	pziemer					11/06/2024
	225-2120-43330	PROFESSIONAL DEVELOPMENT		363.96			
	Total for vendor 4360 - JOHNSON, BRYCE:			363.96	363.96		
Vendor 3545 - KITCHIGAMI REGIONAL LIBRARY - CC:							
10/16/24							
85421	KITCHIGAMI REGIONAL LIBRARY - CC	10/16/2024	11/06/2024	251.90	251.90	Open	N
	REMIT LIBRARY CC CHARGES THRU 10/16/2024	pziemer					11/06/2024
	211-0000-20800	DUE TO OTHER GOVT UNITS		251.90			
	Total for vendor 3545 - KITCHIGAMI REGIONAL LIBRARY - CC:			251.90	251.90		
Vendor 1336 - KOERING, JOE:							
10/31/24							
85423	KOERING, JOE	10/31/2024	11/06/2024	95.61	95.61	Open	N
	2024 BOOT REIMBURSEMENT 50%	pziemer					11/06/2024
	230-5200-42210	OPERATING SUPPLIES		95.61			
	Total for vendor 1336 - KOERING, JOE:			95.61	95.61		
Vendor 3469 - LAKES AREA MAT SERVICE INC:							
20241008 #5 22							
85281	LAKES AREA MAT SERVICE INC	10/08/2024	11/06/2024	45.60	45.60	Open	N
	CITY HALL FLOOR MATS	pziemer					11/06/2024
	101-1940-43410	RENTAL EXPENSE		45.60			
20241022 #522							
85282	LAKES AREA MAT SERVICE INC	10/22/2024	11/06/2024	45.69	45.69	Open	N
	CITY HALL FLOOR MATS	pziemer					11/06/2024
	101-1940-43410	RENTAL EXPENSE		45.69			
20241022 #520							
85283	LAKES AREA MAT SERVICE INC	10/22/2024	11/06/2024	44.40	44.40	Open	N
	POLICE DEPT FLOOR MATS	pziemer					11/06/2024
	225-2120-43300	PROFESSIONAL SERVICES		44.40			
20241008 #520							
85284	LAKES AREA MAT SERVICE INC	10/08/2024	11/06/2024	44.40	44.40	Open	N
	POLICE DEPT FLOOR MATS	pziemer					11/06/2024
	225-2120-43300	PROFESSIONAL SERVICES		44.40			
	Total for vendor 3469 - LAKES AREA MAT SERVICE INC:			180.09	180.09		
Vendor 3627 - LAKES AREA WILDLIFE CONTROL:							
OCT 2024							
85327	LAKES AREA WILDLIFE CONTROL	10/24/2024	11/06/2024	3,168.00	3,168.00	Open	N
	OCT 24 ANIMAL CONTROL CONTRACT	pziemer					11/06/2024

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Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
225-2700-43300	PROFESSIONAL SERVICES			3,168.00			
	Total for vendor 3627 - LAKES AREA WILDLIFE CONTROL:			3,168.00	3,168.00		
Vendor 0239 - MACQUEEN EQUIPMENT INC:							
P60526							
85400	MACQUEEN EQUIPMENT INC	10/21/2024	11/06/2024	1,419.37	1,419.37	Open	N
	SWEEPER 118 CALIPER KIT	pziemer					11/06/2024
235-3100-42220	REPAIR & MAINT			1,419.37			
	Total for vendor 0239 - MACQUEEN EQUIPMENT INC:			1,419.37	1,419.37		
Vendor 1753 - MARCO:							
INV13084271							
85272	MARCO	10/18/2024	11/06/2024	1,218.36	1,218.36	Open	N
	UNIFY IT 10/19/24-11/18/24	pziemer					11/06/2024
101-1800-43309	COMPUTER SUPPORT			1,111.82			
260-9020-43309	COMPUTER SUPPORT			106.54			
INV13095552							
85309	MARCO	10/22/2024	11/06/2024	2,671.50	2,671.50	Open	N
	MICROSOFT365 9/16/24-10/15/24	pziemer					11/06/2024
101-1800-43309	COMPUTER SUPPORT			2,447.50			
260-9020-43309	COMPUTER SUPPORT			224.00			
	Total for vendor 1753 - MARCO:			3,889.86	3,889.86		
Vendor 0889 - MENARDS - BAXTER:							
31467							
85370	MENARDS - BAXTER	10/22/2024	11/06/2024	88.81	88.81	Open	N
	QTY 18 'U' POSTS - LUM MAINTENANCE	pziemer					11/06/2024
230-5200-42220	REPAIR & MAINT			88.81			
	Total for vendor 0889 - MENARDS - BAXTER:			88.81	88.81		
Vendor 3394 - MIDWEST MACHINERY CO:							
10265835							
85287	MIDWEST MACHINERY CO	10/23/2024	11/06/2024	59.57	59.57	Open	N
	FILTERS/OIL	pziemer					11/06/2024
230-5200-42220	REPAIR & MAINT			59.57			
10268201							
85330	MIDWEST MACHINERY CO	10/24/2024	11/06/2024	46.99	46.99	Open	N
	STIHL GUTTER KIT	pziemer					11/06/2024
230-5200-42220	REPAIR & MAINT			46.99			
	Total for vendor 3394 - MIDWEST MACHINERY CO:			106.56	106.56		
Vendor 1877 - MINNESOTA/WISCONSIN PLAYGROUND:							

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
2024557							
85271	MINNESOTA/WISCONSIN PLAYGROUND	10/15/2024	11/06/2024	1,148.00	1,148.00	Open	N
	MEMORIAL BENCH	pziemer					11/06/2024
230-5225-42220	REPAIR & MAINT			1,148.00			
	Total for vendor 1877 - MINNESOTA/WISCONSIN PLAYGROUND:			1,148.00	1,148.00		
Vendor 3168 - MOTORS-N-MORE:							
30828							
85289	MOTORS-N-MORE	10/23/2024	11/06/2024	23.00	23.00	Open	N
	SQD 410 OIL CHANGE	pziemer					11/06/2024
225-2120-42221	SQUAD CAR REPAIR SUPPLIES			23.00			
30839							
85397	MOTORS-N-MORE	10/29/2024	11/06/2024	23.00	23.00	Open	N
	SQD 410 OIL CHANGE	pziemer					11/06/2024
225-2120-42221	SQUAD CAR REPAIR SUPPLIES			23.00			
	Total for vendor 3168 - MOTORS-N-MORE:			46.00	46.00		
Vendor 1449 - M-R SIGN CO., INC.:							
226153							
85405	M-R SIGN CO., INC.	10/23/2024	11/06/2024	498.85	498.85	Open	N
	QTY 15 SIGNS	pziemer					11/06/2024
235-3170-42210	OPERATING SUPPLIES			498.85			
	Total for vendor 1449 - M-R SIGN CO., INC.:			498.85	498.85		
Vendor 2011 - MRPA:							
03201							
85437	MRPA	10/29/2024	11/06/2024	1,260.00	1,260.00	Open	N
	X3 REGISTRATION ANNUAL CONFERENCE	pziemer					11/06/2024
230-5200-43330	PROFESSIONAL DEVELOPMENT			1,260.00			
	Total for vendor 2011 - MRPA:			1,260.00	1,260.00		
Vendor 3580 - NAGELL APPRAISAL & CONSULTING:							
32581							
85442	NAGELL APPRAISAL & CONSULTING	10/01/2024	11/06/2024	900.00	900.00	Open	N
	G2407008 - RESIDENTIAL APPRAISAL	pziemer					11/06/2024
101-9200-43300	PROFESSIONAL SERVICES			900.00			
	Total for vendor 3580 - NAGELL APPRAISAL & CONSULTING:			900.00	900.00		
Vendor 0273 - NAPA AUTO PARTS:							
751304							
85270	NAPA AUTO PARTS	10/16/2024	11/06/2024	339.80	339.80	Open	N
	AIR COMPRESSOR OIL	pziemer					11/06/2024
235-3100-42220	REPAIR & MAINT			339.80			

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
752756							
85401	NAPA AUTO PARTS	10/22/2024	11/06/2024	2.22	2.22	Open	N
	SUPER GLUE	pziemer					11/06/2024
	235-3100-42220 REPAIR & MAINT			2.22			
75246							
85402	NAPA AUTO PARTS	10/21/2024	11/06/2024	93.92	93.92	Open	N
	SWEEPER 118 MICRO SWITCH	pziemer					11/06/2024
	235-3100-42220 REPAIR & MAINT			93.92			
	Total for vendor 0273 - NAPA AUTO PARTS:			435.94	435.94		

Vendor 0736 - NORTHLAND FIRE PROTECTION:

60459							
85294	NORTHLAND FIRE PROTECTION	10/24/2024	11/06/2024	171.70	171.70	Open	N
	RECHARGE PD FIRE EXTINGUISHERS	pziemer					11/06/2024
	225-2120-43300 PROFESSIONAL SERVICES			171.70			
60434							
85335	NORTHLAND FIRE PROTECTION	10/23/2024	11/06/2024	290.00	290.00	Open	N
	LIBRARY ANNUAL SPRINKLER INSPECTION	pziemer					11/06/2024
	211-5500-42220 REPAIR & MAINT			290.00			
	Total for vendor 0736 - NORTHLAND FIRE PROTECTION:			461.70	461.70		

Vendor 0284 - OFFICE SHOP:

1147296-0							
85297	OFFICE SHOP	10/17/2024	11/06/2024	15.13	15.13	Open	N
	ORGANIZER/CADDY	pziemer					11/06/2024
	101-1940-42200 OFFICE SUPPLIES			15.13			
1147296-1							
85298	OFFICE SHOP	10/17/2024	11/06/2024	391.41	391.41	Open	N
	WHITE BOARD - CDD	pziemer					11/06/2024
	101-1940-42220 REPAIR & MAINT			391.41			
	Total for vendor 0284 - OFFICE SHOP:			406.54	406.54		

Vendor 2137 - O'REILLY AUTOMOTIVE STORES INC.:

1647-311487							
85368	O'REILLY AUTOMOTIVE STORES INC.	10/28/2024	11/06/2024	6.60	6.60	Open	N
	SQD 435 BULB	pziemer					11/06/2024
	225-2120-42221 SQUAD CAR REPAIR SUPPLIES			6.60			
	Total for vendor 2137 - O'REILLY AUTOMOTIVE STORES INC.:			6.60	6.60		

Vendor 3612 - SEVERSON PORTER LAW:

OCT 2024							
85308	SEVERSON PORTER LAW	10/24/2024	11/06/2024	18,883.33	18,883.33	Open	N
	OCT 24 PROSECUTION AGREEMENT	pziemer					11/06/2024

Inv Num Inv Ref#	Vendor Description	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
GL Distribution	GRANT						
225-2127-43310	MISDEMEANOR PROSECUTOR			18,883.33			
	Total for vendor 3612 - SEVERSON PORTER LAW:			18,883.33	18,883.33		
Vendor 0317 - SHORT ELLIOTT HENDRICKSON:							
475867							
85286	SHORT ELLIOTT HENDRICKSON	10/24/2024	11/06/2024	10,520.03	10,520.03	Open	N
	23:13 WILLOW ROUNDABOUT	pziemer					11/06/2024
401-9030-43300-23:13	PROFESSIONAL SERVICES			10,520.03			
	Total for vendor 0317 - SHORT ELLIOTT HENDRICKSON:			10,520.03	10,520.03		
Vendor 0322 - STREICHERS PROF EQUIP:							
I1725538							
85369	STREICHERS PROF EQUIP	10/23/2024	11/06/2024	38.98	38.98	Open	N
	CSO BB NAME PLATE	pziemer					11/06/2024
225-2121-41113	UNIFORM ALLOWANCE			38.98			
	Total for vendor 0322 - STREICHERS PROF EQUIP:			38.98	38.98		
Vendor 3838 - SWANSON HASKAMP CONSULTING:							
OCT 2024							
85333	SWANSON HASKAMP CONSULTING	10/28/2024	11/06/2024	2,916.67	2,916.67	Open	N
	OCT 24 ECONOMIC DEVELOPMENT CONSULTING	pziemer					11/06/2024
295-6510-43300	PROFESSIONAL SERVICES			2,916.67			
	Total for vendor 3838 - SWANSON HASKAMP CONSULTING:			2,916.67	2,916.67		
Vendor 0334 - U.S. BANK:							
7513754							
85403	U.S. BANK	10/25/2024	11/06/2024	500.00	500.00	Open	N
	GO IMP BOINDS 2021A	pziemer					11/06/2024
101-0000-14100	DUE FROM COMPONENT UNIT			380.00			
305-7610-46620	PAYING AGENT FEES			120.00			
	Total for vendor 0334 - U.S. BANK:			500.00	500.00		
Vendor 0039 - VESTIS:							
2530328950							
85268	VESTIS	10/17/2024	11/06/2024	62.35	62.35	Open	N
	RUGS AND OVERALLS	pziemer					11/06/2024
235-3100-43430	MISCELLANEOUS			62.35			
2530331477							
85310	VESTIS	10/24/2024	11/06/2024	86.63	86.63	Open	N
	RUGS AND OVERALLS	pziemer					11/06/2024
235-3100-43430	MISCELLANEOUS			86.63			
	Total for vendor 0039 - VESTIS:			148.98	148.98		

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	GL Distribution GRANT						
Vendor 0087 - VISIT BRAINERD:							
OCT 2024							
85334	VISIT BRAINERD	10/28/2024	11/06/2024	3,333.34	3,333.34	Open	N
	OCT 24 ECONOMIC DEVELOPMENT CONSULTING	pziemer					11/06/2024
295-6510-43300	PROFESSIONAL SERVICES			3,333.34			
AUG 24 LODGING							
85436	VISIT BRAINERD	10/31/2024	11/06/2024	1,346.81	1,346.81	Open	N
	REMIT AUG 2024 LODGING TAX	pziemer					11/06/2024
101-9200-43340	LODGING TAX REMIT/PR			1,346.81			
Total for vendor 0087 - VISIT BRAINERD:				4,680.15	4,680.15		

Vendor 1159 - WINNERS TROPHY:

13561							
85296	WINNERS TROPHY	10/16/2024	11/06/2024	30.00	30.00	Open	N
	PW DIRECTOR NAMEPLATE	pziemer					11/06/2024
101-1700-42210	OPERATING SUPPLIES			11.25			
230-5200-42210	OPERATING SUPPLIES			7.50			
235-3100-42210	OPERATING SUPPLIES			4.50			
237-3190-42210	OPERATING SUPPLIES			2.25			
238-3160-42210	OPERATING SUPPLIES			2.25			
401-9030-42210	OPERATING SUPPLIES			2.25			
Total for vendor 1159 - WINNERS TROPHY:				30.00	30.00		

Vendor 1712 - WSB & ASSOCIATES:

R-026252-000-3							
85329	WSB & ASSOCIATES	10/21/2024	11/06/2024	3,905.00	3,905.00	Open	N
	SRTS - LOWELL SEPT 2024	pziemer					11/06/2024
401-9030-43300-24:07	PROFESSIONAL SERVICES			3,905.00			
R025844-000-3							
85443	WSB & ASSOCIATES	10/25/2024	11/06/2024	8,703.50	8,703.50	Open	N
	ARPA PROJECTS SEPT 2024	pziemer					11/06/2024
229-0000-43300-23:08	PROFESSIONAL SERVICES			2,901.16			
229-0000-43300-23:09	PROFESSIONAL SERVICES			2,901.17			
229-0000-43300-23:10	PROFESSIONAL SERVICES			2,901.17			
Total for vendor 1712 - WSB & ASSOCIATES:				12,608.50	12,608.50		

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

Vendor 3698 - AMAZON:

10/2/24							
85321	AMAZON	10/02/2024	11/06/2024	351.10	351.10	Open	N
	AWS SEPT 2024	pziemer					11/06/2024
101-1800-43309	COMPUTER SUPPORT			351.10			

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						

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10/4/24							
85324	AMAZON	10/04/2024	11/06/2024	29.54	29.54	Open	N
	GLOVES/APRONS - GREAT PUMPKIN FESTIVAL	pziemer					11/06/2024
	230-5211-42210	OPERATING SUPPLIES		29.54			
9/25/24							
85326	AMAZON	10/01/2024	11/06/2024	54.99	54.99	Open	N
	PAINT/APRONS - GREAT PUMPKIN FESTIVAL	pziemer					11/06/2024
	230-5211-42210	OPERATING SUPPLIES		54.99			
	Total for vendor 3698 - AMAZON:			435.63	435.63		

Vendor 3489 - APWA-MN CHAPTER:

10/18/24							
85322	APWA-MN CHAPTER	10/18/2024	11/06/2024	734.40	734.40	Open	N
	APWA 2024 FALL CONF - J.DEHN & M.HAB	pziemer					11/06/2024
	101-1700-43330	PROFESSIONAL DEVELOPMENT		367.20			
	101-1700-43330	PROFESSIONAL DEVELOPMENT		137.70			
	230-5200-43330	PROFESSIONAL DEVELOPMENT		91.80			
	235-3100-43330	PROFESSIONAL DEVELOPMENT		55.08			
	237-3190-43330	PROFESSIONAL DEVELOPMENT		27.54			
	238-3160-43330	PROFESSIONAL DEVELOPMENT		27.54			
	401-9030-43330	PROFESSIONAL DEVELOPMENT		27.54			
	Total for vendor 3489 - APWA-MN CHAPTER:			734.40	734.40		

Vendor 3987 - ARROWWOOD RESORT:

9/27/24							
85318	ARROWWOOD RESORT	10/01/2024	11/06/2024	272.46	272.46	Open	N
	MNGFOA HOTEL - C.HILLMAN	pziemer					11/06/2024
	101-1400-43330	PROFESSIONAL DEVELOPMENT		272.46			
9/27/24 - 2							
85319	ARROWWOOD RESORT	10/01/2024	11/06/2024	272.46	272.46	Open	N
	MNGFOA HOTEL - P.ZIEMER	pziemer					11/06/2024
	101-1400-43330	PROFESSIONAL DEVELOPMENT		272.46			
	Total for vendor 3987 - ARROWWOOD RESORT:			544.92	544.92		

Vendor 3331 - DELTA:

9/25/24							
85374	DELTA	10/01/2024	11/06/2024	35.00	35.00	Open	N
	BAGGAGE FEE ICMA CONF -N.BROYLES	pziemer					11/06/2024
	101-1400-43330	PROFESSIONAL DEVELOPMENT		35.00			
	Total for vendor 3331 - DELTA:			35.00	35.00		

Vendor MISC - DOLLAR GENERAL:

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						

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

10/4/24							
85314	DOLLAR GENERAL	10/04/2024	11/06/2024	55.02	55.02	Open	N
	PRIZES AND SUPPLIES - GREAT PUMPKIN	pziemer					11/06/2024
230-5211-42210	OPERATING SUPPLIES			55.02			
	Total for vendor MISC - DOLLAR GENERAL:			55.02	55.02		

Vendor MISC - FISHUSA:

10/21/24							
85349	FISHUSA	10/21/2024	11/06/2024	362.89	362.89	Open	N
	GLOVES FOR HOCKEY RINK FILLING	pziemer					11/06/2024
230-5209-42210	OPERATING SUPPLIES			362.89			
	Total for vendor MISC - FISHUSA:			362.89	362.89		

Vendor 3982 - HOLIDAY INN:

10/4/24							
85325	HOLIDAY INN	10/04/2024	11/06/2024	398.02	398.02	Open	N
	GIS CONFERENCE HOTEL SSTRONG	pziemer					11/06/2024
101-1800-43330	PROFESSIONAL DEVELOPMENT			398.02			
	Total for vendor 3982 - HOLIDAY INN:			398.02	398.02		

Vendor 3697 - USPS:

10/23/24							
85315	USPS	10/23/2024	11/06/2024	28.80	28.80	Open	N
	POSTAGE/INSURANCE TRANSIT TICKETS	pziemer					11/06/2024
203-9000-43322	POSTAGE			28.80			
	Total for vendor 3697 - USPS:			28.80	28.80		

Vendor MISC - UTAH.GOV:

9/20/24							
85316	UTAH.GOV	10/01/2024	11/06/2024	11.00	11.00	Open	N
	BACKGROUND CHECK - PD	pziemer					11/06/2024
225-2120-43300	PROFESSIONAL SERVICES			11.00			
	Total for vendor MISC - UTAH.GOV:			11.00	11.00		

Vendor 0006 - WALMART COMMUNITY/GECRB:

10/11/24							
85313	WALMART COMMUNITY/GECRB	10/11/2024	11/06/2024	3.85	3.85	Open	N
	BUCKETS - GREAT PUMPKIN FESTIVAL	pziemer					11/06/2024
230-5211-42210	OPERATING SUPPLIES			3.85			

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date

GL Distribution GRANT

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

9/30/24							
85317	WALMART COMMUNITY/GEGRB	10/01/2024	11/06/2024	69.94	69.94	Open	N
	CRAYONS, CANDY - GREAT PUMPKIN FESTI	pziemer					11/06/2024
230-5211-42210	OPERATING SUPPLIES			69.94			
	Total for vendor 0006 - WALMART COMMUNITY/GEGRB:			73.79	73.79		

Vendor MISC - WYNDHAM GRAND:

9/25/24							
85323	WYNDHAM GRAND	10/01/2024	11/06/2024	1,079.44	1,079.44	Open	N
	ICMA CONF. HOTEL - N.BROYLES	pziemer					11/06/2024
101-1400-43330	PROFESSIONAL DEVELOPMENT			1,079.44			
	Total for vendor MISC - WYNDHAM GRAND:			1,079.44	1,079.44		

Vendor 3858 - ZOOM VIDEO COMMUNICATIONS:

10/18/24							
85320	ZOOM VIDEO COMMUNICATIONS	10/18/2024	11/06/2024	31.98	31.98	Open	N
	ZOOM 10/18-11/17/24	pziemer					11/06/2024
101-1800-43309	COMPUTER SUPPORT			31.98			
	Total for vendor 3858 - ZOOM VIDEO COMMUNICATIONS:			31.98	31.98		

Total PCard: 2257 U.S. BANK Card Holder: CITY HALL	3,790.89	3,790.89
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Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
PCard: 2257 U.S. BANK Card Holder: FIRE							

Vendor 2989 - HOME DEPOT:							
10/21/24							
85419	HOME DEPOT	10/21/2024	11/06/2024	140.69	140.69	Open	N
	SMOKE ALARMS, BATTERIES	pziemer					11/06/2024
	225-2220-42210	OPERATING SUPPLIES		140.69			
10/15/24							
85420	HOME DEPOT	10/15/2024	11/06/2024	667.44	667.44	Open	N
	SMOKE DETECTORS, BATTERIES, PAPER TOWELS	pziemer					11/06/2024
	225-2220-42210	OPERATING SUPPLIES		667.44			
	Total for vendor 2989 - HOME DEPOT:			808.13	808.13		

Vendor 3985 - THE INN ON LAKE SUPERIOR:							
10/19/24							
85438	THE INN ON LAKE SUPERIOR	10/19/2024	11/06/2024	765.12	765.12	Open	N
	HOTEL FOR TRAINING D.COX	pziemer					11/06/2024
	225-2220-43330	PROFESSIONAL DEVELOPMENT		765.12			
	Total for vendor 3985 - THE INN ON LAKE SUPERIOR:			765.12	765.12		

Total PCard: 2257 U.S. BANK Card Holder: FIRE				1,573.25	1,573.25		
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GL Distribution GRANT

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

Vendor 2531 - BOOK PAGE:

10/25/24

85348	BOOK PAGE	10/04/2024	11/06/2024	414.00	414.00	Open	N
	PATRON MAGAZINE	pziemer					11/06/2024
211-5501-43430	MISC - SPECIFIED DONATION USE			414.00			
	Total for vendor 2531 - BOOK PAGE:			414.00	414.00		

Vendor MISC - MAILCHIMP:

10/4/24

85344	MAILCHIMP	10/04/2024	11/06/2024	45.00	45.00	Open	N
	MONTHLY EMAIL SUBSCRIPTION SERVICE	pziemer					11/06/2024
211-5503-43430	MISC - USE OF HOLDEN TRUST			45.00			
	Total for vendor MISC - MAILCHIMP:			45.00	45.00		

Vendor 2392 - MENARDS:

9/24/24

85342	MENARDS	10/01/2024	11/06/2024	44.86	44.86	Open	N
	CLEANING PRODUCTS	pziemer					11/06/2024
211-5500-42220	REPAIR & MAINT			44.86			
	Total for vendor 2392 - MENARDS:			44.86	44.86		

Vendor 3943 - PLUNKETT'S PEST CONTROL:

10/10/24

85346	PLUNKETT'S PEST CONTROL	10/10/2024	11/06/2024	73.03	73.03	Open	N
	PEST CONTROL	pziemer					11/06/2024
211-5500-42220	REPAIR & MAINT			73.03			
	Total for vendor 3943 - PLUNKETT'S PEST CONTROL:			73.03	73.03		

Vendor 4167 - SENSOURCE INC:

10/1/24

85345	SENSOURCE INC	10/01/2024	11/06/2024	267.00	267.00	Open	N
	12/31/24-12/31/25 PATRON COUNTER WEB\$	pziemer					11/06/2024
211-0000-15510	PREPAID			267.00			
	Total for vendor 4167 - SENSOURCE INC:			267.00	267.00		

Vendor 0039 - VESTIS:

10/17/24

85347	VESTIS	10/17/2024	11/06/2024	35.55	35.55	Open	N
	RUG SERVICE - LIBRARY	pziemer					11/06/2024
211-5500-42220	REPAIR & MAINT			35.55			
	Total for vendor 0039 - VESTIS:			35.55	35.55		

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution						GRANT

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

Vendor 0006 - WALMART COMMUNITY/GECRB:							
10/4/24							
85343	WALMART COMMUNITY/GECRB	10/28/2024	11/06/2024	61.86	61.86	Open	N
	REFRESHMENTS FOR VOLUNTEERS	pziemer					11/06/2024
211-5501-43430	MISC - SPECIFIED DONATION USE			61.86			
	Total for vendor 0006 - WALMART COMMUNITY/GECRB:			61.86	61.86		
Total PCard: 2257 U.S. BANK Card Holder: LIBRARY				941.30	941.30		

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Inv Ref#	Description	Entered By					Post Date

GL Distribution GRANT

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

Vendor 3698 - AMAZON:

10/4/24 - 2

85379	AMAZON	10/04/2024	11/06/2024	105.88	105.88	Open	N
	FLASH DRIVES	pziemer					11/06/2024
225-2120-42210	OPERATING SUPPLIES			105.88			

10/15/24 - 3

85388	AMAZON	10/15/2024	11/06/2024	41.24	41.24	Open	N
	NOTEBOOKS, ENVELOPES, TISSUES	pziemer					11/06/2024
225-2120-42200	OFFICE SUPPLIES			27.96			
225-2120-42220	REPAIR & MAINT			13.28			

10/16/24

85389	AMAZON	10/16/2024	11/06/2024	31.63	31.63	Open	N
	DVD ENVELOPES	pziemer					11/06/2024
225-2120-42200	OFFICE SUPPLIES			31.63			
	Total for vendor 3698 - AMAZON:			178.75	178.75		

Vendor 3420 - BCA :

10/14/24

85387	BCA	10/14/2024	11/06/2024	75.00	75.00	Open	N
	718 DMT TRAINING	pziemer					11/06/2024
225-2120-43330	PROFESSIONAL DEVELOPMENT			75.00			
	Total for vendor 3420 - BCA :			75.00	75.00		

Vendor 3711 - COSTCO:

10/23/24

85392	COSTCO	10/23/2024	11/06/2024	119.94	119.94	Open	N
	HALLOWEEN EVENT SUPPLIES	pziemer					11/06/2024
225-2120-43305	CRIME PREVENTION PROGRAM			119.94			
	Total for vendor 3711 - COSTCO:			119.94	119.94		

Vendor MISC - REDWOOD LODGE:

10/8/24

85383	REDWOOD LODGE	10/08/2024	11/06/2024	214.00	214.00	Open	N
	715 AR-15 ARMORER TRAINING	pziemer					11/06/2024
225-2120-43330	PROFESSIONAL DEVELOPMENT			214.00			

10/8/24

85384	REDWOOD LODGE	10/08/2024	11/06/2024	214.00	214.00	Open	N
	729 AR-15 ARMORER TRAINING	pziemer					11/06/2024
225-2120-43330	PROFESSIONAL DEVELOPMENT			214.00			
	Total for vendor MISC - REDWOOD LODGE:			428.00	428.00		

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Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
PCard: 2257 U.S. BANK Card Holder: POLICE							
Vendor 0497 - SIRCHIE FINGER PRINT LABORATORIES, :							
9/24/24							
85375	SIRCHIE FINGER PRINT LABORATORIES,	10/01/2024	11/06/2024	81.57	81.57	Open	N
	EVIDENCE SUPPLIES	pziemer					11/06/2024
225-2120-42210	OPERATING SUPPLIES			81.57			
Total for vendor 0497 - SIRCHIE FINGER PRINT LABORATORIES, :				81.57	81.57		
Vendor 4306 - TACTACAM REVEAL:							
10/7/24							
85380	TACTACAM REVEAL	10/07/2024	11/06/2024	9.00	9.00	Open	N
	SEPT 24 CAMERA SUBSCRIPTION - XTRA	pziemer					11/06/2024
225-2120-43433	DUES & SUBSCRIPTIONS			9.00			
10/7/24 - 2							
85381	TACTACAM REVEAL	10/07/2024	11/06/2024	61.00	61.00	Open	N
	SEPT. 24 CAMERA SUBSCRIPTION X5	pziemer					11/06/2024
225-2120-43433	DUES & SUBSCRIPTIONS			61.00			
Total for vendor 4306 - TACTACAM REVEAL:				70.00	70.00		
Vendor 3703 - TRANSUNION RISK:							
10/2/24							
85377	TRANSUNION RISK	10/02/2024	11/06/2024	75.00	75.00	Open	N
	INVESTIGATIONS & PKING TKT COLLECTION	pziemer					11/06/2024
225-2120-42210	OPERATING SUPPLIES			75.00			
Total for vendor 3703 - TRANSUNION RISK:				75.00	75.00		
Vendor 3697 - USPS:							
9/27/24							
85376	USPS	10/01/2024	11/06/2024	5.10	5.10	Open	N
	POSTAGE	pziemer					11/06/2024
225-2120-43322	POSTAGE			5.10			
10/7/24							
85382	USPS	10/07/2024	11/06/2024	6.25	6.25	Open	N
	POSTAGE	pziemer					11/06/2024
225-2120-43322	POSTAGE			6.25			
10/11/24							
85385	USPS	10/11/2024	11/06/2024	8.77	8.77	Open	N
	POSTAGE	pziemer					11/06/2024
225-2120-43322	POSTAGE			8.77			
10/11/24 - 2							
85386	USPS	10/11/2024	11/06/2024	10.40	10.40	Open	N
	POSTAGE	pziemer					11/06/2024
225-2120-43322	POSTAGE			10.40			

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
PCard: 2257 U.S. BANK Card Holder: POLICE							
10/17/24							
85390	USPS	10/17/2024	11/06/2024	7.27	7.27	Open	N
	POSTAGE	pziemer					11/06/2024
225-2120-43322	POSTAGE			7.27			
10/16/24							
85391	USPS	10/16/2024	11/06/2024	17.60	17.60	Open	N
	POSTAGE	pziemer					11/06/2024
225-2120-43322	POSTAGE			17.60			
10/24/24							
85394	USPS	10/24/2024	11/06/2024	17.60	17.60	Open	N
	POSTAGE	pziemer					11/06/2024
225-2120-43322	POSTAGE			17.60			
Total for vendor 3697 - USPS:				72.99	72.99		
Vendor MISC - UTAH.GOV:							
10/2/24							
85378	UTAH.GOV	10/02/2024	11/06/2024	5.00	5.00	Open	N
	POTENTIAL HIRE BACKGROUND INVESTIGATION	pziemer					11/06/2024
225-2120-42210	OPERATING SUPPLIES			5.00			
Total for vendor MISC - UTAH.GOV:				5.00	5.00		
Vendor 0006 - WALMART COMMUNITY/GECRB:							
10/23/24							
85393	WALMART COMMUNITY/GECRB	10/23/2024	11/06/2024	102.48	102.48	Open	N
	HALLOWEEN EVENT SUPPLIES	pziemer					11/06/2024
225-2120-43305	CRIME PREVENTION PROGRAM			102.48			
Total for vendor 0006 - WALMART COMMUNITY/GECRB:				102.48	102.48		
Total PCard: 2257 U.S. BANK Card Holder: POLICE				1,208.73	1,208.73		

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Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						

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

Vendor MISC - CARHARRT:

10/11/24

85311	CARHARRT	10/14/2024	11/06/2024	79.99	79.99	Open	N
	CARHARTT VEST - S.MIDDAGH	pziemer					11/06/2024
235-3100-43430	MISCELLANEOUS			79.99			
	Total for vendor MISC - CARHARRT:			79.99	79.99		

Vendor 0900 - CUB FOODS - BRAINERD:

10/11/24

85312	CUB FOODS - BRAINERD	10/11/2024	11/06/2024	182.22	182.22	Open	N
	PIES - GREAT PUMPKIN FEST	pziemer					11/06/2024
230-5211-42210	OPERATING SUPPLIES			182.22			
	Total for vendor 0900 - CUB FOODS - BRAINERD:			182.22	182.22		

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

# of Invoices:	151	# Due:	151	Totals:	228,457.93	228,457.93
# of Credit Memos:	0	# Due:	0	Totals:	0.00	0.00
Net of Invoices and Credit Memos:					228,457.93	228,457.93

--- TOTALS BY GL DISTRIBUTION ---

101-0000-14100	DUE FROM COMPONENT UNIT	380.00
101-0000-20850	DUE TO COMPONENT UNIT	75.55
101-1400-43321	TELEPHONE	149.76
101-1400-43330	PROFESSIONAL DEVELOPMENT	1,659.36
101-1700-42210	OPERATING SUPPLIES	11.25
101-1700-43321	TELEPHONE	276.14
101-1700-43330	PROFESSIONAL DEVELOPMENT	504.90
101-1800-43309	COMPUTER SUPPORT	4,164.40
101-1800-43321	TELEPHONE	176.30
101-1800-43330	PROFESSIONAL DEVELOPMENT	398.02
101-1940-42200	OFFICE SUPPLIES	15.13
101-1940-42220	REPAIR & MAINT	643.05
101-1940-43380	UTILITIES	247.79
101-1940-43381	BPU UTILITIES	2,675.48
101-1940-43410	RENTAL EXPENSE	91.29
101-2400-43321	TELEPHONE	149.76
101-9200-43300	PROFESSIONAL SERVICES	900.00
101-9200-43340	LODGING TAX REMIT/PR	1,346.81
101-9200-43350	LEGAL PUBLICATIONS	236.09
101-9200-43381	BPU UTILITIES	139.92
101-9200-43430	MISCELLANEOUS	31.00
203-9000-43321	TELEPHONE	49.92
203-9000-43322	POSTAGE	28.80
203-9000-43433	DUES & SUBSCRIPTIONS	750.00
211-0000-15510	PREPAID	267.00

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
	211-0000-20800	DUE TO OTHER GOVT UNITS		251.90			
	211-5500-42220	REPAIR & MAINT		443.44			
	211-5500-43380	UTILITIES		705.91			
	211-5500-43381	BPU UTILITIES		2,234.97			
	211-5501-43430	MISC - SPECIFIED DONATION USE		475.86			
	211-5503-43430	MISC - USE OF HOLDEN TRUST		45.00			
	211-5505-43430	MISC - COPY MACHINE PYMTS		97.70			
	225-2120-41113	UNIFORM ALLOWANCE		182.99			
	225-2120-42200	OFFICE SUPPLIES		59.59			
	225-2120-42210	OPERATING SUPPLIES		291.43			
	225-2120-42220	REPAIR & MAINT		268.64			
	225-2120-42221	SQUAD CAR REPAIR SUPPLIES		52.60			
	225-2120-43300	PROFESSIONAL SERVICES		271.50			
	225-2120-43305	CRIME PREVENTION PROGRAM		222.42			
	225-2120-43322	POSTAGE		72.99			
	225-2120-43330	PROFESSIONAL DEVELOPMENT		866.96			
	225-2120-43380	UTILITIES		69.30			
	225-2120-43381	BPU UTILITIES		3,528.08			
	225-2120-43430	MISCELLANEOUS		45.77			
	225-2120-43433	DUES & SUBSCRIPTIONS		70.00			
	225-2121-41113	UNIFORM ALLOWANCE		38.98			
	225-2127-43310	MISDEMEANOR PROSECUTOR		18,883.33			
	225-2220-42210	OPERATING SUPPLIES		808.13			
	225-2220-42220	REPAIR & MAINT		89.48			
	225-2220-43321	TELEPHONE		344.07			
	225-2220-43330	PROFESSIONAL DEVELOPMENT		765.12			
	225-2220-43331	LEASED PAYMENTS		80.69			
	225-2220-43380	UTILITIES		79.42			
	225-2220-43381	BPU UTILITIES		1,808.16			
	225-2700-43300	PROFESSIONAL SERVICES		3,168.00			
	227-3230-43428	USED OIL RECYCLING EXPENSE		100.00			
	229-0000-43300-23:08	PROFESSIONAL SERVICES		2,901.16			
	229-0000-43300-23:09	PROFESSIONAL SERVICES		2,901.17			
	229-0000-43300-23:10	PROFESSIONAL SERVICES		2,901.17			
	229-0000-45530-23:10	PYMTS TO CONTRACTORS		5,506.46			
	230-0000-15510	PREPAID OTHER		3,240.17			
	230-5200-42210	OPERATING SUPPLIES		254.78			
	230-5200-42220	REPAIR & MAINT		822.50			
	230-5200-43309	COMPUTER TECHNICAL SUPPORT		294.56			
	230-5200-43321	TELEPHONE		196.02			
	230-5200-43330	PROFESSIONAL DEVELOPMENT		1,351.80			
	230-5200-43380	UTILITIES		57.82			
	230-5200-43381	BPU UTILITIES		11,910.97			
	230-5204-42210	OPERATING SUPPLIES		73.27			
	230-5209-42210	OPERATING SUPPLIES		362.89			
	230-5211-42210	OPERATING SUPPLIES		395.56			
	230-5225-42220	REPAIR & MAINT		1,148.00			
	230-5280-42220	REPAIR & MAINT		161.75			
	230-5280-43380	UTILITIES		642.17			
	235-3100-42210	OPERATING SUPPLIES		4.50			
	235-3100-42220	REPAIR & MAINT		1,966.27			
	235-3100-43321	TELEPHONE		209.49			
	235-3100-43330	PROFESSIONAL DEVELOPMENT		55.08			
	235-3100-43380	UTILITIES		57.82			
	235-3100-43381	BPU UTILITIES		23,208.99			
	235-3100-43410	RENTAL EXPENSE		82.70			
	235-3100-43430	MISCELLANEOUS		228.97			

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 11/04/2024 - 11/04/2024

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Page: 26/28

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
	235-3170-42210	OPERATING SUPPLIES		498.85			
	236-3180-43381	BPU UTILITIES		37.50			
	237-3190-42210	OPERATING SUPPLIES		2.25			
	237-3190-42220	REPAIR & MAINT		66.18			
	237-3190-43330	PROFESSIONAL DEVELOPMENT		27.54			
	238-3160-42210	OPERATING SUPPLIES		2.25			
	238-3160-43321	TELEPHONE		83.11			
	238-3160-43330	PROFESSIONAL DEVELOPMENT		27.54			
	260-9020-43309	COMPUTER SUPPORT		330.54			
	275-6550-43430	MISCELLANEOUS		614.66			
	295-6510-43300	PROFESSIONAL SERVICES		10,083.35			
	305-7610-46620	PAYING AGENT FEES		120.00			
	400-9050-45530	CAPITAL - OTHER		29,228.45			
	401-1003-43380	UTILITIES		51.20			
	401-9030-42210	OPERATING SUPPLIES		2.25			
	401-9030-43300-23:13	PROFESSIONAL SERVICES		10,520.03			
	401-9030-43300-24:06	PROFESSIONAL SERVICES		5,353.50			
	401-9030-43300-24:07	PROFESSIONAL SERVICES		3,905.00			
	401-9030-43330	PROFESSIONAL DEVELOPMENT		27.54			

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
--- TOTALS BY FUND ---							
	101 - GENERAL FUND			14,272.00	14,272.00		
	203 - TRANSIT FUND			828.72	828.72		
	211 - LIBRARY FUND			4,521.78	4,521.78		
	225 - PUBLIC SAFETY FUND			32,067.65	32,067.65		
	227 - RECYCLING FUND			100.00	100.00		
	229 - PANDEMIC GRANTS			14,209.96	14,209.96		
	230 - PARK & RECREATION FUND			20,912.26	20,912.26		
	235 - STREET & SEWER FUND			26,312.67	26,312.67		
	236 - PARKING LOT FUND			37.50	37.50		
	237 - SANITARY SEWER FUND			95.97	95.97		
	238 - STORM SEWER FUND			112.90	112.90		
	260 - AIRPORT FUND			330.54	330.54		
	275 - LOCAL INCOME - SCDP			614.66	614.66		
	295 - EDA FUND			10,083.35	10,083.35		
	305 - 2021A DEBT SERVICE FUND			120.00	120.00		
	400 - CAPITAL PROJECTS FUND			29,228.45	29,228.45		
	401 - CONSTRUCTION FUND			19,859.52	19,859.52		
--- TOTALS BY DEPT/ACTIVITY ---							
	0000 -			18,424.58	18,424.58		
	1003 - 10:03 DWNTWN MAIN CNTRACT			51.20	51.20		
	1400 - ADMINISTRATION			1,809.12	1,809.12		
	1700 - ENGINEERING			792.29	792.29		
	1800 - IT/GIS			4,738.72	4,738.72		
	1940 - CITY HALL			3,672.74	3,672.74		
	2120 - POLICE DEPARTMENT			6,002.27	6,002.27		
	2121 - COMMUNITY SERVICE			38.98	38.98		
	2127 - MISDEMEANOR PROSECUTOR			18,883.33	18,883.33		
	2220 - FIRE DEPARTMENT			3,975.07	3,975.07		
	2400 - COMMUNITY DEVL/INSPECTION			149.76	149.76		
	2700 - ANIMAL CONTROL			3,168.00	3,168.00		
	3100 - S & S MAINTENANCE			25,813.82	25,813.82		
	3160 - STORM SEWER EXPENSE			112.90	112.90		
	3170 - TRAFFIC CONTROL			498.85	498.85		
	3180 - PARKING LOTS EXPENSE			37.50	37.50		
	3190 - SANITARY SEWER EXPENSE			95.97	95.97		
	3230 - RECYCLING EXPENSE			100.00	100.00		
	5200 - PARK MAIN/ADMINISTRATION			14,888.45	14,888.45		
	5204 - CONCESSIONS			73.27	73.27		
	5209 - POND HOCKEY PROGRAM			362.89	362.89		
	5211 - SPECIAL EVENTS PROGRAM			395.56	395.56		
	5225 - MEMORIAL BENCHES & TREE PROGRAM			1,148.00	1,148.00		

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD
EXP CHECK RUN DATES 11/04/2024 - 11/04/2024
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 GRANT							
--- TOTALS BY DEPT/ACTIVITY ---							
	5280 - CAMPGROUND			803.92	803.92		
	5500 - LIBRARY-BUDGETED			3,384.32	3,384.32		
	5501 - SPECIFIED DONATION USE			475.86	475.86		
	5503 - HOLDEN TRUST DONATION USE			45.00	45.00		
	5505 - TAXABLE FEES			97.70	97.70		
	6510 - ECONOMIC DEVELOPMENT AUTH			10,083.35	10,083.35		
	6550 - LOCAL INCOME - SCDP			614.66	614.66		
	7610 - 2021A GO IMPR BONDS			120.00	120.00		
	9000 - TRANSIT FUND			828.72	828.72		
	9020 - AIRPORT M & O			330.54	330.54		
	9030 - CONSTRUCTION PROJ-MISC			19,808.32	19,808.32		
	9050 - CAPITAL PROJECTS-MISC			29,228.45	29,228.45		
	9200 - CITY-WIDE			2,653.82	2,653.82		

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

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

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

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND O'DAY TO APPROVE THE CONSENT CALENDAR WITH THE ITEMS REMOVED.

- 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 on May 7, 2025, at 501 West College Dr
- E. Approve Event/Street Closure Application - Turkey Trot
- F. Adopt Resolution Accepting 3rd Quarter Donations

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

Council Committee Reports

Personnel and Finance Committee

Accept Resignation of Community Service Officer (CSO) Drew Belton

MOVED AND SECONDED BY COMMITTEE MEMBERS STUNEK AND JOHNSON, DULY CARRIED, TO ACCEPT MR. DREW BELTON'S RESIGNATION EFFECTIVE OCTOBER 18, 2024; FURTHER, TO AUTHORIZE STAFF TO BEGIN THE HIRING PROCESS TO BACKFILL ONE OF THE COMMUNITY SERVICE OFFICER POSITIONS.

Update regarding Arbitration with IBEW Public Utilities Union

HR Director Schubert stated that an Arbitrator has been selected with a tentative date of December 18th for arbitration.

Approval of Memorandum Of Agreement (MOA) Establishing Wages for New Public Utilities Department Positions

Committee Chair Johnson stated that the City and IBEW 31 have come to an agreement on the new positions to set the 2024 wages.

MOVED AND SECONDED BY COMMITTEE MEMBERS JOHNSON AND TERRY, DULY CARRIED, TO APPROVE THE MOA BETWEEN THE CITY OF BRAINERD AND IBEW LOCAL NO. 31 PUBLIC UTILITIES UNION ESTABLISHING THE WAGES FOR THE BUSINESS OFFICE SUPPORT SPECIALIST, FACILITIES CUSTODIAN AND JOURNEYMAN ELECTRICIAN POSITIONS.

Ratify Hiring of Josh Gravelle as Lineworker

MOVED AND SECONDED BY COMMITTEE MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO RATIFY THE HIRING OF JOSH GRAVELLE FOR A LINEWORKER POSITION; FURTHER, THAT JOSH BE PLACED ON STEP 4 OF THE 2023 LINEWORKER WAGE GRID (\$46.37 PER HOUR).

Ratify the Hiring of Michael Habighorst as Public Works Director

Committee Chair Johnson stated that staff went through the hiring process. He is aware that there is another candidate that some people know and like. The City Council has one employee, which is the City Administrator. When the City Administrator interviews a department head, he will put his trust in the City Administrator's decision in who he can work with.

Member O'Day stated that this is a tough one, he is sure that Mr. Habighorst is very high quality. This is the first time there hasn't been a committee to hire a Department Head. He got a little more information from the City Administrator before the meeting. The decision is a hard one as a different candidate would have a zero-learning curve.

Member Stunek stated that he is in favor of hiring local candidate who has already worked for the City.

Member Stenglein stated that she agrees with Members O'Day and Stunek. While she supports the decisions of the City Administrator, she wants to know more about the candidates before she can make a decision.

Member Czczok asked about the hierarchy of the position. He feels that the Council is asked to make an important decision, but he would like to see resumes and other public documents. He trusts staff, but he would like more information and review all of the possibilities.

Member Terry stated that she is curious why Council Members did not get involved earlier. This is an awkward position for staff.

Mayor Badeaux stated that he echoes the sentiments on the process. Without additional information he does not feel the Council can make a decision. He is discouraged by the constant shuffling of staff. The other candidate in question was promoted twice by the City Council to this exact position and could hit the ground running.

Chair Bevans stated that he supports the motion. If the process was not favorable, the Members should have gotten involved earlier. The Council directed the City Administrator to choose a candidate. Council Members should have asked to be on the hiring committee. To change the decision now, is going to slow the process down.

Member Czczok requested to speak a second time.

Chair Bevans denied the request.

Member O'Day stated that he supports the challenge, because he thinks any Council Member that wants to speak before a decision is made should be allowed to speak. Member Czczok represents 14,000 people, so he has a big voice.

Member Czczok stated that he has a piece of applicable information.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND O'DAY TO CHALLENGE CHAIR BEVANS' DECISION TO CLOSE DISCUSSION.

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

Member Czeczok stated that he e-mailed HR Director Schubert on October 6th, asking about the number of applicants, how many qualified applicants, and how many applicants were being interviewed. She replied that interviews were scheduled for October 3rd. He believes that the City Council should be a part of the decision making process. Council Members have a responsibility to the City.

Chair Bevans stated that Member Czeczok asked how many people, he didn't ask to be a part of the interview process.

MOVED AND SECONDED BY COMMITTEE MEMBERS JOHNSON AND TERRY TO RATIFY THE HIRING OF MICHAEL HABIGHORST AS OUR PUBLIC WORKS DIRECTOR AT STEP 3 (\$55.97 PER HOUR) WITH A START DATE OF NOVEMBER 1, 2024.

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

Member Czeczok asked Attorney Langel whether applicant data is public information.

Attorney Langel listed a number of items that are public information when it comes to applicant data.

Chair Bevans asked for clarification on the request for data.

Member Czeczok stated that he is not so sure that he agrees with the recommendation, so he wants more information to make a recommendation to Staff.

MOVED AND SECONDED BY COMMITTEE MEMBERS CZECZOK AND STENGLEIN TO REQUEST PUBLIC INFORMATION ON THE CANDIDATES, RESUMES, SCORING, ETC.

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

Ratify Hiring of Katherine Caswell for Administrative Specialist - Public Works Department

Committee Chair Johnson updated the Council that Ms. Caswell rescinded her offer after the packet went out. The position will be reposted.

Approve New Administrative Assistant Job Description

Committee Chair Johnson stated that this update to the job description adds a little more responsibility onto the position. It will increase pay approximately \$170 a month in benefits and salary if the current specialist is hired for the position.

MOVED AND SECONDED BY COMMITTEE MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE THE NEW ADMINISTRATIVE ASSISTANT JOB DESCRIPTION AND TO AUTHORIZE STAFF TO NEGOTIATE THE WAGE FOR THE NEW POSITION WITH THE IBEW LOCAL NO.31 ADMINISTRATIVE SUPPORT UNION.

Discussion on Franchise Fees

Committee Chair Johnson stated that the committee would like to hear public engagement on the issue. Members of the business community have questions. Step one is to get public input. He is willing to let staff explore this to see how it could be beneficial to the community.

MOVED AND SECONDED BY COMMITTEE MEMBERS JOHNSON AND TERRY, DULY CARRIED, TO CONTINUE EXPLORATION OF FRANCHISE FEES MODEL FOR FUNDING THROUGH PUBLIC ENGAGEMENT SUCH AS SCHEDULING INFORMATIONAL MEETINGS, INPUT SESSIONS, PUTTING OUT AN ONLINE SURVEY, AND OTHER POSSIBLE AVENUES.

Consider Insurance Coverage Rapid Flashing Beacon (RFB) Signs

Committee Chair Johnson stated that the City recently had an RFB struck by an uninsured driver and the cost to the City was \$7,935. If the City insured the sign, they would only be subject to a \$5,000 deductible. As more signs are installed, there may be more incidents.

Member Stenglein asked if the insurance cost would increase if more signs were added.

Finance Director Hillman stated that the signs would be covered up to \$100,000 of property regardless of the number of signs the City has.

Chair Bevans supports the motion. He asked whether the City has pursued restitution for the cost of the sign.

Deputy Chief Runde stated that he is unsure about this particular incident, he will look into the matter and report back.

MOVED AND SECONDED BY COMMITTEE MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO DIRECT STAFF TO WORK WITH INSURANCE AGENTS TO ADD RFB SIGNS AS PIO FOR THE MARCH 1, 2025, RENEWAL.

Approve Funding to be Budgeted for 2025 Council Retreat

Committee Chair Johnson stated that the approved funding will be for supplies. The Council will need to provide their own meals.

MOVED AND SECONDED BY COMMITTEE MEMBERS JOHNSON AND TERRY, DULY CARRIED, TO AUTHORIZE FUNDS TO BE USED FROM THE SPECIAL PROJECT BUDGETED LINE ITEM IN 2025 FOR A COUNCIL RETREAT WITH NO MONEY BEING SPENT ON COUNCIL MEMBERS FOR FOOD.

Committee Chair Johnson stated that part of the motion was to select a weekday or weekend.

Generally, the Council supported having the event on a weekday.

Safety and Public Works Committee

Discussion on Sanitary Sewer Rates

Committee Chair O'Day there is \$100,000 of sanitary sewer repairs being completed this year. The Evergreen main run will cost about \$1.1 million. The rates need to be looked at to see how long it is going to take before the project can be completed.

Member Czczok stated that this main would have been completed if not for the cost. The main is next to the river. There are options to complete the project.

Member Johnson stated he supports that rates need to increase for the enterprise fund. The City has not done a great job of maintaining the entire system and needs to get on top of repairs.

Mayor Badeaux stated that he appreciates Member Czczok for bringing these issues forward.

MOVED AND SECONDED BY COMMITTEE MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO DIRECT STAFF TO PROVIDE INFORMATION REGARDING THE RATE INCREASE NEEDED TO MEET FUNDING NEEDS FOR THE PROJECT AND WHEN TO ADD THE SEWER PROJECT IN THE CAPITAL PLAN.

Adopt Resolution - Imp 23-13 - No Parking on S. 4th/Willow

Committee Chair O'Day stated that this no parking measure is more of a formality as there is already no parking in this area.

MOVED AND SECONDED BY COMMITTEE MEMBERS O'DAY AND STENGLEIN, DULY CARRIED, TO ADOPT RESOLUTION AFFIRMING THE NO PARKING ZONES OF S. 4TH STREET AND WILLOW STREET WITHIN 260 FEET OF THE INTERSECTION OF HIGHWAY 371B.

RESOLUTION 43:24

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

Authorize Application for National Scenic Byway Grant Program

Committee Chair O'Day stated that this is another grant for the pedestrian bridge. The City hopes to receive grants to fund the bridge so that it is not a taxpayer funded project which he would not support.

MOVED AND SECONDED BY COMMITTEE MEMBERS O'DAY AND STENGLEIN, DULY CARRIED, TO AUTHORIZE SRF TO APPLY FOR THE NSBP GRANT FOR THE TH 210/LUM PARK PEDESTRIAN BRIDGE PROJECT ON BEHALF OF THE CITY CONDITIONAL THAT THE CITY BE AWARDED SUFFICIENT IJA TECHNICAL ASSISTANCE FUNDING TO COVER THE \$9,954.

Provide Direction for Paradigm Auto Code Violations

Committee Chair O'Day stated that the committee was asking for more information for the options the business owner has at the current location and the possibility of a land swap.

Member Johnson asked whether the owner was continuing to receive fines while this decision was being made or whether the fines were on hold.

Community Development Director Kramvik stated that the fines are on hold until a solution is reached.

MOVED AND SECONDED BY COMMITTEE MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO DIRECT STAFF TO GATHER INFORMATION FOR A POTENTIAL LAND SWAP AND THE OPTIONS THAT THE OWNER HAS AT THEIR CURRENT LOCATION.

Approve Brainerd Community Action Request for Semi-Permanent Statues in the Right of Way

Committee Chair O'Day stated that the cookies will be on display during the holiday season. A nice addition at no cost to the City.

MOVED AND SECONDED BY COMMITTEE MEMBERS O'DAY AND STENGLEIN, DULY CARRIED, TO APPROVE THE REQUEST BY BRAINERD COMMUNITY ACTION FOR THE INSTALLATION OF SEMI-PERMANENT STATUES IN THE DOWNTOWN CORRIDOR RIGHT OF WAY.

Unfinished Business

Mayor Recommendation to Commission

Mayor Badeaux recommended Patrick Wussow to the Public Utilities Commission

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND O'DAY TO APPOINT PATRICK WUSSOW TO THE PUBLIC UTILITIES COMMISSION.

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

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)

Planning Commission—1 term (Expire 2026)

Final Reading - Proposed Ordinance 1576 - Annexation of 15106 Riverside Drive

Community Development Director Kramvik gave an overview of the ordinance and stated that the public hearing was held at the previous meeting.

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND O'DAY, DULY CARRIED, TO CONDUCT THE FINAL READING OF ORDINANCE 1576 AND DISPENSE WITH THE ACTUAL READING.

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND O'DAY TO ADOPT ORDINANCE 1576.

ORDINANCE 1576

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

Update on IT Integration

Administrator Broyles gave an overview of the letter provided by Attorney Langel which stated, 'Having varying duties for the various IT consumers throughout the City does not prevent the City from integrating the two IT Departments organizationally'. He is recommending a work group be created for integration.

Member Czczok asked whether giving direction to staff is a formal public process. He stated that in order to give direction, the Council must vote on it. He doesn't recall the City Council voting on giving direction to the City Administrator formally and publicly to integrate the IT Departments.

Attorney Langel stated that not all direction to staff requires a vote, referencing workshop settings that the Council generally gives direction without voting.

Member Johnson stated that the City Council conducted a closed session for City Administrator Broyles' six-month evaluation. During that evaluation, the City Council talked about goals moving forward, two of which were integrating IT and Finance. HR Director Schubert and himself, as the Personnel and Finance Chair, put together a summary of the evaluation and it was placed on the consent agenda of the next Council meeting. That consent agenda was voted on and approved unanimously by the City Council. He then asked whether the work group would be comprised of Chair Matten and Chair Bevans and continue after the new year with potential new appointments of Council and Commission Chairs or whether the work group would be the Chairs of the Council and Commission.

City Administrator Broyles stated that he would prefer members be appointed by the position not the person.

Member Czczok asked whether other Council Members could be involved as long as there isn't a quorum. He appreciates what Chair Bevans said about getting involved, and he wouldn't mind being involved in this work group.

City Administrator Broyles stated that it is up to the Council who they want to be on the work group, he prefers a small group in order to be agile.

MOVED BY COUNCIL MEMBER CZECZOK THAT HE BE APPOINTED TO THE WORK GROUP.

Chair Bevans declared that the motion dies for lack of a second.

Member Czczok stated that on the one hand the Council is talking about people getting involved and provided with more information. This seems to be cloaked with secrecy, and he wants to be involved.

Member Johnson stated that he supports this, however, he is concerned about the balance of the committee being tipped toward City Hall. It may be an issue adding yet another person to the committee.

Chair Bevans stated that he is not concerned as it is a work group and the decision will need to be voted on at some point.

Member Czczok stated that he is a person of the people, not City Hall.

MOVED BY COUNCIL MEMBERS O'DAY AND STENGLEIN, DULY CARRIED, TO APPOINT THE CITY COUNCIL CHAIR, PUBLIC UTILITIES LIAISON, PUBLIC UTILITIES COMMISSION CHAIR, ADMINISTRATOR BROYLES, AND PUBLIC UTILITIES DIRECTOR EVANS TO A WORK GROUP TO OVERSEE THE INTEGRATION PROCESS.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO CREATE A WORK GROUP TO FORMALLY OVERSEE THE IT INTEGRATION PROCESS WITH THE APPOINTEES.

Update on Information Requested on BLRA

Administrator Broyles gave an overview of the information provided in the packet. He stated that staff will continue working on the other items requested by Council.

Member Czczok stated that he would argue that in 1946, HR was not a department of the City. Regardless of where HR was put in the organization at its creation, it is now not combined with Finance. The City is paying a cost that is not included in the ordinance.

New Business

Adopt Resolution Providing for the Issuance and Sale of General Obligation Bonds, Series 2024A in the Proposed Amount of \$3,370,000

Chris Hogan, Baker Tilly, gave an overview of the proposed bond sale for the 2024 South Brainerd Reconstruction, Improvement 22-08. The proposed bond sale is at \$3.37 million of which, \$2.03 million are improvement bonds and \$1.34 million are utility revenue bonds. The sale of the bonds will be conducted on November 18th and the Council will consider the bids at its meeting that evening.

Member Johnson asked where the \$2.03 million matches up with the Capital Improvement plan for this project. He then asked whether the debt levy was to the benefit of the taxpayers.

Finance Director Hillman stated that the City estimated the issuance at \$2 million of improvement bonds each year, the cost of issuance also needs to be paid because the City does not have the funds to fund that. The debt issues were included in the preliminary levy set by the City.

Member Czczok asked for clarification on the effect that the bonds would have on the final levy. He asked whether the issuance would affect the amount that was allowed in the levy to be flexible should the Airport levy need to be increased.

Finance Director Hillman stated that when the preliminary levy was set there was \$167,000 included in the 2025 debt levy to pay for the bonds.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK TO ADOPT RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS, SERIES 2024A, IN THE PROPOSED AGGREGATE PRINCIPAL AMOUNT OF \$3,370,000.

RESOLUTION 44:24

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

Authorize Submission of Small Cities Development Program (SCDP) Preliminary Proposal to Department of Employment and Economic Development (DEED)

John Schommer, HRA Rehab Coordinator, stated that the HRA on behalf of the City will be applying for up to \$600,000 for residential rehab and up to \$600,000 for commercial rehab to coincide with the Highway 210/Washington Street reconstruction.

Member Czczok asked whether the grant required a funding match.

Mr. Schommer stated that there are funds in the local income fund from previous small cities grants, various construction services, HRA staff time, and other sources that can be used as leverage funds.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND STENGLEIN, DULY CARRIED, TO AUTHORIZE THE BRAINERD HRA TO SUBMIT A SMALL CITIES DEVELOPMENT PROGRAM (SCDP) 2025 PRELIMINARY PROPOSAL TO THE DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT (DEED) TO COINCIDE WITH THE WASHINGTON STREET CONSTRUCTION.

Adopt Resolution for Assessment - 2023-2024 Nuisance Abatement and 2023-2024 Downtown Special Services District

City Engineer Dehn gave an overview of the process for the assessment process. He requested that the City Council approve all assessments together. Individual cases can be removed from the rolls after the 30-day clock to pay for the assessments has started.

Community Development Director Kramvik stated that there are three properties who have contested their assessments. These will be reviewed by staff and will be heard at the next meeting.

The Chair opened the public hearing at 8:41 p.m.

No one came forward.

The Chair closed the public hearing at 8:42 p.m.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND STENGLEIN TO ADOPT RESOLUTION ADOPTING THE ASSESSMENTS AS PROPOSED FOR 2023-2024 DOWNTOWN SPECIAL SERVICES DISTRICT INCLUDING DOWNTOWN SNOW REMOVAL, AND 2023-2024 NUISANCE ABATEMENT.

RESOLUTION 45:24

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

Adopt Resolution Adopting Assessment - Improvement 22-08 South Brainerd Reconstruction Project

City Engineer Dehn gave an overview of the assessment process. He requested that the City Council approve all assessments together. Individual cases can be removed from the rolls after the 30-day clock to pay for the assessments has started. He stated that there is a deferment process that can be submitted to City Hall staff during business hours to be considered at a future City Council meeting.

The Chair opened the public hearing at 8:43 p.m.

John Stubbs, 823 S 6th Street, stated that the reconstruction project was well done. He asked questions about the amount of assessment and interest. He stated that the amount of interest seems excessive.

City Engineer Dehn gave answers to his question on his specific lot.

Finance Director Hillman stated that the interest amount policy is to assess 2% over the amount of the estimated interest to issue bonds.

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

Member Terry stated that she will abstain from voting as she lives in the project area.

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND O'DAY TO ADOPT RESOLUTION ADOPTING THE ASSESSMENTS AS PROPOSED FOR IMPROVEMENT 22-08 - SOUTH BRAINERD RECONSTRUCTION PROJECT.

RESOLUTION 46:24

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

Consider \$1/Acre Incentive Program and Parameters

Community Development Director Kramvik gave an overview of the program. It was presented to the EDA on October 3rd and the EDA recommended its approval.

Member Czeczok asked whether the City had sold any of the land with the previous \$1/acre incentive.

Community Development Director Kramvik stated that the City did not sell any parcels at the incentive rate, partially due to the fact that the City did not have a broker at the time.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND O'DAY, DULY CARRIED, TO THE \$1/ACRE LAND CREDIT PROGRAM AS PRESENTED.

Consider Conditional Use Permit for Propane Fuel Storage Tank Facility at 2602 S. 11th St. for Superior Fuel Company

Community Development Director Kramvik gave an overview of the conditional use permit. The Planning Commission unanimously recommended the permit at its special meeting on October 21st with one condition.

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND STENGLEIN, DULY CARRIED, TO APPROVE THE CONDITIONAL USE PERMIT FOR 2602 11TH ST SE BRAINERD, MN 56401 WITH A CONDITION TO THE PERMIT: A FINAL INSPECTION BY THE FIRE MARSHAL AND BUILDING OFFICIAL IS TO BE CONDUCTED PRIOR TO OPERATION OF THE FACILITY.

Adopt Resolution - Receive Feasibility Report and Call for Public Hearing - Improvement 23- 13 - TH 371B/Willow Street Roundabout Project

Chair Bevans asked for the amount that the City is paying above what it would have when the reconstruction was done previously on South 6th street.

Member Johnson stated that the amount could be calculated. He would like to see the difference between the amounts.

Member O'Day stated that he will be voting no, as it is not a good use of staff time.

Member Czczok stated that it is an effort of futility.

Member Johnson stated that this data could be used for future projects with MnDOT when the City approaches MnDOT.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN TO DIRECT STAFF TO DO THE RESEARCH TO COMPARE THE DIFFERENCE IN THE AMOUNT THE CITY WILL BE SPENDING TO PUT THIS ROUNDABOUT IN NOW INSTEAD OF WHEN THE RECONSTRUCTION WAS BEING COMPLETED.

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

Mayor Badeaux stated his distaste for the project as there will be complaints from the citizens about the road being closed down again, again. The City wanted this roundabout to be put in when the road was reconstructed previously.

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND JOHNSON TO ADOPT RESOLUTION RECEIVING THE FEASIBILITY REPORT AND SETTING THE PUBLIC HEARING FOR IMPROVEMENT 23-13 - TH 371B/WILLOW STREET ROUNDABOUT PROJECT ON NOVEMBER 18TH, 2024 AT 7:30 PM.

RESOLUTION 47:24

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

Public Forum

The Chair opened the public forum at 8:56 p.m.

No one came forward.

The Chair closed the public forum at 8:57 p.m.

Staff Reports

Deputy Police Chief Runde stated that the Police Department is holding their Halloween Safety Event on October 31st from 3:30 p.m. to 6:00 p.m.

Finance Director Hillman stated that the General Election is on November 5th from 7:00 a.m. to 8:00 p.m. Public testing was conducted today to ensure that the machines are ready for the election.

Community Development Director Kramvik stated that the EDA will be touring the Just for Krypto facility in November. The City Council and Public Utilities Commission will be invited to attend once the date is set.

City Administrator Broyles stated that he and his wife attended the Great Pumpkin Festival. He thanked specific staff who helped with the festival.

Mayor's Report

Mayor Badeaux echoed Administrator Broyles' comments on the Great Pumpkin Festival. The Downtown Spooktacular will be taking place on October 26th from 11:00 a.m. to 1:00 p.m. The Brainerd Jaycees are partnering with other organizations to bring back the distinguished awards. Applications for this are online through the Jaycees.

Council Member Reports

Member Terry stated that the Drug Take Back day is on October 19th at Cub Foods.

Member Czczok stated that the Public Utilities Commission is conducting strategic planning. He reflected on the meeting. He stated that the Council is here to share discourse. The rules of decorum state that all members will get the chance to speak twice in a discussion. He is disappointed in those who voted no to further discussion.

Member Stunek stated that the Fire Department Open House was a huge success again.

Adjourn

Adjourn to Closed Session per MN Statute 13D.03 Subd 1(B) for Closed Labor Negotiations Strategy Session for IBEW 31 (Public Utilities), LELS, Teamsters, and United Steel Workers Unions

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND STENGLEIN, TO
ADJOURN TO CLOSED SESSION PER MN STATUTE 13D.03 SUBD 1(B) FOR CLOSED
LABOR NEGOTIATIONS STRATEGY SESSION FOR IBEW 31 (PUBLIC UTILITIES), LELS,
TEAMSTERS, AND UNITED STEEL WORKERS UNIONS

The Chair adjourned to closed session at 9:04 p.m.

The Council took a 7-minute break.

The Chair reconvened the meeting at 9:29 p.m.

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

The Chair adjourned the meeting at 9:29 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 6:00 P.M. by Council President Bevans.

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

Staff present were Administrator Broyles, HR Director Schubert, Police Chief Davis, and Finance Director Hillman.

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

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

Unfinished Business

Discuss Public Works Director Hiring

Administrator Broyles stated that staff followed policy and offered Mr. Habighorst with a conditional job offer with a tentative November 1st start date. As a courtesy to Mr. Habighorst and his current employer the special meeting was requested in order to get direction on how City Council would like to proceed.

Member Czeczok asked whether the City currently has a Public Works Director. He asked whether the City Council is within their rights to choose another individual.

HR Director Schubert stated that Jessie Dehn is currently the City Engineer/Public Works Director. The City Council may choose any of the candidates.

Member Stunek stated that the Council meeting went awry, he thinks it put Mr. Broyles in a bad spot. He apologized for his part at the previous meeting.

Member Stenglein thanked staff for their work. She stated that a friend reminded her that a 'government is not designed to be efficient, it is designed to be fair'. She takes ownership for her part in the inefficiency. However, she does believe that the Council was fair. Having an extra week, she has had time to consider the information provided and input from constituents.

Member Terry stated that she was in favor of the motion previously and she will continue to support the motion. She apologizes to Administrator Broyles for the turmoil. She hopes that this has not given him any reason to not trust the Council.

Member O'Day stated that it is a good problem to have to have multiple candidates. The City Council is not just a rubber stamp. He is still undecided, however, he does believe both candidates are good choices. He stated that being efficient isn't always the efficient way to run a government.

Member Czeczok stated that he does not look at this as putting the City Administrator in a bad position. He thinks Mr. Broyles is a professional, he is sure that he can handle feedback. It is much easier to sit back than go through applications and resumes, as Chair Bevans had indicated, but it is incumbent upon the City Council to get involved. When talking efficiencies,

the other candidate could sit down tomorrow and pick up the job he left two years ago. He stated that as a Council Member he has a responsibility to the taxpayers. He asked whether the Public Works Director works with Transit and other divisions. He does not believe that the candidate being considered has the background to support transit or streets and sewer. The best interest of the taxpayers is not the person being considered tonight.

Member Terry asked whether the Member Czczok received a response to his e-mail to HR Director Schubert as he had indicated at the last meeting that he had not.

Member Czczok stated that he did receive a response to his question and wrote to the newspaper to apologize to HR Director Schubert.

Member Terry stated that she asked for that information in reference to his comment about being responsible to the taxpayers. She too looks for efficiencies in government. Sometimes efficiencies outline themselves in other ways, not just specific experiences, but the type of leadership Mr. Broyles think would be good in this position. She also wanted to note that she did not talk to Mr. Broyles about his feelings, so her apologies come from her feelings toward the way that he was treated.

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND TERRY, DULY CARRIED, TO RATIFY THE HIRING OF MICHAEL HABIGHORST AS OUR PUBLIC WORKS DIRECTOR AT STEP 3 (\$55.97 PER HOUR) WITH A START DATE OF NOVEMBER 1, 2024.

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

Adjourn

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

The Chair adjourned the meeting at 6:12 p.m.

Nicholas W. Broyles
City Administrator



Brainerd Fire Department Monthly Report

October 2024

October was focused on fire safety, coinciding with National Fire Safety Month. We held our annual open house, which had a great turnout. This event wouldn't have been possible without the support of our partners, whom we thank for their continued assistance.



We also brought fire safety education to several hundred children across local schools and daycares. Our goal is to spread fire prevention awareness at a young age, ensuring that children learn critical safety practices early.





Brainerd Fire Department Monthly Report

October 2024

During Fire Safety Week, crews actively assisted residents with smoke and carbon monoxide (CO) alarm maintenance, visiting nearly 30 homes. Most alarms needed battery replacements, and many were outdated, with the oldest dating back to the early 1980s. We reminded residents that smoke alarms should be replaced every 10 years and batteries changed annually.

Training and Development

With the shift into fall, our training frequency has increased. October training highlights included:

- Self-Contained Breathing Apparatus (SCBA) Confidence Training: Ensuring all firefighters are proficient in SCBA use. Rapid Intervention Team (RIT) Training: Enhancing our readiness for emergency response in high-stakes scenarios.
- Wildfire Field Training: A group of our firefighters attended wildfire response training in Crosslake, hosted by the Minnesota DNR.



In addition to department-led training, several members pursued external development opportunities:

- Several Fire Officers attended sessions at the Minnesota State Fire Chiefs Association Conference in Duluth. The conference focused on leadership and building our future fire service leaders.
- Our Fire Administrative Specialist participated in data practices training and also attended administrative training at the MSFCA Conference.



Brainerd Fire Department Monthly Report

October 2024

We finished out the month with several Trunk or Treat events and our BFD Family fun night where we decorated pumpkins and enjoyed each other's company.



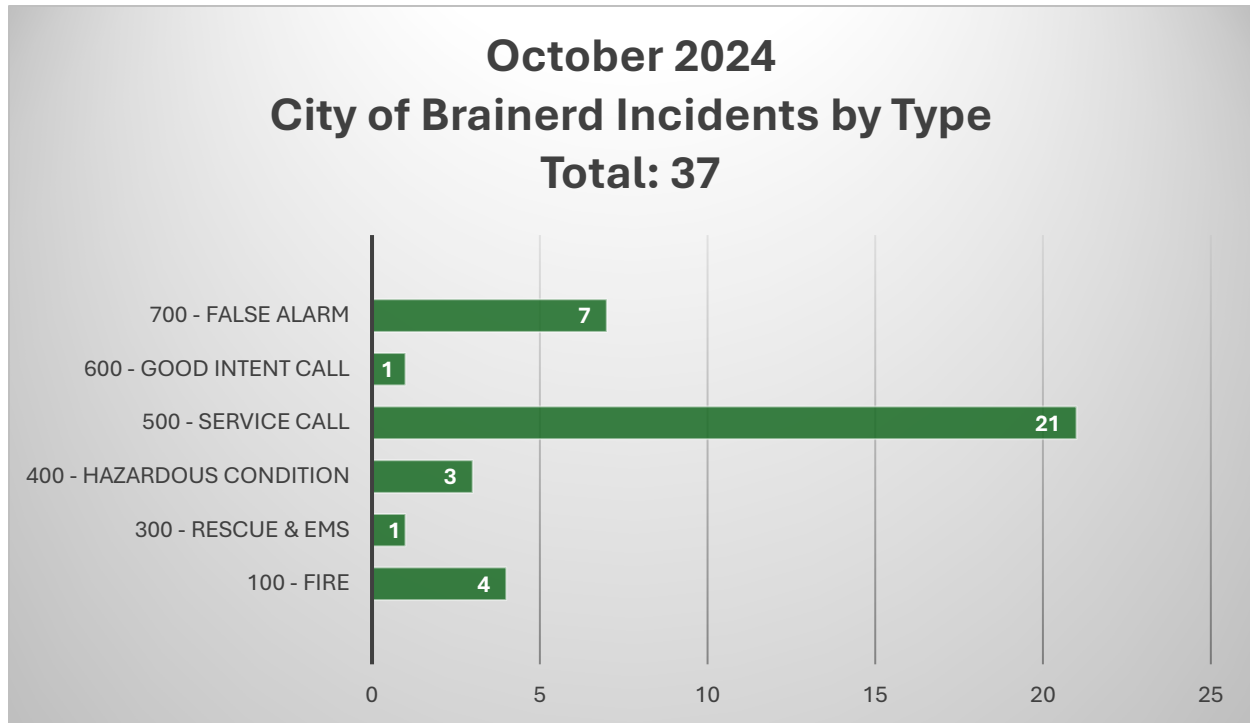
INSPECTIONS	
Fire Alarm	38
Hood Suppression	17
Commercial Kitchen Exhaust	17
5 Year Sprinkler	7
Sprinkler System	40
Fire Pump	2

BRAINERD FIRE COVERAGE AREA INCIDENT REPORT	
Type of NFIRS Incident (National Fire Incident Reporting System)	Coverage Area Total Incidents (Includes City of Brainerd)
Fire	12
Rescue & Emergency Medical Service	6
Hazardous Condition	5
Service Calls	31
Good Intent Call	4
Alarm Activation	13
TOTAL	71



Brainerd Fire Department Monthly Report

October 2024



Upcoming Event:

* Basic Avalanche Awareness and Avalanche Rescue training November 21st or 22nd and November 23rd. <https://www.eventbrite.com/e/basic-avalanche-awareness-training-tickets-1008613639547>



Brainerd Fire Department in partnership with the Corey Borg-Massanari Foundation is excited to announce a unique training opportunity for the community. We will be offering recreational-level Avalanche Awareness and Avalanche Rescue training for all interested individuals.

Our courses will provide crucial knowledge and skills to help you navigate avalanche-prone areas safely and effectively. Don't miss this chance to enhance your outdoor safety with expert guidance from our experienced instructors.

Thank you to our dedicated firefighters for their commitment to training and community engagement. We look forward to continuing to prioritize safety and service excellence as we enter the colder months.



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

Recreation Report

Special Events

Great Pumpkin Festival

The Great Pumpkin Festival was held in Memorial Park on October 12th from 1-4 p.m.





Adult Sports

Results!

- **Summer Softball**
 - MS1
 - 1st Place: Lakes Hockey
 - 2nd Place: Dunmire's
 - MS2
 - 1st Place: Grace Lawncare
 - 2nd Place: Brewtang
 - Co-Ed
 - 1st Place: Harpo's
 - 2nd Place: Killer Bees
 - Women's Gold
 - 1st Place: 9th Street Social
 - 2nd Place: Dunmire's
 - Women's Silver
 - 1st Place: Bat Intentions
 - 2nd Place: Pit Shop
- **Summer Pickleball**
 - Competitive
 - Split: Baxter Bangers & Two Paddles One Ball
 - Just for Fun
 - 1st Place: Dinkers
 - 2nd Place: Pickled Pair
- **Fall Softball**
 - MS2
 - Finishes on 10/22
 - Co-Ed
 - 1st Place: Dunmire's
 - 2nd Place: Shep's Teehive
- **Fall Kickball**
 - 1st Place: Ballbarians
 - 2nd Place: Shep's Teehive
- **Fall Pickleball**
 - Competitive
 - 1st Place: I Like Turtles
 - 2nd Place: Biscuits and Gravy
 - Just for Fun
 - 1st Place: Pickled Pair
 - 2nd Place: Return of the Dinks

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

Here's a summary of our rental activity so far:

Monthly Rentals:

May: 6 rentals

June: 23 rentals

July: 32 rentals

August: 24 Rentals

September: 15 rentals

Total: 107 rentals

Rental Details:

Average Duration: 30-60 minutes

Parks Maintenance Report

- Continued mowing
- Continued garbage runs and restroom maintenance
- Watering memorial trees and flowers
- Removing graffiti in bathroom at Kiwanis Park
- Weed whipping at parks
- Weed spray and whipping at Lyman P. White Park
- Continued winterization of facilities as staff time allows
- Building frames for new signs for Jaycees Park and Bane Park
- Keys made for Memorial lights
- Pulled sign and moved tree at Jaycees Park for construction
- Prepping memorial benches for installation and slabs
- Planted memorial trees at Lum Park
- Final herbicide spray
- Finished assembly of Buster Dog Park Pavilion
- Set up control link for Musco Lights
- Pulled grill and two concrete slabs for the campground expansion project
- Welding legs for benches
- Painting picnic tables and repair
- Cleaning and shutting down Gregory Park fountain
- Blew leaves and debris off courts
- Repairing lawn mower
- Preparing for Great Pumpkin Festival
- Took down hanging baskets from downtown
- Pulled plants from urn planters for downtown
- Covered flower beds
- Weed whipping on College Drive
- Assisting with blowing out and locating water line for beach
- Performing some plumbing adjustments for the water service for the new foot washing station
- Fixed leak to the campground
- Fixing breaker at campground site #8
- Splash pad winterized using 50 gallons of RV antifreeze
- Putting picnic tables away for the season
- Cleaned up after and moved items following Great Pumpkin Festival
- Took out boat dock and ramp for pier
- Returned hay bales to farmer
- Removed heavy graffiti from Kiwanis Park restroom and pavilion
- Bringing in garbage cans for washing and storage
- Removed graffiti from Lyman P White amphitheater
- Removed picnic tables and garbage cans from beach for project
- Planting and watering 45 donated trees in Lum Park

Projects Report

Parks ARPA Projects

Work continues on all the projects. Jaycees has been graded and topsoiled. New paths and sidewalks are installed. Seeding remains to be completed. The campground expansion is mostly complete with new hydrants and most of the electrical pedestals installed. The gravel pads and access is installed. Topsoil and seeding remains. The beach continues to be worked on as the building demo and removals are complete. Grading and some beach sand have been placed. Shade structures have started to go up and concrete walks and parking lot work remains to be completed. It is expected that work will continue through October.

Buster Park Pavilion

This work is complete. Staff will be placing new wood chips in the park when staff time allows.

Memorial Park Disc Golf Course

The new disc golf course has been installed and opened to the public.

Building Demolitions

The demo at Jaycees has been completed. Maintenance staff will be responsible to complete topsoil and seeding of the areas.

Gregory Park Warming House/Pavilion Gutter Replacement

This work is complete.

Memorial Park Rink Lights Automatic Timer

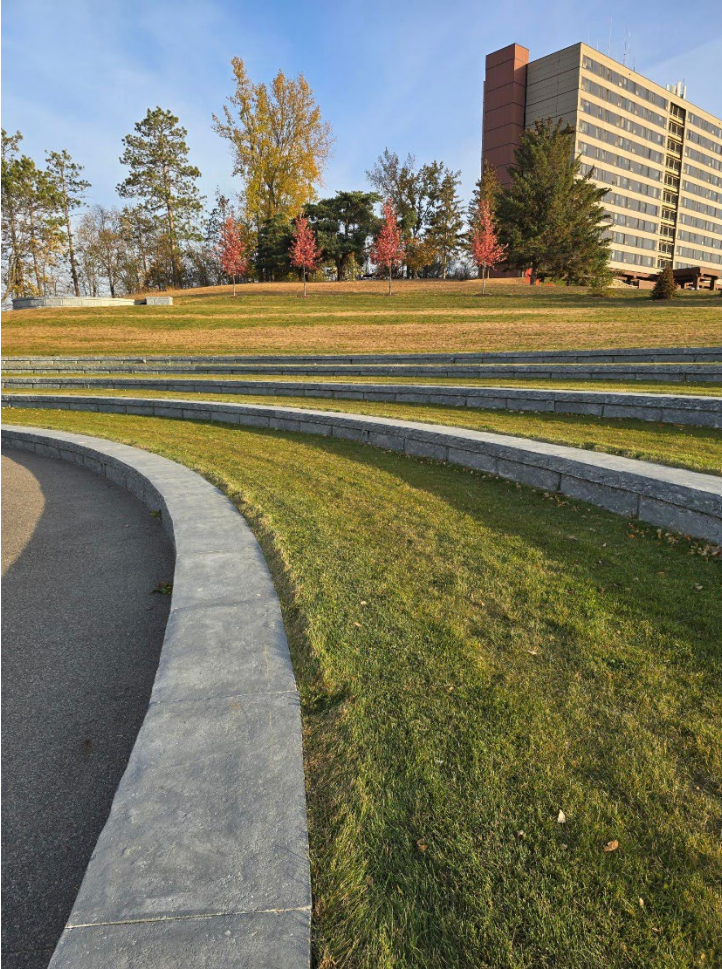
This work is complete.

Lum Park Pavilion Rehabilitations

Work is nearly complete on Pavilions #1 and #2. Painting is mainly all that remains.

Lyman P White Park and College Drive Roundabouts Weed Removal

Lyman P White Park







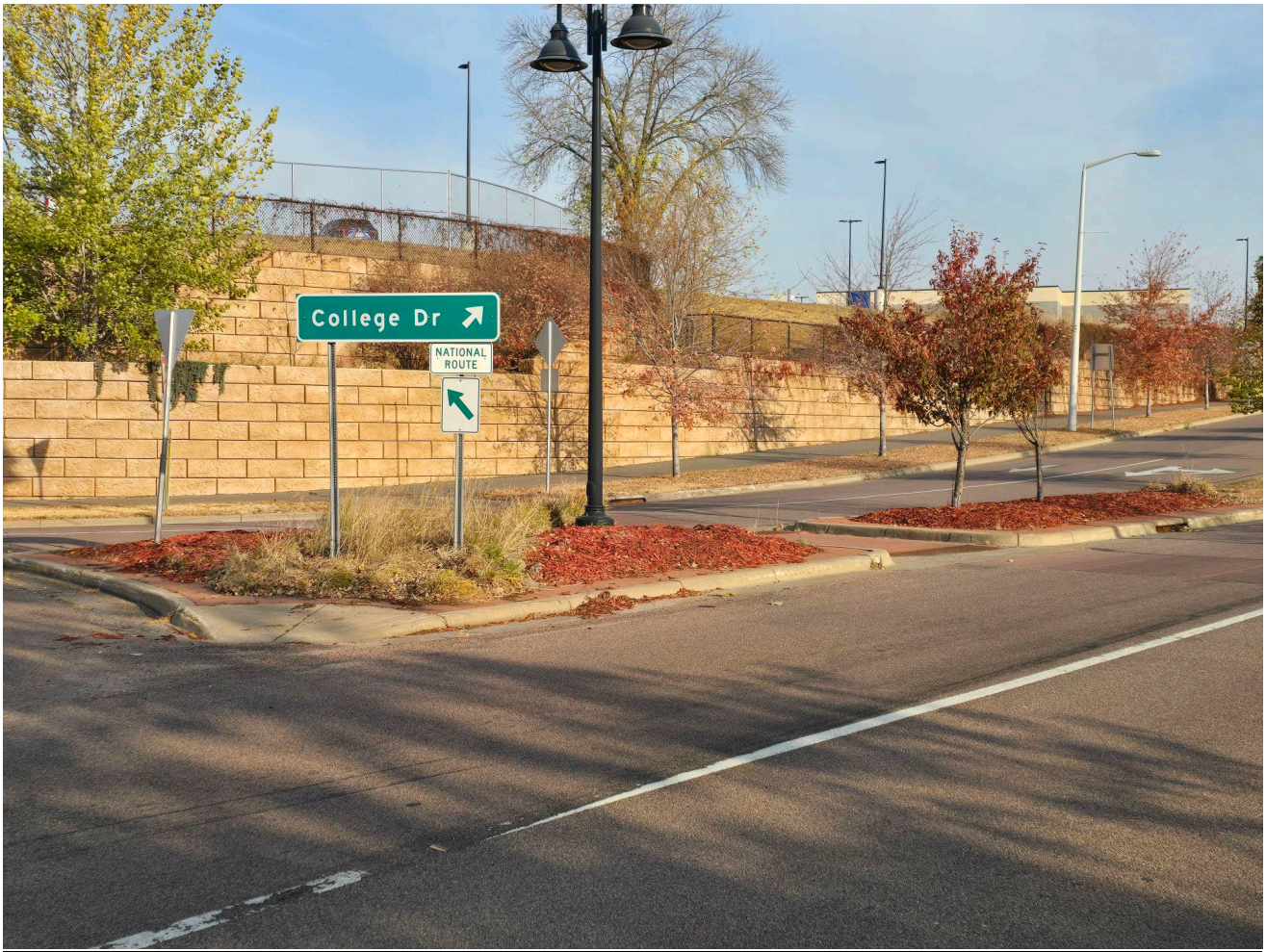
College Drive Roundabouts











Streets Maintenance Report

Maintenance Tasks Completed Month Prior

- Continued annual jetting of sewer main lines
- Marking utility locates
- Finished weekly downtown street sweeping for the season
- Provided traffic control materials for events
- Pothole patching on several streets
- Completed mowing throughout city for the season
- Trimmed low hanging branches where needed
- Cut down dead and diseased right of way trees
- Addressed complaints regarding signs in right of way
- Cut down dead and diseased trees in Lum Park and hauled out
- Removed debris left in SE Brainerd boulevard
- Began city-wide street sweeping
- Investigated grease discharges into sanitary sewer mains
- Investigated unknown clay pipe connections to TH 210 catch basins
- Removed weeds from roundabouts on College Drive
- Ran camera through storm sewer at M Street Storm Sewer outfall
- Cut back damaged curb box on catch basin
- Investigated sinkhole on Mill Avenue

Engineering Report

South Brainerd Reconstruction Project

The project is mainly complete. Final restoration and a punchlist remains to be completed before the project will be finally accepted and closed out.

S. 6th/Willow Roundabout Project

Staff is reviewing 90% plans and will be getting ready to begin the assessment procedures over the next few Council meetings. Initial offers for easements have been sent to property owners and SEH has initiated discussions with those properties. We are expecting to continue plan development to 100% concurrently with the right of way process.

Buffalo Hills Gully Remediation Project

The project is mainly complete. Staff has received pricing and clarification from the contractor on trees other than maples. At this point of the season with the late notice on pricing, staff is expecting that tree planting will have to coordinate with live stakes. This work will likely not be able to occur until next spring.

Evergreen/Bluff Resurfacing Project

This work is complete and staff is finalizing review of any other outstanding paperwork required before closeout.

Laurel Street Bridge Repair Project

This work is mainly complete and Bolton & Menk staff is working with the Contractor on discussions of testing results, verifying punchlist completion, and coordinating with State Aid for final project completion paperwork.

O Street Outfall Project

This work is complete with seeding placed. Re-establishment of the turfgrass is likely not expected to occur until next spring.

2024 Large Patching Project

The patching on Northtown and Clara is completed. The final patching on SW 4th Street remains to be completed.

2024 Chip Seal Project

This work has been completed and staff will be verifying final quantities with the contractor.

PD HVAC Replacement Project

The contractor has begun work on this project and is planned for completion in October in coordination with the roof replacement work.

PD Exterior Improvements Project

This project has begun and will continue through most of October in coordination with the HVAC replacement. EIFS and painting will have to occur in Spring 2025 due to the weather constraints.

Historic Water Tower Rehabilitation Project – Phase 2

The contractor has completed work on the electrical portion of this project. They have also begun replacement of the windows and repair of the mortar joints.

2025 Lowell Safe Routes to School Project

WSB has developed a draft layout and we have met with school district staff to discuss considerations from the school operations standpoint. We are planning to consider any comments from the school district in the development of the plans. It is also intended to bring this forward to Council for review before progressing further to design. Design development will occur during the rest of 2024 in cooperation with the school district.

Other Activities

- Participated in weekly check-in meetings for TH 371B/Willow Street Roundabout Project
- Coordinated with contractor and WSB on Parks ARPA project
- Reviewed upcoming event applications
- Met with MnDOT and SRF to discuss lighting on TH 210 project
- Reviewed building permits for appropriate erosion control plans and requirements
- Reviewed and approved excavation and utility permits
- Requested memorial benches from vendor
- Participated in training webinar on System Preservation
- Met with MnDOT OTAT to discuss ADA Policy Template updates
- Met with SEH staff to discuss details of the Amendment request and justification
- Met with group regarding potential request for vacation of city right of way
- Attended District 3 City Engineers Fall Prescreening meeting
- Attended webinar regarding NSBP grant NOFO
- Participated in WJJY Community Focus program

- Participating in LPP Project Selection committee
- Met with BPU staff to begin discussions regarding Lead Service Line Policy
- Held Fall Post-Season meeting for recreation sports
- Met with MN Historic Society to discuss reporting requirements for Historic Water Tower
- Met with SEH staff to discuss upcoming discussions with Speedway and Hanneken properties
- Participated in Local Road Research Board group for Public Works 101 outreach
- Participated in Local Road Research Board group for CIP Tool
- Met with TripSpark staff to discuss RouteMatch software issues and options moving forward
- Met with MnDOT and SEH staff on item funding for TH 371B/Willow St Roundabout project
- Participated in HVAC training with installer at Police Department
- Attended mandatory training for Cybersecurity
- Met with Blockmetrix to discuss project and construction permitting requirements
- Met with MnDOT OTAT to discuss Transit technology and software changing options and process
- Met with Public Works Maintenance and Police staff to discuss planned closure and traffic control for YMCA Monster Dash event
- Field meeting with contractor to discuss demolition details for Thrifty White building
- Met to discuss details on funding of Country Manor project
- Meet with Snodeos Snowmobile Club to discuss trail usage for winter season
- Reviewed insurance claim and coverage for RRFB signs in right of way
- Reviewed applications for Public Works Administrative Specialist
- Reviewed applications for Recreation Specialist
- Prepared Affidavit for Restitution for sign knockdowns
- Reviewed applications for Transit Specialist
- Reviewed washout issues at M Street Outfall
- Met with contractor to discuss temporary repair scope on sanitary sewer main by Evergreen Cemetery
- Prepared LOI for TA grant for TH 210/Lum Park Pedestrian Bridge
- Responded to request for City-owned barricades and traffic control materials
- Reviewed utility easement and vacation inquiry in Brainerd Oaks
- Reviewed amendment request from WSB for Parks ARPA project
- Reviewed specifications, shop drawing and submittal for permeable fabric for Lum Park Beach
- Adjusted APWA memberships for new roster
- Field review of Parks ARPA project to review curb, sidewalk and grading
- Reviewed radio advertisement schedule proposals for Transit ad
- Reviewed revised contract from Brainerd Ski Loons for 2025 season
- Reviewed and commented on driveway access question for Eight05 Laurel project
- Prepared and sent agreement for DTSR to Advantage Home Pros for 2024-2025 season
- Prepared a revised 2025 Parks facility Fee Schedule
- Prepared a recommendation for lighting options at Jaycees Park
- Reviewed and commented 90% plans and special provisions for TH 371B/Willow St Roundabout project
- Prepared and sent out a Request for Proposals for Engineering Services on Hawkins-Joseph-Ronald Resurfacing Project
- Investigated and answered inquiries in regard to RFP for Hawkins-Joseph-Ronald Resurfacing Project

- Reviewed curb cut permit application
- Compiled and provided a list of assessed projects over the last 5 years to requestor
- Reviewed change order item requests for Parks ARPA project
- Prepared amendment request for MnDOT agreement for TH 371B/Willow St Roundabout project
- Reviewed value engineering opportunities to meet budget needs on Parks ARPA project
- Provided guidance for request for signage over TH 210 sidewalk
- Registered for APWA-MN Fall Conference
- Provided list of subcontractors on PD Exterior Improvement project per Data Practices Request
- Provided clarification on signs in right of way process
- Prepared estimate for vandalism repairs at Kiwanis Park
- Prepared and sent MDH permit application for Lum Park Campground expansion
- Compiled estimate for aesthetic treatments for upcoming TH 210 Reconstruction for Brainerd HRA
- Compiled vacated right of way documents for MnDOT for adjacent streets to TH 210
- Addressed claims for damages on vehicle due to broken curb box
- Prepared NOH, Prelim Assessment Rolls, and Assessment Hearing letters for Imp 23-13
- Filled out application for IJIA Technical Assistance funding
- Prepared grant agreement and resolution for IJIA Technical Assistance funding
- Prepared and sent out grease letters to discharges
- Prepared resolution for No Parking on Willow Street
- Completed comparison of costs for TH 371B/Willow St RAB from 2018 project to 2025 estimate
- Addressed incorrect memorial bench shipment

Transit Report

Activities

- RouteMatch software has continued to be a significant issue due to the CrowdStrike software crash in July. Some adjustments have been made to address the issue which have helped somewhat. There are still issues with crashing which causes a significant amount of manual entries and scheduling by both 3PC and Transit staff. Staff has been continuing communicating with both RouteMatch support and MnDOT. Staff continues to look at alternative software options as RouteMatch support becomes less available.
- Staff and 3PC addressing customer complaints appropriately as they arrive.
- Applying to dispose of old bus, still in process.
- Continued advertising for full-time Transit Specialist position.
- Data entry errors by 3PC continue. Transit staff is tracking for non-compliance and following up with 3PC
- Continued follow up with 3PC for maintenance items and repairs as they arise. Issues in regard to vendor availability and turnaround.
- Posted Title VI Notice to Public in public space at City Hall and buses
- New tablets installed in 3 buses, 3 remain
- 3PC management has committed to develop a plan to complete training for dispatchers on RouteMatch
- Ridership Reporting for August and September 2024
 - Year To Date
 - 2023 = 37,249

- 2024 = 26,782 (-10,467, -28.1%)
- Brainerd Only
 - 2023 = 25,636
 - 2024 = 20,477 (-5,159, -20.1%)
- Baxter Only
 - 2023 = 4,175
 - 2024 = 4,877 (+702, +16.8%)
- Crow Wing County Only
 - 2023 = 6,716
 - 2024 = 1,229 (-5,487, -81.7%)
- August 2024 vs. July 2024
 - July 2024 = 3,114 (22 operating days)
 - Brainerd-origin = 2,447
 - Baxter-origin = 573
 - CWC = 94
 - August 2024 = 3,032 (-82) (22 operating days)
 - Brainerd-origin = 2,315 (-132)
 - Baxter-origin = 626 (+53)
 - CWC = 91 (-3)
 - 20 New Customers in August
- September 2024 vs. August 2024
 - August 2024 = 3,032 (22 operating days)
 - Brainerd-origin = 2,315
 - Baxter-origin = 626
 - CWC = 91
 - September 2024 = 2,993 (-39) (20 operating days)
 - Brainerd-origin = 2,246 (-69)
 - Baxter-origin = 590 (-36)
 - CWC = 157 (+66)
 - 20 New Customers in September
- September 2023 vs. September 2024
 - September 2023 = 2,815
 - Brainerd-origin = 2,040
 - Baxter-origin = 446
 - CWC = 329
 - September 2024 = 2,993 (+178, +6.3%)
 - Brainerd-origin = 2,246 (+206, +10.1%)
 - Baxter-origin = 590 (+144, +32.3%)
 - CWC = 157 (-172, -52.3%)

HR DIRECTOR REPORT

In this report:

- Union Updates
- IT Integration
- Personnel
- Open Enrollment

Union Updates

Our arbitration hearing with the IBEW Public Utilities Union has been scheduled. Patrick Kelly will be our arbitrator, and the hearing will be held on December 18th.

In 2023, the City created three new positions for our Public Utilities Department. We attempted to negotiate the wage for those positions with the IBEW Local No. 31 Public Utilities Union in order to start the hiring process; however, the City and Union could not reach an agreement during negotiations. Subsequently, the parties reached an agreement via a Memorandum of Agreement (MOA) on wages for the positions, which are within what was budgeted by the City/Public Utilities Department. The Council approved the MOA on October 21st. We have begun the hiring process for the Journeyman Electrician and Facilities Custodian positions. Public Utilities Director Evans has requested that we delay posting the Business Office Specialist position to allow him an opportunity to review current operational needs.

A Memorandum of Agreement has been submitted to the IBEW Administrative Support Union to establish the wage for the new Administrative Assistant position.

Three union contracts expire December 31, 2024. All three unions have been contacted to begin negotiations.

IT Integration

Discussion has been occurring at the Staff and Council level regarding the Public Utilities and City-side IT Department integration. Staff requested that City Attorney Langel provide clarification regarding this issue. On October 17th, Attorney Langel provided a memo with the following clarification: "Given that the Council controls the terms and conditions of employment for all City employees, including those working at BPU, the Council has authority to direct the City Administrator to integrate IT city-wide for organizational and efficiency purposes. The IT personnel at BPU must continue to fulfill the operational needs of the utilities, as determined by the Commission, just as the IT personnel at City Hall must continue to fulfill the operational needs of the various departments in the rest of the City (police, fire, finance, etc.). Having varying duties for the various IT consumers throughout the City does not prevent the City from integrating the two IT departments organizationally."

On October 21st, the Council appointed an Integration Work Group consisting of the Council President, Public Utilities Chair, Council Liaison to the Public Utilities Commission, City Administrator Broyles, and Public Utilities Director Evans to formally oversee the integration process.



Personnel

New Hires/Promotions for City/BPU/HRA:

Jamie Olson - HRA Maintenance Specialist (10/2)
Mallory Demel - HRA Rental Assistant (10/7)
Joshua Gravelle - Lineworker (10/10)
Brit Thompson - Rehab Administrative Specialist (10/28)
Michael Habighorst - Public Works Director (11/1)
Samuel Richey - Police Officer (11/4)

Farewell to:

Daniel Bourassa - Water Operator (11/4)
Drew Belton - CSO (10/3)
Elizabeth Gleason - Police Officer (10/4)

Current Job Opportunities:

Admin Specialist - Public Works Dept - Posting closes on November 1st.

Transit Operation Specialist - Posting closed on October 25th.

Recreation Specialist - Posting closes on November 8th.

Apprentice Lineworker - Job offer extended and the applicant is going through the pre-employment process.

Journeyman Electrician - Posting closes on November 12th.

Police Officer - Job offer extended and the applicant is going through the pre-employment process.

Facilities Custodian - Posting closes on November 12th.

Paid on-call Firefighter - Four job offers were extended and the individuals are completing the pre-employment process.

Police Intern - Job offer extended and the applicant is going through the pre-employment process.

There are currently 9 City/HRA/Airport employees with Family & Medical Leave Act (FMLA) issues. 6 of those cases are for intermittent leave when needed.

Due to the recent resignation of the Recreation Specialist, numerous City Hall Staff are doing their best to absorb the Recreation Specialist's duties in hopes of continuing to provide expected customer service levels.

Open Enrollment

Our annual Open Enrollment meeting took place on October 14th at 9 am. Employees had the option to attend in-person in the Council Chambers or virtually. Open Enrollment will close at 4:30 pm on October 31st.

2025 health insurance election forms have been distributed to both the City Council members and the Public Utilities Commissioners.

Please reach out to the HR Department with any questions you may have.



BRAINERD PUBLIC UTILITIES

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

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

www.bpu.org

Brainerd Public Utilities Utility Director's Report to City Council 4 November 2024

General

The debt-service coverage ratio (DSC) measures a business' available cash flow to pay its current debt obligations. The DSC shows investors and lenders whether a company has enough income to pay its debts. The ratio is calculated by dividing net operating income by debt service, including principal and interest. The DSC for the Water Fund is below accepted value and requires an increase in water rates to continue general obligation utility bonding in future years. On 29 October 2024, the Commission approved a 20% increase to start 1 December 2024.

Finance/ Service Center

Financial Reports

At the last meeting Commissioner O'Day inquired on the investment changes year over year. The change relates to the market value adjustment primarily. Through the September 2023 statement year to date interest earnings and change in value were \$116,870 and \$25,488, respectively. Through September of 2024 the earnings and change in value to date were \$169,996 and \$346,493, respectively. This change equates to \$374,131 from 2023 to 2024. The asset value change is therefore driving the significant change presented year over year in the interest on investments.

2025 Budget Process

The 2025 budget process is underway and ongoing, finance committee to expect conversations and meeting early November in preparation for budget presentation at November's regular meeting. Staff had a preliminary meeting on Monday the 28th.

Water Treatment Facility Reclamation and Backwash Project

Meetings have occurred with Bolton & Menk, the project is progressing on schedule. Bidding and requests for bids have been published with bid opening to occur in November.

Wastewater Facility Walkthrough – Feasibility Study

Staff walked through the facility with Bolton & Menk to initiate and discuss the 20-year study as scheduled from the joint wastewater meeting earlier this year.

Streetlighting/Water/Wastewater Cost Studies

The cost studies for streetlighting/water/wastewater have begun and are in the process of collecting data for Utility Financial Solutions. Meetings with UFS have continued to determine the data needs and requests for the cost studies. UFS is awaiting staff responses before continuing.

Communities Local Energy Action Program:

Staff continue discussion with Region 5, Tri County Community Action and the National Renewable Energy Laboratory related to the technical assistance program and the program preparation related to renewable by 2040 initiative. A local meeting with Department of Energy, National Renewable Energy Lab and local partners

related to the grant is intended in October. Additional technical assistance scoping is occurring and discussions and meetings are on-going.

Strategic Planning Sessions:

Staff attended 4 special meetings over the past month in preparation of a strategic plan. The preliminary plan is presented as part of the meeting.

Distribution

Water Distribution:

Phase 2: Water System Analysis (In Progress)

Preliminary estimates of water age have been developed for the water distribution system using our model. The results indicate that water may take up to 20 days to pass through the end user meter in certain areas. This suggests that the current pipe sizing, system design, and low consumption rates may contribute to the extended water age. We conducted modeling runs under various scenarios, simulating different tank storage configurations both online and offline, but these adjustments did not improve the water age timelines. We are actively exploring options to increase water turnover in the system.

Phase 3: Sequential Hydrant Flushing Plan Development (In Progress)

The development of a comprehensive sequential hydrant flushing plan for the water distribution system is approximately 75% complete. Utilizing the updated water model, this phase aims to provide clear guidelines on the recommended order of operations for flushing activities. It will also verify flushing velocities to ensure effective cleaning and allow staff to collect valuable data during the process. Hydrant flushing has begun and will continue over the next couple of weeks.

2024 Leak Survey:

Water Conservation Services conducted the 2024 water leak survey and identified thirteen leaks: six service leaks and seven hydrant leaks. The Distribution crew will rebuild the affected hydrants. Three of the six service leaks are on the BPU service side and will be repaired accordingly. The remaining three leaks are located on the customer side, and those customers will be notified of the leaks and required to make the necessary repairs.

Climavison:

9-17-24, The Climavison engineering team was working on structural engineering analytics at the state hospital water tower, expecting to receive comments in October. At the writing of this update, we have not received any updates from Climavison.

Hydro Department:

The bulkhead was installed in pit #2 for dewatering. This is in preparation for the turbine and pit inspection, scheduled for the end of October.

Buoys, debris barriers, and dock removal have been completed for 2024.

MHUG (Midwest Hydro User Group) Fall Conference. Jason Eastman and Trent Hawkinson attended this conference in Wausau, Wisconsin. The Midwest Hydro Users Group is a non-profit volunteer organization of dam owners, hydroelectric plant operators, developers, consultants, as well as hydro contractors and suppliers whose joint mission is to promote safe, reliable, economical, and environmentally responsible hydropower in the Midwest. BPU has been a member since 2021. Trent was asked to be on a panel with three other panelists to give insight into the feasibility of adding generation. Each gave a 15-minute presentation followed by a question-and-answer session. Other notable topics were project planning and concepts, funding, and comprehensive assessment planning. Mr. Griebnow from FREC gave a presentation on current dam safety issues and FREC licensing updates.

Flows:

Mississippi Low Flow Management Plan was in effect on September 30, 2024, when USGS flows were below 900cfs. This management plan limits gate adjustments to 10% of the flow over a 6-hour period. September 26th was the Peak flows at 1580cfs and on October 24th, Low flows at 560cfs.

Electric Department:

To our line workers and all other BPU staff working in the background to help support other Public Power communities... Thank You!. Brad Olson and Clark Backstrom returned home on October 15, 2024, from (Hurricane Milton) Florida's mutual aid event. On October 7, 2024, they embarked from Rochester Public Utilities with a 38-member team from Minnesota to support the request from Kissimmee Utility for mutual aid. KUA did not sustain the estimated damage from Hurricane Milton. KUA was able to make all repairs in-house. The neighboring utility was not as lucky. The Orlando Utilities Commission requested the Minnesota crews to help with restoration efforts. Around 300 mutual aid crew members worked with OUC crews to restore power to over 78,000 customers affected by Hurricane Milton. OCU customers were fully restored on October 12, 2024.

In preparation for the reclaim tank project at the water plant, the line crew extended the 548 circuit to serve the new load. This extension has allowed a circuit tie with the 518 feeder. Overall, this will enhance our reliability and redundancy for any restoration efforts in the future.

9-12-24, Staff met with Scott Berg, DCT facilities deputy director, and his team from the Minnesota Department of Human Services to discuss the possibility of developing a solar project at the state hospital. The meeting was productive, and it was agreed that this may be a feasible project. Mr. Berg has taken some action items from the meeting and will provide an update once he has gathered the necessary information for further discussion.

10/25/24 update: I have received an email from Mr. Berg stating that a portion of the property has general obligation bonding attached to it, which means that it cannot be leased to another entity that will make a financial gain from the lease until the bonds mature and will not be able to lease land on the Brainerd State Hospital campus for your municipal solar array.

Production:

September 2024 Water Pumping Statistics

Water pumped to North distribution system was 56.8 MG for an average of 1.893 MGD. Water pumped to South distribution system was 7.092 MG for an average of 0.236 MGD. Chemical usage averages for the month: 5.17 gallons of fluoride per day (\$ 39.80), 11.58 gallons of caustic soda per day (\$ 125.76), 8.41 gallons of orthophosphate per day (\$ 139.02), and 33.2 pounds of chlorine per day (\$88.31). Went through 19 filter backwash events while using an average of 0.213 MG for each event.

Wells

All wells are functioning effectively, no deficiencies or shortcomings found.

Filtration Plant

Operating efficiently; Daily test results indicate an average of 96% removal of iron from the raw water concentration and 97.4% removal of manganese.

Booster Pump Stations

Riverside booster station and Lum Park booster station continue to operate effectively.

Call-out events

9/18/2024 Communications failure to ground storage tank. Staff removed fuse holder and put it back in to restore normal operation.

10/4/2024 2 events same day related to power outages. Staff re-set equipment at filtration plant, pump house, and Riverside Booster station.

10/7/2024 Power outage event. Staff re-set equipment at filtration plant and Riverside booster station.

10/8/2024 Power outage event. Staff re-set equipment at Riverside booster station, filtration plant, and Water Tower #1.

Lift Station

Ongoing maintenance of wet wells, pumps, generators, and controls for the 17 lift stations. Updating operational controls for main lift SCADA, bar screen, grit pump, grit classifier, 4 wet well pumps. Replaced grit pump, sump pump and piping as needed. Replaced grit chamber air diffuser piping. Replaced channel gate plates. Replaced grit pump, sump pump and piping as needed. Ongoing cleaning and painting of main lift pumps and piping as time allows.

Wastewater Treatment Plant

On-call operator tested Wastewater Treatment Facility and lift stations SCADA alarms. Equipment maintenance is ongoing.

Biosolids

Started land Applying 564,000 gallons of biosolids on 6 MPCA approved sites before ground freezes.

Lab

Sent October 2024 Electronic Daily Monitoring Report. Sampled influent and effluent for copper and PFOS, sampled biosolids for full analysis and fecal coliform. On going Mercury Minimization, Copper Minimization Plan. Ongoing delegation with Brainerd Significant and Categorical Industrial Users.

Drinking Water

Continuing to update the Lead and Copper program. Ongoing testing for the Optimal Corrosion Control Treatment (OCCT) requirements. Collected the 15 required Coliform samples. Responded to 8 residential drinking water concerns.

River crossing

Project is ongoing.

Generators

Test ran Evergreen Lift, Main Lift, SW6th Lift, portable 25KW, 150KW, 45KW and both plant generators. Added fuel where needed. Tested 45KW generator at three different lift stations each requiring different power requirements. (480V- 3 phase, 208V- 3 phase and 208 single phase)

Working Hours Alarms

Lift Stations- 11 events

WWTF- 17 events

Call-In After-Hours Alarms

Lift Stations- 22 events

WWTF- 21 events

Personnel

Congratulations to Jason Gage for achieving his MDH Class D Water Operator Certificate. Operators working on 2025 budget requests for equipment, supplies and CIP list.

October 2024 Wastewater Daily Monitoring Report (DMR)

Concentration

1 mg/L = 1 milligram per liter = 1 part per million

1 ug/L = 1 microgram per liter = 1 part per billion

1 ng/L = 1 nanogram per liter = 1 part per trillion

Loading

kg/d = kilogram per day

kg/y = kilogram per year

Wastewater Influent Flows

Brainerd monthly total flow 36,447,000 gallons

Daily average flow 1,215,000 gallons

Baxter monthly total flow 19,938,000 gallons

Baxter daily average flow 665,000 gallons.

Combined monthly total flow 56,404,000 gallons

Combine daily average flow 1,880,000 gallons. Design capacity-6,000,000 gallons per day

Carbonaceous Biological Oxygen Demand (CBOD) (strength of wastewater)

Brainerd composite monthly average 127 mg/L.

Baxter composite monthly average 199 mg/L.

Combined composite monthly average 228 mg/L.

Combined average of 240 mg/L, Total daily pounds 12,000. (Design calculations)

Total Suspended Solids (TSS) (solids in wastewater)

Brainerd composite monthly average 224 mg/L.

Baxter composite monthly average 297 mg/L.

Combined monthly average 345 mg/L.

Combined average of 240 mg/L, Total daily pounds 12,000. (Design calculations)

Total Phosphorus Influent (P) (nutrients in wastewater)

Brainerd monthly average 6.39 mg/L.

Baxter monthly average 7.59 mg/L.

Combine monthly average 6.09 mg/L. Combine monitor only (used for calculation)

Copper Influent (Cu) (metals in wastewater)

Brainerd monthly average 248 ug/L.

Baxter monthly average 161 ug/L.

Combine monthly average 197 ug/L. Combine monitor only (used for calculation)

Mercury Influent (Hg) (metals in wastewater) (September)

Brainerd monthly 102 ng/L.

Baxter monthly 162 ng/L.

Combine monthly 119 ng/L. Combine monthly monitor only (used for mercury minimization plan requirements)

Nitrite+Nitrate Influent (N+N) (nutrients in wastewater)

0.568 mg/L. Combine monthly monitor only (used for calculations)

Total Kjeldahl Nitrogen Influent (TKN) (nutrients in wastewater)

45.6 mg/L. Combine monthly monitor only (used for calculations)

Wastewater Effluent Flows

Monthly total flow 57,778,000 gallons

Carbonaceous Biological Oxygen Demand Effluent (CBOD) (strength of wastewater)

15 kg/d CBOD monthly average 296 kg/d monthly maximum average

16 kg/d CBOD maximum calendar week average 473 kg/d maximum calendar week average

2 mg/L CBOD monthly average 25 mg/L maximum monthly average

2 mg/L CBOD calendar week average 40 mg/L maximum calendar week average

99% CBOD removal 85% minimum removal required

Total Suspended Solids Effluent (TSS) (solids in wastewater)

34 kg/d TSS monthly average 355 kg/d maximum monthly average

45 kg/d TSS calendar week average 533 kg/d maximum calendar week average

Total Suspended Solids Effluent (TSS) (solids in wastewater)

5 mg/L TSS monthly average 30 mg/L maximum monthly average

6 mg/L TSS calendar week average 45 mg/L maximum calendar week average
99% TSS removal 85% minimum removal

Total Phosphorus Effluent (P) (nutrients in wastewater)

1.68 kg/y phosphorus monthly average
2042 kg/y phosphorus 12-month moving total 8278 kg/y for the 12-month moving total
0.716 mg/L phosphorus 12-month moving average 1.0 mg/L for the 12-month moving average

Copper Effluent (Cu) (metals in wastewater)

11.85 ug/L copper monthly average 235 ug/L maximum month average
12.1 ug/L copper daily maximum 581 ug/L daily maximum

Mercury Effluent (Hg) (metals in wastewater) (July)

0.82 ng/L mercury monthly average 6.9 ng/L maximum monthly average
0.844 ng/L mercury daily maximum 11.95 ng/L daily maximum

Nitrite+Nitrate Effluent (N+N) (nutrients in wastewater)

4.41 mg/L N+N monthly average monitor only (used for calculation)

Ammonia Nitrogen Total (N) (nutrients in wastewater)

<0.100 mg/L Ammonia Nitrogen Total monthly average monitor only (used for calculation)

Total Kjeldahl Nitrogen (TKN) Effluent (nutrients in wastewater)

4.63 mg/L TKN monthly average monitor only (used for calculation)

Perfluorooctane Sulfonate Effluent (PFOS) (forever chemicals) (Sept)

9.02 ng/L PFOS quarterly average 287 ng/L maximum quarterly average
9.02 ng/L PFOS daily maximum 497ng/L daily maximum

Fecal Effluent (Bacteria associated with human or animal wastes) (Most Probable Number) Geometric Mean (April – October)

10 organisms per 100 milliliters <=200 geometric mean

Biosolids Process Analysis

2,902,000 gallons Waste Activated Sludge (WAS) Average 0.5% solids.
2,842,000 gallons Gravity Belt Thickeners (GBT) Average 7% solids.
2,806,000 gallons Filtrate return to headworks

6.07% average raw feed to Primary Digesters
82.43 % volatile raw feed solids to Primary Digesters
2.97% average solids in Primary Digesters
68.83% average volatile solids in Primary Digesters

244,000 gallons in Biosolids Storage Tank at 2.72% solids.

54% Average Volatile Solids reduction 38% minimum volatile solids reduction required for land application of biosolids.

RESOLUTION
xx:24

RESOLUTION ACCEPTING DONATIONS AND/OR CONTRIBUTIONS
JULY 1, 2024- SEPTEMBER 30, 2024

WHEREAS, the City of Brainerd is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Sections 465.03 for the benefit of its citizens and is specifically authorized to accept gifts and bequests for the benefit of recreational service pursuant to Minnesota Statutes Section 471:17; and

WHEREAS, the following persons and entities have offered to contribute the gifts and cash sums set forth below to the City:

<u>Name of Donor</u>	<u>Amount</u>	<u>Requested Use of Donation or Contribution</u>
----------------------	---------------	--

SEE ATTACHED LIST OF DONORS

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BRAINERD, MINNESOTA that all donations and/or contributions described above are hereby graciously accepted by the City of Brainerd and shall be used as requested by the donors or grant requirements.

BE IT FURTHER RESOLVED, that the City Council expresses its gratitude to the donors of the gifts.

Adopted this 4th day of November 2024

KELLY BEVANS
President of the Council

Approved this 5th day of November 2024

DAVE BADEAUX
Mayor

ATTEST: _____
NICHOLAS W. BROYLES
City Administrator

**BRAINERD PARKS AND RECREATION
CONTRIBUTIONS AND DONATIONS
3RD QUARTER 2024 JULY - SEPTEMBER**

RECEIVED FROM	DATE	DESCRIPTION	AMOUNT	IN-KIND
L.A. PALMER	7/11/2024	MEMORIAL TREE PLAQUE	\$ 35.00	
CHADA PEDERSON	7/11/2024	MEMORIAL BENCH DONATION - LORELEI	\$ 1,464.00	
KYLE O-CONNER	7/11/2024	MEMORIAL BENCH DONATION	\$ 1,448.00	
JAN DUFFY	7/19/2024	MEMORIAL BENCH DONATION - LAIMER FAMILY	\$ 1,448.00	
RENA	9/10/2024	MEMORIAL BENCH DONATION	\$ 1,448.00	
WOLFF, NICOLE	7/18/2024	MEMORIAL BENCH DONATION	\$ 1,448.00	
MEINER, AMANDA	8/21/2024	2 RED MAPLES AND MEMORIAL PLAQUES	\$ 330.00	
ELWOOD, LORI	9/16/2024	MEMORIAL BENCH	\$ 1,448.00	
			<u>\$ 9,069.00</u>	



City Council Agenda Request

MEETING DATE: November 4, 2024

TITLE OF ITEM: Approve Event/Street Closure Application- Community Thanksgiving

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 item is an Event/Street Closure for the Community Thanksgiving Meal event to be held on Thanksgiving from 9 a.m. until 1 p.m. on Thanksgiving, Thursday, November 28th, 2024. The event consists of handing out of Thanksgiving meals in front of the American Legion on Front Street. This event is similar to what occurred last year without issues.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The applicant is requesting closure of Front Street between South 6th and 8th Streets to allow for one-way traffic in two lanes during the meal pick-up. There would not be impact to other businesses as others are closed for the holiday.

RECOMMENDED ACTION/MOTION: Staff recommends approval of the event/street closure application under the conditions listed in the attached application.

FINANCIAL IMPACT: N/A



SPECIAL EVENT APPLICATION

Date of Application: 10/17/24

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.

RECEIVED

Type of event:

☐
☒

Event – City Parking Lot
Event with Street Closure

☐
☐

Event – City Park
Other _____

OCT 17 2024

**CITY OF BRAINERD
ADMINISTRATION**

Name of event:

Community Thanksgiving Meal

Organizer Information

Organizer's Name:

Janelle Lauy - Brainerd American Legion

Organizer's Address:

708 Front Street Brainerd

Event Contact Person:

Janelle Lauy

Event Contact Daytime Phone:

218-851-4205

Event Contact E-mail Address:

Janelle.sanderson007@gmail

Contact Name/Number Day of Event:

Sam 218-829-2249

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
11/28/24	9am	1pm	708 Front Street

☐ 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:

Crow Wing Sheriff's trailer parked in front of the
Legion - one way traffic - 2 lanes
to hand out Pickup + to go Thanksgiving
meals.

Site Information

Electrical usage

☐

Yes

☒

No

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

Amplified Sound

☐

Yes

☒

No

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

Restrooms provided

☒

Yes

☐

No

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

inside Legion

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:

banners at ELKS, Eagles, VFW & Legion

Trash Receptacle Disposal

☒

Yes

☐

No

Company contracted for trash receptacle disposal: _____

Legions

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):

Front Street

Date and time for beginning of street closures: 4:00 pm

Date and time for reopening of streets: 1 pm 11/28/24

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.

other businesses are closed

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.

Janette Lacy

Signature of Applicant

Janette Lacy

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	x			May be required before issuing a permit.
Sign/banner Permits	X			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	_____	No comments _____
City Administration	_____	No comments _____
Engineering Department	10/29 JD	See conditions below _____
Fire Department	_____	No comments _____
Fire Support/EMS	_____	No comments _____
Parks Department	_____	No comments _____
Planning Department	_____	No comments _____
Police Department	_____	No comments _____

Event Application Approval

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

City Administrator

Date

Approval Conditions

Request traffic control materials one week prior to event at 218-513-4412.

Provide Certificate of Insurance to City Hall prior to event.

Certification of Street Closure Approval

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



City Council Agenda Request

MEETING DATE: November 4, 2024

TITLE OF ITEM: Approval of Transfers of Funds

AGENDA: Consent

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Connie Hillman, Finance Director

DEPARTMENT: Finance

PRESENTER:

ESTIMATED TIME (MIN): N/A

SUMMARY OF ISSUE:

Transfer From	Transfer To	Amount
Parking Lot Fund	Streets Fund - Downtown Snow Removal Costs	\$12,883.97
Parking Lot Fund	Construction Fund - Downtown Special Services	\$2,051.81
SCDP Grant Fund	Local Income Revolving Loan - Fiscal Year Local Income	\$25,702.95

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The amount budgeted in the Parking Lot Fund for Snow Removal and Downtown Special Services was \$28,500 and \$1,700 respectively.

RECOMMENDED ACTION/MOTION:

FINANCIAL IMPACT:



City Council Agenda Request

MEETING DATE: November 4, 2024

TITLE OF ITEM: Ratify Hiring of Samuel Richey as Police Officer

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): 2 Minutes

SUMMARY OF ISSUE: Samuel Richey was offered a Police Officer position and has successfully completed the pre-employment hiring process. Mr Richey will start on November 4, 2024, on Step 2 of the Police Officer wage grid (\$34.60 per hour) in accordance with the hiring guidance previously provided by the Council.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: Motion to ratify the hiring of Mr. Samuel Richey effective November 4, 2024, on Step 2 of the Police Officer wage grid (\$34.60 per hour).

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



City Council Agenda Request

MEETING DATE: November 4, 2024

TITLE OF ITEM: Approve Deferment of Assessments

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 Mintues

SUMMARY OF ISSUE:

The City received 3 applications for deferment for pay year 2025. These residents have previously submitted applications in previous years. Staff used Resolution 37:22 (attached) to determine eligibility. Staff also used the 2025 property valuations that were sent out in March 2024 for item 4C in determining if a financial hardship exists.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Staff determined that all 3 residents meet all the criteria in sections 4 and 5 of the resolution.

RECOMMENDED ACTION/MOTION:

Approve the applications for deferment of assessments payable in 2025 for applicants at PID's 41191220, 41300682, and 41250875

FINANCIAL IMPACT:

**RESOLUTION
NO. 37:22**

RESOLUTION ESTABLISHING CRITERIA FOR DEFERMENT OF ASSESSMENTS

WHEREAS, Minnesota Statutes sections 435.193 through 435.195 authorize the City of Brainerd to defer the payment of special assessments imposed upon homestead property owned by qualified citizens; and

WHEREAS, said deferment of assessments may be permitted at the discretion of the City Council; and

WHEREAS, the City Council finds and determines that deferral of special assessments for certain citizens is in the public interest; and

WHEREAS, it is necessary and proper that the City Council set forth its general policies and guidelines for granting said deferrals of special assessments for property owners.

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

1. That the City Council endorses the principle of deferment of special assessments for citizens where the payment of said special assessments constitutes hardship.
2. The Council, in accordance therewith, may defer the payment of any special assessment on homestead property when payment of the assessment would create a hardship upon the property owner as defined herein.
3. The deferment may be granted upon an application by the owner on a form prescribed by the City Administrator to establish the qualifications of the owner for said deferment. All deferments shall be subject to renewal each following year upon the filing of a similar application not later than November 1. The Council shall either grant or deny the deferment, and if it grants the deferment, the deferred assessment shall bear interest at the rate established in the Resolution adopting the assessment. If the Council grants the deferment, the City Administrator shall notify the County Auditor who shall, in accordance with Minnesota Statute section 435.194, record a notice of the deferment with the County Recorder setting forth the amount of the assessment and the interest.
4. A hardship shall be deemed to exist when all of the following apply:
 - A. The combined annual gross income of the applicant's household is not in excess of the low income limits established by the Housing and Redevelopment Authority of the City of Brainerd in effect at the time of application. All data necessary to confirm applicant's income shall be furnished to the City Administrator.

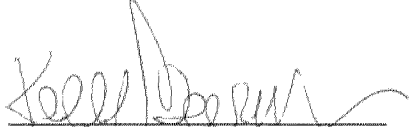
- B. The special assessments to be deferred must be multi-year assessments and the original principal amount must exceed \$300.00.
 - C. The Crow Wing County Assessor's estimated market value of the applicant's homestead is less than \$173,800 (2022 assessment median homestead value per Crow Wing County).
5. The payment of an assessment may be deferred for any homestead property owner by:
- A. A person is 65 years of age or older for whom it would be a hardship to make the payments.
 - B. A person retired by reason of permanent and total disability for whom it would be a hardship to make payments. A disability shall be deemed to exist when the applicant presents a signed letter by a licensed medical doctor attesting that the applicant is unable to be gainfully employed because of a permanent and total disability.
 - C. A person who is a member of the Minnesota National Guard or other military reserves who is ordered into active military service as defined in Section 19.05, subdivision 5b or 5c, as stated in the person's military orders for whom it would be a hardship to make the payments.
 - D. Veteran and received the market value exclusion for veterans with disability through Crow Wing County and for whom it would be hardship to make the payments with the exception of 4C.

Notwithstanding the foregoing provisions of this paragraph, the City Council may consider exceptional and unusual circumstances pertaining to an applicant not covered by the above standards; but any determination shall be made in a non-discriminatory manner and shall not give the applicant an unreasonable preference or advantage over the other applicants.

6. The option to defer the payment of special assessments shall terminate and all amounts accumulated plus applicable interest shall become due upon the occurrence of any of the following events:
- A. The death of the owner when there is no spouse who is eligible for deferment;
 - B. The sale, transfer, or subdivision of all or any part of the property;
 - C. Loss of homestead status on the property;

- D. Determination by the Council for any reason that there would be no hardship to require immediate or partial payment; or
- E. Failure to file a renewal application with the time prescribed by Paragraph 3.
7. This Resolution supersedes Resolution No. 06:05 adopted on February 22, 2005, and Resolution No. 54:16 adopted on November 21, 2016.

Adopted this 17th day of October 2022


KELLY BEVANS
President of the Council

Approved this 18th day of October 2022


DAVE BADEAUX
Mayor

ATTEST:


JENNIFER BERGMAN
City Administrator

**DEFERRED ASSESSMENTS
CITY OF BRAINERD**

APPLICATION AND AUTHORIZATION FOR DELAYED PAYMENT OF TAX ON SPECIAL ASSESSMENT FOR SENIOR CITIZENS OR DISABLED PERSONS HOMESTEAD MS. 435.193, MS. 435.194 AND/OR WHERE A FINANCIAL HARDSHIP EXISTS - RESOLUTION NO. 54:16.

TO: Nick Broyles, City Administrator, City of Brainerd, Minnesota

NAME MARGARET O'ROURKE ADDRESS 928 10TH AVE NE BRAINERD MN 56401 IMP 17-06	I am (check one) ☐ At least 65 years of age ☐ Retired by virtue of a total or permanent disability ☐ Financial hardship exists
R.E. CODE OF PROPERTY: 41191220 LEGAL DESCRIPTION OF PROPERTY: SABIN'S ADDITION TO THE CITY OF BRAINERD LOT 2 BLOCK 1	

I, the undersigned, declare under penalties of perjury:

That I, my spouse and family combined shall not have an annual gross income in excess of the low income limits established by the Housing and Redevelopment Authority of the City of Brainerd in effect at the time of the application (see attached).

That the special assessments to be deferred exceed \$300.00.

That my total assets including my spouse's exclusive of the homestead do not exceed \$25,000.00.

That the Crow Wing County Assessor's estimated market value of my homestead is less than \$173,800.

That my interest in the ownership of the above property was acquired on DECEMBER 31, 2011, and is as follows (check one):

☒ Sole ownership
☐ Joint tenancy, held with _____
☐ Other (specify) _____

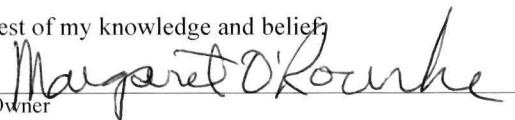
That on 12/31, 2011 I owned and occupied the above property as my homestead and such occupancy began on JANUARY 1, 2012.

That the taxes for improvements on the special assessments adopted by Resolution No. 51:19 on OCT 16, 2019, by the City of Brainerd which have been allocated against the subject property would create undue personal hardship on my behalf and I respectfully request that payment be so deferred for the installments payable in the year 2025. (NOTE: Application for deferment shall be made each year.)

I declare under penalties of perjury that the above information is correct to the best of my knowledge and belief.

Signed

Owner



I, Nick Broyles, City Administrator of the City of Brainerd, Crow Wing County, State of Minnesota, do hereby certify that the application of O'ROURKE, above named, has been duly reviewed and that in accordance with the minutes of official record for the meeting held _____, 20, in said city council chambers, was duly APPROVED or DENIED.

That in accordance with approval granted, that the assessment on the affiant's subject property levied for annual collection composed of principal \$ 386.17 and interest, which is based on the unpaid principal balance payable in the year 20 should be so deferred with interest at the annual rate of 5 %, until such time as it is deemed the applicant no longer qualifies or the property loses its eligibility.

Date: _____ 20__.

City Administrator

DRAFTED BY:
Pamela Ziemer
City of Brainerd
501 Laurel St
Brainerd MN 56401

**DEFERRED ASSESSMENTS
CITY OF BRAINERD**

APPLICATION AND AUTHORIZATION FOR DELAYED PAYMENT OF TAX ON SPECIAL ASSESSMENT FOR SENIOR CITIZENS OR DISABLED PERSONS HOMESTEAD MS. 435.193, MS. 435.194 AND/OR WHERE A FINANCIAL HARDSHIP EXISTS - RESOLUTION NO. 54:16.

TO: Nick Broyles, City Administrator, City of Brainerd, Minnesota

NAME GARRY SCHWARTZ & ALEX SCHWARTZ ADDRESS 1212 MAPLE STREET BRAINERD MN 56401	I am (check one) ☐ At least 65 years of age ☒ Retired by virtue of a total or permanent disability ☒ Financial hardship exists
R.E. CODE OF PROPERTY: 41300682 LEGAL DESCRIPTION OF PROPERTY: SLEEPERS ADDITION TO BRAINERD LOT 4 BLOCK 9	

I, the undersigned, declare under penalties of perjury:

That I, my spouse and family combined shall not have an annual gross income in excess of the low income limits established by the Housing and Redevelopment Authority of the City of Brainerd in effect at the time of the application (see attached).

That the special assessments to be deferred exceed \$300.00.

That my total assets including my spouse's exclusive of the homestead do not exceed \$25,000.00.

That the Crow Wing County Assessor's estimated market value of my homestead is less than \$173,800.

That my interest in the ownership of the above property was acquired on May 9, 1986 and is as follows (check one):

☒ Sole ownership

☒ Joint tenancy, held with Alex Schwartz (Deceased)

☐ Other (specify) _____

That on Jan 21, 2024 I owned and occupied the above property as my homestead and such occupancy began on June 1, 1986.

That the taxes for improvements on the special assessments adopted by Resolution No. 50:16 on OCT 17, 2016, by the City of Brainerd which have been allocated against the subject property would create undue personal hardship on my behalf and I respectfully request that payment be so deferred for the installments payable in the year 2025. (NOTE: Application for deferment shall be made each year.)

I declare under penalties of perjury that the above information is correct to the best of my knowledge and belief:

Signed X Garry A. Schwartz
Owner

I, Nick Broyles, City Administrator of the City of Brainerd, Crow Wing County, State of Minnesota, do hereby certify that the application of <u>SCHWARTZ</u>, above named, has been duly reviewed and that in accordance with the minutes of official record for the meeting held _____, 20__, in said city council chambers, was duly APPROVED or DENIED.	
That in accordance with approval granted, that the assessment on the affiant's subject property levied for annual collection composed of principal \$ <u>235.10</u> and interest, which is based on the unpaid principal balance payable in the year 20 <u>25</u> should be so deferred with interest at the annual rate of <u>4.25%</u>, until such time as it is deemed the applicant no longer qualifies or the property loses its eligibility.	
Date: _____ 20__.	_____ City Administrator

DRAFTED BY:
Pamela Ziemer
City of Brainerd
501 Laurel St
Brainerd MN 56401 _____

**DEFERRED ASSESSMENTS
CITY OF BRAINERD**

APPLICATION AND AUTHORIZATION FOR DELAYED PAYMENT OF TAX ON SPECIAL ASSESSMENT FOR SENIOR CITIZENS OR DISABLED PERSONS HOMESTEAD MS. 435.193, MS. 435.194 AND/OR WHERE A FINANCIAL HARDSHIP EXISTS - RESOLUTION NO. 54:16.

TO: Nick Broyles, City Administrator, City of Brainerd, Minnesota

NAME STEGORA, SYLVESTER & MARY SUE STEGORA ADDRESS 1310 ST. LOUIS AVE BRAINERD MN 56401	I am (check one) ☒ At least 65 years of age ☒ Retired by virtue of a total or permanent disability ☐ Financial hardship exists
R.E. CODE OF PROPERTY: 41250875 LEGAL DESCRIPTION OF PROPERTY: DAVIS ADDITION TO THE CITY OF BRAINERD LOTS2 THRU 4 INCLUSIVE AND ALSO INCLUDING THAT PART OF THE ADJACENT VACATED ALLEY IN BLOCK 6	

I, the undersigned, declare under penalties of perjury:

That I, my spouse and family combined shall not have an annual gross income in excess of the low income limits established by the Housing and Redevelopment Authority of the City of Brainerd in effect at the time of the application (see attached).

That the special assessments to be deferred exceed \$300.00.

That my total assets including my spouse's exclusive of the homestead do not exceed \$25,000.00.

That the Crow Wing County Assessor's estimated market value of my homestead is less than \$173,800.

That my interest in the ownership of the above property was acquired on SEPTEMBER 26, 1991, and is as follows (check one):

☒ Sole ownership
☐ Joint tenancy, held with _____
☐ Other (specify) _____

That on 12/31, 2021 I owned and occupied the above property as my homestead and such occupancy began on 9/26/91.

That the taxes for improvements on the special assessments adopted by Resolution No. 55:21 on SEPT 21, 2021, by the City of Brainerd which have been allocated against the subject property would create undue personal hardship on my behalf and I respectfully request that payment be so deferred for the installments payable in the year 2025. (NOTE: Application for deferment shall be made each year.)

I declare under penalties of perjury that the above information is correct to the best of my knowledge and belief:

Signed Sylvester Stegora
Owner

I, Nick Broyles, City Administrator of the City of Brainerd, Crow Wing County, State of Minnesota, do hereby certify that the application of STEGORA, above named, has been duly reviewed and that in accordance with the minutes of official record for the meeting held _____, 20__, in said city council chambers, was duly APPROVED or DENIED.	
That in accordance with approval granted, that the assessment on the affiant's subject property levied for annual collection composed of principal \$ 307.06 and interest, which is based on the unpaid principal balance payable in the year 2025 should be so deferred with interest at the annual rate of 2.83%, until such time as it is deemed the applicant no longer qualifies or the property loses its eligibility.	
Date: _____ 20__.	_____ City Administrator

DRAFTED BY:
Pamela Ziemer
City of Brainerd
501 Laurel St
Brainerd MN 56401 _____



City Council Agenda Request

MEETING DATE: November 4, 2024

TITLE OF ITEM: 2025 Levy and Budget Update

AGENDA: P&F Committee

ACTION REQUESTED: Discussion Item

SUBMITTED BY: Connie Hillman, Finance Director

DEPARTMENT: Finance

PRESENTER: Connie Hillman, Finance Director

ESTIMATED TIME (MIN): 5 Minutes

SUMMARY OF ISSUE:

The City's preliminary levy was set at \$7,515,698 an 8% increase from the 2024 levy of \$6,958,980. In September, in order to have a balanced budget, the preliminary levy would have needed to be an increase of 8.20%. Council set the preliminary levy at 8% with the plan to get it below 6% for the final levy. This equates to a difference of \$153,000.

Staff has been going through the line items, updating based on new information with still more line items to be reviewed. As of 10/29/24 the levy has been reduced by \$73,451.

The proposed current year capital planned in September was \$2,509,734, it is now at \$2,394,090.

The current status of the levy is also dependent on the airport levy discussion. At this point, Staff would recommend using capital or debt service reserves to achieve a 6% levy increase.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Historically, Council has held a budget workshop in November (this year it would be Monday, November 25th) to go over the changes to the budget and levy, and provide direction to Staff the levy amount to use for the budget public hearing.

As a reminder, the budget public hearing is to be held during the December 2nd regular council meeting.

Staff is seeking direction as to how the Council would like to proceed:

- Does Council want to hold a budget workshop on November 25th
- Or does Council want a more detailed update/summary of the status of the 2025 budget and levy at the November 18th council meeting, and provide direction to Staff as to the levy amount to be use for the budget public hearing.

RECOMMENDED ACTION/MOTION:

Provide direction to Staff regarding the 2025 budget/levy.

FINANCIAL IMPACT:



City Council Agenda Request

MEETING DATE: November 4, 2024

TITLE OF ITEM: Adopt Resolution Relating to Finance Transferring Certain Funds to and From Sinking Funds 316 and 321

AGENDA: P&F Committee

ACTION REQUESTED: Adopt Resolution

SUBMITTED BY: Connie Hillman, Finance Director

DEPARTMENT: Finance

PRESENTER: Connie Hillman, Finance Director

ESTIMATED TIME (MIN): 5 Minutes

SUMMARY OF ISSUE:

The City paid off two debt issues in February 2023 - General Obligation Improvement Bonds, Series 2012A (Fund 316) and General Obligation Capital Improvement Plan Bonds, Series 2015B (Fund 321). Both funds have a positive balance of \$38,890.01 and \$33,487.73 respectively, for a combined total of \$72,377.74.

Historically, when a debt issue has been paid off, the Council has adopted a resolution to transfer the positive balance to Fund 400 - Capital Equipment and Facilities and any future delinquent tax revenue or special assessments, if applicable, that are collected also go to Fund 400. During the 2024 budget discussion, rather than transferring the funds to Fund 400, Council's direction was to use 1/3 of the cash balance in Funds 316 and 321 to reduce the debt levy over the next 3 years. This is what was done last year and is proposed to be done in 2025 and 2026. Staff was doing this on paper, not actually transferring the funds between the debt service funds. However, Staff is now aware that it is best to close out a debt service fund when the obligation has been satisfied.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Attached is a draft resolution officially closing out bond funds 316 and 321 and allocating the cash balance to the remaining debt service funds. The remaining 1/3 balance will be taken into account when calculating the 2026 debt levy.

RECOMMENDED ACTION/MOTION:

Adopt the attached proposed resolution relating to finance transferring certain funds to and from sinking funds; closing out Funds 316 and 321 with cash balances to be transferred to 6 other debt service funds and any future delinquent tax revenues or special assessment collections going to Fund 400.

FINANCIAL IMPACT:

N/A

R E S O L U T I O N
NO. XX:24

RESOLUTION RELATING TO FINANCE
TRANSFERRING CERTAIN FUNDS TO AND FROM SINKING FUNDS

BE IT RESOLVED by the City Council of the City of Brainerd, Crow Wing County, Minnesota (City) as follows:

Section 1. Background: Findings.

- 1.01 The City maintains Sinking Fund No. 316 (Fund 316) for the purpose of paying bonded indebtedness for the City's General Obligation Improvement Bonds, Series 2012A (the "Series 2012A Bonds").
- 1.02 The Series 2021A Bonds were paid off on February 1, 2023, and the balance in Fund 316 is a positive \$38,890.01 as of October 31, 2024.
- 1.03 The City maintains Sinking Fund No. 321 (Fund 321) for the purpose of paying bonded indebtedness for a portion of the City's General Obligation Improvement and Capital Improvement Plan Bonds, Series 2015B, used to finance capital improvement (the "Series 2015B CIP Bonds").
- 1.04 The Series 2015B CIP Bonds were paid off on February 1, 2023, and the balance in Fund 321 is a positive \$33,487.73 as of October 31, 2024.
- 1.05 In 2023, Council elected to reduce the debt levy by 1/3 of the cash balance over the next 3 years.

Section 2. Transfer: Authorizations.

- 2.01 A sum of \$38,890.01 is to be transferred from Fund 316 to Funds 310, 302, 307, 303, 305 in equal amounts of \$6,481.66; and to Fund 306 in the amount of \$6,481.71 to bring the fund balance in Fund 316 to \$0.
- 2.02 Any future delinquent tax revenues from Fund 316 will be deposited into Capital Projects Fund No. 400.
- 2.03 A sum of \$33,487.73 is to be transferred from Fund 321 to Funds 310, 302, 307, 303, 305, in equal amounts of \$5,581.28; and to Fund 306 in the amount of \$5,581.33 to bring the fund balance in Fund 321 to \$0.
- 2.04 Any future special assessment or delinquent tax revenues from Fund 321 will be deposited into Capital Projects Fund No. 400.

Adopted this ____ day of November 2024

KELLY BEVANS
President of the Council

Approved this ____ day of November 2024

DAVE BADEAUX
Mayor

ATTEST: _____
NICHOLAS W. BROYLES
City Administrator



City Council Agenda Request

MEETING DATE: November 4, 2024

TITLE OF ITEM: Adopt Resolution Affirming the Purchase of the Roberts Property and Discussion of the Wellhead Protection Partner Grant

AGENDA: P&F Committee

ACTION REQUESTED: Adopt Resolution

SUBMITTED BY: Connie Hillman, Finance Director,
Danny Loch, Finance Manager

DEPARTMENT: Finance

PRESENTER: Connie Hillman, Finance Director,
Danny Loch, Finance Manager

ESTIMATED TIME (MIN): 10 Minutes

SUMMARY OF ISSUE:

The City has been in the process of purchasing the Roberts property for years. A fully executed purchase agreement was received by the City Attorney on October 9th. The closing date was set for November 1st, but was delayed due to signatures of the property owners needing to be done via mail.

When Council made the motion during the September 3rd council meeting:

Moved and seconded by council members Czczok and Johnson, duly carried, to finalize the purchase of parcel 41361081 and the sale of parcel 40160519.

Only one of the two Roberts parcels was listed. During the many discussions about the purchase, both parcels owned by Roberts Sand and Gravel were included. When the Council approved an eminent domain action in November 2023, both parcels were expressly included. Negotiations followed that approval concerned both parcels and resulted in the existing Purchase Agreement. It was just the September 3, 2024, motion that left out the second parcel. In order to have a clear record of purchase approval, Attorney Langel prepared the attached resolution.

The City Council approved the Wellhead Protection Plan (WHPP) for the Minnesota Department of Health Review at the July 15, 2024 meeting. The WHPP identified an emergency response area (noted in red on attachment 1B). The Roberts property is 40% of this area as outlined in blue on the attachment. Mr. Aaron Meyer with the Minnesota Rural Water Association and a member of the Wellhead Protection Team drafted a letter to the Council detailing why purchasing the Roberts property for wellhead protection is in the best interest of the City.

There has been discussion on applying for a grant with the MN Board of Water and Soil Resources (BWSR) to assist with the purchase of the property. The purchase of the property is approximately 35.24 acres. The grant would put permanent protection on approximately 25.24 acres for future well structures and underground infrastructure. The utility department would have to pay about \$115,794 after the grant reimbursement (\$408,000 / 35.24 acres = \$11,579.40 per acre *10 acres excluded from

permanent protection).

There has also been discussion of the potential development of this parcel and how the grant may affect the City's ability to develop the property. The topography of the property is unique and the southern portion of the property is considered to be in a floodplain, making the property difficult to develop. Mr. Meyer's letter also includes reasons as to why the property should not be developed. An Executive Summary Delineation and Vulnerability Report is also attached.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

The Wellhead Protection Partner Grant is a non-reimbursable grant, meaning that the property cannot be purchased, i.e. closed on, prior to the award of the grant. However, a fully executed purchase agreement is needed in order to apply for the grant and the grant application process requires a 30-60 day timeframe. As mentioned above, the purchase agreement was not fully executed until October 8th or 9th and the closing date is tentatively planned for early November. Per Attorney Langel, extending the closing date 30–60 days may be problematic for the sellers, as they have expressed a desire to close on this transaction as soon as possible. Also, Staff has been informed that the grant with the BWSR has recently become competitive, whereas before, the application was guaranteed to receive at least some funding.

See attached email from Council Member Czczok requested to be included in the council agenda item. Mr. Czczok requests that information be shared by Mr. Evans relating to the City's bond rating, information that was shared as part of the strategic planning sessions, and how beneficial this grant would be in paying for the Roberts property.

- As part of issuing utility revenue bonds, being issued to fund the water portion of the 2024 South Brainerd construction project, the City needs to have a minimum net operating revenue coverage ratio of 1.0. With the 2024 debt issue and through 2031, the ratio was .58-.70. As a result, the Utility Commission authorized a 20% water rate increase effective December 1, 2024.
- One of the Commission's strategic initiative proposals is to maintain a water coverage ratio of 1.0-1.4.
- Based on all the information provided in the letter from Mr. Meyers and the executive summary, purchasing of the Roberts property is in the best interest of the City. The grant could mean that the utility department would have to pay about \$125,000 rather than the entire \$408,000. The grant and purchase of the Roberts property would have no impact on the coverage ratio because the transaction would not be considered operating in nature.

RECOMMENDED ACTION/MOTION:

1. Adopted the attached resolution approving property purchase agreement;
2. Discussion of the risk associated with requesting to postpone the closing date of the property to apply for the grant;
3. If it is the Council's direction to request a 30-60 days postponement of the closing, then authorization to apply for the Wellhead Protection Partner grant with the Board of Water and Soil Resources.

FINANCIAL IMPACT:

RESOLUTION
XX:24

RESOLUTION APPROVING PROPERTY PURCHASE AGREEMENT

WHEREAS, the City owns and operates a series of water wells near its water treatment facility to the west of Emma Street; and

WHEREAS, Minnesota Department of Health regulations require the City to prepare and implement a wellhead protection plan for the drinking water supply management area (DWSMA), which includes the wellhead protection area; and

WHEREAS, the Department of Health assesses well vulnerability criteria within the DWSMA that must be taken into account in the wellhead protection plan; and

WHEREAS, a portion of the City's DWSMA is classified as having a "high" vulnerability of contamination entering the public water supply; and

WHEREAS, it is in the City's interest to protect land within the high vulnerability area of the DWSMA; and

WHEREAS, Roberts Sand and Gravel owns two parcels within the high vulnerability area of the DWSMA (PID 41361081 and 41361080) (collectively, the Property), adjacent to the City's land on which water wells are located; and

WHEREAS, the City negotiated the purchase of the Property from Roberts Sand and Gravel for \$408,000; and

WHEREAS, the City may be reimbursed for a portion of the purchase price from the Clean Water Fund through the Wellhead Protection Partner Grant administered by the Board of Water and Soil Resources.

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

The purchase of the Property from Roberts Sand and Gravel for \$408,000 is approved. All actions taken in furtherance of said acquisition are hereby ratified.

Adopted this ____ day of November 2024

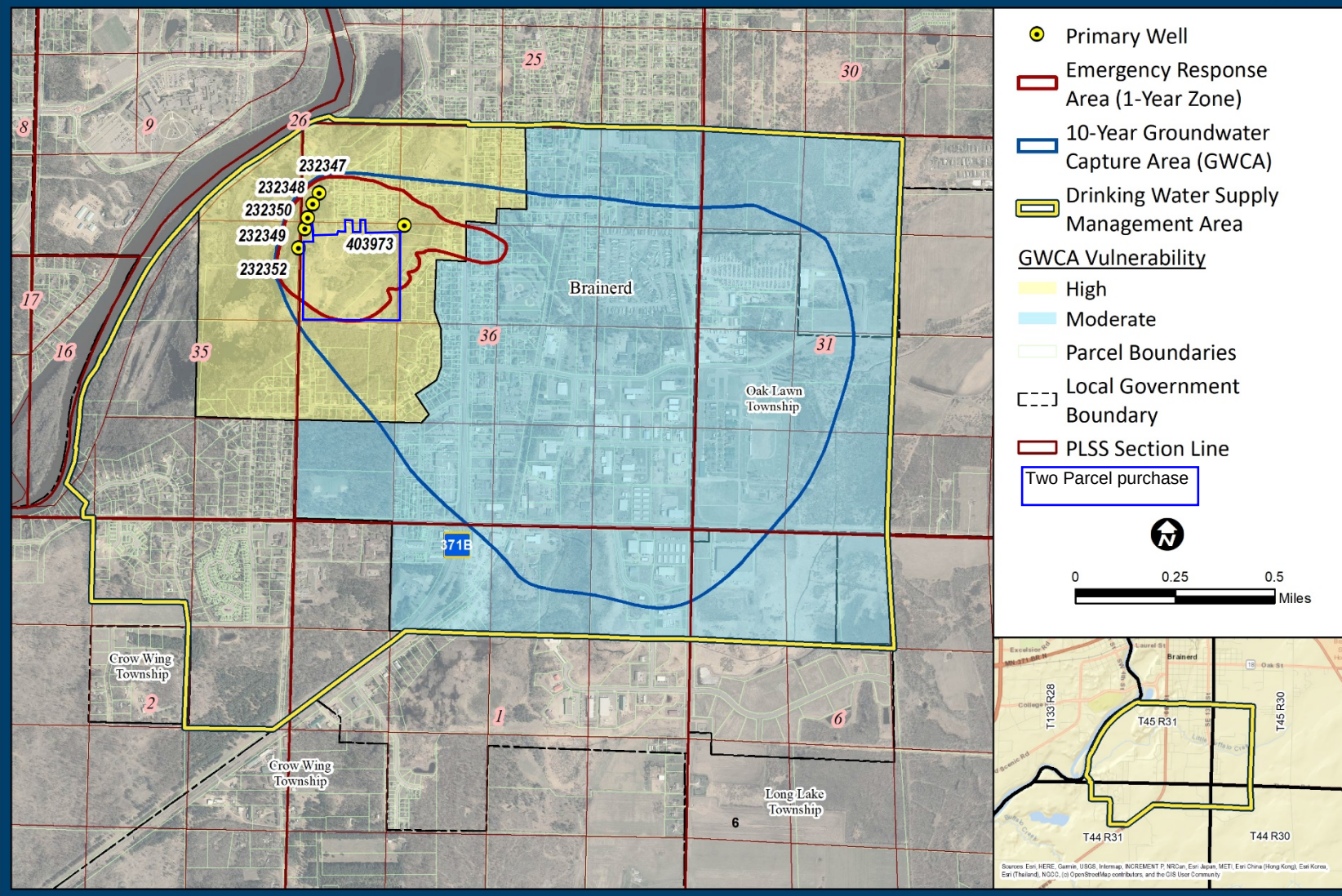
KELLY BEVANS
President of the Council

Approved this ____ day of November 2024

DAVE BADEAUX
Mayor

ATTEST: _____
NICHOLAS W. BROYLES
City Administrator

Figure 1B
Groundwater Protection Areas and Vulnerabilities
Brainerd Public Utilities



Date: October 31, 2024

Honorable Mayor and Members of Council
Brainerd City Hall
501 Laurel Street
Brainerd Mn 56401

Dear Honorable Mayor and Members of Council,

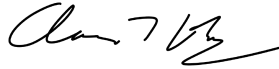
It is the professional opinion of staff from the MN Rural Water Association and the City of Brainerd Wellhead Protection Team that purchasing the Robert's property is in the best interest of the City of Brainerd to help ensure a safe drinking water supply. We feel it is in the best interest for the City of Brainerd for the following reasons.

Drinking Water Supply Management Area (DWSMA) Vulnerability -The vulnerability of the aquifer used by the city is based on the geologic sensitivity ratings of wells (geology) and available isotopic and water quality data. Based on this information the MN Department of Health (MDH) has assigned a DWSMA vulnerability that ranges from moderate to high (See attached Figure 1B). The DWSMA vulnerability near your wells is classified as highly vulnerable. This means that water and contaminants may travel from the land surface to the aquifer within a time span of weeks to years. The aquifer located beneath this highly vulnerable area is prone to a wide variety of contaminant threats, including but not limited to stormwater runoff, septic tanks, chemical storage tanks, road salt, and chemical applications to the land surface. In addition, the majority of your public supply wells have a depth-to-water generally less than 20 feet (See attached Table 1). Protecting lands within the highly vulnerable area of your DWSMA is critical due to your shallow depth-to-water and the sandy coarse textured nature of the land overlying your aquifer.

Well Vulnerability - The vulnerability of each well was assessed by MDH based on 1) well construction details, especially conformance with standards required by the state well code, 2) the geologic sensitivity of the aquifer, and 3) past monitoring results. Except for Well #8, it is unknown whether the older wells meet current construction standards because grouting information is not known. All of the wells have detectable levels of tritium and elevated concentrations of chloride and chloride/bromide ratios which signifies the presence of young water (See attached Table 2). These items further reinforce the need to protect the area near the wells from potential contaminant sources.

Finally, protecting this area from potential contaminant sources would allow the city to have a location where future public supply wells could be installed. This would enable the city to produce water near their existing infrastructure and provide a safe, potable water supply in the most economical means possible.

Sincerely,



Aaron Meyer
Source Water Protection Specialist
MN Rural Water Association

Hydrogeologic Assessment of the Drinking Water Source and Wells for the Brainerd Public Utilities

DELINEATIONS – WELLHEAD PROTECTION AREA AND DRINKING WATER
SUPPLY MANAGEMENT AREA

VULNERABILITY ASSESSMENTS – WELLS AND DRINKING WATER SUPPLY
MANAGEMENT AREA

June 16, 2021

Acronyms

CWI - County Well Index

DNR - Minnesota Department of Natural Resources

EPA - United States Environmental Protection Agency

FSA - Farm Security Administration

MDA - Minnesota Department of Agriculture

MDH - Minnesota Department of Health

MGS - Minnesota Geological Survey

MnDOT - Minnesota Department of Transportation

MnGEO - Minnesota Geospatial Information Office

MODFLOW - Three-Dimensional Finite-Difference Groundwater Model

MPCA - Minnesota Pollution Control Agency

NRCS - Natural Resource Conservation Service

PUC - Public Utilities Commission

SWCD - Soil and Water Conservation District

UMN - University of Minnesota

USDA - United States Department of Agriculture

USGS - United States Geological Survey

Summary

Protection Areas - The recharge area for the wells is known as the wellhead protection area, or WHPA, and represents the combined area of groundwater capture zones within a 10-year time period and the surface water contribution area (SWCA). The area that contributes groundwater water to the wells within a one-year time period is known as the emergency response area, or ERA. Practical reasons require the designation of a management area that fully envelops the wellhead protection area, called the drinking water supply management area, or DWSMA. The ERA, WHPA and DWSMA are shown in Figure 1A; the groundwater capture areas (GWCAs) and their vulnerabilities are shown in Figure 1B, and the SWCA and the SWCA vulnerability are shown in Figure 1C.

Geology and Groundwater Flow – Brainerd Public Utilities (BPU) has six primary wells screened in a sand and gravel aquifer, which is known generically as a Quaternary Water Table Aquifer (QWTA). At the location of BPU’s wellfield, aquifer thickness ranges between approximately 105 to 140 feet. At the majority of wells, the depth-to-water is generally less than 20 feet. However, at the location of Well #8 (403973), where the land surface elevation is higher, the depth-to-water is about 75 feet. All well wells are located more than 50 feet from designated 100-year floodplains. Information about the construction of the wells and their vulnerability is provided in Table 1. Groundwater flow is to the west-northwest toward the Mississippi River.

Table 1 - Water Supply Well Information

Local Well ID	Unique Number	Use/ Status	Casing Diameter (inches)	Casing Depth (feet)	Well Depth (feet)	Date Constructed/ Reconstructed	Aquifer	Well Vulnerability
Well #3	232347	Primary	16	73	125	1939	QWTA	Vulnerable
Well #4	232348	Primary	16	73	123	1944	QWTA	Vulnerable
Well #5	232349	Primary	16	105	145	1947	QWTA	Vulnerable
Well #6	232350	Primary	16	107	156	1947	QWTA	Vulnerable

Local Well ID	Unique Number	Use/ Status	Casing Diameter (inches)	Casing Depth (feet)	Well Depth (feet)	Date Constructed/ Reconstructed	Aquifer	Well Vulnerability
Well #7	232352	Primary	20	88	157	1955	QWTA	Vulnerable
Well #8	403973	Primary	16	144	187	1984	QWTA	Vulnerable

Well Vulnerability - The vulnerability of each well has been assessed based on 1) well construction details, especially conformance with standards required by the state well code, 2) the geologic sensitivity of the aquifer, and 3) past monitoring results. Except for Well #8 (403973), it is unknown whether the older wells meet current construction standards because grouting information is not known. The glacial aquifer is considered to have a high to very high geologic sensitivity due to the lack of any kind of protective geologic materials, such as clay-rich till, between the land surface and the sand and gravel aquifer. In addition, all wells are considered vulnerable to contamination due to tritium being detected in the well water (Table 2). Detectable tritium indicates the presence of young (post-1953) water. This is reinforced by the chloride concentrations and chloride/bromide ratios presented below. Elevated concentrations or concentration ratios indicate human-impacted water quality from activities at the land surface such as road salt or wastewater.

Table 2 - Isotope and Water Quality Results
(Sample Date is May 15, 2018 unless otherwise noted)

Unique Number (Well Name)	Tritium ¹ (TU)	Nitrate (mg/L)	Chloride (mg/L)	Bromide (mg/L)	Chloride/ Bromide Ratio
232347 (Well #3)	6.03 (2016) Modern Age	0.24	33.5	0.0457	733
232348 (Well #4)	4.63 (2017) Modern Age	0.31	23.3	0.0431	541
232349 (Well #5)	7.99 (2015) Modern Age	0.07	25.2	0.0303	832
232350 (Well #6)	8.5 (2010) Modern Age	0.19	26.5	0.0336	789
232352 (Well #7)	7.0 (2010) Modern Age	< 0.05	14.7	0.022	668
403973 (Well #8)	4.9 (2010) Mixed Age	1.3	41.1	0.0286	1437

Note: 1. Tritium age reference: DNR-MDH, 2020.

DWSMA Vulnerability -The vulnerability of BPU's aquifer throughout the DWSMA is based on the geologic sensitivity ratings of wells and available isotopic and water quality data. Based on this information MDH has assigned a DWSMA vulnerability that ranges from moderate to high (Figure 1). the DWSMA vulnerability is classed as moderate, pathways exist where water and contaminants may travel from the land surface to the aquifer within a time span of years to decades. Moderately vulnerable aquifers are prone to a variety of contaminant threats, including chemical storage tanks and abandoned wells. Within the high vulnerability area, water and contaminants may travel from the land surface to the utility's aquifer within a time span of weeks to years. Highly vulnerable aquifers are prone to a wide variety of contaminant threats, including chemical storage tanks, road salt, and chemical applications to the land surface.

Water Quality Concerns - At present, none of the contaminants for which the Safe Drinking Water Act has established health-based standards is found above maximum allowable levels in the utility's water supply, nor are any present at one-half of those levels. Naturally occurring arsenic has been detected at low levels in several wells, however, arsenic has not been detected in finished water that enters the distribution system.

Recommendations - Recommendations have been generated to improve future delineations and vulnerability assessments and should be considered for inclusion as management strategies in the utility's wellhead protection plan. These activities include: well locating, planning measures for the future replacement of one of the older wells in the event of well failure, and water quality monitoring. Further details can be found in the Recommendations section of this report.

Figure 1A
Wellhead Protection Area and
Drinking Water Supply Management Area
Brainerd Public Utilities

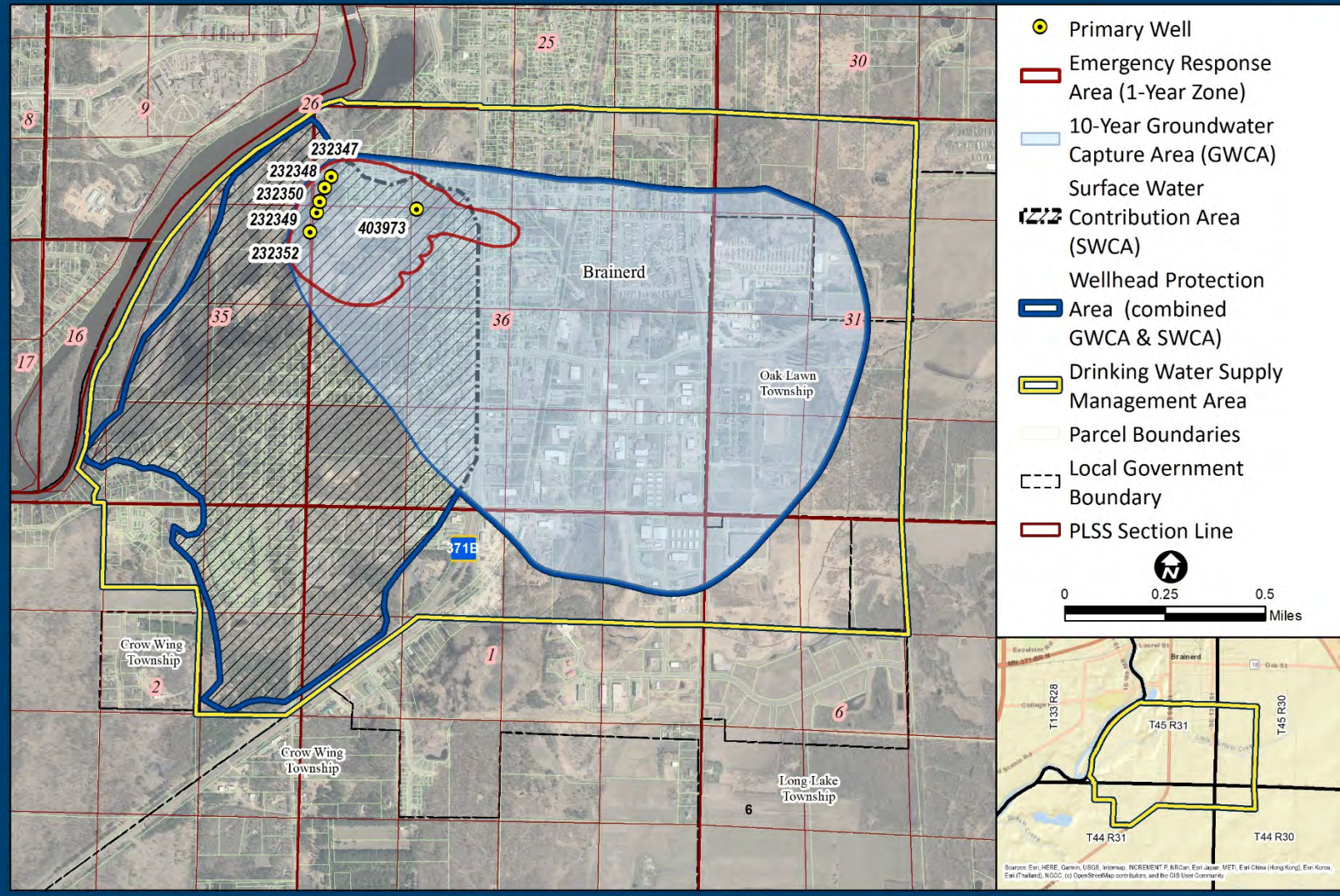


Figure 1B
Groundwater Protection Areas and Vulnerabilities
Brainerd Public Utilities

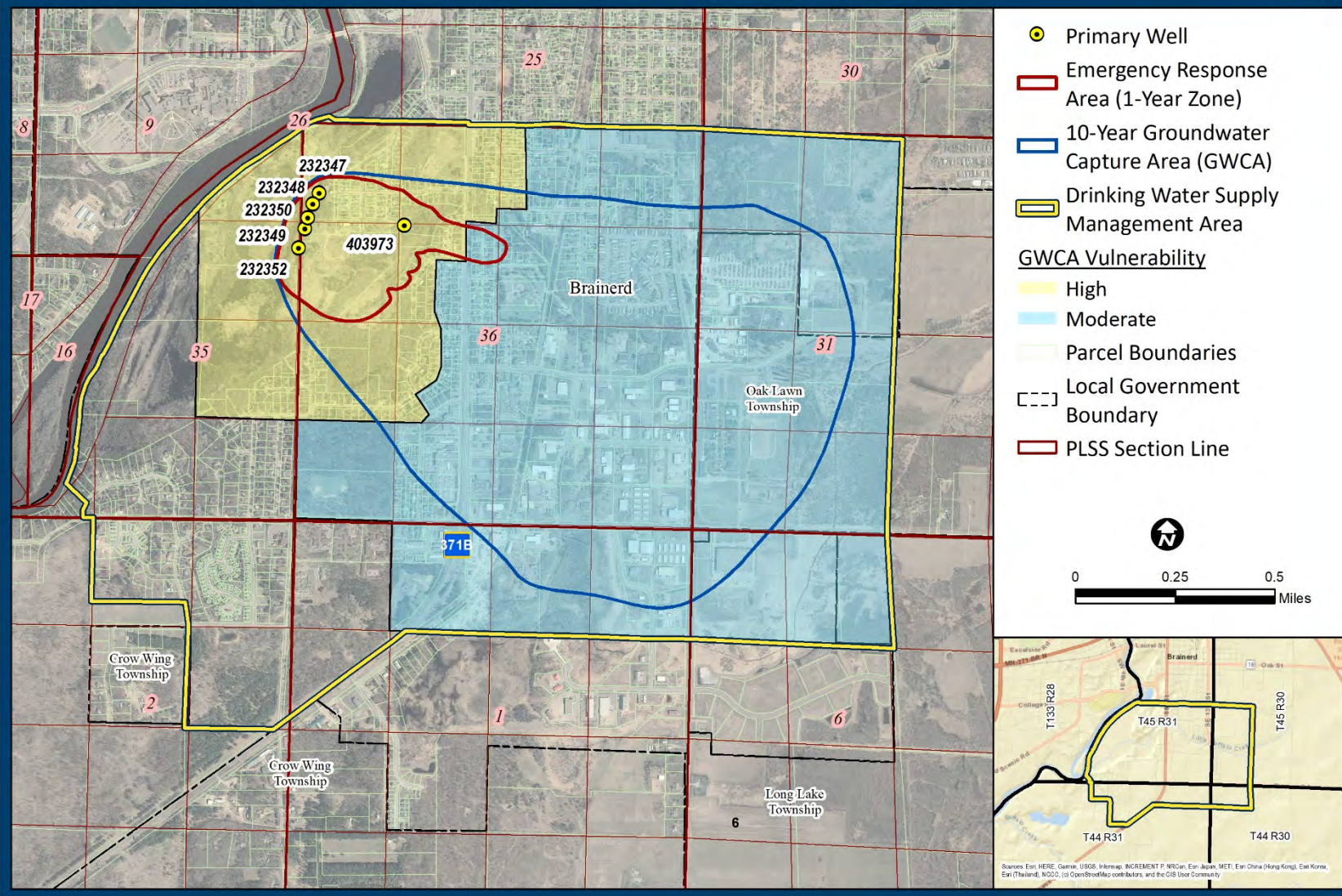
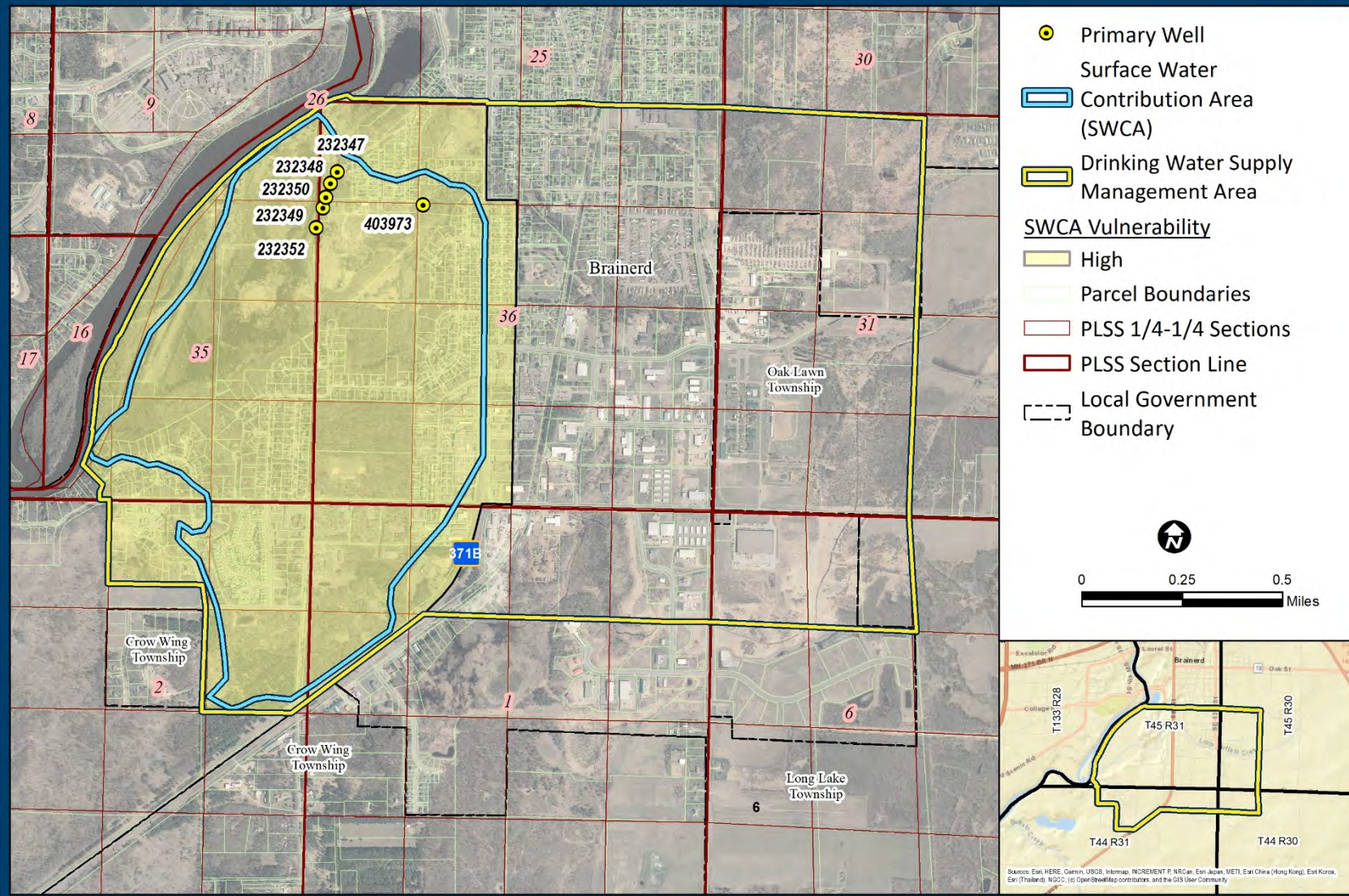


Figure 1C
Surface Water Contribution Area and Vulnerability
Brainerd Public Utilities



FW: PUC minutes - Wellhead Property?

From Jeff Czczok <jzczok@ci.brainerd.mn.us>

Date Thu 10/31/2024 7:30 AM

To Nick Broyles <nbroyles@ci.brainerd.mn.us>

Cc Chris Evans BPU <cevans@bpu.org>; Danny Loch BPU <dloch@bpu.org>; Connie Hillman <chillman@ci.brainerd.mn.us>; Toni Gage <tgage@ci.brainerd.mn.us>

 1 attachments (44 KB)

2024-04-30 PUC Minutes.pdf

Good morning, Nick,

Please include this email string in the P&F packet for the Mayor and City Council's information related to the agenda item for Monday's CC meeting.

The City Council has never (since the beginning of 2023) directed staff to:

{{The City Council wanted to leave open the option to potentially develop the property.}}

as is indicated in the Interim Public Utilities Director's report referenced below.

If I'm not mistaken, it appeared during the P&F meeting you were going to provide further information, so I hope this helps.

Additionally, please provide the information Mr. Evans mentioned related to the BPU's bond rating and perhaps an explanation as to how beneficial this grant would be related to paying for the Robert's property.

If I'm not mistaken, the bond rating info was shared with the individuals who attended one of the strategic planning sessions along with the PUC meeting this past Tuesday.

Thanks much, Jeff

From: Toni Gage <tgage@ci.brainerd.mn.us>

Sent: Tuesday, July 30, 2024 8:39 AM

To: Jeff Czczok <jzczok@ci.brainerd.mn.us>; Patrick Wussow BPU <pwussow@bpu.org>; Shawn Strong <sstrong@ci.brainerd.mn.us>

Cc: Nick Broyles <nbroyles@ci.brainerd.mn.us>; Kris Schubert <kschubert@ci.brainerd.mn.us>

Subject: RE: PUC minutes - Wellhead Property?

Hi Jeff,

The Robert's land was not discussed in open session at the City Council level in the last year other than to start the eminent domain process.

March 4th, 2024 there was a closed session on the purchase of the land.

I did attach PUC minutes from April of this year regarding the land and grant.

I would ask [@Shawn Strong](#) to setup a time to listen to the audio on this if it is still available.

Toni Gage



Toni Gage | Administrative Specialist
City of Brainerd | 501 Laurel St, Brainerd MN 56401
(218) 454-3402 | tgage@ci.brainerd.mn.us

From:
Jeff
Czeczok
ok

<jczeczok@ci.brainerd.mn.us>

Sent: Monday, July 29, 2024 3:31 PM

To: Patrick Wussow BPU <pwussow@bpu.org>

Cc: Nick Broyles <nbroyles@ci.brainerd.mn.us>; Kris Schubert <kschubert@ci.brainerd.mn.us>; Toni Gage <tgage@ci.brainerd.mn.us>

Subject: RE: PUC minutes - Wellhead Property?

Hi Patrick,

Thanks for getting back to me with your explanation.

My recollection was Johnson mentioned possibly developing some/all the property during a CC meeting following you providing information related to the grant.

I don't understand why we're potentially limiting our grant opportunities related to this specific grant based on one city council member's comments/questions.

Direction is not given by a minority of the city council, so I was asking you in case there was an action by the council I don't remember.

Tony, would it be possible to find the specifics related to what I mentioned above such as the minutes or date of the CC meeting?

Thanks, Jeff

From: Patrick Wussow <PWussow@bpu.org>

Sent: Monday, July 29, 2024 1:04 PM

To: Jeff Czeczok <jczeczok@ci.brainerd.mn.us>

Cc: Nick Broyles <nbroyles@ci.brainerd.mn.us>; Kris Schubert <kschubert@ci.brainerd.mn.us>

Subject: RE: PUC minutes - Wellhead Property?

Jeff

I don't not know when this directive was received. When I was on the BPU commission it was discussed as a potential from then City Administrator Bergman and then when I became the Interim City Administrator it was discussed as a possibility. Finally, as the Interim Public Utilities Director the topic was discussed with Councilmembers Johnson and Oday before or after a City Council meeting.

If you are expecting me to review Board minutes to find that information, please make that request at a City Council meeting.

Thank you
Patrick

From: Jeff Czeczok <jczeczok@ci.brainerd.mn.us>

Sent: Monday, July 29, 2024 12:50 PM

To: Patrick Wussow <PWussow@bpu.org>

Cc: Nick Broyles <nbroyles@ci.brainerd.mn.us>; Kris Schubert <kschubert@ci.brainerd.mn.us>

Subject: PUC minutes - Wellhead Property?

Greetings, Patrick,

Can you please let me know when the city council directed this specific item noted from the minutes from last month's PUC meeting:

{The City Council wanted to leave open the option to potentially develop the property.}

Here is the context:

Public Utilities Director's Report – *see board packet for report.*

Wussow also reported:

- Roberts Property
 - A document was submitted by the Roberts to the Attorney and is being reviewed.
 - Once purchase agreement is finalized, BPU needs to bring back to City Council the information on the Wellhead Protection Grant Money. The City Council wanted to leave open the option to potentially develop the property. The grant funding may play a factor in this.

Thanks, Jeff

BRAINERD PUBLIC UTILITIES COMMISSION MEETING

April 30, 2024

Crypto Mining Activity

A revised agreement was presented for consideration.

Motion by Commissioner O'Day and seconded by Commissioner Johnson to ratify the updated contract with VCV Digital. There was a unanimous vote in favor of the motion. Motion carried.

New Business

Land Grant Purchase – Wellhead Protection

Finance Manager Loch presented on the following:

- As part of the Wellhead Protection Plan and the purchase of the Robert's Property, there is an available grant for protection of the public drinking water system. Using grant funds for the purchase requires BPU to set the property aside as undevelopable. Discussion with BPU and City staff led to a recommendation to set aside 10 acres to be excluded from the grant application for future use. This would include but not be limited to future wells, future facility expansion, or movement of distribution or collection lines on the property.

Motion by Commissioner Johnson and seconded by Commissioner Erickson to recommend to City Council to approve the pursuit of the wellhead protection grant opportunities excluding 10 acres of the purchase. There was a unanimous vote in favor of the motion. Motion carried.

Joint Wastewater Board Recommendation – Quote for 20-year plan

Finance Manager Loch discussed the joint meeting and the outcome of which the recommendation was to present and request quotes for a 20-year use and feasibility study for future projects at the Wastewater facility. The previous study and projections are 20 years old and in need of an update.

Motion by Commissioner Angland and seconded by Commissioner Erickson to approve request for quotes for a joint water and wastewater 20-year use and feasibility study related to future projects for the purpose of aiding in rate studies, future project costs and potential design of changes to the water and wastewater facilities. There was a unanimous roll call vote in favor of the motion. Motion carried.

Utilities Outside City Limits in Service Area

Community Development Coordinator Kramvik presented a memo, current City policy, and recent connection discussion in relation to Riverside Drive.

Invitation to MMUA Interacting on the Issues: June 13th, 2024, 5PM-7 PM

Finance Manager Loch and Commissioner Matten reviewed the invitation and registration requirement.

Motion by Commissioner Johnson and seconded by Commissioner Angland to adjourn to the June 13th, 2024, MMUA Utility Leader Workshop at the Greater Lakes Association of Realtors building from 5-7PM. There was a unanimous vote in favor of the motion. Motion carried.



City Council Agenda Request

MEETING DATE: November 4, 2024

TITLE OF ITEM: Adopt Resolutions - IIJA Technical Assistance Grant Agreement and Support NSBP Grant Application

AGENDA: SPW Committee

ACTION REQUESTED: Adopt Resolution

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

PRESENTER: Jessie Dehn, Public Works Director **ESTIMATED TIME (MIN):** 3 Minutes

SUMMARY OF ISSUE: Staff was notified that our application for IIJA Technical Assistance funding from MnDOT was approved in the amount of \$9,954. Attached is a grant agreement and resolution approving to the terms of the agreement. Staff has notified SRF that this funding was approved and given them notice to proceed with the NSBP grant application for the TH 210/Lum Park Pedestrian Bridge project.

Staff has also attached a resolution of support for the grant application for the NSBP grant program. SRF will include the resolution with the application packet when this is submitted to MnDOT/FHWA.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Funding for the IIJA Technical Assistance program is reimbursable. Such that the City will cover the costs of SRF and submit costs to MnDOT for reimbursement.

RECOMMENDED ACTION/MOTION: Staff recommends the following:

1. Approval of the IIJA Technical Assistance grant agreement and adoption of the attached resolution agreeing to the terms of the grant.
2. Adoption of the attached resolution supporting the NSBP grant application.

FINANCIAL IMPACT: N/A

**STATE OF MINNESOTA
FEDERAL TRANSPORTATION GRANTS TECHNICAL ASSISTANCE AND IIJA DISCRETIONARY
MATCH
GRANT AGREEMENT**

This agreement is between the State of Minnesota, acting through its Commissioner of Transportation ("State"), and ("Grantee"):

Public Entity (Grantee) name, address and contact person:

City of Brainerd

501 Laurel Street

Brainerd, MN 56401

Contact: Jessie Dehn, P.E., City Engineer

RECITALS

1. General Funds were appropriated to provide grants for technical assistance to a requesting local unit of government that seeks to submit an application for a federal discretionary grant for a transportation-related purpose in Minnesota Laws 2023, Chapter 68, Article 1, Section 2, Subdivision 5(a).
2. General funds were appropriated to make state funded grants to a federal grant recipient in Minnesota Laws 2023, Chapter 68, Article 1, Section 2, Subdivision 5(a).
3. Grantee has been awarded Federal Transportation Grants Technical Assistance or IIJA Discretionary Grant Match funds in session law as noted above.
4. Grantee represents that it is duly qualified and agrees to perform all services described in this agreement to the satisfaction of the State. Pursuant to [Minn.Stat.§16B.98](#), Subd.1, Grantee agrees to minimize administrative costs as a condition of this agreement.

AGREEMENT TERMS

1 Term of Agreement, Survival of Terms, and Incorporation of Exhibits

- 1.1 **Effective Date.** This agreement will be effective on the date the State obtains all required signatures under [Minn.Stat.§16B.98](#), Subd. 5. As required by [Minn.Stat.§16B.98](#) Subd. 7, no payments will be made to Grantee until this agreement is fully executed. Grantee must not begin work under this agreement until this agreement is fully executed and Grantee has been notified by the State's Authorized Representative to begin the work.
- 1.2 **Expiration Date.** This agreement will expire on **December 31, 2026**, or when all obligations have been satisfactorily fulfilled, whichever occurs first.
- 1.3 **Survival of Terms.** All clauses which impose obligations continuing in their nature and which must survive in order to give effect to their meaning will survive the expiration or termination of this agreement, including, without limitation, the following clauses: 8. Liability; 9. State Audits; 10. Government Data Practices and Intellectual Property; 11. Workers Compensation; 12. Governing Law, Jurisdiction, and Venue; and 14. Data Disclosure.
- 1.4 **Exhibits.** Exhibit A: Sources and Uses of Funds Schedule; Exhibit B: Grant Application; and Exhibit C: Grantee Resolution Approving Grant Agreement are attached and incorporated into this agreement.

2 Grantee's Duties

- 2.1 Grantee will conduct activities in accordance with its grant application, or in the case of legislatively selected projects, in accordance with the enabling session law, which is attached to this Agreement as Exhibit B.
- 2.2 Grantee will comply with all required grants management policies and procedures set forth through [Minn.Stat.§16B.97](#), Subd. 4 (a) (1).
- 2.3 **Asset Monitoring.** If Grantee uses funds obtained by this agreement to acquire a capital asset, the Grantee is required to use that asset for a public purpose for the normal useful life of the asset. Grantee may not sell or change the purpose of use for the capital asset(s) obtained with grant funds under this agreement without the prior written consent of the State and an agreement executed and approved by the same parties who executed and approved this agreement, or their successors in office.

3 Time

- 3.1 Grantee must comply with all the time requirements described in this agreement. In the performance of this grant agreement, time is of the essence.

4 Consideration and Payment

- 4.1 **Consideration.** The State will pay for all services performed by Grantee under this agreement as follows:

- 4.1.1 **Compensation.** Grantee will be reimbursed for actual, incurred costs that are eligible under in Minnesota Laws 2023, Chapter 68, Article 1, Section 2, Subdivision 5(a). Grantee shall use this grant solely to reimburse itself for expenditures it has already made to pay for the costs of one or more of the activities listed under section 2.1.
- 4.1.2 **Sources and Uses of Funds.** Grantee represents to State that the Sources and Uses of Funds Schedule attached as Exhibit A accurately shows the total cost of the project and all of the funds that are available for the completion of the project. Grantee agrees that it will pay for any costs that are ineligible for reimbursement and for any amount by which the costs exceed State's total obligation in section 4.1.3. Grantee will return to State any amount appropriated but not required.
- 4.1.3 **Total Obligation.** The total obligation of the State for all compensation and reimbursements to Grantee under this agreement will not exceed **\$9,954.00**.

4.2 Payment

- 4.2.1 **Invoices.** Grantee will submit state aid pay requests for reimbursements requested under this grant agreement. The State will promptly pay Grantee after Grantee presents an itemized invoice for the services actually performed and the State's Authorized Representative accepts the invoiced services.
- 4.2.2 **All Invoices Subject to Audit.** All invoices are subject to audit, at State's discretion.
- 4.2.3 **State's Payment Requirements.** State will promptly pay all valid obligations under this agreement as required by Minnesota Statutes §16A.124. State will make undisputed payments no later than 30 days after receiving Grantee's invoices and progress reports for services performed. If an invoice is incorrect, defective or otherwise improper, State will notify Grantee within ten days of discovering the error. After State receives the corrected invoice, State will pay Grantee within 30 days of receipt of such invoice.
- 4.2.4 **Grant Monitoring Visit and Financial Reconciliation.** During the period of performance, the State will make at least annual monitoring visits and conduct annual financial reconciliations of Grantee's expenditures.
- 4.2.4.1 The State's Authorized Representative will notify Grantee's Authorized Representative where and when any monitoring visit and financial reconciliation will take place, which State employees and/or contractors will participate, and which Grantee staff members should be present. Grantee will be provided with at least seven calendar days of notice prior to any monitoring visit or financial reconciliation.
- 4.2.4.2 Following a monitoring visit or financial reconciliation, Grantee will take timely and appropriate action on all deficiencies identified by State.
- 4.2.4.3 At least one monitoring visit and one financial reconciliation must be completed prior to final payment being made to Grantee.
- 4.2.5 **Unexpended Funds.** The Grantee must promptly return to the State at grant closeout any unexpended funds that have not been accounted for in a financial report submitted to the State.
- 4.2.6 **Closeout.** The State will determine, at its sole discretion, whether a closeout audit is required prior to final payment approval. If a closeout audit is required, final payment will be held until the audit has been completed. Monitoring of any capital assets acquired with grant funds will continue following grant closeout.
- 4.3 **Contracting and Bidding Requirements.** If Grantee is a municipality as defined by Minn. Stat. § 471.345, subdivision 1, then Grantee shall comply with the requirements of Minn. Stat. § 471.345 for all procurement under this Agreement.

5 Conditions of Payment

All services provided by Grantee under this agreement must be performed to the State's satisfaction, as determined at the sole discretion of the State's Authorized Representative and in accordance with all applicable federal, state, and local laws, ordinances, rules, and regulations. The Grantee will not receive payment for work found by the State to be unsatisfactory or performed in violation of federal, state, or local law.

6 Authorized Representatives

6.1 The State's Authorized Representative is:

Marc Briese,
Programs Engineer,
MnDOT State Aid Office
395 John Ireland Boulevard, MS 500
St. Paul, MN 55155
Office: 651-366-3802
marc.briese@state.mn.us

or his/her successor. State's Authorized Representative has the responsibility to monitor Grantee's performance and the authority to accept the services provided under this agreement. If the services are satisfactory, the State's Authorized Representative will certify acceptance on each invoice submitted for payment.

6.2 Grantee's Authorized Representative is:

Jessie Dehn, P.E.,
City Engineer,
501 Laurel Street, Brainerd, MN 56401,
(218) 828-2307, jdehn@ci.brainerd.mn.us.

If Grantee's Authorized Representative changes at any time during this agreement, Grantee will immediately notify the State.

7 Assignment Amendments, Waiver, and Grant Agreement Complete

- 7.1 **Assignment.** The Grantee may neither assign nor transfer any rights or obligations under this agreement without the prior written consent of the State and a fully executed Assignment Agreement, executed and approved by the same parties who executed and approved this agreement, or their successors in office.
- 7.2 **Amendments.** Any amendments to this agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original agreement, or their successors in office.
- 7.3 **Waiver.** If the State fails to enforce any provision of this agreement, that failure does not waive the provision or the State's right to subsequently enforce it.
- 7.4 **Grant Agreement Complete.** This grant agreement contains all negotiations and agreements between the State and Grantee. No other understanding regarding this agreement, whether written or oral, may be used to bind either party.
- 7.5 **Electronic Records and Signatures.** The parties agree to contract by electronic means. This includes using electronic signatures and converting original documents to electronic records.
- 7.6 **Certification.** By signing this Agreement, the Grantee certifies that it is not suspended or debarred from receiving federal or state awards.

8 Liability

Grantee and State agree that each will be responsible for its own acts and the results thereof to the extent authorized by law, and neither shall be responsible for the acts of the other party and the results thereof. The liability of State is governed by the provisions of Minn. Stat. Sec. 3.736. If Grantee is a "municipality" as that term is used in Minn. Stat. Chapter 466, then the liability of Grantee is governed by the provisions of Chapter 466. Grantee's liability hereunder shall not be limited to the extent of insurance carried by or provided by Grantee, or subject to any exclusion from coverage in any insurance policy.

9 State Audits

Under Minn. Stat. § 16B.98, Subd.8, the Grantee's books, records, documents, and accounting procedures and practices of Grantee, or other party relevant to this grant agreement or transaction, are subject to examination by the State and/or

the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this agreement, receipt and approval of all final reports, or the required period of time to satisfy all state and program retention requirements, whichever is later. Grantee will take timely and appropriate action on all deficiencies identified by an audit.

10 Government Data Practices and Intellectual Property Rights

10.1 **Government Data Practices.** Grantee and State must comply with the Minnesota Government Data Practices Act, [Minn. Stat. Ch. 13](#), as it applies to all data provided by the State under this grant agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Grantee under this agreement. The civil remedies of [Minn. Stat. §13.08](#) apply to the release of the data referred to in this clause by either Grantee or the State.

11 Workers Compensation

The Grantee certifies that it is in compliance with [Minn. Stat. §176.181](#), Subd. 2, pertaining to workers' compensation insurance coverage. The Grantee's employees and agents will not be considered State employees. Any claims that may arise under the Minnesota Workers' Compensation Act on behalf of these employees and any claims made by any third party as a consequence of any act or omission on the part of these employees are in no way the State's obligation or responsibility.

12 Governing Law, Jurisdiction, and Venue

Minnesota law, without regard to its choice-of-law provisions, governs this agreement. Venue for all legal proceedings out of this agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

13 Termination; Suspension

13.1 **Termination.** The State or Commissioner of Administration may unilaterally terminate this agreement at any time with or without cause, upon written notice to the Grantee. Upon termination, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.

13.2 **Termination for Cause.** The State may immediately terminate this grant agreement if the State finds that there has been a failure to comply with the provisions of this agreement, that reasonable progress has not been made, that fraudulent or wasteful activity has occurred, that Grantee has been convicted of a criminal offense relating to a state grant agreement, or that the purposes for which the funds were granted have not been or will not be fulfilled. The State may take action to protect the interests of the State of Minnesota, including the refusal to disburse additional funds and requiring the return of all or part of the funds already disbursed.

13.3 **Termination for Insufficient Funding.** The State may immediately terminate this agreement if:

13.3.1 It does not obtain funding from the Minnesota Legislature; or

13.3.2 If funding cannot be continued at a level sufficient to allow for the payment of the services covered here. Termination must be by written notice to the Grantee. The State is not obligated to pay for any services that are provided after notice and effective date of termination. However, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed to the extent that funds are available. The State will not be assessed any penalty if the agreement is terminated because of the decision of the Minnesota Legislature, or other funding source, not to appropriate funds. The State will provide the Grantee notice of the lack of funding within a reasonable time of the State's receiving that notice.

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

14 Data Disclosure

Under [Minn. Stat. § 270C.65](#), Subd. 3, and other applicable law, Grantee consents to disclosure of its social security number, federal employer tax identification number, and/or Minnesota tax identification number, already provided to the State, to federal and state tax agencies and state personnel involved in the payment of state obligations. These identification numbers may be used in the enforcement of federal and state tax laws which could result in action requiring the Grantee to file state tax returns and pay delinquent state tax liabilities, if any.

- 15 **Fund Use Prohibited.** The Grantee will not utilize any funds received pursuant to this Agreement to compensate, either directly or indirectly, any contractor, corporation, partnership, or business, however organized, which is disqualified or debarred from entering into or receiving a State contract. This restriction applies regardless of whether the disqualified or debarred party acts in the capacity of a general contractor, a subcontractor, or as an equipment or material supplier. This restriction does not prevent the Grantee from utilizing these funds to pay any party who might be disqualified or debarred after the Grantee's contract award on this Project.
- 16 **Discrimination Prohibited by Minnesota Statutes §181.59.** Grantee will comply with the provisions of Minnesota Statutes §181.59 which requires that every contract for or on behalf of the State of Minnesota, or any county, city, town, township, school, school district or any other district in the state, for materials, supplies or construction will contain provisions by which Contractor agrees: 1) That, in the hiring of common or skilled labor for the performance of any work under any contract, or any subcontract, no Contractor, material supplier or vendor, will, by reason of race, creed or color, discriminate against the person or persons who are citizens of the United States or resident aliens who are qualified and available to perform the work to which the employment relates; 2) That no Contractor, material supplier, or vendor, will, in any manner, discriminate against, or intimidate, or prevent the employment of any person or persons identified in clause 1 of this section, or on being hired, prevent or conspire to prevent, the person or persons from the performance of work under any contract on account of race, creed or color; 3) That a violation of this section is a misdemeanor; and 4) That this contract may be canceled or terminated by the state of Minnesota, or any county, city, town, township, school, school district or any other person authorized to grant contracts for employment, and all money due, or to become due under the contract, may be forfeited for a second or any subsequent violation of the terms or conditions of this Agreement.
- 17 **Limitation.** Under this Agreement, the State is only responsible for receiving and disbursing funds. Nothing in this Agreement will be construed to make the State a principal, co-principal, partner, or joint venturer with respect to the Project(s) covered herein. The State may provide technical advice and assistance as requested by the Grantee, however, the Grantee will remain responsible for providing direction to its contractors and consultants and for administering its contracts with such entities. The Grantee's consultants and contractors are not intended to be third party beneficiaries of this Agreement.
- 18 **Additional Provisions**
- 18.1 **Prevailing Wages.** Grantee agrees to comply with all of the applicable provisions contained in Minnesota Statutes Chapter 177, and specifically those provisions contained in Minn. Stat. §. 177.41 through 177.435 as they may be amended or replaced from time to time with respect to the project. By agreeing to this provision, Grantee is not acknowledging or agreeing that the cited provisions apply to the project.
- 18.2 **E-Verification.** Grantee agrees and acknowledges that it is aware of Minn. Stat. § 16C.075 regarding e-verification of employment of all newly hired employees to confirm that such employees are legally entitled to work in the United States, and that it will, if and when applicable, fully comply with such order.
- 18.3 **Telecommunications Certification.** If federal funds are included in Exhibit A, by signing this agreement Grantee certifies that, consistent with Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. 115-232 (Aug. 13, 2018), Grantee does not and will not use any equipment, system, or service that uses "covered telecommunications equipment or services" (as that term is defined in Section 889 of the Act) as a substantial or essential component of any system or as critical technology as part of any system. Grantee will include this certification as a flow down clause in any contract related to this agreement.
- 18.4 **Title VI/Non-discrimination Assurances.** Grantee agrees to comply with all applicable US DOT Standard Title VI/Non-Discrimination Assurances contained in DOT Order No. 1050.2A, and in particular Appendices A and E, which can be found at: https://edocs-public.dot.state.mn.us/edocs_public/DMResultSet/download?docId=11149035. If federal funds are included in Exhibit A, Grantee will ensure the appendices and solicitation language within the assurances are inserted into contracts as required. State may conduct a review of the Grantee's compliance with this provision. The Grantee must cooperate with State throughout the review process by supplying all requested information and

documentation to State, making Grantee staff and officials available for meetings as requested, and correcting any areas of non-compliance as determined by State.

18.5 Use, Maintenance, Repair and Alterations. The Grantee shall not, without the written consent of the State and the Commissioner, (i) permit or allow the use of any of the property improved with these grants funds (the Real Property) for any purpose other than in conjunction with or for the operation of a county highway, county state-aid highway, town road, or city street and for other uses customarily associated therewith, such as trails and utility corridors , (ii) substantially alter any of the Real Property except such alterations as may be required by laws, ordinances or regulations, or such other alterations as may improve the Real Property by increasing its value or which improve its ability to be used for the purposes set forth in section (i), (iii) take any action which would unduly impair or depreciate the value of the Real Property, (iv) abandon the Real Property, or (v) commit or permit any act to be done in or on the Real Property in violation of any law, ordinance or regulation.

If the Grantee fails to maintain the Real Property in accordance with this Section, the State may perform whatever acts and expend whatever funds necessary to so maintain the Real Property, and the Grantee irrevocably authorizes the State to enter upon the Real Property to perform such acts as may be necessary to so maintain the Real Property. Any actions taken or funds expended by the State shall be at its sole discretion, and nothing contained herein shall require the State to take any action or incur any expense and the State shall not be responsible, or liable to the Grantee or any other entity, for any such acts that are performed in good faith and not in a negligent manner. Any funds expended by the State pursuant to this Section shall be due and payable on demand by the State and will bear interest from the date of payment by the State at a rate equal to the lesser of the maximum interest rate allowed by law or 18% per year based upon a 365-day year.

[The remainder of this page has intentionally been left blank.]

GRANTEE

The Grantee certifies that the appropriate person(s) have executed the grant agreement on behalf of the Grantee as required by applicable articles, bylaws, resolutions, or ordinances.

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

DEPARTMENT OF TRANSPORTATION

Approval and Certifying Encumbrance as required by Minnesota Statutes § 16A.15 and 16C.05

By: _____
State Aid Programs Manager
(with delegated authority)

Date: _____

**DEPARTMENT OF TRANSPORTATION
CONTRACT MANAGEMENT**

By: _____

Date: _____

EXHIBIT A

SOURCES AND USES OF FUNDS SCHEDULE

SOURCES OF FUNDS		USES OF FUNDS	
Entity Supplying Funds	Amount	Expenses	Amount
State Funds:		Items Paid for with	
2023 IIJA Tech Assistance Grant, SAAS Acct 413	\$9,954.00	General Fund Grant	
Other:		Funds:	
	\$	Grant Application	\$9,954.00
	\$		\$
	\$		\$
Subtotal	\$9,954.00	Subtotal	\$9,954.00
Public Entity Funds:		Items paid for with Non-	
Matching Funds	\$0.00	General Fund	
Other:		Grant Funds:	
	\$		\$
	\$		\$
	\$		\$
Subtotal	\$0.00	Subtotal	\$0.00
TOTAL FUNDS	\$9,954.00	TOTAL PROJECT COSTS	\$9,954.00

EXHIBIT B

GRANT APPLICATION

Attach the grant application for the project

From: noreply@formstack.com
To: [MN_DOT_SALTIRHELP](#); [Briese, Marc \(DOT\)](#); [Bottos, Elisa \(DOT\)](#)
Subject: IJA Grants Technical Assistance Application
Date: Tuesday, October 22, 2024 6:44:15 AM

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Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.



Formstack Submission For: IJA Grants Technical Assistance Application
Submitted at 10/22/24 6:44 AM

Name of Agency:	City of Brainerd
Address of Agency:	501 Laurel Street Brainerd 56401
Name:	Jessie Dehn
Address:	501 Laurel Street Brainerd, MN 56401
Phone:	(218) 828-2307
Email:	jdehn@ci.brainerd.mn.us
Project Description. Include a brief description of the project for which federal funds are being sought.:	The City of Brainerd is planning to construct a new pedestrian bridge and trail access to Lum Park at TH 210 in Brainerd. The new grade-separated multi-use trail facility will increase multimodal usage, safely connect the trail networks, and enhance accessibility for all users. The project will construct approximately 3,500 feet of at-grade multi-use bituminous trail and a pedestrian overpass bridge across TH 210.

**Federal Discretionary
Grant Program
Being Pursued.:**

National Scenic Byways Program

**Name of Federal
Awarding Agency:**

Federal Highway Administration

**State Funds
Requested for IIJA
Grants Technical
Assistance. \$30,000 is
the max, and not
more than one grant
per local agency per
year. Tribes are
eligible for more than
one grant per year.:**

9954

**Consultant, if known.
If consultant has been
selected, include
name here. If not,
write "consultant not
selected yet." Note
that grant agreement
cannot be executed
until a consultant is
selected and the
anticipated necessary
grant amount is
known.:**

SRF Consulting

**Anticipated start date
of consultant
contract. Note that
any consultant costs
incurred before a
state funded grant
agreement is
executed are not
eligible for re-
imbursement.:**

As soon as approved

**Anticipated closing
date of federal grant
opportunity. Include
actual due date of**

federal grant application, if known. If not known, including estimated date and “(estimated).”:

December 16, 2024

Mitigate the impacts of climate change in reducing emissions or improving infrastructure resiliency.:

This project reduces the per capital vehicle miles traveled (VMT) by providing alternative travel options for residents and visitors to the Brainerd area. The pedestrian bridge promotes sustainable transportation by encouraging walking and cycling, reducing reliance on cars. This shift lowers greenhouse gas emissions and decreases traffic congestion. By providing a safe, accessible route for pedestrians, it fosters community interaction and supports local economies.

Provide benefit to areas of persistent poverty or historically disadvantaged communities.:

The project lies across census tract 27035951000, which along with neighboring tracts 27035951200 and 27035951100, are recognized as a disadvantaged census tract according to the Climate and Environmental Justice Screening Tool (CEJST). The communities in these tracts have lower median household income than the state and higher percentage of households with incomes below \$50,000. In addition, an estimated 12.8% have no vehicles available.

Improve safety for all users.:

There is current history of serious pedestrian crashes in this area. Safety for non-vehicular travelers will be improved with the addition of the new at-grade multi-use bituminous trail and a grade-separated pedestrian overpass bridge across TH 210 by providing a safe and consistent route between communities south of TH 210 and facilities north of TH 210 in Brainerd. TH 210 is a high speed (50 mph), high-volume (AADT of 12,263 vpd) principal arterial highway.

EXHIBIT C

GRANTEE RESOLUTION APPROVING GRANT AGREEMENT

RESOLUTION
NO. _____

STATE-FUNDED PROGRAM FOR IJA DISCRETIONARY GRANT ASSISTANCE
TERMS AND CONDITIONS
SAP 108-589-001

WHEREAS, the City of Brainerd has applied to the Commissioner of Transportation for a grant from the State Program for IJA Assistance; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this project is available; and

WHEREAS, the amount of the grant has been determined to be \$9,954 by reason of the lowest responsible bid;

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

the City of Brainerd does hereby agree to the terms and conditions of the grant consistent with Minnesota Laws 2023, Chapter 68, Article 1, Section 2, Subdivision 5(a), and will pay any additional amount by which the cost exceeds the estimate and will return any amount appropriated for the project but not required. The proper city officers, Nicholas Broyles and Jessie Dehn, are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

Adopted this 4th day of November 2024

KELLY BEVANS
President of the Council

Approved this 4th day of November 2024

DAVE BADEAUX
Mayor

ATTEST: _____
NICHOLAS W. BROYLES
City Administrator

RESOLUTION
NO. _____

**SUPPORTING THE MINNESOTA DEPARTMENT OF TRANSPORTATION'S (MNDOT)
SUBMITTAL OF AN APPLICATION WITH THE FEDERAL HIGHWAY ADMINISTRATION
(FHWA) FOR THE 2024 NATIONAL SCENIC BYWAYS PROGRAM (NSBP)**

WHEREAS, The City of Brainerd seeks funding to construct a new pedestrian bridge and trail access to Lum Park at TH 210 in Brainerd in 2026. The new grade-separated multi-use trail facility will increase multimodal usage, safely connect the trail networks, and enhance accessibility for all users.

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

the Brainerd City Council supports the above referenced project and supports the submittal of a proposal for \$1 million in funding of this project on behalf of the City of Brainerd to the Federal Highway Administration (FHWA) by the Minnesota Department of Transportation (MnDOT) in response to the 2024 National Scenic Byways Program (NSBP) Notice of Funding Opportunity; and

BE IT FURTHER RESOLVED, That, if funding is awarded, the City of Brainerd agrees to accept the award and may enter into an agreement with MnDOT and the FHWA for the above referenced project. The City of Brainerd will comply with all applicable laws, environmental requirements, and regulations and any additional conditions stated in the grant agreement(s) and the approved work plan; and

BE IT FURTHER RESOLVED, That the City of Brainerd understands that grants from the FHWA are generally paid out on a reimbursement basis. The City of Brainerd has the financial capability to pay for project expenses prior to asking MnDOT to seek reimbursement; and

BE IT FURTHER RESOLVED, That the City of Brainerd has the financial capability to meet the local match requirements and ensure adequate construction, operation, and maintenance of the project once completed; and

BE IT FURTHER RESOLVED, That the City Engineer, City of Brainerd is hereby authorized to execute such agreements and work plans as necessary and Jessie Dehn, P.E. is authorized to implement the project on behalf of the Brainerd City Council.

Adopted this 4th day of November 2024

KELLY BEVANS
President of the Council

Approved this 5th day of November 2024

DAVE BADEAUX
Mayor

ATTEST: _____
NICHOLAS W. BROYLES
City Administrator



City Council Agenda Request

MEETING DATE: November 4, 2024

TITLE OF ITEM: Authorize Application - Carbon Reduction Program Grant - TH 210/Lum Park Pedestrian Bridge Project

AGENDA: SPW Committee

ACTION REQUESTED: Approve/Deny Motion

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

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

SUMMARY OF ISSUE: Staff is requesting authorization from the Council to apply for the Carbon Reduction Program grant for the TH 210/Lum Park Pedestrian Bridge project. Attached to this item is the City's application for the CRP grant solicitation earlier in 2024. The program was designed from the IIJA federal infrastructure bill to fund projects that reduce carbon emissions from vehicles. As a reminder, we were recently awarded just over \$1.3M in CRP funds towards this project under that 2024 solicitation.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Staff is prepared to prepare the application including the necessary attachments for the submission package in-house. The Central Minnesota region (ATP-3) has slightly over \$2.68M available for both years 2027 and 2028 (\$1.38M in 2027, \$1.30 in 2028). Based on the amount available, staff would recommend limiting the request to no more than \$1 million, as the funds are competitive between Regions 5, 7W, East Central and the St. Cloud MPO.

RECOMMENDED ACTION/MOTION: Staff recommends authorization to apply for the CRP grant program for the TH 210/Lum Park Pedestrian Bridge project for \$1 million.

FINANCIAL IMPACT: N/A



Carbon Reduction Program

ATP-3 Application and Scoring Form

APPLICANT INFORMATION	
APPLICANT:	City of Brainerd
APPLICANT CONTACT:	Jessie Dehn, City Engineer/Public Works Director, 501 Laurel Street, Brainerd, MN 56401, (218) 828-2307
APPLICATION SPONSOR: (If applicable)	N/A
SPONSOR CONTACT:	N/A
COST AND FUNDING INFORMATION	
TOTAL PROJECT COST:	\$4,996,000
CRP FUNDS REQUESTED: (Maximum 80% total project cost)	\$1,500,000
LOCAL FUNDS COMMITTED: (Minimum 20% total project cost)	\$3,496,000
OTHER FUNDS COMMITTED: (If multiple sources, please specify the amount for each source.)	N/A
PROJECT IN STIP?	No
PROJECT NUMBER IN STIP:	N/A
PROJECT INFORMATION	
DESCRIPTION AND ELIGIBILITY: Please provide an overview of the proposed project including the project location, description of work, planned improvements, and anticipated project benefits. See CRP Eligible Projects for what's eligible. Then specify overall project category and subcategory for which CRP funds are being sought. Some projects may have components in more than one category. List all that apply. Attach maps and diagrams to the application to support your request. Include any relevant planning and, or engineering studies. Proposers should indicate if they would accept partial funding (i.e., a portion of the requested amount).	
The City of Brainerd is planning to construct a new pedestrian bridge and trail access to Lum Park at TH 210 in Brainerd in 2025. The new grade-separated multi-use trail facility will increase multimodal usage, safely connect the trail networks, and enhance accessibility for all users. The project will construct approximately 3,500 feet of at-grade multi-use bituminous trail and a pedestrian overpass bridge across TH 210 with approach ramps consisting of a mix of short abutments, precast beam spans, and cast-in-place concrete slabs. The 10-foot-wide bituminous at-grade trail segments occur along NE 10th Avenue from TH 25 to TH 210 (~ 1,300 feet), along eastbound TH 210 from NE 10th Avenue to the south bridge approach (~ 2,000 feet), and from north bridge approach to the Lum Park trail facility (~ 200 feet). The trail segments will provide a 6-foot-wide turf boulevard and a 3-foot-wide shoulder, unless located immediately at the back of a roadway curb. Trail segment between NE 13th Avenue and the south bridge approach will accommodate for the existing drainage ditch and stream. A short trail connection between the north bridge approach ramp to the recently constructed Lum park trail facility will be entirely within Lum Park. The pedestrian bridge main span will consist of a 210-foot-long prefabricated steel truss which can be assembled on site and can be erected during a brief closure of the highway with minimal disruption to traffic. The proposed bridge	

approach ramps will provide a five percent maximum profile grade for ADA compliance. The project will provide for a safe, grade-separated pedestrian bridge crossing that removes TH 210 as a barrier by constructing ADA compatible, multimodal infrastructure and improving access for all users.

The proposed pedestrian bridge project would fall within the Travel Options category, under the subcategory of installing and maintaining infrastructure network improvements for walking, rolling and bicycling. This project accomplishes one of the goals of the program by reducing the per capital vehicle miles traveled (VMT) by providing alternative travel options. The City would be amenable to accepting partial funding if awarded by this program. Attached to this application are several supporting documents that reinforce the investment the City has made and intends to make into this project.

PROJECT CATEGORY:	Travel options
--------------------------	----------------

PROJECT SUBCATEGORY:	Install and maintain infrastructure network improvements for walking, rolling and biking.
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PROJECT READINESS:
Describe actions that have been taken to prepare for the project. List relevant planning or engineering studies, right-of-way acquisitions, public engagement, land purchases, city or county resolutions of support, and financial commitments, and discuss the timeline and milestones to demonstrate that the project can be delivered in the year selected.

The proposed improvements in this project were identified through the Feasibility Study completed by the City of Brainerd in April 2023. The study identifies, describes, and provides concept-level recommendations, construction cost estimate, and preliminary project schedule for further planning efforts to design and construct the TH 210/Lum Park Trail Bridge project. Between January 2023 and May 2023 eight agency coordination meetings were conducted with City staff, City Park Board, City Council, MnDNR, Brainerd Public Utilities, and the consultant teams, as part of the study. The final Feasibility Study is attached to this application.

In addition, the City hosted a public open house in January 2024 to gather public opinion on the project. This effort would likely be continued throughout the preliminary, design, and construction phases of the project as well. On the south side of the project, the parcel is owned by a privately-owned family trust. City staff has spoken with a member of the trust. That member is supportive of the project and would be willing to discuss acquisition of the necessary right-of-way needed for the project to occur.

As the City has been highly engaged with several partners throughout the initial development of this project, there is wide-ranging support through many different entities. Attached are letters of support as well as a resolution of the Brainerd City Council supporting the project. In addition, the MnDNR has also provided their support and should the project progress towards construction, they have indicated that they would propose to potentially participate in some of the construction costs. Once the funds have been secured to proceed with construction, the City would progress with the approximate timeline as described in the Feasibility Study to deliver the project per plan.

APPLICANTS: Please contact MnDOT Planning staff to schedule a virtual meeting for assistance in calculating the value for the cost-effectiveness of carbon reduction for the project using the **MnDOT Carbon Emissions Tool (CET)**.

CARBON COST EFFECTIVENESS CATEGORY (POSSIBLE POINTS)	SCORE For Official Use Only
COST EFFECTIVENESS OF CARBON REDUCTION (max. 20 points) <i>(Note: Score to be calculated on Scoring Spreadsheet.)</i> Score is calculated using Please list the value for cost effectiveness below in the units of Dollars/Metric Ton CO_{2e} reduced. \$15,679.14	

APPLICANTS: Please refer to the **CRP Scoring Criteria** for guidance on describing how the project connects to each co-benefit category. The Carbon & Resilience Committee will score each section based on the Table of Score Descriptions.

CO-BENEFITS CATEGORY (POSSIBLE POINTS)	SCORE For Official Use Only
EQUITY (max. 5 points) Describe how the project benefits disadvantaged communities. These communities can be defined through the Justice40 framework or alternative framework for assessing disadvantaged populations, including households without a motor vehicle and people with disability (see Appendix A). This project will construct a public trail facility with the purpose of creating new recreational space and making safer connections. It will create a total of 41,000 sq ft in new infrastructure consisting of 27,950 sq ft of multiuse trail and 13,050 sq ft of pedestrian bridge. The project will be used by the members of the public. The user base will consist of a diverse mix of users including regional bike trail users, visitors to the campground, and local residents. It will create a safe, comfortable, and convenient active transportation infrastructure that will serve all users regardless of race, cultural identity, Tribal affiliation, immigrant or refugee status, language, gender or sexual identity, income, religion, and whether or not a student receives special education, has a physical or mental disability, or is homeless or highly mobile. The project lies across census tract 27035951000, which along with neighboring tracts 27035951200 and 27035951100, are recognized as a disadvantaged census tract according to the Climate and Environmental Justice Screening Tool (CEJST). The communities in these tracts have lower median household income than the state and higher percentage of households with incomes below \$50,000. In addition, an estimated 12.8% have no vehicles available. This leads to transportation insecurities related to safety, access, and transportation cost burdens.	
SAFETY (max. 5 points) Describe how the project will improve real or perceived safety concerns in the community. These can be identified in a safety study or plan. If the safety concerns are not identified in a plan, they may be identified with an alternative approach, such as providing an aerial photo of the safety concern. Describe whether the project occurs in an area with high rates of motor vehicle serious injury or fatal crashes and/or areas with high rates of non-motorized serious injury or fatal crashes and whether the project has a safety component that addresses these challenges (See Appendix B). In July 2023, a juvenile bicyclist was involved in a serious injury (A) crash as he was attempting to cross TH 210 (from south to north) at 10th Avenue NE (see Attachment A for crash location and crash report). The bicyclist was hit by vehicle one in presence of a large amount of other EB TH 210 traffic, thrown over vehicle one's top and landed on the roadway. Vehicle two, right behind vehicle one, drove over the bicyclist leading to several serious injuries. The current gaps in the active transportation infrastructure combined with the high speed and volume of traffic along TH 210 make it extremely unsafe for users to walk, bike, or roll to local destinations. Safety for non-vehicular travelers will be improved with the addition of the new at-grade multi-use bituminous trail and a grade-separated pedestrian overpass bridge across TH 210 by providing a safe and consistent route between communities south of TH 210 and facilities north of TH 210 in Brainerd. TH 210 is a high speed (50 mph), high-volume (AADT of 12,263 vpd) principal arterial highway.	
ACCESS (max. 5 points) Describe how the project improves non-motorized access and transit or shared mobility access to key destinations. This can include improvements that encourage these modes through both infrastructure and land use. Describe how the project improves travel efficiency (via driving, carpool or other methods) to key destinations and how the project improved traveler comfort.	

The project will provide safe and comfortable two-way connections for non-motorized users to existing local and state trails along TH 210 and 10th Ave NE. The pedestrian bridge will provide safe access across TH 210 to Lum Park and other recreational facilities. The expansion of non-motorized infrastructure will increase the current number of regional and local bike & pedestrian users as more communities, destinations, and resources are connected. This will eliminate pedestrian and bicycle traffic using grass or ditch and non-marked crossing points along TH 210 for travel along this 50-mph corridor. Since tourism is a major driver of the economy of this region, a safe and enhanced trail system will provide further opportunities to attract visitors which in turn will support a robust regional economy.	
HEALTH (max. 5 points) Describe how the project improves localized air quality, especially in communities with high rates of asthma (see Appendix C). Also describe how this project supports active transportation. The project will serve and protect priority populations in the City of Brainerd by providing safe and accessible active transportation infrastructure which will break the barriers of vehicular dependence. Providing safe access to facilities such as Lum Park will increase multimodal usage, safely connect the trail networks, and enhance accessibility for all users. In addition to creating safer connections between the local trail and the state trail system across the high-speed highway TH 210 and creating ADA compatible, multimodal infrastructure that will be utilized by users of all abilities, the project will enhance the quality of life for residents Brainerd, attract visitors which will lead to enhancing the local economy and generating additional local taxes, and support healthy and active lifestyle for local residents and visitors alike, saving on healthcare costs to individuals, employers, insurance providers, and the State government.	
TOTAL CO-BENEFIT POINTS	
*TOTAL SCORE <i>(From CRP Scoring Tool spreadsheet – to be provided at meeting.)</i>	

TABLE OF SCORE DESCRIPTIONS

Score	Description
0	This project demonstrates no connection to the co-benefit.
1	This project shows minimal connection to the co-benefit with little to no documentation in datasets, plans or narrative. Narrative text describes a weak connection to a co-benefit with no supporting datasets or plans provided.
2	This project shows a moderate connection to the co-benefit with some documentation in datasets, plans or narrative. Narrative text makes the case that there is a connection to the co-benefit, based on the applicant's understanding, but there are no further datasets or plans provided.
3	This project shows good connection to the co-benefit somewhat documented with datasets, plans or narrative. There are plans or maps with data that shows a connection to the co-benefit Narrative text makes a connection between the data provided and the co-benefit.
4	This project shows well-defined connection to the co-benefit with well documented datasets, plans or narrative. There are plans or maps with data that shows a connection to the co-benefit. Narrative text provides thorough detail on how the project will benefit area communities using the data provided.
5	This project shows outstanding connection to the co-benefit through thoroughly documented datasets, plans or narrative. There are comprehensive planning, engineering or equity focused studies carried out prior to or as part of the project development process that provide detailed and specific connections to the co-benefit.



City Council Agenda Request

MEETING DATE: November 4, 2024

TITLE OF ITEM: Authorize Application - Surface Transportation Block Grant Program - Oak Street Reconstruction Project

AGENDA: SPW Committee

ACTION REQUESTED: Approve/Deny Motion

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

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

SUMMARY OF ISSUE: Staff is requesting authorization to apply for the Surface Transportation Block Grant Program (STBGP) for the Oak Street Reconstruction project. The STBGP program is a competitive grant program that identifies priority projects within the ATP which includes counties, cities and other agencies. Applications are reviewed and grants are awarded based on needs, availability and available funding. Utility or engineering costs are not eligible for this grant.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The current solicitation is for 2029 funding. Currently identified in the 10-Year CIP, the Oak Street Reconstruction Project is planned for 2029. The project includes the segment of Oak Street from 16th Street to TH 18/25. This segment is already showing signs of distress and deterioration and will likely experience a significant uptick in traffic volumes during the TH 210/Washington Street Reconstruction project in 2026-2027, accelerating wearing of the surface. Based on the typical amount of funding available, staff recommends applying for \$1.25 million in grant funding for this project.

RECOMMENDED ACTION/MOTION: Staff recommends authorization to apply for the STBGP grant for the Oak Street Reconstruction project in the amount of \$1.25 million.

FINANCIAL IMPACT: N/A

CENTRAL MINNESOTA AREA TRANSPORTATION PARTNERSHIP LOCAL SURFACE TRANSPORTATION BLOCK GRANT PROGRAM PART 1 – APPLICATION GUIDANCE

1. GENERAL

This document provides guidance for cities and counties interested in applying for federal Surface Transportation Block Grant Program (STBGP) funding through the Central Minnesota Area Transportation Partnership (ATP). The guidance consists of two parts: Part 1 – Application Guidance and Part 2 – Application Instructions. Part 1 gives an overview of the ATP's programming process, including the regional approach it employs to solicit and select local projects for federal funding. It also contains the minimum eligibility requirements that applicants must meet for their projects to be considered for funding by the ATP. For those local agencies with qualifying projects who are interested in applying for funding, Part 2 provides them with helpful instructions in completing the actual application form itself.

2. PROCESS OVERVIEW

The ATP annually develops an Area Transportation Improvement Program (ATIP) covering a four-year period. The ATIP is a prioritized list of transportation projects that the ATP recommends for inclusion in the State Transportation Improvement Program (STIP). Once in the STIP, projects become eligible for federal transportation funding.

The ATP uses a decentralized approach in recommending local projects for federal funding and inclusion in the ATIP. This approach enlists the help of two regional development commissions [e.g., Region 5 Development Commission (Region 5) and East Central Regional Development Commission (ECRDC)], one metropolitan planning organization [e.g., St. Cloud Area Planning Organization (APO)], and the Region 7W Transportation Policy Board (Region 7W).

The ATP values the role that the regional partners play in identifying their transportation needs and priorities. Accordingly, the regions receive a target amount of federal funding to use in setting their locally sponsored transportation priorities. The amount each region is targeted is based on a distribution formula that takes into account system size and usage factors and federal funding availability.

The regions are responsible for recommending a prioritized list of transportation projects to the ATP based on their target funding levels. While each region has flexibility in setting their investment priorities, they all follow a similar process and schedule set forth by the ATP in soliciting and selecting projects for consideration in the ATIP. Regions 5, 7W and the St. Cloud APO annually solicit projects for the fourth year of the ATIP while the ECRDC solicit every other year to develop a five-year program.

The regions follow the below steps in developing their list of priorities to recommend to the ATP for inclusion in the ATIP:

- Sending out federal application materials to all potential applicants
- Receiving completed applications from jurisdictions by the solicitation deadline
- Verifying all candidate projects meet the minimum federal and ATP eligibility requirements
- Evaluating eligible candidate projects using region's project assessment criteria and process
- Recommending a rank-ordered list of projects to the ATP for programming consideration

3. PROJECT ELIGIBILITY

Federal STBGP funds provide a flexible source of funding that may be used by cities and counties for projects on any Federal-aid eligible highway or street. They may also be used for bridge projects on any public road. While transit capital is also eligible for STBGP funding, the ATP utilizes a separate process for applicants requesting funding for these types of projects.

3.1. Primary Project Types

Listed below are the primary project type categories eligible to receive funding through the ATP process. Additional details regarding project eligibility for these categories can be found in Part 2 (Application Instructions), Section 4 (Project Type) of this guidance.

- New alignment roadway construction
- Roadway expansion defined as adding capacity by constructing a new travel lane

- Roadway reconstruction
- Roadway reclamation, reconditioning, and resurfacing
- Bridge replacement or rehabilitation
- Safety and/or operational improvements

3.2. Eligibility Exceptions

Applicants are advised some regions have taken official action to make exceptions on what types of projects may be eligible for federal funding in their region. These regions made these exceptions to emphasize and focus federal funding on those transportation needs important to their areas. The following exceptions are in effect:

- Eligible cities and counties in Region 7W (outside of the St. Cloud APO 20-year planning area) may nominate projects in any of the primary project type categories listed above. However, they may only nominate Roadway Reclamation projects under the “Roadway Reclamation, Reconditioning & Resurfacing” category. The other three regions are not subject to this restriction.
- Eligible cities and counties within the St. Cloud APO 20-year planning area may apply for federal funding for Planning. Planning includes those activities occurring before the selection of a preferred alternative. Federal funds may be used for corridor studies/planning activities where specific construction projects are the intended outcome.
- Eligible cities and counties within the St. Cloud APO 20-year planning area may apply for federal funding for Right of Way (R/W) Acquisition. Funding for R/W is limited to reimbursement for the costs that were paid for the acquired property (to be based on the Fair Market Value), not the value of the property at the time for which reimbursement is requested. Applicants receiving funding for R/W must initiate construction within ten years from the date of acquisition.

3.3. Minimum Eligibility Requirements

Applicants seeking STBGP funding must meet certain minimum federal and ATP eligibility requirements. The minimum requirements are designed to assist the applicant in determining whether their proposed project is appropriate to receive federal funding. These criteria are also used by the regional planning partners in screening and evaluating candidate projects for funding.

Figure 1 identifies the seven eligibility criteria established by the ATP along with the definition of each criterion.

Figure 1: ATP Local Surface Transportation Program Project Eligibility Criteria	
Existing ADT	This is the average daily traffic (ADT) computed for the most recent count for the roadway. Twenty-year ADT is used for non-existing roadways and expansion projects.
Minimum Functional Classification	This is the minimum functional classification for a roadway in order for it to receive federal funds
Minimum Federal Fund Request	This is the minimum amount of federal funds that may be requested for the project. Projects receiving federal funding require extensive amounts of documentation and investigation during project development. Projects should be of a certain magnitude to effectively optimize the use of federal funds. Otherwise, the administration and development costs may exceed the benefit of the federal funds that are being requested for the project
Project in Existing Plan or Program	Project must be consistent with state, regional, and local long-range plans, including plans and studies prepared by the RDC or MPO or a locally adopted capital improvement plan.
Assured Coordination with All Jurisdictions	Projects that cross multiple local government units must be accompanied by a letter and/or official action indicating all affected local units of government are in agreement with the concept of the proposed project. This is to make sure that projects have the support of the local units of government, which potentially have a veto power over that project.
Assured Local Match	Applicant must provide assurance that they have secured the necessary local match for their project. The local match is a minimum of 20 percent of the total project cost for which federal funds are being requested and any additional costs not covered by federal funds necessary to complete the project as proposed in the application.
Movement of People and Freight	Project must demonstrate that it improves the movement of people and freight. Regions will utilize information from Section 7 (Project Qualifications) of the application to make this determination.

Figure 2 establishes the minimum project requirements by investment category to qualify for STBGP funding. Applicants must meet all of the requirements associated with investment category for which they are seeking funding prior to making application to the region. Applications that do not meet these criteria will be rejected and not considered for federal funding.

Figure 2: ATP Minimum Project Eligibility Requirements by Investment Category

QUALIFYING CRITERIA		ROADWAY				BRIDGE			SAFETY
		URBAN		RURAL		REPLACE	NEW	REHAB	
1	Existing ADT	2,000	3,000	200	400	25	400 R 3,000 U	25	200
2	Minimum Functional Class	Collector	Collector	Major Collector	Major Collector	Public Road	Maj-Col-R Collector-U	Public Road	Maj-Col-R Collector-U
3	Minimum Federal Fund Request	200K	200K	200K	200K	50K	50K	50K	100K (B/C>1)
4	Project in Existing Plan or Program	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
5	Assured Coordination with All Jurisdictions	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
6	Assured Local Match	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
7	Movement of People and Freight	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

4. APPLICATION CHECKLIST

Applicants must submit the following items by the application deadline:

☐ Local Surface Transportation Program Funding Application. Ensure the completion of all sections:

- Section 1 — Applicant Information
- Section 2 — Project Identification
- Section 3 — Technical Information
- Section 4 — Project Type
- Section 5 — Short Title Description
- Section 6 — Purpose and Need
- Section 7 — Project Qualifications
- Section 8 — Cost Summary
- Section 9 — Right of Way Needs
- Section 10 — Project Timeline
- Section 11 — Supporting Project Details
- Section 12 — Additional Project Details (Optional)

☐ Location Map. Map should clearly depict project location and should be reproducible.

☐ Letters of Support. A letter of support will not be required by the applicant at the time of application. However, support letters will be required if the proposed project impacts and requires participation by multiple jurisdictions. If the proposed project is successfully selected for federal STBGP funding, the applicant will be required to secure a resolution of support from their governing body to demonstrate its commitment to the project's development and construction and to assure the availability of the necessary local matching funds.

5. REGIONAL PLANNING CONTACTS

Region 5: Counties of Cass, Crow Wing, Morrison, Todd and Wadena

Tad Erickson
Region 5 Development Commission
200 First Street Northeast, Suite 2
Staples, MN 56479
Phone: (218) 894-6012 Fax: (218) 894-1328
Email: terickson@regionfive.org

Region 7E: Counties of Chisago, Isanti, Kanabec, Mille Lacs and Pine

Penny Simonsen
East Central Regional Development Commission
100 Park Street South
Mora, MN 55051
Phone: (320) 679-4065, Ext. 23 Fax: (320) 679-4120
Email: penny.simonsen@ecrdc.org

Region 7W: Counties of Benton, Sherburne, Stearns, and Wright (excluding the St. Cloud metropolitan area)

Jeff Lenz
MnDOT District 3
7694 Industrial Park Road
Baxter, MN 56425
Phone: (218) 828-5808 or 1-800-657-3971, Ext. 5808 Fax: (218) 828-5814
Email: jeff.lenz@state.mn.us

St. Cloud APO: Cities of St. Augusta, St. Cloud, St. Joseph, Sartell, Sauk Rapids and Waite Park

Vicki Ikeogu Johnson
St. Cloud Area Planning Organization
1040 County Road 4
St. Cloud, MN 56304
Phone: (320) 252-7568 Fax: (320) 252-6557
Email: ikeogu@stcloudapo.org

Other Contact Resources:

Angie Tomovic
District State Aid Engineer
MnDOT District 3
7694 Industrial Park Road
Baxter, MN 56425
Phone: (218) 232-8981 Fax: (218) 828-5814
Email: andjela.tomovic@state.mn.us

Steve Voss
District Transportation Planning Director
MnDOT District 3
7694 Industrial Park Road
Baxter, MN 56425
Phone: (218) 828-5779 or 1-800-657-3971, Ext. 5779 Fax: (218) 828-5814
Email: steve.voss@state.mn.us

**CENTRAL MINNESOTA AREA TRANSPORTATION PARTNERSHIP
LOCAL SURFACE TRANSPORTATION BLOCK GRANT PROGRAM
PART 2 – APPLICATION INSTRUCTIONS**

1. APPLICANT INFORMATION

- Provide contact information as requested.
- Name – Name of requesting governing body.

2. PROJECT IDENTIFICATION

- RDC/MPO Region – Enter one of the following based on the county that the project is located:
 - Region 5 – Cass, Crow Wing, Morrison, Todd, and Wadena Counties
 - Region 7W – Benton, Sherburne, Stearns, and Wright Counties
 - Region 7E – Isanti, Kanabec, and Mille Lacs Counties. (Pine and Chisago Counties not in District 3 programming area)
 - St. Cloud APO – Jurisdictions within the St. Cloud Metropolitan Planning Area
- Congressional/Legislative Districts – Enter the congressional and legislative districts based on the congressional district and legislative district that the project is located.
- Route # – Enter the route name and number associated with the route system (e.g., CSAH 1, CR 12, MSAS 123, etc.)
- Street Name – Enter name of street if route goes by a different title.
- Beginning Termini – Enter the location from where the project will start (e.g., “0.2 MILES FROM JCT CSAH 1,” “AT MISSISSIPPI RIVER BRIDGE,” etc.) Be sure to include entire length of project impacts.
- Ending Termini – Enter the location to where the project will terminate. Ensure termini covers entire length of project impacts. See “Beginning Termini” examples.
- Length – Enter the length of the project in miles to the nearest tenth.

3. TECHNICAL INFORMATION

- A. Functional Classification – Check the box pertaining to the federal functional classification of the route for which improvements are planned. This is the classification on file with MnDOT. Consult with your Regional Planning Contact or the District State Aid Engineer if in doubt.
- B. Traffic Volume – Enter current annual average daily traffic (AADT) from most recent traffic count. Enter 20-year AADT using county multiplier. Enter the County’s current population. If using other forecasting methodology, please indicate method in Section 12 (Additional Project Details) of the application.
- C. Pavement Condition – Enter age in years from last resurfacing change to the present year. Enter pavement rating, such as the Road Quality Index (RQI) for County State Aid Highway routes or the equivalent for other roadways/streets. If other than RQI, please note method for rating your pavement condition.
- D. Bridge Condition – Enter the Sufficiency Rating (SR) of the bridge if your project involves bridge replacement or rehabilitation. Bridge replacement will require a SR of 50 or less to qualify. If project involves work to a historic bridge structure, please indicate so in Section 12 (Additional Project Details) of the application.

4. PROJECT TYPE

- Check the box that best describes the category of work being proposed. Check more than one box if your project affects multiple categories. Applicants should refer to Part A (Application Guidance), Section 3 (Project Eligibility) of this guidance for additional clarification on project eligibility and to determine if there are any exceptions to the project types in their region. Consult with your Regional Planning Contact or the District State Aid Engineer if you still have questions regarding the eligibility of your project for federal funding.
- Check “Other” box if your project involves improvements not listed in one of the previous project type categories. Then specify the type of work proposed in the space provided. Figure 3 is a sample list of eligible improvements that may qualify under this section. Other work not listed in this figure may also qualify. Consult with your Regional Planning Contact or the District State Aid Engineer before applying to determine eligibility. All proposed

work must satisfy the minimum eligibility requirements set forth in Part A (Application Guidance), Section 3.3 (Minimum Eligibility Requirements) of this guidance. Projects may be bundled to meet minimum cost requirements but must collectively demonstrate relationship to one another.

Figure 3: Sample List of Eligible Improvements for “Other” Project Type

• Turn Lanes	• Warning Flashers
• Traffic Signalization	• Roundabout Construction
• Edge Treatments	• Shoulder Widening
• Rumble Strips	• Shoulder Paving
• Median Barrier	• Right of Way Acquisition (St. Cloud APO only)
• Traffic Signal Installation	• Planning (St. Cloud APO only)

5. SHORT TITLE DESCRIPTION

Provide a brief description of location and work. The county and city name should be included before the use of CSAH, CR, or CSAS. Please limit description to 120 total characters.

Roadway Example:

FROM CROW WING CSAH 18 IN NISSWA TO CASS CSAH 42 IN PINE RIVER, MILL AND OVERLAY

FROM 0.5 MI S OF WRIGHT CR 106 TO 500 FT S OF SCHOOL BLVD IN MONTICELLO, GRADE AND SURFACE

Bridge Example:

OVER RUM RIVER 0.6 MI W OF CAMBRIDGE, REPLACE BRIDGE #984

6. PURPOSE AND NEED

State the Purpose and Need (P&N) for your project. The P&N statement explains why the project is being proposed and what objectives are to be met. It should be clear, concise, well-organized, and easily understood. It should identify the problem(s), not the solution(s).

- Need - Identifies transportation deficiencies or problems that need to be addressed, e.g., “The bridge has structural deficiencies that need to be addressed to provide for a safe river crossing.”
- Purpose – Is a broad statement of the primary intended transportation result and other related objectives to be achieved by the project. It should be based on and written after the Needs have been identified.

Figure 4 provides a sample structure for writing a P&N statement as taken from the MnDOT Highway Project Development Process.

Figure 4: MnDOT Sample Purpose and Need Statement Structure

Background - A short discussion of the context for the project, including location, background on the existing facility and its role in the transportation system;

Need - A description of the problems or unsatisfactory conditions that currently exist or are reasonably expected with the existing facility or project area. The identified Needs should be clearly defined with respect to their relative importance as project objectives (primary vs. secondary).

Primary Needs

The primary needs section should discuss the primary transportation problems to be solved, i.e., the problems that led to initiation of the project.

Secondary Needs

The discussion of secondary needs includes a description of opportunities for other transportation problems or system improvements within the project study area that may be able to be addressed, if feasible, concurrent with addressing the primary needs.

The following factors may be helpful in establishing the ‘Need’ for a proposed action:

Capacity and transportation demand
Safety
Legislative directive

(Continued on next page)
(Continued from previous page)

Economic development and planned growth
Modal interrelationships
System linkage ('connecting link')
Transportation facility deficiencies

Each need should be demonstrated through specific quantitative investigation and supported by discussion of appropriate data. For example, if improving safety is identified as a need, the text should include supporting data such as the number of accidents that have occurred in the past, the relative frequency of accidents and the type/severity of accidents that have occurred. (The supporting data may be included the appendix, to minimize the length of the Needs statement text.) Examples of supporting data include:

Bridge evaluation reports
Pavement evaluation reports
Safety analysis
Forecast travel demand and roadway capacity
Performance criteria (e.g., established in an Interregional Corridor plan or Highway Investment Plan),
Congestion/delay data

Additional Considerations – Describe other desirable project elements or effects that are not central to the purpose and need, but are nonetheless important considerations (e.g., environmental protection, scenic improvements, economic considerations, etc.). These considerations should be discussed separately from the project Needs.

Purpose - A very clear, concise description of the primary goals the project is expected to attain (usually no more than one or two sentences); a "big picture" of the desired results. (e.g., the purpose is to improve safety along a highway segment that has a high crash rate). The Purpose should be based on (and, therefore, written after) the Needs have been defined.

Source: MnDOT Highway Project Development Process, <http://www.dot.state.mn.us/planning/hpdp/>.

7. PROJECT QUALIFICATIONS

Respond to the following seven qualifying factors. Please limit your response to the space provided under each factor in the application. Be as complete as possible in your response. The information you provide will be used by the region in evaluating your project.

- A. Access and Mobility – Explain how your project increases the accessibility and mobility options for people and freight.
- B. System Connectivity – Explain how your project enhances the integration and connectivity of the transportation system for people and freight.
- C. Multimodal – Explain how your project promotes walking, bicycling, transit, and other modes as an integral component of the transportation system
- D. System Condition – Explain the current system conditions and how this project will preserve or enhance the transportation infrastructure and/or operations.
- E. Safety – Explain how your project or elements of your project may improve safety.
- F. Economic Vitality – Explain how your project supports the economic development and job retention/creation goals in your community and region.
- G. Equity – What was the last year your jurisdiction received federal aid for a construction project and what was the amount received?
- H. Cost Justification (**Region 7W Only**) – Explain why the project is a sound investment for the region. What cost alternatives have been evaluated?

8. COST SUMMARY

Enter the estimated costs for your project that are eligible for federal participation. Generally, this includes all construction-related costs, including mobilization, traffic control and contingencies. Ineligible items include associated administrative and engineering costs.

Enter the amount of federal funds you are requesting and your agency's local match. Federal Highway Administration requires a non-federal match of at least 20 percent of project costs. Regions reserve the right to limit the amount of federal funds being recommended on any project. Therefore, applicants may be requested to exceed the minimum

20 percent matching requirements to maximize and leverage available funds targeted to the region. However, federal participation may not be less than 30 percent.

9. RIGHT OF WAY NEEDS

Check the appropriate box if you anticipate the project will involve the acquisition of right of way, require an easement of property, or cause a relocation of buildings/displacement of residents or businesses. Applicants requiring right of way should anticipate completion of this activity in the project timeline.

10. PROJECT TIMELINE

Indicate the estimated timeframe (e.g., month/year) when you anticipate completing the environmental documentation, construction plans, and right-of-way acquisition (if required). In addition, provide construction start date and anticipated duration of construction in the space provided. Applicants requiring the completion of more substantial environmental review documentation, such as an Environmental Assessment or Environmental Impact Statement, should anticipate a longer project development timeline.

11. SUPPORTING PROJECT DETAILS

Reply to the four questions below relating to your project. The information you provide will enable reviewers to determine public support for your project and provide an indication of your agency's project development needs and deliverability goals.

- A. Consistency with State, Region, or Local Plan or Program – State, regional, and local agencies have developed numerous comprehensive plans and various transportation plans, studies, and programs. These plans provide documentation on the existing conditions and planned improvements as well as demonstrate public support. As a result, the facilities identified in these plans are likely to provide the greatest public benefits to all the residents.
- B. Assurance of Local Match – Applicants who are recommended for funding by their respective region will be required to provide assurance of the matching funds in writing by resolution adopted by the governing body after selection of the project by the region.
- C. Advance Construction – Advance Construction (AC) is a programming option to allow agencies to accelerate the construction of their project in advance of the apportionment of federal funds. An AC project is treated the same as any other federal project and must be authorized prior to advertising for letting or expending any funds on the project. Local governments selecting the AC option for their project can move ahead the project in the STIP to the year they wish to construct the project. They must agree to meet all project development requirements to meet their desired construction schedule and upfront the full cost of construction. In exchange, they will then be reimbursed the federal funds programmed for the project in the year the AC Payback is shown in the STIP.
- D. Environmental Document Path - Indicate the environmental document path your project will likely follow. Consult with the District State Aid Engineer if in doubt.

12. ADDITIONAL PROJECT DETAILS

This section is optional unless information is required to be provided from Section 3 (Technical Information) of the application. Applicants may provide additional information about their project that is not otherwise requested in the application. To that end, applicants should only include information they feel is pertinent to the region in reviewing and ranking the project.

13. APPLICANT SIGNATURE

Sign and date application to certify commitment toward your proposed project and completion of all the application requirements. Forward a copy of your completed application with other items identified in Part 1 (Application Guidance), Section 4 (Application Checklist) to your Regional Planning Contact by the application deadline.



City Council Agenda Request

MEETING DATE: November 4, 2024

TITLE OF ITEM: Discussion on Lowell Safe Routes to School Project Construction Detour

AGENDA: SPW Committee

ACTION REQUESTED: Direction Requested

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

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

SUMMARY OF ISSUE: Staff is requesting direction from the Council on construction traffic routing during the Lowell Safe Routes to School project. During the project, H Street from 3rd to 4th Avenues will be closed for construction. During the Harrison SRTS project, traffic was detoured to Norwood with traffic control adjustments. This was mainly due to the significant amount of traffic carried by Oak Street (6,200 vehicles per day), exasperated by traffic bypassing the MnDOT official detour for the TH 25 bridge replacement. In comparison, H Street is significantly lower volume than Oak Street, only 2,210 vehicles per day.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: In review of the area, if traffic is detoured, staff would recommend that the detour be planned for 2nd Ave, I Street, and 5th Ave, including traffic control adjustments. Considerations as follows:

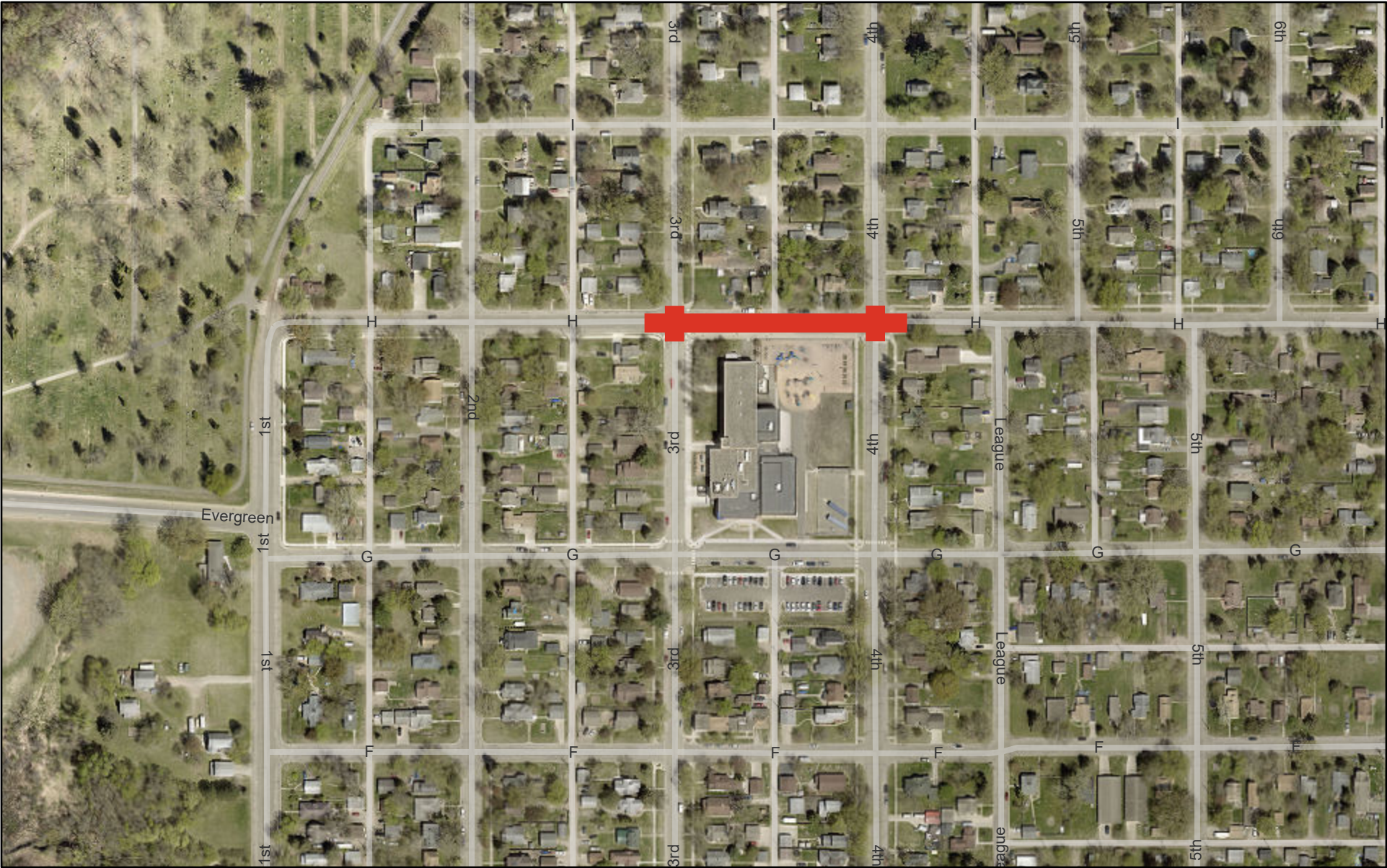
- Detouring to the south would be more difficult as G Street is a one-way (east to west) between 3rd and 4th Avenues. Going further south than G Street would lead to driver frustration and confusion.
- Adjustments to traffic control would be recommended as I Street is uncontrolled at 2nd, 3rd and 5th Avenues. The addition of detour traffic would likely warrant additional traffic control on these intersections. In addition, I Street is a two-way stop at 4th Avenue. With the detour route on I Street, it is likely that the higher traffic volume would be on I Street rather than 4th Ave. For traffic efficiency and to limit the likelihood of stop sign violations, it may be recommended that the stop signs be temporarily adjusted to stop 4th Ave and allow I Street to be the through street.

In contrast, a detour would not be necessary for this project. H Street is a collector route providing a connection for the neighborhood to other streets, such as Mill Avenue. However, it's function is different than that of Oak Street that functions as an arterial providing for a considerable connection for through traffic. If H Street is closed without a specific signed detour, local neighborhood traffic will likely find alternative routes relatively quickly. In addition, those that utilize H Street as a through route will likely be able to make adjustments to their routes to their destinations with minimal confusion. To restate, with the lower traffic volumes, this becomes a more feasible option as well.

RECOMMENDED ACTION/MOTION: Staff recommends that no signed detour be planned for the Lowell Safe Routes to School project.

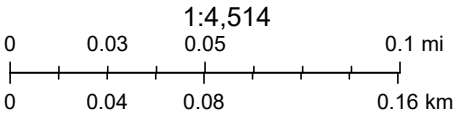
FINANCIAL IMPACT: N/A

Lowell SRTS



10/29/2024, 10:13:12 AM

 Project Area



Province of Ontario, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA



City Council Agenda Request

MEETING DATE: November 4, 2024

TITLE OF ITEM: Approve Bolton & Menk Amendment Request - Laurel Street Bridge Repair Project

AGENDA: SPW Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Jessie Dehn, Public Works Director

DEPARTMENT: Public Works

PRESENTER: Jessie Dehn, Public Works Director

ESTIMATED TIME (MIN): 2 Minutes

SUMMARY OF ISSUE: Staff is recommending approval of an amendment request from Bolton & Menk for engineering hours needed to bring the project to completion. With some concrete strength issues and some final coordination items, Bolton & Menk is requesting authorization for an additional \$1,950 to cover additional engineering hours on the project. The original contract amount was \$40,238.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: As they have been wrapping up invoicing, they have exhausted their hours estimated in the original proposal. Thus why the request for an amendment to reflect the remaining hours needed to complete the project as described. Costs for this work are Municipal State Aid eligible.

RECOMMENDED ACTION/MOTION: Staff recommends approval of the amendment request for Bolton & Menk in the amount of \$1,950.

FINANCIAL IMPACT: \$1,950



Real People. Real Solutions.

12224 Nicollet Avenue
Burnsville, MN 55337-1649

Ph: (952) 890-0509
Fax: (952) 890-8065
Bolton-Menk.com

October 21, 2024

Mr. Jessie Dehn, P.E.
City Engineer/Public Works Director
501 Laurel Street
Brainerd, MN 56401

RE: AMENDMENT #1: Laurel Street Bridge Repairs

Dear Mr. Dehn,

To date our team has prepared plans, obtained approval from State Aid, as well as provided bidding assistance and ongoing construction administration assistance & support for the 2024 Laurel Street bridge repairs contract. Our original contract was developed with the understanding that local dollars would be utilized, and the project would be going out for quotes. Although the decision to bid the project and use State Aid funding did increase design and construction administration effort significantly, we have generally managed to keep within our original contract maximum for the majority of the work via a more targeted approach to construction observation at only key points during construction.

Work Remaining & Amendment Request:

As of the date of this amendment, the project is nearly closed out but some outstanding final construction administration & coordination items remain. Our original contract is essentially exhausted as of our last invoice; we anticipate the remaining outstanding services between our last invoice and project close out as follows:

- Prepare and submit final pay requests
- Prepare and submit outstanding state aid forms to fill
- Ongoing final coordination & communication regarding punch list items (including the low strength concrete issue).
- Prepare final as-built for project records.

We request authorization for an amendment to the contract in the amount of \$1,950 such that we can provide final construction administration services to close out this contract.

Any additional services (or increase of scope thereof) identified beyond those noted above will be discussed and negotiated prior to commencement of any work.

Amendment #1: Laurel Street Bridge Repairs

Date: October 21, 2024

Page: 2

Thank you for your consideration of this amendment, please don't hesitate to contact me if you have any questions. We appreciate your selection of Bolton & Menk, Inc for this work and look forward to working with you on future projects.

Sincerely,

Bolton & Menk, Inc.



Ryan R. Evans, P.E., S.E.

Principal Structural Engineer

Accepted on behalf of the City of Brainerd, MN by:

Signed

Date

Printed Name



City Council Agenda Request

MEETING DATE: November 4, 2024

TITLE OF ITEM: Award Engineering Services Proposal - Hawkins/Ronald/Joseph Resurfacing Project

AGENDA: SPW Committee

ACTION REQUESTED: Approve/Deny Motion

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

PRESENTER: Jessie Dehn, Public Works Director **ESTIMATED TIME (MIN):** 4 Minutes

SUMMARY OF ISSUE: Staff requested proposals for design and construction engineering services for the Hawkins and Ronald/Joseph Resurfacing project. We received 3 response proposals from Bolton & Menk, Moore Engineering, and SEH. Those proposals are attached for reference.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Staff has performed a review of the proposals. In summary, the Bolton & Menk and SEH proposals are similar in understanding and scope. They both appear to have made appropriate assumptions and thus have what would appear to have included a sufficient number of hours to cover the necessary work. Below are the total costs proposed by each:

- Bolton & Menk = \$189,443
- SEH = \$177,085

In summary, the Moore Engineering proposal appears to have summarized the project scope appropriately. However, some of the assumptions made are less clear. When reviewing the number of hours included, there is a considerably lower number of hours included in the proposal than the other two proposers. The number of hours included may be challenging to sufficiently complete the work unless the project progresses in a certain, efficient manner. That considered, there is a higher risk than the other two proposals that this contract may lead to an amendment request during a phase(s) of the project.

- Moore Engineering = \$80,000

Unfortunately, staff is unable to predict exactly how the project will progress, if scope will need to be adjusted along the way, and other facets such as the awarded contractor's pace of construction. Ultimately, as with professional services, we are billed for hours provided.

RECOMMENDED ACTION/MOTION: Staff is recommending award of the engineering services contract for the Hawkins/Ronald/Joseph Resurfacing project to Moore Engineering in the amount of \$80,000.

FINANCIAL IMPACT: \$80,000



October 25, 2024

Jessie Dehn, P.E.
City Engineer/Public Works Director
City of Brainerd
501 Laurel Street, Brainerd, MN 56401

RE: Hawkins Drive and South Brainerd Alley Resurfacing Project Engineering Technical Proposal
City of Brainerd, MN

Dear Jessie,

As part of the City of Brainerd 10-Year Capital Improvement Plan the city has programmed the resurfacing of Hawkins Drive and resurfacing and watermain improvements on Joseph Street, Ronald Street, and the alley between South 6th Street and South 7th Street between Paul Street and Joseph Street. Bolton & Menk, Inc. has extensive experience with resurfacing projects and reconstructing utilities within alleys. We are currently working with the City of Crosby on a 12-block alley reconstruction project that includes the replacement of sanitary sewer and watermain and surfacing improvements. From the submitted Request for Proposal (RFP) and subsequent discussions with you we understand the project consists of the following improvements:

Hawkins Drive

- Remove 2" of existing bituminous, shape and grade aggregate base, spot curb repair as needed, adjust sanitary manhole lids, gate valves, and storm sewer castings as needed, and place 2" of new bituminous pavement.
- Replace fire hydrants and hydrant water leads to include the installation of gate valves on the hydrant lead.
 - Site grading and turf restoration for hydrant work beyond the existing curb and gutter.
 - Curb and gutter replacement where impacted by hydrant lead and hydrant installation.
- Based on the October 22, 2024 e-mail from you we understand the project will not include the replacement of water services on Hawkins Drive.

Joseph Street & Ronald Street – South 6th Street to South 7th Street

- Replacement of existing watermain and extension of watermain to cover full block.
- Resurfacing of pavement, curb repair as needed, or curb replacement if impacted by watermain reconstruction.

Alley between South 6th Street to South 7th Street – Paul Street to Joseph Street

- Replacement of existing watermain and services to the right-of-way.
- Based on the Lead Service Line (LSL) Inventory completed by Brainerd Public Utilities replace existing water services identified as lead, galvanized, or unknown from the watermain to exterior wall of residence.
 - From the LSL inventory there are 21 water services in this 2-block area identified as galvanized or unknown.

- Prepare, negotiate, and execute temporary construction easements across 21 properties where water service replacement to the exterior wall of the residence is required.
- Reconstruct alley aggregate base and bituminous section following watermain reconstruction.

We understand a portion of the project cost will be assessed to benefitting properties per the City of Brainerd Street and Sewer Assessment Policy and you are requesting the consultant prepare all notices, resolutions, mailings, assessment rolls, and public hearing presentations to meet the requirements of Chapter 429 of Minnesota Statute related to Local Improvement Special Assessments.

To assist the City of Brainerd in completing this project, we propose to provide the following project team. Full resumes of proposed Engineering staff are available upon request.

1. Project Manager – Bryan Drown, PE
 - a. Bryan will serve as the primary point of contact for Brainerd and will regularly communicate with staff and project partners. He will coordinate all aspects of project delivery and be responsible for on-time delivery, meeting the schedule, and scope management processes.
 - b. Bryan is a project manager who has been in the civil engineering industry since 1998. He has extensive experience with administering the special assessment process and managing pavement rehabilitation projects. Along with overall project management Bryan will be responsible for making presentations at resident information meetings and Special Assessment Public Hearings, preparing the Preliminary Engineering Report (PER), and assessment rolls.
2. Project Engineer – Andrew Beadell, PE
 - a. Andrew will lead the preparation of construction plans and specifications, construction bidding process, and construction phase administration.
 - b. Andrew started his career in 2015 with Bolton & Menk's municipal group. He has experience with a range of projects related to highways and streets, municipal storm sewer systems, municipal water systems, and municipal sanitary sewer systems.
3. Project Land Surveyor – Joe Haefner, PLS
 - a. Joe will lead the survey team with completion of supplemental topographic survey of targeted areas, preparation of temporary construction easements, and the construction staking. He will also lead topographic basemap and creating construction calculations for staking.
 - b. Joe began surveying in 1997 and is licensed in Minnesota and Iowa. A survey manager and principal survey practice area leader at Bolton & Menk, he is responsible for the coordination and supervision of survey work.
4. Survey Crew Chief – Josh Anderson
 - a. Josh will perform all field survey tasks associated with the topographic survey, utility locations, and construction staking.
 - b. Josh is a senior survey crew chief in the Baxter Office who began his surveying career in 2004. He is experienced in topographic mapping surveys, legal research, boundary surveys, PLSS corner restorations, and construction calculations and staking.
5. Resident Project Representative (RPR) – Austin Janson, EIT
 - a. Austin will be the on-site RPR during construction working closely with the contractor to ensure the project is constructed according to the approved plans and specifications. He

will document daily construction activities, coordinate material testing as needed, assist with preparing pay estimates, and prepare project record drawings.

- b. Austin is a design engineer at Bolton & Menk's Baxter Office who is passionate about providing a quality product to our clients. Joining the team in 2022, his experience includes inspecting an alley reconstruction project. Austin is often involved in both design and construction phases of projects, bringing continuity to the project as the project is constructed.

To assist the City of Brainerd to complete this project, we propose to provide the following scope of work based on our review of the Request for Proposal and our discussions with you:

Task 1: Data Collection

Objective: Prepare project base map utilizing a combination of GIS information, topographic information collected by the City of Brainerd, additional topographic surveys of targeted areas related to hydrant and water service replacement outside the right-of-way, and location of utility structures to depict existing conditions.

Description: The Project Engineer will perform a field review of the Hawkins Drive project area and identify curbs to be replaced and areas needing to be surveyed to improve drainage. The project land surveyor and survey crew chief will perform the following:

- Convert topographic survey data and linework previously collected by the City of Brainerd to Bolton & Menk, Inc. survey and CAD standards.
- Additional topographic survey of areas identified for hydrant replacement on Hawkins Drive and water service replacement in alley between Paul Street and Joseph Street.
- Locate all above ground utility structures (sanitary manholes, gate valves, storm sewer manholes and catch basins).

Deliverables: Base map in .dwg format detailing existing above ground improvements and existing right-of-way. Identification of drainage improvements areas, curb replacement, and existing utility structures to be replaced or adjusted.

Assumptions: City staff will be available for initial field review with the Project Engineer and supply survey data previously collected by the City of Brainerd.

Task 2: Preliminary Engineering Report and Special Assessment Process

Objective: Administer the Statute 429 requirements to apply special assessments to benefitting properties.

Description:

- Prepare and mail notices to residents of the initial Public Information meeting. The Public Information meeting will include a presentation to describe the scope of the project and gather input regarding project site issues and opportunities.
- Prepare Preliminary Engineering Report (PER) and Preliminary Assessment Roll
 - We understand per the City of Brainerd assessment policy the street improvements will be assessed to benefitting properties, but watermain improvements are not assessed.
- Prepare Resolutions for City Council approval required by Chapter 429 process. We will attend city council meetings as needed to answer questions related to resolutions and where the project is currently within the Chapter 429 process.

- Prepare and mail notices to residents of Public Hearing #1 (Improvement Hearing). The Improvement Hearing will include a presentation detailing the findings of the PER, methodology of how assessment amounts are determined, and allow for Public Input.
- Following construction of the project prepare and mail notices to residents of Public Hearing #2 (Final Assessment Hearing). The Final Assessment Hearing will include a presentation detailing the final assessment amount, methodology of how assessment amounts are determined, the process property owners have to appeal their assessment, and allow for Public Input.
- Prepare Final Assessment Roll for city to record.

Deliverables:

- Notices and Presentations for Public Information Meeting, Improvement Hearing, and Final Assessment Hearing.
- Resolutions for City Council approval required by Chapter 429 process.
- Preliminary and Final Assessment Rolls

Assumptions: City will record final assessments with Crow Wing County upon adoption by city council.

Task 3: Final Design Construction Plans and Specifications

Objective: Prepare plans and specifications detailing proposed project construction.

Description: Bolton & Menk will submit final design plans and other documents to the city for review and project approval at the following stages of completion. We understand coordination will include review of street items by the City of Brainerd Engineering Department and review of improvements to the water system will be coordinated and reviewed by Brainerd Public Utility staff.

- **60% Plan Review** – submittal to include design plans and a format/index for the special provisions.
- **100% Plan Review** – submittal to include final design plans, special provisions, and engineer's estimate; we will incorporate responses to city comments from the 60% plan review.
- **Final Plan Approval** – submittal of final design plans, specifications, and engineer's estimate for approval and signatures; we will incorporate responses to any final city comments in this submittal.

Deliverables: Construction plans and specifications and final cost estimate.

Task 4: Temporary Construction Easements

Objective: Identify water services to be replaced to the exterior wall of the residence in the alley between Joseph Street and Paul Street and prepare and negotiate agreement of temporary construction easements over the proposed construction outside the alley right-of-way.

Description: From the City of Brainerd LSL Inventory, we understand there are 21 water services in the 2-block alley section identified as galvanized or unknown. The project will include replacing these services from the watermain to the exterior wall of the home. We understand that existing water services that are non-lead or non-galvanized will not be replaced outside the alley right-of-way. Services associated with obtaining Construction Easements will include:

- Initial meetings with property owners to review the path of the water service and review impacts to existing private improvements.
- Prepare exhibit of temporary easement location.

- Stake temporary easement location for property owner review.
- With assistance from the City Attorney prepare temporary construction easement agreement documents and negotiate approval of temporary easement with property owners.

Deliverables: Temporary construction easement exhibit and agreements.

Task 5: Bidding Services

Objective: Solicit construction bids for the project.

Description: Bolton & Menk will prepare and submit for publication the advertisement for bid after receiving authorization to bid from the City of Brainerd. Upon advertising Bidding Services will include:

- Distribute bid documents to via QUESTCDN website.
- Respond to contractor questions.
- Issue Addenda as required.
- Administer Bid Opening.
- Prepare the bid tabulation and verification and provide a recommended award to the city council.

Deliverables: Advertisement for bid, distribution of bid documents, responses to contractor questions, issue addenda, contract award recommendation letter.

Task 6: Construction Services

Subtask 6.1 Construction Administration

Objective: Perform construction administration.

Description: Bolton & Menk will provide construction contractor oversight to verify they are completing the work in compliance with the plans and specifications. Construction administration activities will include project diaries, and preparation of change orders or supplemental agreements as necessary. Bolton & Menk will report daily diaries, pay quantities, partial and final pay estimates, change orders, supplemental agreements, and other related contract documents. Typical contract administration duties include:

- Attend and administer preconstruction meeting.
- Perform on-site review pertaining to work and progress as needed.
- Attend weekly progress meetings as needed.
- Prepare change orders and written directives.
- Coordinate with the city's contracted material testing firm.
- Review shop drawings and mix designs.
- Review and recommend approval of pay requests.

Deliverables: Meeting minutes, pay estimates, change orders, work directives, shop drawing reviews, and record drawings.

Assumptions:

- City staff will attend preconstruction meeting.
- Material testing will be a separate contract between the City of Brainerd and a certified testing company.

- The project does not include outside funding that requires State or Federal Wage Rates and the tracking and review of certified payrolls.

Subtask 6.2 Field Staking

Objective: Complete necessary field staking.

Description: Survey crews will complete field staking on the following features:

- Proposed watermain and hydrants, curb replacement as needed, street surfacing section in areas of reconstruction.

Deliverables: Field stakes and documentation of all survey points installed.

Subtask 6.3 Construction Observation

Objective: Provide a highly qualified individual to serve as RPR to perform construction administration and observation of the contractor's work.

Description: The RPR will be on-site during the various stages of construction to observe and review the quality of work. The RPR will perform the following tasks:

- Provide day-to-day construction observation and coordination between contractor, city, and affected businesses and property owners.
 - We assume a 8-week construction period and construction observation will be part-time during removals and grading operations and full-time during watermain, water service, concrete, aggregate base, bituminous paving, and turf restoration operations.
- Maintain daily construction logs.
- Assist Project Manager with preparing monthly pay requests.

Deliverables: Inspection notes, photos, and other field records.

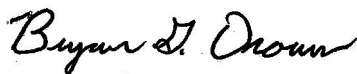
PROJECT SCHEDULE

Bolton & Menk will have staff available to start immediately upon City acceptance of this proposal. A proposed project schedule detailing milestones and meeting dates through the preliminary, design, bidding, and construction phases is included that meets the proposed schedule in the Request for Proposal and requirements of the Chapter 429 Special Assessment Process.

We appreciate the opportunity to provide our proposal for professional services. If you have any questions or need additional information, please contact me at 218-821-5242.

Sincerely,

Bolton & Menk, Inc.



Bryan G. Drown, PE
Project Manager

Attachments: Proposed Project Schedule

PROJECT SCHEDULE
HAWKINS DRIVE AND SOUTH BRAINERD ALLEY RESURFACING PROJECT
CITY OF BRAINERD, MN
10/25/2024

PROJECT TASKS	DATES	NOTES
Council Approves Engineering Design Proposal	Monday, November 4, 2024	City Council Meeting
Council Orders Feasibility Study	Monday, November 18, 2024	City Council Meeting
Public Neighborhood Information Meeting	Monday, December 9, 2024	
Feasibility Report accepted and Order Improvement Hearing - Resolution	Monday, January 6, 2025	City Council Meeting
City Mailed Notice for Improvement Hearing	Wednesday, January 15, 2025	One notice at least 10 days prior to hearing
First Published Notice for Improvement Hearing	Wednesday, January 15, 2025	Twice in local newspaper, one week apart, last notice must
Second Published Notice for Improvement Hearing	Wednesday, January 22, 2025	must be at least three days prior to hearing.
Improvement Hearing Conducted	Monday, February 3, 2025	City Council Meeting
Ordered Project and Preparation of Final Plans and Specifications - Resolution	Monday, February 3, 2025	City Council Meeting
Temporary Easement Acquisition	Monday, March 17, 2025	November 2024 to March 2025
Approved Plans and Authorized Advertisement for Bids - Resolution	Monday, March 17, 2025	City Council Meeting
Bidding Publication	Sunday, March 23, 2025	Publication must be made at least three weeks before last day to submit bids, at least once in official newspaper and once in trade paper or First Class city newspaper.
Bids Opened	Tuesday, April 15, 2025	By default bid remains subject to acceptance for 60 days after the Bid opening.
Awarded Contract - Resolution	Monday, April 21, 2025	City Council Meeting
Notice of Award	Tuesday, April 22, 2025	Contractor has 15 days to deliver signed agreement, bonds and insurance certificates.
Construction	June 2025 to August 2025	8 week construction period to be specified
Preconstruction Conference held	Thursday, May 8, 2025	
Begin Construction	Monday, June 9, 2025	
Substantial Completion	Monday, August 4, 2025	
Final Completion	Monday, August 18, 2025	
Declared Costs to be Assessed - Resolution	Tuesday, September 2, 2025	City Council Meeting
Order Assessment Hearing - Resolution	Tuesday, September 2, 2025	City Council Meeting
City Mailed Notice for Assessment Hearing	Friday, September 5, 2025	One notice at least two weeks prior to hearing
City Published Notice for Assessment Hearing	Sunday, September 7, 2025	Once in local newspaper at least two weeks prior to hearing.
Assessment Hearing Conducted	Tuesday, September 23, 2025	Special City Council Meeting
Adopt Special Assessments - Resolution	Tuesday, October 21, 2025	City Council Meeting
End of Assessment Appeal Period	Thursday, October 23, 2025	Appeals to district court must be made within 30 days after adoption of the assessment roll.

City Council Meetings held on 1st and 3rd Monday @ 7:30 p.m.
Safety and Public Works Commission Meetings 1st and 3rd Monday @ 7:00 p.m.
All dates are subject to change, this is a living document.



1808 East Fir Avenue
Fergus Falls, MN 56537
P: 218.998.4041
F: 218.998.4042



October 25, 2024

Mr. Jessie Dehn, P.E., City Engineer/Public Works Director
City of Brainerd
501 Laurel Street
Brainerd, MN 56401
jdehn@ci.brainerd.mn.us

Re City of Brainerd - Proposal for Hawkins Drive and South Brainerd Alley Resurfacing Project

Dear Mr. Dehn,

Thank you for the opportunity for Moore Engineering, Inc. to submit this proposal to provide engineering services to the City of Brainerd. Our services will include topographic survey as needed outside of the City provided survey data, design, temporary construction easements, bidding, construction representation, construction administration, project close out and administering the 429-assessment process for the 2025 Hawkins Drive and South Brainerd Alley Resurfacing Project.

Our understanding of this project is that these streets and alley are identified needing bituminous replacement and that many of the streets will need to have the base graded and shaped after the 2 inches of milling will remove all the existing pavement and that a new 2-inch pavement will be placed after any base corrections and compaction takes place. Replacement of watermain, water service lines, hydrants and hydrants leads. On Joseph Street there will be a watermain extension. Moore would also lead all parts of the 429-assessment process for the city for these improvements with the project currently scheduled for 2025 construction season.

With our discussions with you we understand that the alley project was initially initiated as a resurfacing project requested by the property owners and has since changed with the needs identified by Brainerd Public Utilities and is now being initiated by the City. It is our understanding that the City has started work on multiple parts of these projects and we will utilize that to expand the design and proceed with the new scope of the project.

Project Team

Ryan Odden PE, Senior Project Manager will be the main point of contact for the City of Brainerd, Contractor and Residents. An important part of this project is going to be communication with those residents that will have their access through the alley disrupted and the installation of the service lines. He will keep an open line of communication and provide prompt responses which will help make this a successful project. He has 23 years of engineering experience working in the local government and will be responsible for the project management and the special assessment process for this project.

Josiah Rostad PE, Municipal Group Leader will be responsible for engineering feasibility reports, project design and technical assistance during construction. His team works on a variety of projects from private lot development to whole city infrastructure projects. His team will design

and propose alternatives as needed to meet the objectives of the project in the most cost efficient way possible while following the design standards for the type of work being proposed. They will work with City staff to provide plans and specifications requested.

Chris Heyer PLS, Survey Group Leader will be responsible for any additional survey information needed beyond what is provided by the City, temporary construction easements and construction staking. He and his field team work all across Minnesota providing survey support for the Moore Engineering projects. They have decades of experience in construction and boundary surveys.

Andrew Becker, Survey Crew Chief II will be assigned to your project. He is based in Staples, Mn which will allow him to be available promptly on the job site for any construction staking needs. He has 14 years of field survey experience primarily in preliminary and construction surveying.

Arthur Cloud, Construction Engineer Specialist will be the Resident Project Representative on this project. Arthur is an expert in construction with experience on both the contractor and client sides of a project. His responsibility in the role of RPR is in facilitating a successful project through effective communication and documentation between all parties involved and gives clarity on questions or concerns which may arise during the life cycle of projects.

Team Performance

Each team member has a decade or more experience in design and construction. At this time we have 2 active projects with this specific team and we are part of other teams with the company. With regular communication we keep the projects on time and on budget.
Quality Control / Quality Assurance

At Moore, we take great pride in the designs and deliverables we provide clients, making rigorous quality control and quality assurance measures a critical part of our process. During the design phase, our senior staff completes a full review when 50% of the design is complete, and again when the final design is ready. The QAQC process offers valuable insights into potential constructability and budget concerns. Experience has taught us that the key to cost-effective construction lies in a meticulous and well-articulated design, providing contractors with the clarity needed for efficient execution.

Project Work Plan

Task 100: 429 Special Assessment Process

Moore will prepare a feasibility report for the project starting from the work already completed by the City. The Feasibility Report will consist of the following sections: Executive Summary, Existing Conditions, Proposed Improvements, Special Considerations, Cost Estimate/Financing, Preliminary Special Assessment Roll and Recommendations. Moore will also attend a Public Hearing, and the Special Assessment Hearing for the project as stated below in the schedule. Maps and figures will be created by Moore as necessary for all these scheduled meetings. The 429 Special Assessment process is utilized often with Moore clients, and we are well versed in the process to ensure it is completed correctly for the City of Brainerd.

Task 320: Design and Cost Estimate

As part of preliminary design, we will host an online kickoff meeting on Microsoft "Teams" (or other online meeting software) with key Moore and the City staff. We will discuss project objectives, next steps, schedule, and verify field work extents and timing. After the kickoff meeting, Moore will

survey the project area for use in design. We will coordinate with the City to schedule our field survey.

Moore will manage the project to keep the City updated on project status, discuss submittals, and keep the project on schedule. We have included meeting time to kick off the project, and to review the design with the City prior to the Final Design Submittal. Moore will provide meeting minutes documenting what was discussed and agreed upon next steps after the meetings.

After completing the topographic survey with Task 305, Moore will begin developing the 100% Design Plans. Based on the input from the City we will develop a 100% Plan Set, Project Manual, and Cost Estimate. As we develop our plans and address items noted in the Kick-off Meeting, we will update our calculations accordingly to ensure project goals are achieved.

During final design Moore will prepare project plans and specifications consistent with City, ADA and local regulatory standards. We assume the City will provide their preferred upfront contract, general provisions, special provisions, and other documents (if these do not exist, Moore will use EJCDC contracting documents). With these standards in mind Moore will evaluate storm sewer pipe capacity within the project area and work with the City to determine appropriate design/replacement for the project. A Utility Coordination Meeting will be hosted by Moore for this project.

Moore will calculate project quantities and prepare an Engineer's Opinion of Probable Cost and Bid Form for final design. During final design Moore will conduct performance quality control reviews throughout the duration. With these quality control reviews Moore will also provide 60% and 90% plans, cost estimate for the City to review, and then schedule a meeting with the City to discuss comments. This meeting could be held at the City Offices or as a web-based Teams style. We will address comments on the plans and cost estimate at each review stage in route to 100% design, and provide a certified project manual including contract, plans and specifications, and final cost estimate.

Moore will work with the City to coordinate the project advertisement for bids, including addressing questions from contractors, preparation of any necessary addendums, preparing the advertisement for bid, and evaluation and tabulation of bids. After the bidding has closed, we will review bids for completeness, accuracy and price, tabulate bids, and will issue a recommendation to the City. After bidding is completed, Moore will produce a cost calculation sheet for this project. With the support of the City's Finance Department, we will determine the final project cost and final special assessment amounts.

Deliverable(s)

- 60% Plan Submittal: Draft plan set for City to review and comment
- 90% Plan and Specification Submittal: Draft plan set and specifications for City review and comment
- 100% Plan and Specification Submittal: Three (3) 11" x 17" final plan sets and three (3) specifications for your files.

Task 410 Construction Services:

Moore will provide construction inspection while onsite we will observe the contractor's work for conformance with project specifications, be available to answer questions as needed, and document project status with photos and diary logs. Moore will coordinate with the contractor on a day-to-day basis, to ensure questions are answered, schedules are coordinated, and payments are appropriately processed. Once the contractor achieves substantial completion, the project engineer and resident project representative will inspect the site to develop a punch list. Upon

completion of the construction punch list, we will provide the City with necessary project closeout documentation for your records.

Task 420: Construction Staking

A Moore survey crew will be available to mobilize to the site. We anticipate one trip for construction staking for all required staking needs. Construction staking will include setting control, subgrade staking on the reconstruct area – 3 hubs across every 50', watermain and water services staking grades every 50 feet, finish grade stakes – 3 hubs every 50'.

Task 900: Survey

Moore will first obtain a copy of the work completed by the City and complete the topographic survey for any areas identified that have not been completed. All field survey data collected will be brought into CAD to develop the base plan set. No specific deliverables are included as part of this task, but survey data will be presented as part of the submitted modeling and plans, developed in subsequent tasks.

Current and Projected Workload/Ability to Meet Schedule and Cost Management

The staff identified in the proposal have well-managed workloads and if awarded this project it will easily be accommodated into the workload to meet the requested project schedule. The Project Manager Ryan Odden will be available as needed and will respond to emails, calls and questions within 24 hours of receiving them from internal and external project stakeholders. Ryan will closely monitor all staff time budgeted and used on this project to ensure that it stays within the original proposed cost and schedule

When something unforeseen occurs during the construction project Ryan will inform the City Engineer promptly of the issue, options for a solution with an estimated cost/time for each solution. If a change order is needed or a supplemental agreement it will be reviewed internally if the proposed change of work reasonably corresponds to the proposed cost. Each project has unique challenges that can only be partially anticipated. This project will need extra attention for the work in the alley. It is a narrow corridor with many impacts to the residents along it. We will design and construct the project with a goal towards minimizing those impacts where possible.

Schedule

Moore will perform the Scope of Work listed in accordance the following schedule:

Task	Date
Authorize contract with Moore Engineering	11/4/2024
Field Survey Data Collection	November 2024
Deliver Draft Feasibility Report to Staff for Review	December 2024
City Report Comments returned to Moore	1/6/2025
City Council Accepts Feasibility Report and Orders the Public Hearing	1/21/2025
60% Plan Submittal to City	1/27/2025

60% Plan comments returned to Moore	2/3/2025
Public Hearing	2/18/2025
90% plan submittal to City	2/18/2025
90% plan comments returned to Moore	2/24/2025
City Council approves plans and specifications	3/3/2025
First Ad for bid published in This Week and plans uploaded	3/3/2025
Bid Opening Date	4/4/2025
Award Contract	4/7/2025
Construction	June 2025 to August 2025
Declare Costs and Set Assessment Hearing Date	9/2/2025
Assessment Hearing and Adopt Special Assessments	10/6/2025

City of Brainerd Involvement

Moore will need minimal involvement from the City of Brainerd. We would expect attendance at the meetings listed in the schedule and participation in the different stages of plan review. If awarded the project we would work with the city to get copies of the work already completed, as-builts and copies of the city standards for plans and resolutions. City review and approval of contractor payments after Moore's review and recommendation.

We appreciate the opportunity to submit our proposal and foster our relationship with the City of Brainerd. Please see our Cost Proposal for a breakdown of tasks, hours and costs. Please note material testing was not included in the cost proposal. Should you have any questions or need additional information, please email me at ryan.odden@mooreengineeringinc.com or call my cell 218-296-0757.

Respectfully,
Moore Engineering, Inc



Ryan Odden, PE
Senior Project Manager



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October 25, 2024

RE: Brainerd, Minnesota
Hawkins Drive and South Brainerd Alley
Resurfacing Project
Proposal for Professional Services
SEH No. BRDMN P-181470 10.03

Mr. Jessie Dehn, PE
City Engineer
City of Brainerd
501 Laurel Street
Brainerd, MN 56401

Dear Mr. Dehn:

Thank you for the opportunity to provide professional services to the City of Brainerd, in collaboration with Brainerd Public Utilities, for this pavement rehabilitation and water system improvements project in Brainerd. SEH has worked well on previous projects with City Staff and Brainerd Public Utilities Staff, and we look forward to another successful project.

SEH has received the communication/addendum noting a scope correction along Hawkins Drive.

LOCAL OFFICE

With our SEH office located in the Brainerd area, you can be confident your project will get the attention it deserves. As community members and local taxpayers ourselves, we take a personal interest in this project's success.

WELL-VERSED IN PROJECT DEVELOPMENT AND ASSESSMENT (CHAPTER 429) PROCESSES

Our team has worked successfully with local and regional Cities on a variety of similar project types, including projects with Special Assessments. Our team has extensive experience with projects of similar scope to help guide these processes with the City.

EXPERIENCED PROJECT TEAM

The project team proposed for this project by SEH will be led by Neil Heinonen. Please see the attached proposal for a breakdown of the skilled team that we have assembled to meet the project schedule and deliver your project.

Thank you again for the opportunity to propose on this project. We look forward to working with the City on another great project. Please contact Neil Heinonen at 320.250.2090 or nheinonen@sehinc.com or Scott Hedlund at 612.865.3509 or shedlund@sehinc.com with any questions regarding this proposal.

Respectfully submitted,

Neil Heinonen, PE
Project Manager
(Lic. MN)

Scott D. Hedlund, PE, PMP
Principal
(Lic. MN, LA)

nh/mrb

x:\ae\b\brdmn\181470\1-gen\10-setup-cont\03-proposal\2024.10.25 | city hawkins dr & alley resurfacing - proposal cover letter.docx

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 13850 Bluestem Court, Suite 150, Baxter, MN 56425-6005

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PROJECT UNDERSTANDING

The purpose of the project is to improve road and alley driving surfaces within the project areas, replace segments of curb that is determined to be in poor condition, and replace watermain, water service lines and hydrants throughout much of the project area. As identified in the City's request for proposals, this includes removal of the pavement surface and replacement with a 2-inch layer of bituminous pavement on Hawkins Drive. The work includes shaping existing gravel, curb repairs, and adjustment of valves and manholes to match the new pavement surface and replacing hydrants along Hawkins Drive. In addition, curb cuts and pedestrian ramps are planned to be replaced for the pedestrian ramp along the southern portion of Hawkins Drive. Additionally, the project includes removal of in-place watermain, appurtenances, and in-place water service pipe, and installation of new watermain and services in the vicinity of Joseph Street and Ronald Street, and through the alley from Joseph Street to Paul Street. The assumption is that utility trenches will be patched or in the case of the alley areas, completely reconstructed. The remainder of any surfaces not excavated for water replacement will be milled (pavement removed) and resurfaced. The watermain work will require the alley to be reconstructed and will facilitate reconstruction of portions of Joseph Street and Ronald Street in the project areas.

The street segments and associated improvements are as follows:

1. Hawkins Drive (SW 4th Street to South End) – street re-paving, curb replacement, hydrant work.
2. Joseph Street (South 6th Street to South 7th Street) – street improvements and watermain installation.
3. Ronald Street (South 6th Street to South 7th Street) – street improvements and watermain installation.
4. Alley between South 6th Street and South 7th Street (Paul Street to Joseph Street) – street improvements and watermain and water service installation.

BACKGROUND

The City of Brainerd's 10-YEAR STREET AND SEWER CAPITAL IMPROVEMENT PLAN 2024-2033 includes provisions for street improvements. The Plan identifies improvement methods for the streets as mill and overlay or removal and replacement of bituminous, per the request for proposal. The project areas listed above are included in the City's Capital Improvement Plan or have been otherwise selected for construction in 2025.

Additionally, watermain, hydrants and service pipes are being considered for replacement as Brainerd Public Utilities has determined the need for new mains in select areas of the City in collaboration with the City's projects.

WORK PLAN AND APPROACH

Our approach to the project is broken down and summarized with the following primary tasks:

Task 1 – Meetings and Coordination

SEH will coordinate and participate in the following meetings (combination of in-person and virtual) to facilitate City coordination and engagement throughout the project.

Subtask 1.1 Project Management Team Meetings

We will prepare for and conduct up to three (3) meetings with a Project Management Team (PMT) consisting of SEH staff, City staff (including other City departments, elected officials), and Brainerd Public Utilities. The meetings are anticipated to be an initial project kickoff meeting (1), a meeting to deliver and review a final report (1), and a meeting to deliver and review final plans (1).

Subtask 1.2 Coordination Meetings

SEH will prepare for and conduct up to four (4) meetings with the design team consisting of SEH staff and City Engineering staff (and select meetings to include Brainerd Public Utilities at the City's discretion). The meetings are anticipated to be for the draft feasibility report (1), a meeting to review both 60-percent plans and 90-percent plans (2), and a coordination meeting to review final assessments prior to mailing notices (1).

Engineers | Architects | Planners | Scientists

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Task 2 – Feasibility Report

SEH will prepare the Feasibility Report and associated Minnesota Statute 429 items.

Subtask 2.1 – Prepare Feasibility Report

SEH will prepare a draft feasibility report for review by the City, as well as the final Feasibility Report for City Council approval. The work items included in this task include preparing maps, formalizing the improvement type identified in the City's CIP and further identified in the RFP, completing an opinion of probable cost, calculating preliminary assessment rates, and writing the report to support that the project is cost effective, necessary, and feasible. The task also includes presenting the report to City Council as necessary.

Subtask 2.2 – Improvement Hearing Notices and Improvement Hearing

SEH will calculate assessment rates and attribute them to individual properties. The task includes reviewing applicable Minnesota Statute 429 and the City of Brainerd Assessment Policy, completing analysis of preliminary assessments, coordinating associated mailings, coordinating and presenting the project at the Improvement Hearing, and assisting with preparation of necessary notices or resolutions that will be required for the project.

Deliverables: Draft Feasibility Report for review by the City, Final Feasibility Report/ Prepare and Mail notifications for the Chapter 429 Process, Prepare Presentation for the Improvement Hearing.

Task 3 – Design and Survey

This task includes project development and associated tasks for the preparation of plans up to the 95-percent stage.

Subtask 3.1 – Survey

SEH will coordinate with City Staff to obtain previous topography information to utilize for the design. The intent of the survey is to collect important features along the roadways (select curb segments, manholes, valves, appurtenances and private utility locations) and complete a full topo survey in select areas of important features such as ped ramps or if other strategic minor areas need to be evaluated. The entire corridor or curb is not intended to be surveyed, nor is it intended to survey all existing utility features along the Hawkins Drive portion of the project. The survey work will include setting horizontal and vertical control throughout the project areas. A full topo of alley areas and Joseph and Ronald Streets is expected (pending information received from previous topo work that was completed by the City). SEH intends to coordinate with utility partners and request Gopher State One Call field marks for the watermain replacement areas.

SEH's scope includes field work and research to identify the alley rights of way. Minimal field survey work is proposed along Hawkins Drive and will include field review to determine if property corners exist near hydrants. In addition, SEH's scope includes preparation of blanket easement documents over lots to allow for the construction of water service lines on private property for work in and around the alley areas.

Subtask 3.2 – Preliminary Design Utility Meeting

SEH will prepare a basic overview map to illustrate the project area and will coordinate and host a utility meeting to alert utility partners of the project. In addition, the meeting will be utilized to gather information related to the presence of existing utility features in the project area, and to initiate discussion with utility companies to determine if they have any intentions of replacing facilities in the project areas.

Subtask 3.3 –Utility Meeting (60 percent plans)

SEH will send plans to Private Utility Companies host a utility meeting to ensure each utility partners facilities are accurately presented in the plans for the project.

Subtask 3.4 – Design

SEH will prepare plans for City and BPU Review, including a 60-percent plan set and a 95-percent plan set, and associated Opinion of Probable Cost breakdowns to determine the status of the project budget at each milestone.

Deliverables: 60-percent plan set, 95-percent plan set, Engineer's Estimate/Opinion of Probable Cost.

Subtask 3.5 – Right of Way/Easement Acquisition

SEH intends to address the need for easements/property access rights at project meetings or via mailing relevant information. SEH will utilize staff to meet residents and coordinate access easement or right of entry needs with residents on an as needed basis. The scope requires that easements/written documents are needed for approximately 32 residential parcels. The intent of property owner meetings is to describe the need for the formal easement document, and to facilitate understanding of the project for the residents impacted with water service replacements, and to obtain formal written permission to allow access on each property. It is assumed that a right of entry document would be prepared that would need to be signed by property owners.

Deliverable: Formal Right of Entry documents for City files.

Assumptions - City Attorney will prepare any necessary conveyance documents (not included in SEH's fee), no appraisals are necessary, no damages will be paid to property owners. SEH expects meetings with approximately 1/3 of the property owners to facilitate the access easements/right of entry documents.

Subtask 3.6 – Permits

SEH will prepare the Minnesota Department of Health (MDH)- Extension of Watermain permit application and deliver to appropriate MDH staff, a permit form, plans, and specifications to for the project.

In addition, an MPCA/NPDES Permit will be required; it is proposed that the Contractor will be required to obtain and complete this form as this is a typical process for SEH projects.

** Assumptions Permit fees for the MDH Permit will be borne by the City.*

Deliverable: A completed permit form and plans/specifications to MDH.

Task 4 – Advertising, Bidding and Contract Award

SEH will prepare final plans and specifications for bidding, and associated subtasks.

Subtask 4.1 – Advertising, Bidding and Contract Award

This task includes preparing plans and specifications for bidding, advertising, coordination with Bidders during the bidding timeframe, distribution of necessary addenda, hosting the bid opening, preparing a bid tabulation, review of the apparent low bid, and award recommendation.

** Assumptions - Advertising or Publication fees will be borne by the City.*

Deliverables: Final Bidding Documents, Addenda, Bid Tabulation, Award Recommendation Letter including supporting information (bid tabulation)

Task 5 – Construction

This task includes the various elements needed for Construction Administration and Observation.

Subtask 5.1 – Construction Administration

This task includes hosting a preconstruction meeting and up to 12 progress meetings during construction. In addition, it includes preparation of partial pay estimates, as well as general coordination with project partners and residents. The impactful construction activity throughout the alley areas will require communication with the Contractor, residents, City Staff and all parties, and our team is comprised of staff that will be the facilitator if the necessary communication. The task also includes preparation of a change order should one be necessary during construction progress.

This task also includes review of submittals for necessary construction items, including water system components.

The expectation for the project is that a formal neighborhood meeting ahead of construction will be hosted by SEH, due to the disruptive nature of the project. SEH intends to prepare materials for the construction open house/neighborhood meeting, host the meeting, prepare a mailing to the assessment distribution list advising residents of the meeting time and gather and document comments from property owners. SEH will serve as the liaison between the City, the Contractor and the general public during construction.

Subtask 5.2 – Survey

The task includes providing staking for hydrants, watermain, pedestrian ramps, alley centerline, blue tops for subgrade/gravel in reconstruction areas, and for stationing stakes along overlay segments during construction.

Subtask 5.3 – Resident Project Representative/Construction Observation

The task noted here is for observation of project work to document conformance to contract documents. The designated representative from SEH will review and monitor the construction progress and observe work completed. In addition, they will coordinate staking, markings of removals, and necessary materials testing for the project. This individual will track quantities and document for inclusion on a partial pay estimate. It is assumed there will be up to 12 weeks of active construction and the Resident Project Representative will be needed for up to 480 hours during this time.

** Assumptions – It is assumed the City will contract directly with a separate party for necessary construction materials testing.*

Deliverables: Meeting Agendas and Minutes, Pay Applications, Change Orders

Task 6 – Assessment Hearing

SEH will assist the City with assessment calculations, assessment public hearing and documentation in accordance with the Chapter 429 assessment process. Items included in our proposed scope of services are as noted below.

Subtask 6.1 – Assessment Hearing Preparation and Assessment Hearing

The task includes preparing the final cost split worksheet and assessment calculations, preparation of assessment worksheet, meeting with City staff to review final assessment and cost split information, and assisting the City with Assessment Hearing resolutions and notices.

Deliverables: Final Cost Split Worksheet, Final Assessment Calculations and Map, Prepare and Mail notifications for the Chapter 429 Process, Presentation for the Assessment Hearing.

Task 7 – Project Closeout

Subtask 7.1 – Administrative Closeout

Complete necessary final documentation for the final pay estimate and coordinate with the Contractor.

Subtask 7.2 – Record Drawings

Complete preparation of “Record Drawing/ as-built” document.

Task 8 – Reimbursable Expenses

Reimbursable expenses include vehicle mileage, vehicle and equipment charges, printing, postage, and reproductions.

CONSULTANT FEE

Refer to the Cost Breakdown for detailed information related to the breakdown of hours, fees for each Task identified in the Work Plan and Approach and direct expenses.

SCHEDULE

Our team is ready to begin work upon authorization of the contract. Below we have summarized the major project milestones with dates based on assumptions of the City’s proposed schedule for the project. The first step would be a kick-off meeting with City staff to define the project elements, discuss project goals, identify a chain of command on decisions, and discuss the project schedule. Note, the schedule could change beyond the control of SEH.

Notice to Proceed from the City of Brainerd	November 5, 2024
Kick-Off Meeting	November 14, 2024
Complete Field Work	December 2024
Authorize Preparation of Feasibility Report	December 2024
Preliminary Layout and Design	December 2024
Submit Feasibility Report to City	January 2025
Improvement Hearing	January/February 2025

Project Design	December 2024 – March 2025
Authorize Advertisement and Plan Approval	March 17, 2025
Bid Opening	April 15, 2025
Award Contract	April 21, 2025
Construction	June – September 2025
Assessment Hearing	October/November 2025

PROJECT TEAM

The project team proposed for this project by SEH will be led by Scott Hedlund and Neil Heinonen and includes the following members:

- **Neil Heinonen, PE – Project Manager** (320.250.2090, nheinonen@sehinc.com) with 20 years of experience in civil engineering is based in Baxter and will serve as the Project Manager and primary City contact. He has experience in all aspects of municipal engineering including streets, utilities, and the Chapter 429 Assessment process. Neil has previous experience with multiple City and County Clients/Organizations on successful projects requiring coordination with multiple disciplines. Recently, Neil has served as the Project Engineer and primary City contact for the 2024 South Forestview Improvements project in Baxter. The work on this approximately \$6 Million dollar construction project has included significant coordination with residents, utility partners, and City Staff. Neil was intimately involved with the assessment process on this project, and presented information to residents, Utility Commission, and Council. *Neil will lead the team through all aspects of project delivery and will be the primary contact for the project. Neil will be the Engineer of Record for the plans and will serve as the Construction Engineer. Neil is considered 40% available.*
- **Scott Hedlund, PE, PMP – Principal** (612.865.3509, shedlund@sehinc.com) with over 30 years of experience in civil engineering will serve as a project advisor to SEH Staff and can be reached as a point of contact for the City during the project. Scott has served in client manager, project manager, and project engineer roles with extensive experience in transportation and civil engineering including street reconstruction and rehabilitation projects in central Minnesota. He has substantial experience delivering projects that utilize MN Statute 429 Special Assessments. Scott does regular project work for the cities of Brainerd and Baxter. *Scott will lead the QA/QC efforts and provide valuable insight related to City specific preferences and advise staff in all aspects of the project. Scott is considered 10% available.*
- **Alex Voit, PE – Civil Project Engineer** with 12 years of experience in civil engineering is based in Baxter and will serve as the Project Engineer. He has experience in in all aspects of municipal engineering including streets and utility reconstruction, rehabilitation projects, and project with assessments. *Alex will be the production lead for the feasibility report, plans, and other project deliverables, and assist Neil through project delivery. Alex is considered 60% available.*
- **Brad Wisted – Survey Crew Chief** with 19 years of experience surveying and managing field crew operations for topographic surveys and construction, including on multiple City of Brainerd projects. Brad prepares necessary information for the successful completion of various design, survey, and construction projects. He is a highly skilled technician using CAD and 3D modeling. Brad is a registered PLS in North Dakota. *Brad will lead survey efforts and prepare the necessary easement documents for the water service replacement throughout the alley areas. Brad is considered 20% available.*
- **Paul Bremer – Resident Project Representative** with 5 years of construction observation experience. Paul has experience with served in many communities as the primary field contact for a wide variety of municipal projects. *Paul will handle day to day coordination and document work completed on the site during construction. Paul is considered 90% available.*

EXPERIENCE

As referenced above, SEH has led and completed numerous municipal street and utility projects for the City of Brainerd including:

- South 8th Street (TH 18) Reconstruction
- Oak Street Turnback
- H Street & 10th Avenue NE
- South 6th Street (TH 371B) Willow Street Roundabout
- Mill Avenue (CSAH 3)
- Cuyuna Lakes State Trail
- Airport Utilities Extension

In addition to the projects listed above, the following recent projects utilized the Chapter 429 assessment process:

- 2024 South Forestview Area Improvements – Baxter
- 2023 CSAH 48 & Cypress Drive Improvements – Baxter

CITY INVOLVEMENT

The following summarizes expected City involvement for this project:

Information Requested for Consultant prior to or at the kickoff meeting

Provide example Feasibility Reports, Project Plans, and Specifications for projects of similar scope.

Meetings

- Attend PMT Meetings (3) / Attend Project Coordination Meetings (4)
- Attend Improvement Hearing / Attend Neighborhood Meeting / Attend Assessment Hearing
- Attend Construction Progress Meetings

Review of Deliverables

- Review Draft and Final Feasibility Report/ Review Preliminary Assessment Calculations
- Review 60-percent and 90-percent plans
- Review Draft Final Assessments

Property Owner/Easement Discussions

City Public Works Staff and BPU Staff will be consulted and will be asked to attend Property Owner Meetings to define the easement process and assist with acquisitions for property owners who may need to have City Staff present to facilitate signing the formal easement document.

Field Locates

City Public Works Staff will be consulted to identify the locations of water service lines from the alleys to each home to define a survey corridor for the water line replacement.

General Coordination

Involvement as necessary with SEH's Project Manager, utility partners, other entities, or residents during preliminary plan development, bidding, or construction throughout the project process.

COST CONTROL

At SEH, we manage cost controls by striving to minimize unknowns and unexpected construction cost overruns. We do this through project scoping, Client engagement, and high-quality design. As outlined in our work plan and project approach, we will follow these steps to manage costs:

- Create project-specific Project Management Plan (PMP)
- Establish Project Management Team (PMT)
- Manage the Schedule / Manage costs: overall, engineering and construction costs
- Manage communications (inform City Staff of contract changes or added scope items in a timely manner)

Cost control for all aspects of project development is a priority. SEH (and Team Member Scott Hedlund) have successfully completed projects identified above for the City of Brainerd within schedule and budget constraints. In addition, cost control during construction is always a priority. Those familiar with construction understand that the unexpected happens, but the key is being prepared to react. Quality design will help reduce the risk of construction changes; however, there are factors beyond the control of the consultant and contractor that could affect costs, including weather and subsurface conditions.

SEH knows that these factors create the need for contingencies in the construction phase of the overall budget. We offer a qualified team of professionals who can work through changes and challenges, and we will seek input and direction from the City Engineer during construction as necessary. The PMP will include a change management plan that outlines procedures and chain of command for addressing any potential change orders in a timely manner.



City Council Agenda Request

MEETING DATE: November 4, 2024

TITLE OF ITEM: Update on TH 371B/Willow Street Comparison of Costs

AGENDA:

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 October 21st Council meeting, the City Council directed staff to perform a comparison of costs of the proposed roundabout at the intersection of TH 371B/Willow Street planned for 2025 as compared with the work being completed as part of the reconstruction of the corridor in 2018. Staff has prepared a cost comparison with a breakdown of different funds and attached a table for information. For reference, the 2025 estimate includes costs for engineering and right of way estimates. As the east leg extension (reconstruction) of Willow Street was not completed as part of the 2018 project, it was removed from the 2025 estimate for comparison purposes. Per the attachment, staff is estimating that the 2025 project is roughly \$70,000 less than the 2018 project. However, this estimate is based on a variety of assumptions.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: As mentioned in the Council meeting, this cost comparison is difficult to complete and a challenge to be a relevant comparison. Some of the challenges are as follows:

- Economy of scale is considerably different on some items in the 2018 vs. 2025 projects. Large vs. small quantities can have major affects in unit price. Staff utilized the unit prices in 2018 as bid, however the affect of economy of scale would likely have affected unit prices throughout.
- Variable bid items in the two projects. The 2025 project has bid items that are not included in the 2018 project and vice-versa. Thus, unit prices are unable to be compared for items included in one project and not the other. For items, such as the RRFB's, the current unit price estimate was used across both projects.
- Changed standards from 2018 to 2025. MnDOT standards have changed on certain items over the last several years, leading to different ways to complete work. For example, sidewalk immediately behind curb requires a concrete sill (ledge) for support. This was not a standard requirement for this type of sidewalk in the 2018 project.

RECOMMENDED ACTION/MOTION: Information Only.

FINANCIAL IMPACT: N/A

2018			2025	
Fund	Cost		Fund	Cost
Street	\$340,926.51		Street	\$815,293.20
Water	\$56,887.00		Water	\$191,648.97
Sanitary	\$12,215.00		Sanitary	\$17,481.76
Storm	\$32,946.00		Storm	\$99,642.98
			Total	\$1,124,066.91
			HSIP Grant	\$750,000
Total	\$442,974.51		Total minus Grant	\$374,066.91



City Council Agenda Request

MEETING DATE: November 4, 2024

TITLE OF ITEM: Final Reading and Public Hearing - Proposed Ordinance 1574 - Fee Schedule

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:

City Council codified the City's fee schedule in December 2023 by passing Ordinance 1562. Ordinance 1562 organized all fees listed in the City Code and centralized them in one location. The majority of the Fire Department fees were not added to the fee schedule in 2023 as they are not located in the City Code. The proposed update includes the Fire Department Fees and other fee increases/decreases recommended by staff.

BUILDING

1. Set permit fees for residential inspections such as roofs, siding, and furnaces were increased by the number of inspections required for each permit and charged at a rate of \$50.00 per inspection.

PLANNING & ZONING DEPARTMENT

1. The department is recommending the yearly annual fee for food trucks be reduced from \$300 to \$50 plus a \$75 annual inspection by the Fire Department. The Brainerd fee for food trucks has been a deterrent to food truck operators in the area. Businesses enjoy bringing in food trucks for special events and occasions to celebrate grand openings and sales. Staff believe this will be a benefit to local businesses.
2. The PUD fee has been significantly increased as it is the most time-consuming land use process in the department. Staff recommends increasing the escrow to pay for legal fees related to the development agreement.
3. Staff recommends including a fee for inquiries about the sale of City property. The proposed \$1,000 escrow will be applied to the appraisal fee.

FIRE DEPARTMENT

1. The Fire Department recommends increasing most set fees by \$25.00. A spreadsheet is attached to this agenda request showing all proposed increases.
2. After performing the inspections for the large school projects, the department recommends using a construction valuation permit fee for fire suppression testing.

ENGINEERING DEPARTMENT

1. The department is recommending an increase in sewer tap fees and excavation fees.
2. Added a ROW Obstruction Permit for \$50 and an Excavation/Obstruction Delay Penalty of \$100 each 30 days beyond permit requirements.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

At the October 7th City Council meeting, the Council conducted the first reading of Proposed Ordinance 1574 and called for a public hearing to be conducted at the November 4th City Council meeting.

RECOMMENDED ACTION/MOTION:

- 1) Conduct the final reading of Proposed Ordinance 1574 and dispense with the actual reading.
Note: A vote to dispense with the actual reading of the ordinance must be unanimous.
- 2) Hold a public hearing.
- 3) Approve Proposed Ordinance 1574.
- 4) Adopt Resolution for Summary Publication of Ordinance 1574.

FINANCIAL IMPACT: N/A

**ORDINANCE
NO. 1574**

**AN ORDINANCE AMENDING SECTIONS 421 UNIFORM FIRE CODE, 1000 APPENDIX A
FEE SCHEDULE, 1000 APPENDIX B FEE SCHEDULE**

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Amendments to the Minnesota State Fire Code – Section 4210.5 of the City Code is hereby amended as indicated, with deleted language struck out and new language underlined:

Subd. 5. Section 105.1.1 of the 2015 Minnesota State Fire Code is hereby replaced in its entirety with the following language:

2) The fees for such permits, if any, shall be in an amount set forth in Section 1000 Appendix A: Fee Schedule ~~the City's Fee Schedule as adopted by City Council resolution from time to time.~~

SECTION TWO: Additional Fire Department Fees - Section 421.06 is hereby amended as indicated, with deleted language struck out and new language underlined:

Subd. 4. The fees for services under this section, if any, shall be in an amount set forth in Section 1000 Appendix A: Fee Schedule ~~the City's Fee Schedule as adopted by City Council resolution from time to time.~~

1015.09 Permit Fees. The fees and charges for the various permits required by this Code ~~are set forth in this Subsection~~ are set forth in Section 1000 Appendix A: Fee Schedule.

SECTION THREE: Section 1000 General Provisions - Section 1000 Appendix A: Fee Schedule (Exhibit A) is hereby amended as indicated, with deleted language struck out and new language underlined:

SECTION FOUR: Section 1000 General Provisions - Section 1000 Appendix B: Fee Schedule (Exhibit B) is hereby amended as indicated, with deleted language struck out and new language underlined:

SECTION FIVE: 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 – _____

1000 GENERAL PROVISIONS APPENDIX A: FEE SCHEDULE

EXHIBIT A

Building Dept	Residential	Commercial
Building Permit Fee	Valuation (refer to Appendix B)	Valuation (refer to Appendix B)
Plan Review Fee	65% of Building Permit Fee	65% of Building Permit Fee
Decks	Valuation (refer to Appendix B)	N/A
Accessory Structure	Valuation (refer to Appendix B)	Valuation (refer to Appendix B)
Re-Roofing per structure	\$70-\$99 + \$1 State Surcharge	Valuation (refer to Appendix B)
Re-Siding per structure	\$70-\$99 + \$1 State Surcharge	Valuation (refer to Appendix B)
Solar PV Panels	\$80-\$99 + \$1 State Surcharge	Valuation (refer to Appendix B)
Weatherization	Valuation (refer to Appendix B)	Valuation (refer to Appendix B)
Windows/Doors Replacement	\$80-\$99 + \$1 State Surcharge	Valuation (refer to Appendix B)
Manufactured (HUD) Installation	\$250 + \$1 State Surcharge	N/A
Modular/Manufactured Home Foundation	Valuation (refer to Appendix B)	N/A
Mechanical-New	\$120-\$149 + \$1 State Surcharge	Valuation (refer to Appendix B)
Mechanical-Remodel	\$80-\$99 + \$1 State Surcharge	Valuation (refer to Appendix B)
Furnace/Boiler/AC/Fireplace	\$40-\$49 + \$1 State Surcharge	\$75 + \$1 State Surcharge
Garage Heater	\$40-\$49 + \$1 State Surcharge	\$75 + \$1 State Surcharge
Roof Top Unit	N/A	\$150 + \$1 State Surcharge
Plumbing-New	\$120-\$149 + \$1 State Surcharge	Valuation (refer to Appendix B)
Plumbing-Remodel	\$80-\$99 + \$1 State Surcharge	Valuation (refer to Appendix B)
Water Heater Replacement	\$40-\$49 + \$1 State Surcharge	\$75 + \$1 State Surcharge
Water Softener	\$40-\$49 + \$1 State Surcharge	N/A
Contractor Registration	\$50 (exempt for State Licensed BC)	\$50
SAC Fee (Sewer Access Charge)	\$1,900 / New Home	\$1,900 / E.R.C.
WAC Fee (Water Access Charge)	\$1,400 / New Home	\$1,400 / E.R.C.
Re-Inspection Fee	\$70 per inspection	\$70 per inspection
E911 Addressing Fee	\$75	N/A
Certificate of Occupancy Inspection	N/A	\$75 per inspection
Demolition	\$50	Valuation (refer to Appendix B)
Planning & Zoning Dept	Residential	Commercial
Fence	\$50	\$50
Sign – Permanent	N/A	Valuation (refer to Appendix B) \$35 minimum
Sign – Temporary(portable)	N/A	\$35/3 months
Conditional Use Permit	\$350	\$500 + \$500 Escrow
Interim Use Permit	\$350	\$500 + \$500 Escrow
Variance Permit	\$350	\$500 + \$500 Escrow
Rezoning Permit	\$350	\$500
Administrative Subdivision (property split, consolidation, or boundary line adjustment)	\$100	\$100
Administrative Zoning Permit	\$35	\$35
Bee Keeping Permit	\$60 initially/\$20 annual renewal	N/A
Chicken/Duck Permit	\$60 initially/\$20 annual renewal	N/A
Food Truck Permit	N/A	\$300-\$50 annually + \$50 Parks or \$50 day
Preliminary Plat/Final Plat	\$500 + \$30 per lot + \$1,000 Escrow	\$600 + \$50 per lot + \$1,000 Escrow
Planned Unit Development (PUD)	\$350-\$1,000 + \$1,000-\$2,000 Escrow	\$500-\$1,500 + \$1,000-\$2,000 Escrow
Temporary Seasonal Sales	N/A	\$25/short term or \$150/long term
Zoning Compliance Letter	\$40-\$50	\$40-\$50
Zoning Text Amendment	\$250	\$400
Planning & Zoning Dept (cont'd)	Residential	Commercial

1000 GENERAL PROVISIONS APPENDIX A: FEE SCHEDULE

EXHIBIT A

Park Dedication	\$500/single dwelling per buildable lot \$500/double or multi dwelling per unit		\$1,000 per acre or 5% of the fair market value of the subdivision as set forth by valuation fee schedule, whichever is greater.	
Public Right-of-Way Entranceway Sign	\$500		N/A	
Special Meeting	\$200		\$400	
Comprehensive Plan & Zoning Appeals	\$100		\$100	
<u>City Property Sale Inquiry</u>	<u>\$1,000 escrow for appraisal fee</u>		<u>\$1,000 escrow for appraisal fee</u>	
Rental Housing	Annual Fee June 1 st – May 31 st			
Per Unit Annually	\$50 per unit			
1-5 Units Annually	\$50 per unit			
6-12 Units	\$45 per unit			
13+ Units	\$40 per unit			
Registration Late Fee (July 1-31) (August 1 st - property placarded as non-licensed rental)	Double the per unit fee			
Operating without a Designated Agent in 50-mile radius	\$100 per unit per month			
Operating without Valid Rental License	\$250 per unit per month			
Tenant Complaint based inspection	\$100 each complaint			
Engineering Dept	Residential		Commercial	
Sewer Tap Fee	\$40 <u>\$50</u>		\$70 <u>\$75</u>	
Excavation Fee	\$45 <u>\$50</u>		\$70 <u>\$75</u>	
Curb Cut	\$35		\$35	
Billboards	N/A		\$75	
Street Vacation	\$150		\$150	
<u>Right of Way Obstruction Permit</u> <u>Excavation/Obstruction Delay Penalty</u>	<u>\$50</u> <u>\$100 each 30 days beyond permit requirements</u>			
Sanitary Sewer				
Consumption-Based Monthly Charge	<u>2024</u>	2025	<u>2024</u>	2025
	<u>\$1.37 / 1,000 gal</u>	\$1.34 / 1,000 gal	<u>\$1.37 / 1,000 gal</u>	\$1.34 / 1,000 gal
Fixed Monthly Sewer Charges	2024 Meter Size		2024 Fixed Monthly Customer Charge	
	¾"		\$6.55	
	1"		\$14.00	
	1½"		\$19.85	
	2"		\$36.25	
	3"		\$56.25	
	4"		\$105.00	
	6"		\$140.00	
	2025 Meter Size		2025 Fixed Monthly Customer Charge	
	¾"		\$7.05	
	1"		\$15.00	
	1½"		\$21.10	
Fixed Monthly Sewer Charges	<u>2024 Meter Size</u>		<u>2024 Fixed Monthly Customer Charge</u>	
	2"		<u>\$37.50</u>	
	3"		<u>\$57.50</u>	
	4"		<u>\$105.00</u>	
	6"		\$140.00	
Storm Sewer	<u>2024</u>	2025		
	<u>\$4.60</u>	\$5.30		

1000 GENERAL PROVISIONS APPENDIX A: FEE SCHEDULE

EXHIBIT A

Fire Dept	
<u>Sprinkler System Installation</u>	<u>\$100 + \$1.00 per head up to 25 heads</u>
<u>Fire Sprinkler Testing Permit</u>	<u>\$225</u>
<u>Annual Fire Inspections and Follow-up Inspections</u>	<u>\$75</u>
<u>Annual Fire Safety Inspections and Follow-up Inspections</u>	<u>\$125</u>
<u>Birthday Party</u>	<u>\$40</u>
<u>Carnivals and Fairs</u>	<u>\$125</u>
<u>Donations</u>	<u>Varies</u>
<u>Exhibition, Trade Shows, Any Special Event Requiring a Fire Inspection</u>	<u>\$125</u>
<u>Family Day Cares and/or Foster Care Home</u>	<u>\$50 - initial licensure inspections only</u>
<u>False Alarms</u>	<u>\$125 for the 3rd alarm, \$175 for the 4th alarm, \$275 for the 5th+ alarms per year</u>
<u>Fire Extinguisher Training</u>	<u>\$5 per head or \$250 flat fee per training event (50 attendees)</u>
<u>Fire Watch Supplied by the Fire Department</u>	<u>\$125 per hour per staff member required</u>
<u>Fireworks Sales, Displays, and Pyrotechnic Special Effects Materials</u>	<u>\$125</u>
<u>Food Truck Annual Inspection</u>	<u>\$75</u>
<u>Natural Gas Line Hits</u>	<u>\$175 per hour per incident if proper procedures were not followed</u>
<u>Installation and Removal of all Fire Alarm, Monitoring, or Related Systems</u>	<u>\$125</u>
<u>Installation and Removal of all Fire Suppression Systems (Under 25 Heads)</u>	<u>\$125</u>
<u>Fire Suppression Testing Permit</u>	<u>Valuation (refer to Appendix B)</u>
<u>Installation and Removal of Underground or Above Ground Tanks</u>	<u>\$125</u>
<u>Installation of Smoke Removal Systems</u>	<u>\$125</u>
<u>Installation of Spray Booths or Spray Areas</u>	<u>\$125</u>
<u>Storage of Explosives, Black Powder, or Blasting Agents</u>	<u>\$125</u>
<u>Temporary Membrane Structures, Tents, Canopies</u>	<u>\$125 - if no other fee is charged by the City</u>
<u>Training Room Daily Rental Fee</u>	<u>\$100 - four hours or less</u>
<u>Training Room Daily Rental Fee</u>	<u>\$150 - four to eight hours</u>
<u>Use of Explosives</u>	<u>\$125</u>
Business Licensing	Annual Fees Unless Indicated Otherwise
<u>Adult Establishment</u>	<u>\$3,000 + investigative fee</u>
<u>Filling Station & Bulk Plant</u>	<u>\$100 per dispensing location or per bulk plant</u>
<u>Pawnbroker</u>	<u>\$150</u>
<u>Peddler, Solicitor, or Transient Merchant</u>	<u>\$200</u>
<u>Secondhand Automobile</u>	<u>\$50 per lot</u>
<u>Secondhand Goods Dealer</u>	<u>\$500 Class A / \$300 Class B</u>
Liquor/Tobacco	Annual Fees Unless Indicated Otherwise July 1 st – June 30 th

1000 GENERAL PROVISIONS APPENDIX A: FEE SCHEDULE

EXHIBIT A

Brewery, Taproom	\$500 + initial investigative fee (if applicable)
Growler	\$300 (must be State licensed Brewery or Taproom)
Investigative Fee – New Applicants	\$100
Club On-Sale & Sunday Liquor	\$300 / 200 or less members + investigative fee + Sunday (if applicable) \$500 / 201 or more members + investigative fee + Sunday (if applicable)
Distillery – Cocktail Room	\$300 Off Sale Distillery Spirits + investigative fee + Sunday (if applicable) \$500 Cocktail Room + investigative fee + Sunday (if applicable)
Off-Sale Beer	\$25 + investigative fee (if applicable)
Off-Sale Liquor	\$200 + investigative fee (if applicable)
On-Sale Beer/Wine	\$200 Beer License \$200 Wine License + investigative fee + Sunday (if applicable)
On-Sale & Sunday Liquor	\$3,300 Class 1 Bar \$2,700 Class 2 Restaurant \$3,000 Class 3 Bowling Center/Hotel + investigative fee + Sunday (if applicable)
On-Sale Liquor – Sunday	\$150
Temporary On-Sale Beer	\$20 per day
Temporary On-Sale Liquor	\$135 per day
Tobacco	\$75
Transportation	Annual Fees Unless Indicated Otherwise
Garbage Hauler	\$50 per unit & \$25 per scooter
Taxicab	\$40 per unit
Junk Dealers	\$50
Vending Vehicles	\$75
Auto Salvage	\$25
Miscellaneous	Annual Fees Unless Indicated Otherwise
Dog License/Annual	\$20 \$15/spayed or neutered
Replacement of Dog Tag	\$2.50
Impound Fees for Dogs or Cats	\$25 + additional sum equal to the cost to the City for feeding/housing in a kennel
Kennel License	\$35
Assessment Search Fee	\$10
NSF (non-sufficient funds) Check Fee	\$20

1000 GENERAL PROVISIONS APPENDIX B: VALUATION FEE SCHEDULE

COMMERCIAL BUILDING PERMIT (Includes multifamily dwellings)

Total Valuation	Fee
\$1.00 to \$500.00	\$40.00
\$501.00 to \$2,000.00	\$40.00 for first \$500.00 plus \$3.25 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$88.75 for first \$2,000.00 plus \$14.75 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$428.00 for first \$25,000.00 plus \$10.75 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$696.75 for first \$50,000.00 plus \$7.50 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$1,071.75 for first \$100,000.00 plus \$6.00 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,471.75 for first \$500,000.00 plus \$5.00 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,000.00 and up	\$5,971.75 for first \$1,000,000.00 plus \$4.00 for each additional \$1,000.00 or fraction thereof

RESIDENTIAL BUILDING PERMIT

Total Valuation	Fee
\$1.00 to \$500.00	\$30.00
\$501.00 to \$2,000.00	\$30.00 for first \$500.00 plus \$2.00 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$60.00 for first \$2,000.00 plus \$9.50 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$278.50 for first \$25,000.00 plus \$6.50 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$441.00 for first \$50,000.00 plus \$5.00 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$691.00 for first \$100,000.00 plus \$4.50 for each additional \$1,000.00 or fraction thereof

PLAN REVIEW FEES

1000 GENERAL PROVISIONS APPENDIX B: VALUATION FEE SCHEDULE

Plan Review	Fee
All Building Permits	65% of the building permit fee as calculated in Appendix B
Review Fees for Similar Plans	25% of the building permit fee as calculated in Appendix B

<u>FIRE SUPPRESSION TESTING PERMIT</u>	
<u>Total Valuation</u>	<u>Fee</u>
<u>\$1.00 to \$10,000.00</u>	<u>\$250</u>
<u>\$10,000.00 to \$25,000.00</u>	<u>\$250 for first \$10,000.00 plus \$14.75 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00</u>
<u>\$25,001.00 to \$50,000.00</u>	<u>\$471.25 for first \$25,000.00 plus \$10.75 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00</u>
<u>\$50,001.00 to \$100,000.00</u>	<u>\$740.00 for first \$50,000.00 plus \$7.50 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00</u>
<u>\$100,001.00 to \$500,000.00</u>	<u>\$1,115.00 for first \$100,000.00 plus \$6.00 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00</u>
<u>\$500,001.00 to \$1,000,000.00</u>	<u>\$3,515.00 for first \$500,000.00 plus \$5.00 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00</u>
<u>\$1,000,000.00 and up</u>	<u>\$6,015.00 for first \$1,000,000.00 plus \$4.00 for each additional \$1,000.00 or fraction thereof</u>

NOTICE OF HEARING

The City of Brainerd City Council will be conducting a public hearing to consider proposed Ordinance 1574, an ordinance amending Sections 421 Uniform Fire Code, 1000 Appendix A Fee Schedule, and Appendix B Fee Schedule, of the Brainerd City Code. The purpose of this ordinance is to codify the Fire Department fee schedule and adjust permit fees for building permits, land use permits, appraisal fees, fire department permits, food trucks, and engineering fees. Proposed Ordinance 1574 can be viewed online under the October 7th City Council agenda packet or at Brainerd City Hall.

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

The public is invited to attend the hearing to offer input regarding proposed Ordinance 1574. Any individual needing special accommodations please call (218) 828-2307.

Dated this 9th day of October 2024

Publication Date: October 12th, 2024



James L. Kramvik
Community Development Director

R E S O L U T I O N
NO: xx:24

RESOLUTION APPROVING SUMMARY PUBLICATION OF ORDINANCE

BE IT RESOLVED by the City Council of the City of Brainerd, Crow Wing County, Minnesota as follows:

WHEREAS, on November 4th, 2024 , the City Council adopted Ordinance No. 1574 amending Sections 421 Uniform Fire Code, Section 1000 Appendix A, and Section 1000 Appendix B of the Brainerd City Code; and

WHEREAS, Ordinance No. 1574 is lengthy and would be expensive to publish in its entirety.

NOW, THEREFORE, BE IT RESOLVED that the Council finds that the following text clearly informs the public of the intent and effect of Ordinance No. 1574 and approves the following summary for publication:

SUMMARY PUBLICATION OF ORDINANCE 1574

AN ORDINANCE AMENDING SECTION 421 UNIFORM FIRE CODE TO
CHANGE REFERENCES TO THE FEE SCHEDULES, AND SECTION
1000 1000 APPENDIX A AND APPENDIX B FEE SCHEDULE TO
REVISE FEE AMOUNTS

Notice: the full text of Ordinance 1574 is available for public inspection at City Hall located at 501 Laurel Street, Brainerd, Minnesota, during regular office hours.

Adopted this 4th day of November 2024

KELLY BEVANS
President of the Council

Approved this 5th day of November 2024

DAVE BADEAUX
Mayor

ATTEST: _____
NICHOLAS W. BROYLES
City Administrator



City Council Agenda Request

MEETING DATE: November 4, 2024

TITLE OF ITEM: Final Reading and Public Hearing - Proposed Ordinance 1575 - Burning Restrictions

AGENDA: Main

ACTION REQUESTED: Ordinance

SUBMITTED BY: James Kramvik, Community Development Director, Tim Holmes, Fire Chief

DEPARTMENT: Community Development

PRESENTER: James Kramvik, Community Development Director, Tim Holmes, Fire Chief

ESTIMATED TIME (MIN): 5 min

SUMMARY OF ISSUE:

The Fire Department, Police Department, and Community Development Department receive numerous calls each year regarding fires. Common complaints include burning garbage, creating excessive smoke, and creating too large of a fire.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

The current burning regulations are not codified in City Code and can therefore not be easily enforced if a resident does not comply. The language drafted in this ordinance was directly taken from the recreational fire regulations PDF found on the City Website. Community Development staff worked with the Fire Chief and Police Chief to ensure all parties were in agreement of the proposed ordinance.

At the October 7th City Council meeting, the Council conducted the first reading of Proposed Ordinance 1575 and called for a public hearing to be conducted at the November 4th City Council meeting.

RECOMMENDED ACTION/MOTION:

1) Conduct the final reading of Proposed Ordinance 1575 and dispense with the actual reading.

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

2) Hold a public hearing.

3) Approve Proposed Ordinance 1575.

FINANCIAL IMPACT: N/A

**ORDINANCE
NO. 1575**

AN ORDINANCE REGULATING BURNING IN THE CITY

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Section 2050 of the City Code is hereby added with the following new language underlined.

Section 2050 – Burning Restrictions

Section 2050.01 Subdivision 1. Open burning of lumber, pallets, wooden shingles, scrap wood, brush, tree trimmings, leaves, yard waste, cardboard, paper, garbage and other similar items is not permitted.

Subd. 2 Recreational fires are permitted in the residential area without a fire department permit as long as the following rules are observed:

1. Only natural fire wood cut in short lengths less than 2 feet may be burned.
2. The fire must be contained in a ring or pit not exceeding 3 feet in diameter.
3. Fire rings or pits must be located a minimum of twenty-five (25) feet from structures or combustibles; such as houses, garages, sheds, wood piles and wooden fences. Manufactured freestanding fire pits must be located a minimum of twenty-five (25) feet from any structures or combustibles; such as houses, garages, sheds, wood piles and wood fences.
4. The fire must be constantly attended and supervised by an adult until the fire has been completely extinguished.
5. A connected garden hose or other means to extinguish the fire must be readily available.
6. The use of flammable or combustible liquid accelerants is not permitted.
7. Recreational fires are not permitted on windy days when the smoke may create a nuisance for nearby neighbors.
8. Recreational fires are not permitted on commercial or industrial sites, or sites with construction activities.
9. Police and Fire Department officers are authorized to require that a recreational fire be immediately extinguished and discontinued if it is determined that the fire is not in compliance with the above rules, the smoke is offensive to nearby neighbors or the burning is determined to constitute a hazardous condition.

Subd. 3 Any violation of this section is deemed a misdemeanor, as defined in Minnesota Statute §609.02, subd. 3, currently a crime for which a sentence of not more than 90 days or a fine of not more than \$1,000, or both, may be imposed.

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

Adopted this ____ day of _____ 2024

KELLY BEVANS
President of the Council

Approved this ____ day of _____ 2024

DAVE BADEAUX
Mayor

ATTEST: _____
NICHOLAS W. BROYLES
City Administrator



BRAINERD
MINNESOTA

FIRE/EMERGENCY SERVICES



Recreational Fire Regulations #2008-002

Open burning of lumber, pallets, wooden shingles, scrap wood, brush, tree trimmings, leaves, yard waste, cardboard, paper, garbage and other similar items is not permitted.

Recreational fires are permitted in the residential area without a fire department permit as long as the following rules are observed:

1. Only natural fire wood cut in short lengths less than 2 feet may be burned.
2. The fire must be contained in a ring or pit not exceeding 3 feet in diameter.
3. Fire rings or pits must be located a minimum of twenty-five (25) feet from structures or combustibles; such as houses, garages, sheds, wood piles and wooden fences. Manufactured freestanding fire pits must be located a minimum of twenty-five (25) feet from any structures or combustibles; such as houses, garages, sheds, wood piles and wood fences.
4. The fire must be constantly attended and supervised by an adult until the fire has been completely extinguished.
5. A connected garden hose or other means to extinguish the fire must be readily available.
6. The use of flammable or combustible liquid accelerants is not permitted.
7. Recreational fires are not permitted on windy days when the smoke may create a nuisance for nearby neighbors.
8. Recreational fires are not permitted on commercial or industrial sites, or sites with construction activities.
9. Police and Fire Department officers are authorized to require that a recreational fire be immediately extinguished and discontinued if it is determined that the fire is not in compliance with the above rules, the smoke is offensive to nearby neighbors or the burning is determined to constitute a hazardous condition.

Violations of these fire rules are misdemeanor offenses requiring a court appearance and punishable by fines up to \$1,000 and/or 90 days in jail.

Please contact the Brainerd Fire Station with any questions.

NOTICE OF HEARING

The City of Brainerd City Council will be conducting a public hearing to consider proposed Ordinance 1575, an ordinance adding Section 2050 Burning Restrictions, to the Brainerd City Code. The purpose of this ordinance is to codify the current burning restriction in the City of Brainerd and to make violations of the Section a misdemeanor, as defined in Minnesota Statute §609.02, subd. 3, currently a crime for which a sentence of not more than 90 days or a fine of not more than \$1,000, or both, may be imposed. Proposed Ordinance 1575 can be viewed online under the October 7th City Council agenda packet or at Brainerd City Hall.

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

The public is invited to attend the hearing to offer input regarding proposed Ordinance 1575. Any individual needing special accommodations please call (218) 828-2307.

Dated this 9th day of October 2024

Publication Date: October 12th, 2024



James L. Kramvik
Community Development Director



City Council Agenda Request

MEETING DATE: November 4, 2024

TITLE OF ITEM: Integration Work Group Update

AGENDA: Main

ACTION REQUESTED: Direction Requested

SUBMITTED BY: Nick Broyles, City Administrator

DEPARTMENT: Administration

PRESENTER: Nick Broyles, City Administrator

ESTIMATED TIME (MIN): 10 Minutes

SUMMARY OF ISSUE: The possible integration of the City side and Public Utilities IT Departments has been discussed several times over the past approximately 15 months. Relevant dates include:

1. July 31, 2023: Joint City Council and Public Utilities Commission meeting where Council Member Johnson requested that a conversation occur between the City and Public Utilities to find potential efficiencies in forming one City-wide IT Department like our HR Department.

2. City Administrator Broyles' six-month probationary review was held on September 3, 2024, and a 2024-2025 goal was established to fully integrate City/BPU Finance and IT. This action was included as part of City Administrator Broyles' performance review summary that was approved by the Council as a consent item on September 16.

3. October 21, 2024: City Administrator Broyles requested the formation of a Work Group to oversee the integration process. The Council appointed the Work Group and the following members were: City Council President, PUC Chair, City Council Liaison to the PUC, City Administrator, and PU Director. The work group met on October 25 and part of the discussion included requesting a formal/official vote from the Council and to be on record if integration should be pursued.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: Motion to direct continued Integration Work Group meetings/discussions to fully integrate the City/Public Utilities IT and Finance Departments.

FINANCIAL IMPACT:



City Council Agenda Request

MEETING DATE: November 4, 2024

TITLE OF ITEM: Update on Information Requested on BLRA

AGENDA: Main

ACTION REQUESTED: Discussion Item

SUBMITTED BY: Nick Broyles, City Administrator

DEPARTMENT: Administration

PRESENTER: Nick Broyles, City Administrator

ESTIMATED TIME (MIN): 10 Minutes

SUMMARY OF ISSUE:

At the October 7, 2024 council meeting, Staff was directed within a months time to:

1. Estimate the approximate time and associated expenditures from each city department (Finance, HR, and IT) to obtain an average cost to Brainerd taxpayers for work that the City employees perform for the BLRA.
2. Council minutes where direction was given to Staff to perform HR services for BLRA employees.
3. A copy of the IT shared services agreement with BLRA and associated dollar amounts and hours to do the work since the agreement was initiated.

Staff provided answers to numbers 2 and 3 at the October 21th council meeting. Staff also mentioned that it is Staff's understanding that all IT services provided to the BLRA are accounted with the IT shared services agreement. Therefore, IT time will not be included in the estimated time and associated expenditure in the first directive. This item is on the November 4th council agenda to estimate the approximate time and associated expenditures from Finance and HR departments to obtain an average cost to Brainerd taxpayers for work that City employees perform for the BLRA.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

It was very difficult to get a fair estimate of annual hours spent by staff doing work for the BLRA. Staff did the best that they could and a spreadsheet is attached to show the approximate time and costs.

RECOMMENDED ACTION/MOTION:

N/A - Informational

FINANCIAL IMPACT:

BLRA Estimated Cost
2024 Wage Rates

Department/Position	Estimated Annual Hours	Estimated Cost
Finance		
Account Payable/Receivable	276	\$ 13,447
Payroll	94	3,576
Finance Director	68	5,264
Human Resources		
HR Assistant	12	465
HR Director	3	180
	453	\$ 22,931



City Council Agenda Request

MEETING DATE: November 4, 2024

TITLE OF ITEM: Provide Direction for Paradigm Auto Code Violations

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: James Kramvik, Community
Development Director

DEPARTMENT: Community Development

PRESENTER: James Kramvik, Community
Development Director

ESTIMATED TIME (MIN): 10 min

SUMMARY OF ISSUE:

At the October 21st City Council meeting, the Council directed staff to provide additional information regarding parking surface requirements for the Paradigm Auto U-Haul business and to discuss a potential land swap with the owner.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: See Memo

RECOMMENDED ACTION/MOTION:

Staff recommend allowing the property owner (90) days to initiate the land swap or submit all applicable zoning applications to the Community Development Department. At the conclusion of the (90) days, if either option has not been initiated:

1. The property owner may request additional time from the City Council: or
2. Staff initiates legal action from the City Attorney

FINANCIAL IMPACT: N/A

MEMO



TO: Mayor and City Council

FROM: James Kramvik, Community Development Director

DATE: November 4th, 2024

RE: Discussion and Provide Direction on Paradigm Auto

INTRODUCTION

At the October 21st City Council meeting, the Council directed staff to provide additional information regarding parking surface requirements for the Paradigm Auto U-Haul business and to discuss a potential land swap with the owner.

Paradigm Auto is in the Town Center (TC) Zoning District as well as all adjacent properties. There is a rail line located north of the property. The Makers and Employment District (ME), similar to light industrial zoning, is located north of the rail line. The parking lot for Paradigm Auto consists of a class-5 parking surface and the U-Haul parking area located to the east of the building is surfaced with grass. Mr. Schmidt has received multiple notices that parking on the grass is prohibited.

The property is also located within the Shoreland Overlay District which has additional standards to protect the Mississippi River.

According to Section 515-3-29 Outdoor Service, Sale, and Rental

- A. Any outdoor services, sale and rental use must comply with the following minimum standards:
 - a. Outside services, sales and equipment rental connected with the principal use is limited to fifty (50) percent of the gross floor area of the principal use.
 - b. Outside sales areas are fenced and screened from view of neighboring properties and any public rights-of-way.
 - c. All lighting shall be hooded and downcast so that the light source shall not be visible from the public right-of-way or neighboring properties.
 - d. Any dedicated sales area shall be hard surfaced to control dust and drainage.
 - e. Additional standards in Town Center (TC) and Main Street (MS) Zoning Districts.
 - i. Outside services, sales, and equipment rental accessory to the principal use and limited in area to fifteen (15) percent of the gross floor area of the principal building or fifteen (15) percent of the tenant bay if it is a multiple tenant building. Outside service, sales and rental area must be located on private property and shall not intrude on the public sidewalk or boulevard.

As stated in a previous letter, the building is about 7,600 sq.ft. which would allow 1,140 (15%) sq.ft. of outside area to be devoted to the U-Haul business. The allowed outside area equates to 7 parking spaces that can be used for the U-Haul business. In addition, the area must be hard surfaced to control dust and drainage.

Section 515-3-29 Outdoor Service, Sale, and Rental states any dedicated sales area shall be hard surfaced to control dust and drainage. This section is open to interpretation for crushed materials if a calcium chloride application is applied to control dust. However, the TC District only allows (15) percent of the gross floor area for outdoor rental. Any additional impervious surface added to the site would also have to meet stormwater standards of our City Code that may require the owner to retain the water on site through retention ponds.

According to Section 515-4-12.G.5.b Off-Street Parking

Multiple family and non-residential parking surface requirements. All areas intended to be utilized for parking space and driveways shall be surfaced with concrete, bituminous, and pavers/brick. The City may allow up to twenty-five (25) percent of required parking stalls or one hundred (100) percent of seasonal or overflow parking in excess of that required to be provided as green parking with a turf surface which is supported by a City approved parking lot sub-base and turf guard fabric.

In staff's opinion, this section does not state that the surface may be crushed asphalt or crushed concrete. If Council interpreted the code to mean crushed materials as well, then all businesses in Brainerd could install crushed surfaces which would be very detrimental to sediment runoff in the storm sewer system. In addition, the aesthetics in the downtown area and commercial districts would suffer.

STAFF OPINION

Staff does not believe that it is in the best interest of the City to allow crushed materials for off-street parking, with the exception of the General Industrial Zoning District. The Planning Commission has begun discussions on the potential of allowing crushed materials in the GI District in certain instances.

Staff also does not recommend allowing additional outside service, sale, and rental area in the Town Center District. All requirements and provisions allowed or changed for Paradigm Auto to continue the U-Haul rental business would also apply to all other properties located in the Town Center District.

OPTIONS

1. Begin discussions on a land swap for City owned industrial property and create an ordinance that would allow for rental areas in the GI Zoning District to be surfaced with crushed materials and coated with calcium chloride to control dust. Attorney's fees, title transfer fees, and all other fees associated with the land swap are typically paid by the business with a down payment submitted to the City prior to beginning the formal process.
2. Request a rezoning to Makers and Employment Zoning District, request a new allowed use section for vehicle rentals that would not require fencing but must be paved according to the off-street parking requirements, request a CUP to expand the commercial business, and most likely request a variance to exceed the impervious surface limits in the shoreland district.

STAFF RECOMMENDATION

Staff recommend allowing the property owner (90) days to initiate the land swap or submit all applicable zoning applications to the Community Development Department. At the conclusion of the (90) days if either option has not been initiated:

1. The property owner may request additional time to the City Council: or
2. Staff initiates legal action from the City Attorney



City Council Agenda Request

MEETING DATE: November 4, 2024

TITLE OF ITEM: Provide Direction for Contested Nuisance Assessments

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: James Kramvik, Community
Development Director

DEPARTMENT: Community Development

PRESENTER: James Kramvik, Community
Development Director

ESTIMATED TIME (MIN): 10 min

SUMMARY OF ISSUE:

At the October 21, 2024 meeting, City Council adopted a resolution and held a public hearing for 2023-2024 nuisance assessments and 2023-2024 downtown special services district. No one spoke at the public hearing to contest their assessments. However, prior to the meeting, three property owners filled out their assessment dispute request form. Since the meeting, an additional four property owners have filled out a dispute form for nuisance assessments. The City Council adopted the resolution with the full assessment amount and staff indicated that additional information would be provided at the next meeting for the properties disputing their assessments.

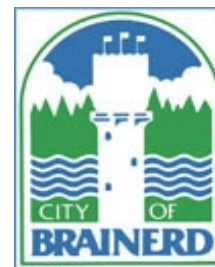
ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Staff have provided a memo, additional documents for reference, and a recommendation for each property that filled out an assessment dispute request form.

RECOMMENDED ACTION/MOTION: See Memo

FINANCIAL IMPACT: N/A

MEMO



TO: Mayor and City Council

FROM: James Kramvik, Community Development Director

DATE: November 4, 2024

RE: Staff Recommendations for Contested Nuisance Assessments

523 Grove St – PID 41240739

- 1) This property is a rental that had a manager other than the owner. The property owner was sent citations for exterior structure issues and indicated the property manager was doing work without owner permission or permits. Proper permits were obtained, and the individual has since been replaced with a new property manager.

Citation amount to be assessed - \$675

Staff recommend waiving the nuisance assessment.

1420 Quince St – PID 41250666

- 1) The property owner has been working on the renovation of this home for the past 10 years. The property owner has been sent citations for long grass, junk/debris/blight, and stormwater violations. Staff met with the property owner onsite to discuss the expectations going forward in relation to the City Code. The exterior of the property has vastly improved from the beginning of the year, and the property owner is nearing completion on the exterior improvements. Fees were not forgiven for this property during the 2022 assessment period as there was no improvement. As the property has now shown improvement, staff recommend waiving the full amount for the stormwater/ site control violations and half the amount for the junk and debris violations for a total of \$700. This property is also part of the vacant building registry, and all exterior items must be finished next spring to avoid the \$7,000 fee.

Citation amount to be assessed - \$1,025

Staff recommend waiving \$700.00 in nuisance assessments.

1720 Laurel St – PID 41300794

- 1) The property owner had obtained a demolition permit for a dilapidated garage. However, the junk and debris from inside the structure was left outside for several weeks. Since the citation was issued, the property has been cleaned up.

Citation amount to be assessed - \$125

Staff recommend waiving the nuisance assessment.

303 J St – PID 41190954

- 1) This property has had multiple issues for junk/debris, long grass and weeds, and zoning code violations for several years. This current violation started in October 2022 when an illegal fence was constructed without a permit. The owner submitted an application after the fence was already built. The fence was constructed at a height of six (6) feet around the property in a location where only a four (4) foot fence may be constructed. Staff returned the check and sent a letter of correction in an attempt to work with the owner to correct the issues. Staff gave the property owner time to reach out to City Council members and Planning Commission members for a potential code review to make the fence legal. Neither the Council nor Commission directed staff to work on the fence ordinance. The property owners stated that they would not comply with the ordinance. At the October 16, 2023 meeting, the City Council directed staff to apply a \$300 citation monthly until the fence is corrected. There are also outstanding violations for the number of vehicles and trailers parked in the rear yard. Since, the owner has sent letters indicating he is an American National and these laws do not apply to him. He dropped off a letter on October 25th, 2024 stating he was unable to attend the public hearing held on October 21st, 2024 and wishes to contest the assessment. Staff does not recommend waiving the nuisance assessment unless the fence is corrected, or the code is changed. Staff does not recommend waiving the zoning citations as vehicle and trailer parking has been a constant issue at this property.

Citation amount to be assessed - \$4,950

Staff do not recommend waiving the nuisance assessment.

1223 Rosewood St – PID 41250653

- 1) It was brought to staff's attention in November 2023 that there was an individual living at this property that had not received a rental license. The owner reached out to staff and indicated that the person was assisting in some maintenance work and left in December 2023. He has also indicated the person did not pay rent. His letter indicated that he reached out to me multiple times via email for clarification and did not receive a response. After reading the letter, I checked my junk e-mail and found the e-mails. In December of 2023, I directed our code compliance officer to reinstate the citations as the owner has applied for rental licenses in the past and knows the requirements in Brainerd. I cannot verify that the owners received a follow up after the citations were reapplied. Due to some of the communication issues, staff recommend voiding the assessment.

Citation amount to be assessed - \$350

Staff recommend waiving the nuisance assessment.

15284 Beaver Dam Rd – PID 41330502

- 1) This property has had numerous issues over the course of several years. The property has a large pole building that did not have a permitted septic system with Crow Wing County. City Staff and the County were very concerned that sewage was exiting through a drain tile. The previous owner also rented out both the house and the pole shed without rental housing licenses. The previous owner did not comply with the septic requirements and ignored correspondence from City staff. At the December 4, 2023 meeting, City Council directed staff is to cite \$100 per business day for noncompliance.

In August 2024, the property was sold contract for deed to Mr. Brett Canfield. Under standard property sales transactions, assessment searches are completed by a title company. In the case of many contracts for deeds, assessment and pending assessment searches are not requested. The new owner was unaware of the pending assessment amount and the issues at the property. Since that time, staff have been working with Mr. Canfield on bringing the property into compliance. It was determined that the pole shed had a non-permitted holding tank. The tank was recently pumped and inspected by a certified septic inspector and passed inspections. The County required no other documentation. The City of Brainerd Building Official required a pressure test to ensure the plumbing and line to the holding tank is not leaking. The pressure test passed. Staff recommend waiving all pending nuisance assessments for the non-compliant septic as the issue has been resolved.

Staff were made aware that the new owner is renting out the pole shed without a license. Mr. Canfield is currently working with staff to make it a legal rental. Staff do not recommend removing the past citations for illegal rentals until this issue is resolved. The property is being assessed \$875 for an illegal rental.

Citation amount to be assessed - \$21,000

Staff recommend waving \$20,125 in nuisance assessments.

1023 South 6th Street – PID 41240591

- 1) The current owner of the property is Mariah Steele, who signed a contract for deed with H&H properties. The previous people living on the property were squatters that had an unlicensed and inoperable vehicle. The squatters were removed, and the issue has been resolved.

Citation amount to be assessed - \$675

Staff recommend waiving the nuisance assessment.

CITY OF BRAINERD



ASSESSMENT DISPUTE REQUEST

Property Address & 523 Grove St.

Parcel ID# 41240739
(if known)

Property Owner Name Stacy Deason

Property Owner Mailing Address 11171 Town Hall St.

Property Owner Phone Number 218 851 8760

Hardship Y/N

Deferral (circle one)

Request? (separate application)

Reason for Contesting/Disputing Assessment

We own the property, manager was allowing tenant to do work in exchange for rent without knowledge. It has since been completed. Manager has been replaced.



City of Brainerd
501 Laurel Street
Brainerd, MN 56401

Stop Work Order

11/17/2021

523 GROVE STREET LLC
11171 TOWN HALL ST
BRAINERD, MN 56401

RE: **STOP WORK ORDER - Permits Required for Alterations to Buildings and Building Systems**
Subject Property: 523 GROVE ST
Parcel Number: 41240739

Project Description: Constructing Entry

Dear Property Owner:

A building permit is required for this type of improvement according to Chapter 1300.0120 of the Minnesota Building Code. **All work shall be stopped and shall not continue until approval is granted and a permit is issued by the Department of Building Safety. You are expected to reply within 10 days from the date of this letter.**

Minnesota State Building Code, Section 1300.0120 requires a building permit be secured prior to altering a building, plumbing, or mechanical system. A double fee is required when a person begins work without a permit (Brainerd City Code Section 1015.07 Subd. 2).

Applications are available at our office at 501 Laurel Street in Brainerd or on our website at www.ci.brainerd.mn.us. Violations of the State Building Code are a misdemeanor and punishable by up to a maximum of 90 days in jail and/or a \$1,000 fine (MN Statute Section 326B.082). ***If the property owner does not reside in this dwelling, a state plumbing contractor license must cover the unpermitted plumbing work. If this letter is related to G-HVAC work, a licensed, stated bonded mechanical contractor must cover G-HVAC work. A list of licensed plumbing contractors and/or mechanical contractors is available upon request.***

Please call if you have questions or comments. We can be reached during regular business hours at 218-828-2307.

Respectfully,

Darrin Deseth
CITY OF BRAINERD
Department of Building Safety

Enclosure





April 08, 2024

523 GROVE STREET LLC
11171 TOWN HALL ST
BRainerd, MN 56401

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

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

Property Address: 523 GROVE ST
Real Estate Code: 41240739

Violation: Exterior Structure
IPMC 304.1, 304.6

Description: The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety, or welfare. Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

Corrective action required; thirty (30) 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 05/08/2024

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

EN24-0114

Date of Violation: 05/29/2024

Parcel ID: 41240739

Violator(s): 523 GROVE STREET LLC
11171 TOWN HALL ST
BRainerd, MN 56401

Location/Address of Violation: **523 GROVE ST**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
IPMC 304.1,304.6	Exterior Structure	\$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: 06/08/2024

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: 05/29/2024

Representative's Signature: 

(served via first class mail)

CITY OF BRAINERD



ASSESSMENT DISPUTE REQUEST

Property
Address &
Parcel ID#
(if known)
Property Owner
Name
Property Owner
Mailing Address
Property Owner
Phone Number
Hardship
Deferral
Request?

1420 Quince
PID 41250666

TERRY KINDER

17037 Gregory Way

218-316-1141

Y / N

(circle one)

(separate application)

Reason for Contesting/Disputing Assessment

The yard has been mowed and kept
up to the best I can and still be
working on house to finish.

March 01, 2024

KINDER, TERRY D
17037 GREGORY WAY APT 1
BRainerd, MN 56401

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

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

Property Address: 1420 QUINCE ST
Real Estate Code: 41250666

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 03/15/2024

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

EN24-0068

Date of Violation: 04/01/2024

Parcel ID: 41250666

Violator(s): KINDER, TERRY D
17037 GREGORY WAY APT 1
BRainerd, MN 56401

Location/Address of Violation: **1420 QUINCE ST**

VIOLATION

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

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

Citation Amount Due: \$300.00

Payment Due By: 30 Days from Date of Violation

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

Re-inspection Date: 04/11/2024

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: 04/01/2024

Representative's Signature: 

(served via first class mail)



September 11, 2023

KINDER, TERRY D
17037 GREGORY WAY APT 1
BRAINERD, MN 56401

ORDER TO CORRECT CITY CODE VIOLATION

Dear Property Owner(s),

Brainerd prides itself on its commitment to controlling and eliminating stormwater pollution of our local resources. This letter is to inform you of a code violation observed on the property described below. Understanding that you might not be aware of what the City Codes requires, I am sending you this courtesy notice to give you an opportunity to correct this matter.

Property Address: 1420 QUINCE ST
Real Estate Code: 41250666

Violation: City Code Violation

Ordinance: *Section 725 - Stormwater Management*

Description: *Failure to comply with required utilization of site Best Management Practices (BMP's) as defined in the Municipal Separate Storm Sewer Systems (MS4) Permit issued by the Minnesota Pollution Control Agency. These include but are not limited to the following actions:*

- *Erection of silt fencing*
- *Installation of bio-rolls*

For the express purpose of reducing the risk of loose sediment erosion into the storm sewer system.

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

Action should be taken on or before 09/18/2023.

Failure to act in accordance with this letter shall result in the revocation of your **Building Permit P23-0294** and the Issuance of a Stop Work Order for the Property under Section 725.10.C3 and Section 725.10.D respectively. Additionally, 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 Engineering Department, City Engineer Jessie Dehn at 218/454-3411 if you have questions.**

Respectfully,
By Order of:
THE CITY OF BRAINERD



Jessie Dehn, City Engineer



09/19/2023 10:46



09/19/2023 10:47



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

THIS IS THE ONLY NOTICE YOU WILL RECEIVE

Administrative Citation

Department of Building Safety – 218-828-2307

EN23-0517

Date of Violation: 09/21/2023

Parcel ID: 41250666

Violator(s): KINDER, TERRY D
17037 GREGORY WAY APT 1
BRainerd, MN 56401

Location/Address of Violation: **1420 QUINCE ST**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
Ordinance: Section 725 - Stormwater Management	City Code Violation	\$200.00

Citation Amount Due: \$200.00

Payment Due By: 30 Days from Date of Violation

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

Re-inspection Date: 10/09/2023

Failure to either properly utilize a Silt fence, Straw Rolls, or secure an Erosion Blanket over the entire soils stored at the premises by the
Re-Inspection Date will result in a \$300.00 fine.

**Further your Building Permit P23-0294 has been invalidated and a Stop Work Order has been issued for the
Property under Section 725.10.C3 and Section 725.10.D respectively to take effect immediately.**

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: Jessie Dehn, City Engineer Date: 09/21/2023

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



CITY OF BRAINERD



ASSESSMENT DISPUTE REQUEST

Property Address & Parcel ID# (if known) 1720 Laurel St. 41300794
Property Owner Name Rough House Properties, LLC.
Property Owner Mailing Address 11171 Town Hall Street Brd
Property Owner Phone Number 218-839-4220
Hardship Y/☒N
Deferral (circle one)
Request? (separate application)

Reason for Contesting/Disputing Assessment

Bought house, demo permit pulled to tear garage down. Garbage was left outside during this time. Everything has since been torn down and all garbage has been cleaned from property.

July 30, 2024

ROUGH HOUSE PROPERTIES LLC
11171 TOWN HALL ST
BRainerd, MN 56401

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

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

Property Address: 1720 LAUREL ST
Real Estate Code: 41300794

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 08/13/2024

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

EN24-0457

Date of Violation: 08/14/2024

Parcel ID: 41300794

Violator(s): ROUGH HOUSE PROPERTIES LLC
11171 TOWN HALL ST
BRainerd, MN 56401

Location/Address of Violation: **1720 LAUREL ST**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
IPMC 308.1	Junk/Debris/Blight	\$100.00

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

Citation Amount Due: \$100.00

Payment Due By: 30 Days from Date of Violation

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

Re-inspection Date: 08/24/2024

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: 08/14/2024

Representative's Signature: 

(served via first class mail)



CITY OF BRAINERD



ASSESSMENT DISPUTE REQUEST

Property
Address &
Parcel ID#
(if known)

303 J St
41190954

Property Owner
Name

Anthony Rees

Property Owner
Mailing Address

Property Owner
Phone Number

Hardship

Y / N

Deferral

(circle one)

Request?

(separate application)

Reason for Contesting/Disputing Assessment

See letter

OCT 25 2024

CITY OF BRAINERD
ADMINISTRATION

City Council Meeting Monday, Oct. 21st 2024

Hi, My name is Tony Rees. My wife and I live at 303 J. St. NE. Brainerd, MN. We have done so for 7-8 years now.

We are here to address the "nuisance abatement" that is being alleged and continues to be an issue. First of all I want to

give you the definition of the word "nuisance" Nuisance is a person or a thing causing inconvenience or annoyance.

So there city or whomever it may be, seems to define my privacy fence that is around a portion of my yard, as a nuisance.

So, secondly I want to say that our fence is not on any city right of way or does not impede any views of anyone. It does not bother anyone, nor does it hurt or even effect anyone. We have a pool, playground area, small pond, with waterfall and flowing water. We very much need and enjoy the privacy when doing things in the yard and being in the pool. We also have two small grandchildren and friends that visit that want to enjoy the pool in privacy. Also, for safety and security we need to have the fence.

Thirdly, if you want to call anything a nuisance, it the constant harassing and getting complaint letter and repeated fines from the city. For a fence that is on my own property, dont effect or hurt anyone. Definitely don't look bad at all. But apparently a fence such as ours is ok for some people, but not for us, because we live on corner lot. How stupid of a thing is that? At this point it is almost like a spoiled brat kid that cant get his way, so has to keep pushing and pushing till they get what they want. They say our fence is in violation of some "ordinance" but we have seen many other fences that are even taller and cover more of peoples yards. So basically what I am getting to is that the situation to a normal citizen (such as my wife and I) that this here is the exact definition of a nuisance. Not a harmless, but useful fence.

So lastly, I wanted to add that I have written to congressman and legislators and a couple of state representatives about this issue.

We have been dealing with this issue for years now. We have even been told that there would be no reason for the city to send

letters / violations unless someone complained or made it an issue. We know all of our neighbors. We get along with all of our neighbors.

None of them would have or have complained or even commented on the fence. So, we, and all of our neighbors agree that there is no nuisance here except for the harrassment non-stop drive-bys, picture taking, letters and fines.

Thank you

Anthony Rees

303 J St NE

Brainerd , MN 56401

To Whom it May Concern,

*James Kramvik
Nicholas Broyles*

I am writing to you as a concerned homeowner seeking your assistance with an ongoing issue that has been deeply affecting my family's quality of life and our right to privacy. Since we moved into our home 8 years ago , we have been subjected to constant harassment by city officials, and this harassment has not ceased despite our compliance with their numerous demands.

Almost daily, city officials drive by our home, taking pictures of our property. This invasive behavior is unsettling and has created a hostile environment for us in our own neighborhood. We have complied with the requests, paid thousands in fines, and yet the harassment continues, primarily focusing on the height of our fence. We have been told that many homes with fences similar to ours are "grandfathered in," yet we are singled out and pressured to lower our fence, which we believe is a violation of our right to privacy.

As taxpayers, we find this situation extremely unfair. We are expected to pay a significant amount for our home, including high taxes and utility bills, yet we are not afforded the same freedoms or respect as others who live here. It seems as though the city's decisions are not being made in the best interest of all residents but are instead catering to a select few who wish to dictate the appearance and use of private property to suit their preferences.

This brings us to a broader issue: when will politicians start addressing the real concerns of homeowners rather than catering to the highest bidders or the interests of a small group of board members? The purpose of your office is to protect the freedoms and rights of all constituents, not just a privileged few. We believe that our right to privacy in our own yard,

a space we pay for and maintain, should be respected. The current actions of the city officials are infringing on that right, and it's causing significant distress for my family.

It is disheartening to see that, in our city, it feels as though homeless individuals and criminals have more rights and freedoms than homeowners who are simply trying to enjoy the privacy of their property that we rarely get to use because I work 6 days a week to pay for it. This is not just a matter of policy but one of fairness and basic respect for the rights of all citizens.

I urge you to take action to address this situation. We need policies that protect homeowners' rights to privacy and the enjoyment of their property without fear of undue harassment or biased enforcement of rules. I would appreciate the opportunity to discuss this matter further and look forward to your prompt attention to this issue.

Thank you for your time and consideration.

Sincerely,

Anthony Rees

Anthony Rees

303 J St NE

Brainerd, MN

Dear Members of the Brainerd City Council,

James Kranvik
Nicholas Broyles

I am writing to address a matter of significant concern regarding the height of the fence surrounding my property. Recently, I have been approached by the city with demands to reduce the height of my fence to four feet. I strongly oppose this directive and believe it is unjust for several reasons. Firstly, the safety and security of my family and home are my top priorities. Crime in our area has been on the rise, with increasing reports of break-ins and homeless camps being established nearby. Most alarmingly, a dead body was found close to my home on May of this year. Given these circumstances, my fence provides a necessary barrier, ensuring the safety of my family, particularly the children who come to play in our yard, which includes a pool. Lowering my fence to four feet would not only diminish our privacy but also leave my property vulnerable. It would strip us of the peace of mind that comes with having a secure and private space to enjoy our home and yard. This is a direct infringement on our right to privacy and our constitutional right to the pursuit of happiness. It is unreasonable to expect residents to feel safe and secure in their homes without the proper means to protect them, especially when the city has not been able to adequately address the growing crime problem in our neighborhood. Furthermore, I am aware of several other residents within Brainerd who have similar fences, yet they do not seem to be facing the same demands. This selective enforcement raises questions about fairness and consistency in the application of city regulations. I want to emphasize that my property is well-maintained. The lawn is always mowed, the yard is clean, and the sidewalks and driveway are promptly plowed during the winter. We take great care in ensuring that our home is a positive reflection of our neighborhood, and none of our neighbors have expressed any concerns regarding our fence. I do not believe that the City of Brainerd functions as a homeowners' association, and as such, I do not see how the city has the authority to dictate the specifics of how I maintain my property, particularly when it involves measures taken for security and privacy. I have not signed any agreement that would give the city such control over my property, and since the city does not contribute to my mortgage, I do not believe it is within its rights to impose such restrictions. Given the circumstances, I request a reconsideration of this matter. I believe that the current height of my fence is both reasonable and necessary to ensure the safety, privacy, and well-being of my family. I respectfully urge the city to take into account the unique challenges and

In addition to the violation of rights under the 14th Amendment, there are other constitutional principles that would be considered in this situation. :

1. Right to Privacy (Implied by the Constitution) Although not explicitly stated, the right to privacy has been inferred from various amendments, including the First, Third, Fourth, and Ninth Amendments. This right to privacy extends to personal and family matters, including the enjoyment of your home. The demand to lower your fence, compromising your privacy, could be argued as an infringement on this right.

2. Fourth Amendment: Protection Against Unreasonable Searches and Seizures The Fourth Amendment protects individuals from unreasonable searches and seizures by the government. While this typically applies to law enforcement, it could be argued that reducing our fence height might lead to a reduction in our ability to secure our home and property from unreasonable intrusions or surveillance.

3. Ninth Amendment: Rights Retained by the People The Ninth Amendment states that the enumeration of certain rights in the Constitution does not mean that people do not have other rights that are not explicitly listed. Our right to protect our home and family, maintain privacy, and pursue happiness could be seen as rights retained by the people under this amendment.

4. Tenth Amendment: States' Rights and Limits on Federal Power The Tenth Amendment reserves powers not delegated to the federal government to the states or the people. We could argue that local governments, while having some regulatory authority, should not overreach into personal matters that affect your ability to protect your property and family.

5. Fourteenth Amendment: Equal Protection Clause The Equal Protection Clause of the 14th Amendment ensures that no state shall "deny to any person within its jurisdiction the equal protection of the laws." If others in the city have similar fences but are not being asked to reduce their height, this could be considered unequal treatment, and thus a violation of this clause.

6. Right to Pursue Happiness While not explicitly stated in the Constitution, the concept of the pursuit of happiness is often associated with the Declaration of Independence. Your ability to enjoy your property and maintain the safety and privacy of your home might be seen as integral to this right.

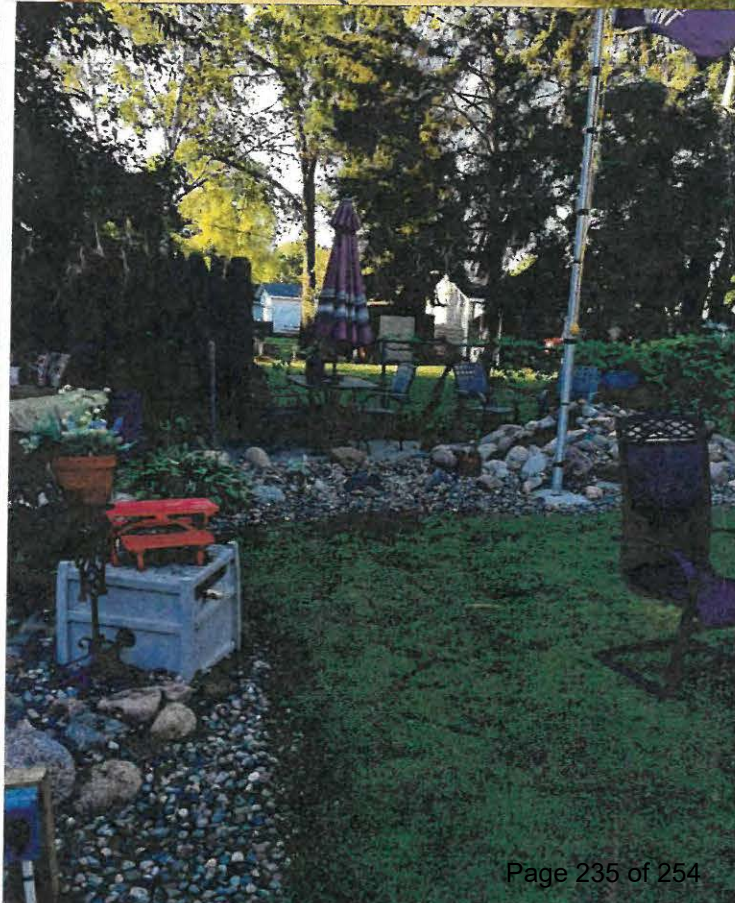
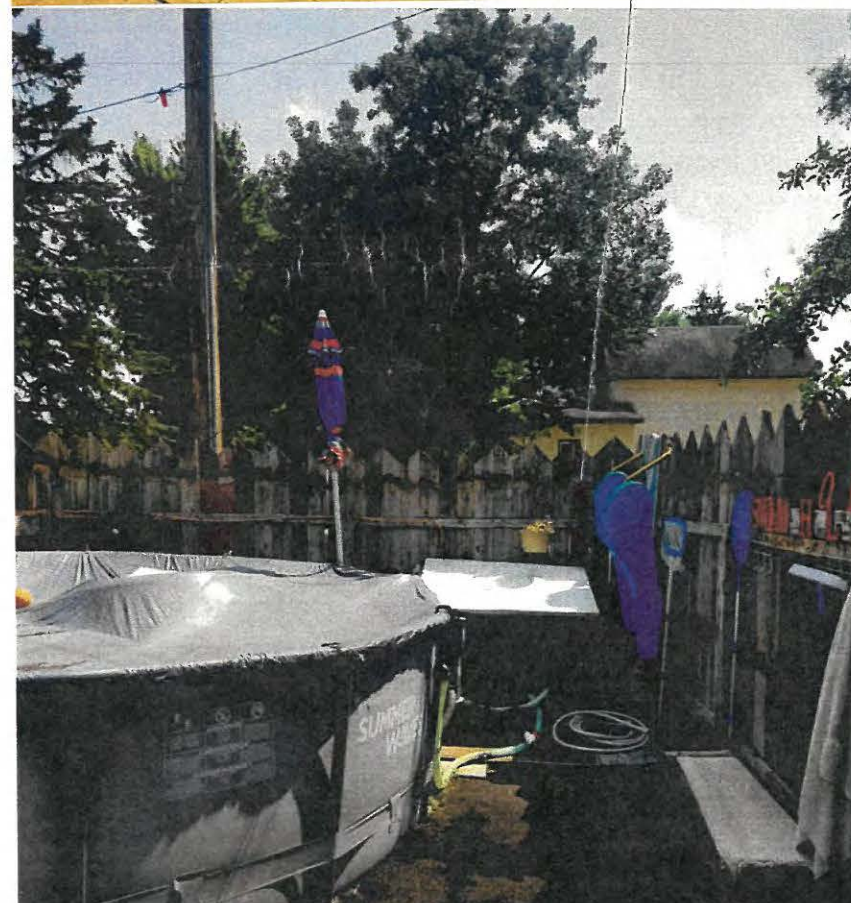
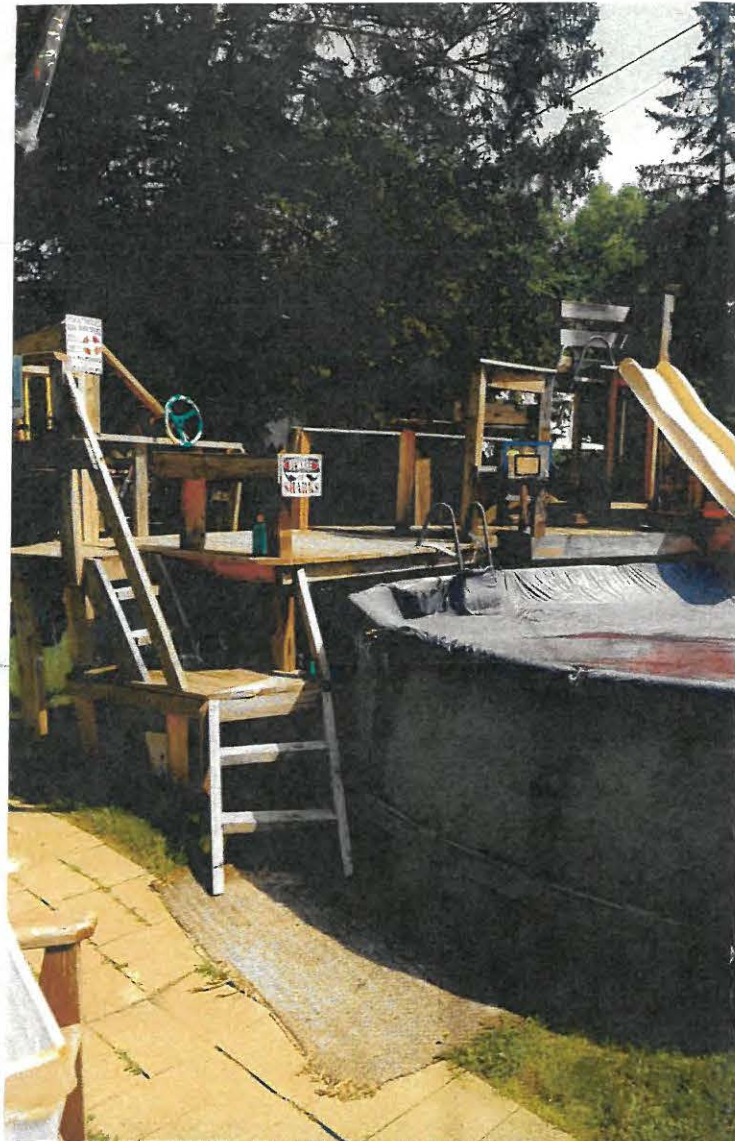
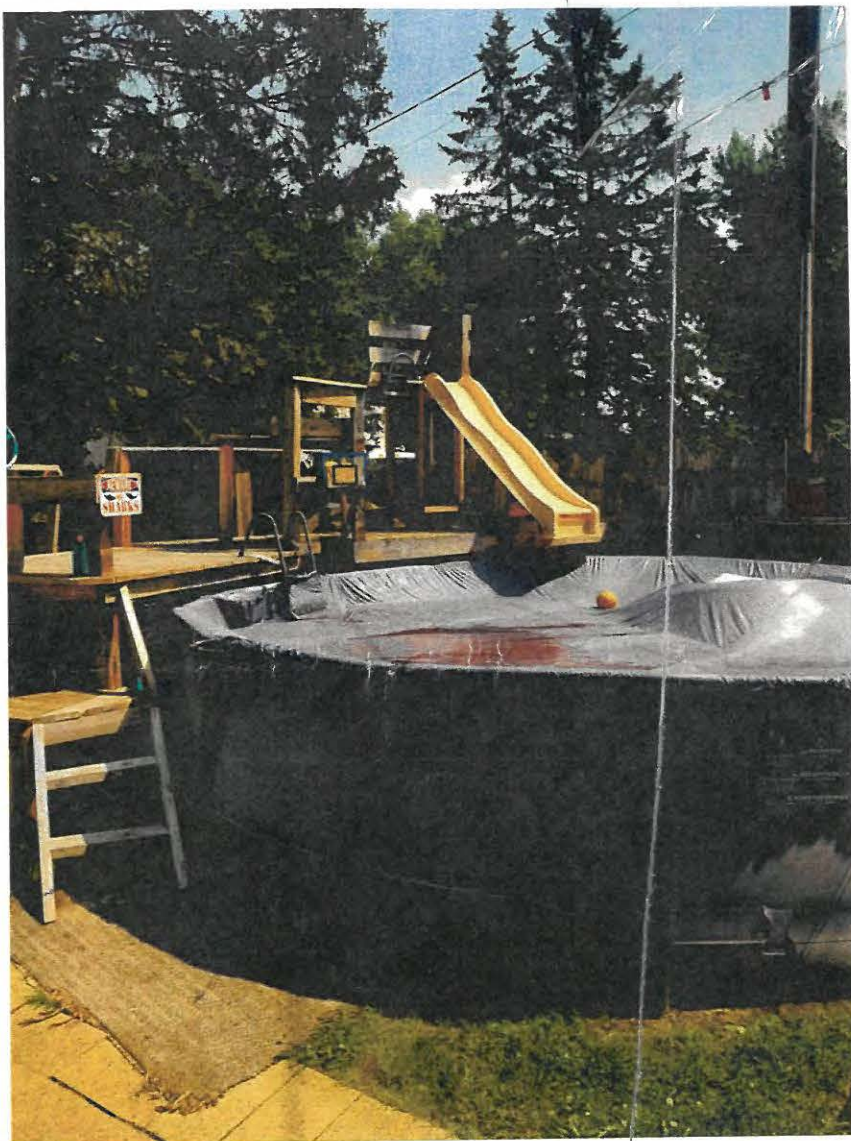
risks faced by residents in our neighborhood before making decisions that could compromise our safety and quality of life. Thank you for your attention to this matter. I look forward to your response and hope for a resolution that respects the rights and concerns of homeowners in Brainerd.

Sincerely,

Anthony Rees

These pics. are to show
exactly why we have
a fence around our
yard / property.

Thank You!







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

THIS IS THE ONLY NOTICE YOU WILL RECEIVE

Administrative Citation

Department of Building Safety – 218-828-2307

EN23-0441

Date of Violation: 06/03/2024

Parcel ID: 41190954

Violator(s): REES, ANTHONY
303 J ST NE
BRainerd, MN 56401

Location/Address of Violation: **303 J ST NE**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
515-4-11 Fence Standards.	Zoning Code Violation	\$300.00

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

Citation Amount Due: \$300.00

Payment Due By: 30 Days from Date of Violation

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

Re-inspection Date: 06/13/2024

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.

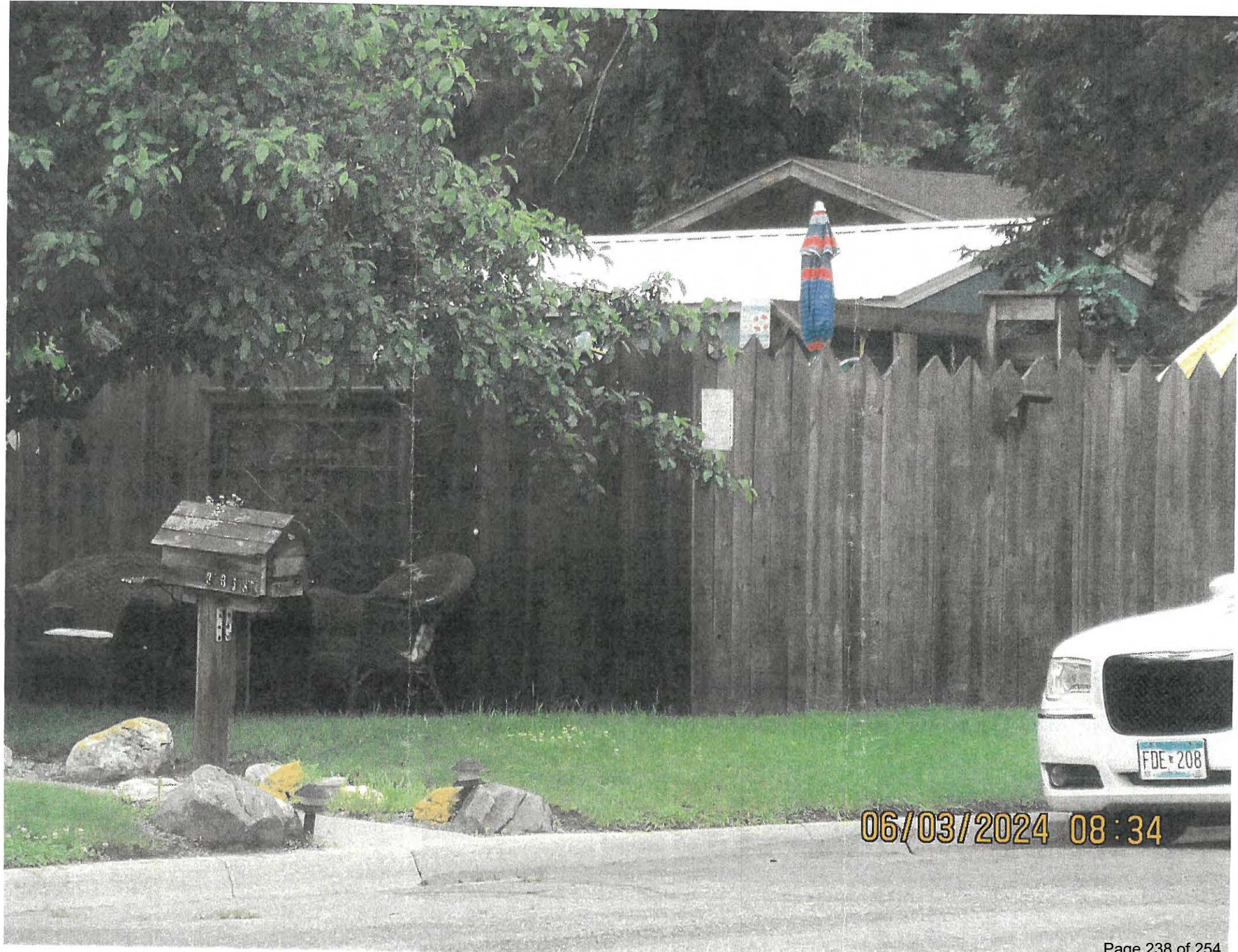
When a citation is issued, you must correct the violation and pay the fine. If you decide to contest the violation, you may request a hearing, responding within 10 days from the date of the citation issuance. The purpose of a hearing is to determine whether or not a violation(s) of the city code existed. 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: 06/03/2024

Representative's Signature:

(served via first class mail)



August 09, 2023

Anthony and Nicole Rees
303 J St.
Brainerd, MN 56401

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Anthony and Nicole Rees,

Despite communication on your behalf to members of the City Council of Brainerd and The Planning Commission, the Community Development Department has received no direction to cease corrective action or amend existing fence codes. Given these developments we are resuming corrective action against the Code violations present at the property listed below with the following violation.

Property Address: 303 J ST NE
Real Estate Code: 41190954

Violation: Zoning Code Violation

515-4-11 Fence Standards.

F.2. Except as prohibited by Section [D] a fence up to six and one half (6.5) feet high may be erected from a line extended from the front facade of the principal building to the side lot lines, and then along the side lot lines and the rear lot line.

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

Action should be taken on or before 09/9/2023

Action in this case will be considered the reduction of the fence along J St's height to four feet in height within one month. For your benefit the citation procedure is included below.

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 correction please call this office to discuss corrective actions. Office hours are 7:30 to 4:30, Monday through Friday. **Feel free to contact Assistant Planner, Dylan Edwards if you have questions.**

Respectfully,
By Order of:
THE CITY OF BRAINERD



PERMIT REQUIRED

10/12/2022

REES, ANTHONY & NICOLE
303 J ST NE
BRAINERD, MN 56401

RE: **ORDER TO CORRECT**
Subject Property: 303 J ST NE
Parcel Number: 41190954

Project Description: Fencing installed without a permit issued.

Dear Property Owner:

A fencing permit is required for this type of improvement according to Section 19 of the Brainerd Zoning Code. **All work shall be stopped and shall not continue until approval is granted and a permit issued by the Department of Community Development. You are expected to reply within 10 days.**

Brainerd Zoning Code, Section 515-4-11 requires a fencing permit be secured prior to construction of any fence, partition, structure, wall, or gate with the required yard. A double fee is required when a person begins work without a permit (Brainerd City Code Section 1015.07 Subd. 2).

Applications are available at our office at 501 Laurel Street in Brainerd or on our website at www.ci.brainerd.mn.us. Violations may be enforced as administrative offenses pursuant to Chapter 320 of the Brainerd City Code. (Brainerd Zoning Ordinance 515-5-11)

Please call James Kramvik if you have questions or comments. I can be reached during regular business hours at 218-454-3408.

Respectfully,

CITY OF BRAINERD
Department of Community Development

October 27th, 2022



www.ci.brainerd.mn.us

Anthony & Nicole Rees
303 J St NE
Brainerd, MN 56401

You are receiving this letter from the City of Brainerd because corrections must be made to your fence at 303 J St NE. The fence installed on the west side of the property was never permitted in 2021 and corrections have not been made. A six-foot fence cannot extend beyond the front façade of the primary structure. The allowed placement of six-foot fences is indicated with a red line on the provided site plan. Four-foot-high fences are allowed up to the property line, which is indicated by the blue square. The fence on the west side of the property is also placed in the city right of way which must be corrected as all fences must be placed on the property. I have included a blank site plan and a permit application. The City of Brainerd will work with you to correct these issues with a final correction date of **07/01/2023**. Please apply for a fence permit with the proper location and height indicated on the site plan according to the Brainerd Code of Ordinances. The city will not issue any more permits on this property, to the current owner or subsequent owners, until the issue with the fence is resolved.

Please contact the Community Development Department at (218) 828-2309 if you have any questions.

Respectfully,

James L. Kramvik
Community Development Director

Crow Wing County

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Scale 1: 300

November 14, 2023

REES, NICHOLE & TONY
303 J ST NE
BRainerd, MN 56401

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

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

Property Address: 303 J ST NE
Real Estate Code: 41190954

Violation: Zoning Code Violation

515-3-28 Outdoor Storage

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

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

Action should be taken on or before 11/24/2023

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

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

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

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

Respectfully,
By Order of:
THE CITY OF BRAINERD



CITY OF BRAINERD



ASSESSMENT DISPUTE REQUEST

Property Address & Parcel ID# (if known) 1223 Roslwood St
41250653

Property Owner Name Daniel O'Reilly

Property Owner Mailing Address 15850 Ashmun Rd

Property Owner Phone Number 218 831 3197

Hardship Deferral Request? Y/N
(circle one)
(separate application)

Reason for Contesting/Disputing Assessment

See attachment

October 30th, 2024
City of Brainerd Community Development
Department
501 Laurel St.
Brainerd, MN 56401

Daniel O'Reilly
15859 Ashmun Rd.
Brainerd, MN 56401
dan@oreillystavern.com

Re: Contesting Code Violation Fines for [Property Address: 1223 Rosewood St.]

Dear City Administrator,

I am writing to formally contest the code violation fines recently imposed on my property at 1223 Rosewood St. due to the following circumstances, which I believe warrant the cancellation of these fines:

1. Previous Verbal Notification of Fine Cancellation: After receiving the initial code violation notice in November 2023, I contacted Mr. Jason Stockinger, Building/Housing Inspector, and explained the unique situation concerning the property. At that time, Mr. Stockinger verbally informed me that the violation would be removed, given the property was vacant and not generating any rental income. Our agreement was clear: if I decided to rent the property in the future, I would proceed with the necessary licensing and inspections. This conversation, as acknowledged by Mr. Stockinger in a recent email, should have voided any ongoing violations.

2. Reinstatement of Fine Without Notification: Despite the initial cancellation, the fines were reinstated without any formal notice or opportunity to address any alleged issues. I received no communication regarding a follow-up inspection, and I could not have been aware that a re-inspection occurred, as the property was vacant and thus not subject to rental code violations. This lack of notification is particularly concerning and has resulted in an unjust re-assessment of the fines.

3. Vacancy of Property During Cited Violation Period: The property remained unoccupied during the months in question. Documentation, including photographs, is attached to show the property's vacant status last winter. The property has only recently been occupied by a family member, who resides there without paying rent. Therefore, the property has not been used for rental purposes, and as such, the cited violations should not apply.

4. Unanswered Inquiries for Additional Information: Over the past few weeks, I have made several attempts to reach out to the city administration through Mr. James Kramvik, for clarification and information regarding this matter. Unfortunately, despite multiple emails, I have not received the requested responses, which has hindered my ability to understand the basis for these fines and appropriately address them.

Considering these factors, I respectfully request the removal of the contested fines and a formal acknowledgment that the property is not subject to these violations. While I was unable to attend the public hearing on October 21st, 2024, I am more than willing to attend a council meeting or hearing if required to present my case, though I hope this letter suffices to resolve the issue equitably.

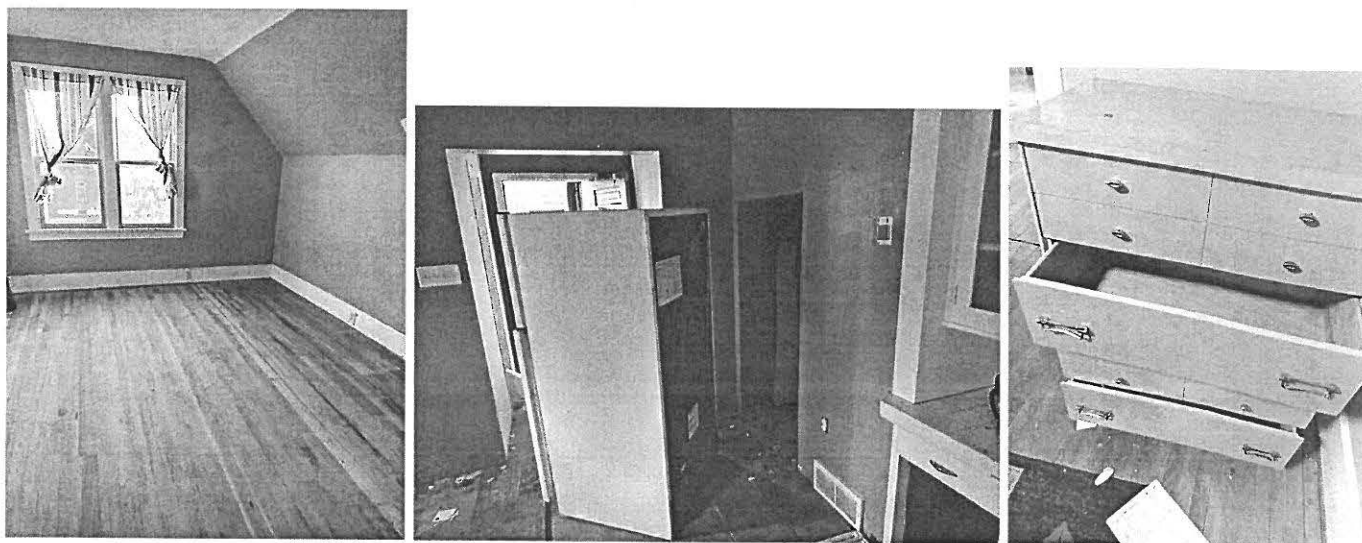
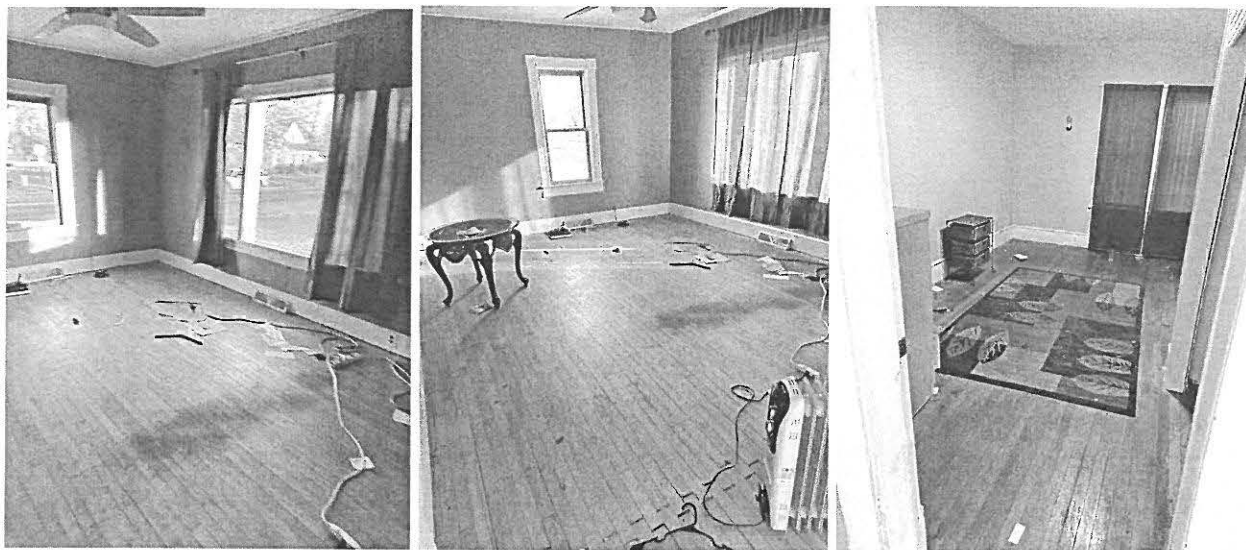
Thank you for your time and attention to this matter.
Sincerely,

Daniel O'Reilly



10/30/2024

Attachment: House Photos; Attachment: Email Chain





From: Daniel O'Reilly dan@oreilystavern.com
Subject: Re: Code Violation Letters
Date: October 6, 2024 at 3:38 PM
To: Jason Stockinger jstockinger@ci.brainerd.mn.us
Cc: James Kramvik jkramvik@ci.brainerd.mn.us

Good morning James, I was just checking to see if you are able to answer my questions below.

Thank you
Dan

On Oct 2, 2024, at 1:32 PM, Daniel O'Reilly <dan@oreilystavern.com> wrote:

Thank you Jason for your quick response.

I would have a couple of questions for James, First I was not aware that I would need to license if I had someone there that was helping to make repairs to get it to license code. But I do understand your point, and know that now, however the property was not occupied or rented as of the day of your citation in either November or December or since then, except by my son who moved in August. I am attaching photos.

Second, if the citation was reinstated after it had initially been canceled and I was informed of the cancellation, as we have discussed, how would I know that it had been reinstated as no followup on that ever occurred?

Lastly, how did a re-inspection take place in December on an empty property to justify an additional fine, which was also not communicated at that time? Jason, as he stated, had already been notified at that time that the property was not rented or occupied and I had been notified that it was canceled.

Thank you both for your time,

Dan O'Reilly

<opengraph-content-icon-folder-dropbox-
landscape.png>

Nov15HousePhotos
dropbox.com

On Oct 2, 2024, at 1:10 PM, Jason Stockinger <jstockinger@ci.brainerd.mn.us> wrote:

Good afternoon, I do remember our conversation about this property. The citations were original voided, but my supervisor/department head reinstated those citations upon the fact that you did have a tenant living there without a rental license for 2 months knowing that a license was required to be rental property. If you feel the need to appeal those citations, please come to the counsel meeting/public hearing stated in the letter to make your plea to have them voided. Any question feel free to contact me or James Kramvik.

Best Regards,
Jason Stockinger
Building/Housing Inspector
City of Brainerd

-----Original Message-----

From: Daniel O'Reilly <dan@oreilystavern.com>
Sent: Wednesday, October 2, 2024 12:32 PM
To: Jason Stockinger <jstockinger@ci.brainerd.mn.us>
Subject: Code Violation Letters

[You don't often get email from dan@oreilystavern.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Jason,

I am writing to you regarding a code violation letter I received in the mail for my property at 1223 Rosewood St. I first received a letter last November regarding a code violation and we spoke on the phone at that time. As we discussed at that time, we had allowed a gentleman to live in the property and help us complete some maintenance projects last September and October. He ended up having some mental stability issues and we scheduled to leave. The house was vacant in November/December and

CITY OF BRAINERD



ASSESSMENT DISPUTE REQUEST

Property

Address &

Parcel ID#

(if known)

Property Owner

Name

Property Owner

Mailing Address

Property Owner

Phone Number

Hardship

Deferral

Request?

41330502

Brett Canfield

15284 Beaver Dam Rd

218-839-4024

Y / N

(circle one)

(separate application)

Reason for Contesting/Disputing Assessment

I Bought the Property from Justin
I didn't know he had fines with the
city for stuff at all He never informed
me or the attorney. I ask that it is removed
from me and kept on Justin. I'm trying
to take care of all his mistakes and taking
the steps to make it all right I just
ask fines are dismissed from Brett Canfield.

CITY OF BRAINERD



ASSESSMENT DISPUTE REQUEST

Property Address & Parcel ID# (if known) 1023 South 6th Street
Brainerd MN 56401
41240591
Property Owner Name NH Properties of MN LLC / Mariah Steele
Property Owner Mailing Address 5034 Mary Allen Lane Brainerd, MN 56401
Property Owner Phone Number (218) 829-9564 James Hartman
Hardship ☒ Y ☐ N
Deferral (circle one)
Request? (separate application)

Reason for Contesting/Disputing Assessment

Previous squatters had junk car and were removed and issues have been resolved with new buyers and have not had any issues and should not be responsible for illegal tenants vehicle.

November 21, 2023

ARFSTROM, CATHLEEN A
1023 S 6TH ST
BRainerd, MN 56401

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

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

Property Address: 1023 6TH ST S
Real Estate Code: 41240591

Violation: Unlicensed/Inoperable Vehicle
IPMC302.8

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

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

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

Action should be taken on or before 12/05/2023

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

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

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

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

Respectfully,
By Order of:
THE CITY OF BRainerd





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

THIS IS THE ONLY NOTICE YOU WILL RECEIVE

Administrative Citation

Department of Building Safety – 218-828-2307

EN23-0616

Date of Violation: 01/03/2024

Parcel ID: 41240591

Violator(s): ARFSTROM, CATHLEEN A
1023 S 6TH ST
BRainerd, MN 56401

Location/Address of Violation: **1023 6TH ST S**

VIOLATION

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

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

Citation Amount Due: \$300.00

Payment Due By: 30 Days from Date of Violation

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

Re-inspection Date: 01/13/2024

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: 01/03/2024

Representative's Signature: 

(served via first class mail)

