



CITY COUNCIL AGENDA

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Tuesday, January 21, 2025 @ 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: 2496 014 8603

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

1. **Call To Order**

2. **Oath of Office**

Kevin Yeager- At Large

3. **Roll Call**

___ T. Erickson ___ K. Bevans ___ J. Czczok ___ G. Johnson ___ K. Stunek ___ K. Yeager ___ M. O'Day
___ D. Badeaux

4. **Pledge of Allegiance**

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

6. **Consent Calendar**

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

A. **Approval of Bills**

B. **Approval of Minutes**

C. **Department Activity Reports**

D. **Approve MN Lawful Gambling Permit for Excluded Bingo Submitted by the Knights of Columbus Council 1491 for an Event to be held on February 2, 9, 16, & 23, 2025 at St Francis Catholic Church 404 9th Street**

E. **Approve Event/Lane Closure Application - MCCL March for Life**

F. **Approve Event/Street Closure Application- CLC 5K**

G. **Approve 2025 Budgeted Transfers**

7. **Public Forum**
Time allocated for citizens to bring matters not on the agenda to the attention of the Council -
Time limits may be imposed
8. **Presentations**
 - A. **Brainerd for All Ages**
9. **Unfinished Business**
 - A. **Appoint Members to Council Committees and as Liaisons**
 - B. **Declare Vacancy on the Housing Redevelopment Authority to Vacate Council Member Yeager's Seat and Declare a Seat on the Library Board Vacant**
 - C. **Call for Applicants**
Mayor Recommended: (terms to expire on 12/31 of said year)
Airport Commission - 1 term (2027)
Charter Commission – 2 terms (Expire 2025) 2 terms (Expire 2026) 3 terms (Expire 2028)
Housing and Redevelopment Authority - 1 term (Expire 2029)
Library Board-- 1 term (Expire 2027)
Parks & Recreation - 1 term (Expire 2029)
Public Utilities Commission - 1 term (Expire 2026) 1 term (Expire 2029)
Transportation Advisory Committee- 4 terms (Expire 2026)
Council President Recommended: (terms expire on 12/31 of said year)
Planning Commission-- 1 term (Expire 2027)
 - D. **Discuss City Hall Annex Building**
 - E. **Final Reading Proposed Ordinance 1578 - Lot Standards and Building Design Standards**
10. **New Business**
 - A. **Ratify Hiring Rebecca Ridlon for Business Office Support Specialist**
 - B. **Ratify the Promotion of Jake Sipper to Street Maintenance III**
 - C. **Ratify the Reclassification of Shawn Strong to Technology Director**
 - D. **Consider Approval of the Revised Employee Policy Manual**
 - E. **Discussion of Issuing Conduit debt for Country Manor and Update Debt Management Policy**
 - F. **Consider Amending Capitalization Policy**
 - G. **Adopt Resolution Requesting Advance Municipal State Aid Funds**
 - H. **Adopt Resolution - Receive Feasibility Report and Call for Public Hearing on Improvement - Improvement 21-13 - Beech/Oakridge Reconstruction Project**

- I. **Adopt Resolution - Receive Feasibility Report and Call for Public Hearing on Improvement - Improvement 17-12 - Wright/10th Reconstruction Project**
- J. **Consider Forgiveness of Nuisance Assessments for 303 J Street**
- K. **First Reading Propose Ordinance 1579 - Amending Sections 1200 and 1500**
- L. **First Reading Propose Ordinance 1580 - Amending Section 600 of the City Code**
- M. **Move Public Utility Commission (PUC) Meetings to City Council Chambers**
- 11. **Staff Reports**
(Verbal: Any Updates since Packet)
- 12. **Mayor's Report**
- 13. **Council Member Reports**
- 14. **Adjourn**
 - A. **Adjourn to Closed Labor Negotiation Strategy Session pursuant to MN Statutes, 13D.03, Subd 1(b) to prepare for Negotiations with the Teamsters Union.**
- 15. **Council Communications**

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 12/01/2024 - 12/31/2024

BOTH JOURNALIZED AND UNJOURNALIZED

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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						
Vendor 0011 - ACE HARDWARE:							
329248/1							
86089	ACE HARDWARE	12/12/2024	12/30/2024	26.99	0.00	Paid	Y
	CHAINSAW BAR OIL	pziemer					12/30/2024
235-3125-42220	REPAIR & MAINT			26.99			
329230/1							
86097	ACE HARDWARE	12/12/2024	12/30/2024	17.99	0.00	Paid	Y
	OFFICE WALL CLOCK	pziemer					12/30/2024
225-2120-42200	OFFICE SUPPLIES			17.99			
329242/1							
86098	ACE HARDWARE	12/12/2024	12/30/2024	17.99	0.00	Paid	Y
	OFFICE WALL CLOCK	pziemer					12/30/2024
225-2120-42200	OFFICE SUPPLIES			17.99			
329264/1							
86099	ACE HARDWARE	12/13/2024	12/30/2024	10.78	0.00	Paid	Y
	MAGIC ERASERS	pziemer					12/30/2024
225-2120-42220	REPAIR & MAINT			10.78			
329268/1							
86113	ACE HARDWARE	12/13/2024	12/30/2024	8.99	0.00	Paid	Y
	EPOXY/COLD WELD - FD	pziemer					12/30/2024
225-2220-42220	REPAIR & MAINT			8.99			
329346/1							
86121	ACE HARDWARE	12/17/2024	12/30/2024	23.38	0.00	Paid	Y
	BATTERIES - PAPER TOWEL DISPENSERS	pziemer					12/30/2024
101-1940-42220	REPAIR & MAINT			23.38			
329318/1							
86128	ACE HARDWARE	12/16/2024	12/30/2024	5.98	0.00	Paid	Y
	KEY CUT- EVIDENCE GUN LOCKERS	pziemer					12/30/2024
225-2120-42210	OPERATING SUPPLIES			5.98			
329488/1							
86200	ACE HARDWARE	12/26/2024	12/30/2024	97.16	0.00	Paid	Y
	#2 SQUARE POINT SHOVELS X4	pziemer					12/30/2024
235-3125-42240	SMALL TOOLS			97.16			
Total for vendor 0011 - ACE HARDWARE:				209.26	0.00		
Vendor 2670 - AMERICAN STEEL SUPPLY INC:							
123518							
86092	AMERICAN STEEL SUPPLY INC	12/13/2024	12/30/2024	31.70	0.00	Paid	Y
	TRUCK 109 SCRAPER BLADE REPAIR	pziemer					12/30/2024
235-3125-42220	REPAIR & MAINT			31.70			
Total for vendor 2670 - AMERICAN STEEL SUPPLY INC:				31.70	0.00		
Vendor 2846 - AMERICAN WELDING-GAS INC:							

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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
0010533038							
86110	AMERICAN WELDING-GAS INC	12/01/2024	12/30/2024	82.70	0.00	Paid	Y
	WELDING GAS CYLINDER RENTAL	pziemer					12/30/2024
	235-3100-43410 RENTAL EXPENSE			82.70			
0010538399							
86120	AMERICAN WELDING-GAS INC	12/16/2024	12/30/2024	71.07	0.00	Paid	Y
	O2 REFILL	pziemer					12/30/2024
	235-3100-42220 REPAIR & MAINT			71.07			
0010539957							
86125	AMERICAN WELDING-GAS INC	12/17/2024	12/30/2024	181.42	0.00	Paid	Y
	WELDING GAS AND SAW BLADE	pziemer					12/30/2024
	235-3125-42220 REPAIR & MAINT			181.42			
	Total for vendor 2846 - AMERICAN WELDING-GAS INC:			335.19	0.00		
Vendor 3859 - ASL INTERPRETING SERVICES INC:							
INV-00379-A							
86177	ASL INTERPRETING SERVICES INC	12/20/2024	12/30/2024	23.67	0.00	Paid	Y
	INTERPRETING SERVICES	pziemer					12/30/2024
	225-2120-43300 PROFESSIONAL SERVICES			23.67			
	Total for vendor 3859 - ASL INTERPRETING SERVICES INC:			23.67	0.00		
Vendor 0944 - ASPEN MILLS:							
344883							
86087	ASPEN MILLS	12/12/2024	12/30/2024	461.72	0.00	Paid	Y
	QTY 4 FF BADGES	pziemer					12/30/2024
	225-2220-41113 UNIFORM ALLOWANCE			461.72			
	Total for vendor 0944 - ASPEN MILLS:			461.72	0.00		
Vendor 2740 - AT&T MOBILITY:							
X12032024/FIRE							
86010	AT&T MOBILITY	11/25/2024	12/13/2024	344.07	0.00	Paid	Y
	ACCT 287312856222 FIRE DEPT PHONES	pziemer					12/13/2024
	225-2220-43321 TELEPHONE			344.07			
X12032024/ADMIN							
86011	AT&T MOBILITY	11/25/2024	12/13/2024	99.84	0.00	Paid	Y
	ACCT 287292136423 ADMIN PHONES	pziemer					12/13/2024
	101-1400-43321 TELEPHONE			99.84			
X12032024/CDD							
86012	AT&T MOBILITY	11/25/2024	12/13/2024	149.76	0.00	Paid	Y
	ACCT 287292136423 COM DEV PHONES	pziemer					12/13/2024
	101-2400-43321 TELEPHONE			149.76			

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Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
X12032024/ENG							
86013	AT&T MOBILITY	11/25/2024	12/13/2024	359.25	0.00	Paid	Y
	ACCT 287292136423 ENG DEPT PHONES	pziemer					12/13/2024
	101-1700-43321			276.14			
	238-3160-43321			83.11			
X12032024/HR							
86014	AT&T MOBILITY	11/25/2024	12/13/2024	49.92	0.00	Paid	Y
	ACCT 287292136423 HR PHONES	pziemer					12/13/2024
	101-1400-43321			49.92			
X12032024/IT							
86015	AT&T MOBILITY	11/25/2024	12/13/2024	176.30	0.00	Paid	Y
	IT DEPT PHONES ACCT 287292136423	pziemer					12/13/2024
	101-1800-43321			176.30			
X12032024/PARKS							
86016	AT&T MOBILITY	11/25/2024	12/13/2024	168.45	0.00	Paid	Y
	ACCT 287292136423 PARKS DEPT PHONES/(pziemer						12/13/2024
	230-5200-43321			148.45			
	230-5204-42210			20.00			
X12032024/STRTS							
86017	AT&T MOBILITY	11/25/2024	12/13/2024	209.49	0.00	Paid	Y
	ACCT 287292136423 STREET DEPT PHONES	pziemer					12/13/2024
	235-3100-43321			88.15			
	237-3190-43321			121.34			
X12032024/TRANSIT							
86018	AT&T MOBILITY	11/25/2024	12/13/2024	49.92	0.00	Paid	Y
	ACCT 287292136423 TRANSIT PHONES	pziemer					12/13/2024
	203-9000-43321			49.92			
X12032024/PD							
86023	AT&T MOBILITY	11/25/2024	12/13/2024	2,145.81	0.00	Paid	Y
	ACCT 287287520356 POLICE DEPT PHONES/pziemer						12/13/2024
	225-2120-43309			805.02			
	225-2120-43321			1,340.79			
	Total for vendor 2740 - AT&T MOBILITY:			3,752.81	0.00		
Vendor 0319 - BAKER TILLY MUNICIPAL ADVISORS, LLC:							
BTMA29908							
86227	BAKER TILLY MUNICIPAL ADVISORS, LLC	12/26/2024	12/30/2024	30,275.00	0.00	Paid	Y
	SERIES 2024A GENERAL OBLIGATION BOND/pziemer						12/30/2024
	401-9030-43300-22:08			30,275.00			
	Total for vendor 0319 - BAKER TILLY MUNICIPAL ADVISORS, LLC:			30,275.00	0.00		
Vendor 3966 - BLUE SKY TRANSIT:							

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
113024							
86226*	BLUE SKY TRANSIT	12/01/2024	12/30/2024	86,818.51	0.00	Paid	Y
	NOV 24 THIRD PARTY SERVICES	pziemer					12/30/2024
	203-9000-43401	VEHICLE REPAIRS		12,801.73			
	203-9000-43440	TRANSIT SERVICE CONTRACT PY		76,091.78			
	203-9000-43440	TRANSIT SERVICE PENALTY		(2,075.00)			
	Total for vendor 3966 - BLUE SKY TRANSIT:			86,818.51	0.00		
Vendor 0085 - BRAINERD POLICE DEPT:							
7/26/24							
86180	BRAINERD POLICE DEPT	12/01/2024	12/30/2024	10.00	0.00	Paid	Y
	UNDERCOVER TAXI PURCHASE	pziemer					12/30/2024
	225-2120-42210	OPERATING SUPPLIES		10.00			
	Total for vendor 0085 - BRAINERD POLICE DEPT:			10.00	0.00		
Vendor 0296 - BRAINERD PUBLIC UTILITIES:							
12/17/24							
86123	BRAINERD PUBLIC UTILITIES	12/17/2024	12/20/2024	5,760.72	0.00	Paid	Y
	REMIT BPU DEC 24 SPECIAL ASSMNTS	pziemer					12/20/2024
	101-0000-20850	DUE TO COMPONENT UNIT		5,760.72			
12/16/24							
86112	BRAINERD PUBLIC UTILITIES	12/16/2024	12/30/2024	75.55	0.00	Paid	Y
	REMIT DEC 24 COBRA	pziemer					12/30/2024
	101-0000-20850	DUE TO COMPONENT UNIT		75.55			
INV22488							
86152	BRAINERD PUBLIC UTILITIES	12/11/2024	12/30/2024	449.40	0.00	Paid	Y
	CATASTROPHIC LEAVE BANK	pziemer					12/30/2024
	101-9200-43430	MISCELLANEOUS		449.40			
NOV 24/CITY							
86153	BRAINERD PUBLIC UTILITIES	12/01/2024	12/30/2024	2,066.14	0.00	Paid	Y
	10/24/24-11/24/24 CITY HALL UTILITIES	pziemer					12/30/2024
	101-1940-43381	BPU UTILITIES		1,819.76			
	101-9200-43381	BPU UTILITIES		150.09			
	236-3180-43381	BPU UTILITIES		37.50			
	401-1003-43380	UTILITIES		58.79			
NOV 24/STREETS							
86154	BRAINERD PUBLIC UTILITIES	12/01/2024	12/30/2024	24,121.87	0.00	Paid	Y
	10/24/24-11/24/24 STREET DEPT UTILIT	pziemer					12/30/2024
	235-3100-43381	BPU UTILITIES		23,404.06			
	230-5200-43381	BPU UTILITIES		717.81			
NOV 24/PD							
86155	BRAINERD PUBLIC UTILITIES	12/01/2024	12/30/2024	3,382.02	0.00	Paid	Y
	10/24/24-11/24/24 POLICE DEPT UTILIT	pziemer					12/30/2024
	225-2120-43381	BPU UTILITIES		3,382.02			

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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
NOV 24/FD							
86156	BRAINERD PUBLIC UTILITIES	12/01/2024	12/30/2024	1,865.23	0.00	Paid	Y
	10/24/24-11/24/24 FIRE DEPT UTILITIES	pziemer					12/30/2024
225-2220-43381	BPU UTILITIES			1,865.23			
NOV/24 LIB							
86157	BRAINERD PUBLIC UTILITIES	12/01/2024	12/30/2024	1,557.54	0.00	Paid	Y
	10/24/24-11/24/24 LIBRARY UTILITIES	pziemer					12/30/2024
211-5500-43381	BPU UTILITIES			1,557.54			
NOV 24/PARKS							
86158	BRAINERD PUBLIC UTILITIES	12/01/2024	12/30/2024	2,548.77	0.00	Paid	Y
	10/24/24-11/24/24 PARKS UTILITIES	pziemer					12/30/2024
230-5200-43381	BPU UTILITIES			2,520.04			
230-5280-43380	UTILITIES			28.73			
2024 DIVIDEND							
86238	BRAINERD PUBLIC UTILITIES	12/30/2024	12/30/2024	15,023.00	0.00	Paid	Y
	2024 WC AND PC DIVIDEND	chillman					12/30/2024
101-0000-20850	2024 WC DIVIDEND			7,085.00			
101-0000-20850	2024 PC DIVIDEND			7,938.00			
Total for vendor 0296 - BRAINERD PUBLIC UTILITIES:				56,850.24	0.00		
Vendor 4030 - CARR'S TREE SERVICE INC:							
08933-I							
86118	CARR'S TREE SERVICE INC	12/16/2024	12/30/2024	7,250.00	0.00	Paid	Y
	TREE REMOVAL 608 N 9TH ST	pziemer					12/30/2024
101-2400-43405	NUISANCES			7,250.00			
Total for vendor 4030 - CARR'S TREE SERVICE INC:				7,250.00	0.00		
Vendor 1333 - CHAMBERLAIN OIL COMPANY:							
495378-00							
86140	CHAMBERLAIN OIL COMPANY	12/18/2024	12/30/2024	130.50	0.00	Paid	Y
	DIESEL EXHAUST FLUID	pziemer					12/30/2024
235-3125-42220	REPAIR & MAINT			130.50			
Total for vendor 1333 - CHAMBERLAIN OIL COMPANY:				130.50	0.00		
Vendor 1343 - CHARTER COMMUNICATIONS:							
138389901120724							
86114	CHARTER COMMUNICATIONS	12/07/2024	12/30/2024	119.98	0.00	Paid	Y
	REDUNDANT INTERNET 12/12/24-1/11/25	pziemer					12/30/2024
101-1800-43321	TELEPHONE			119.98			
175587701122124							
86229	CHARTER COMMUNICATIONS	12/21/2024	12/30/2024	46.85	0.00	Paid	Y
	BUSINESS TV	pziemer					12/30/2024
225-2120-43380	UTILITIES			46.85			
Total for vendor 1343 - CHARTER COMMUNICATIONS:				166.83	0.00		

Inv Num Inv Ref# GL Distribution	Vendor Description GRANT	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
Vendor 4269 - COLUMN SOFTWARE:							
425BB603-0081							
86197	COLUMN SOFTWARE	12/17/2024	12/30/2024	159.38	0.00	Paid	Y
	ORD 1577-15106 RIVERSIDE ANNEXATION	pziemer					12/30/2024
101-9200-43350	LEGAL PUBLICATIONS			159.38			
Total for vendor 4269 - COLUMN SOFTWARE:				159.38	0.00		
Vendor 3783 - CONNECT INTERIORS LLC:							
68187							
86100	CONNECT INTERIORS LLC	12/11/2024	12/30/2024	3,192.98	0.00	Paid	Y
	X7 CHAIRS - OFFICER FURNITURE	pziemer					12/30/2024
400-9050-45530	CAPITAL - OTHER			3,192.98			
Total for vendor 3783 - CONNECT INTERIORS LLC:				3,192.98	0.00		
Vendor 0125 - CONSOLIDATED TELEPHONE CO:							
21491110/AIR							
86101	CONSOLIDATED TELEPHONE CO	12/12/2024	12/20/2024	141.63	0.00	Paid	Y
	12/12/24-1/11/25 AIRPORT	pziemer					12/20/2024
260-9020-43321	TELEPHONE			141.63			
21491110/IT							
86102	CONSOLIDATED TELEPHONE CO	12/12/2024	12/20/2024	464.75	0.00	Paid	Y
	IT DEPT PHONE/INTERNET 12/12/24-01/11/25	pziemer					12/20/2024
101-1800-43321	TELEPHONE			464.75			
21491110/PARKS							
86103	CONSOLIDATED TELEPHONE CO	12/12/2024	12/20/2024	245.81	0.00	Paid	Y
	12/12/24-01/11/25 PARKS PHONES/INTERP	pziemer					12/20/2024
230-5200-43321	TELEPHONE			245.81			
21491110/CH							
86104	CONSOLIDATED TELEPHONE CO	12/12/2024	12/20/2024	54.46	0.00	Paid	Y
	12/12/24-1/11/25 CITY HALL PHONES	pziemer					12/20/2024
101-1940-43321	TELEPHONE			54.46			
21491110/FD							
86105	CONSOLIDATED TELEPHONE CO	12/12/2024	12/20/2024	100.00	0.00	Paid	Y
	12/12/24-1/11/25 FIRE DEPT PHONES/IN	pziemer					12/20/2024
225-2220-43321	TELEPHONE			100.00			
21491110/PD							
86106	CONSOLIDATED TELEPHONE CO	12/12/2024	12/20/2024	144.40	0.00	Paid	Y
	12/12/24-1/11/25 POLICE DEPT PHONE/IN	pziemer					12/20/2024
225-2120-43321	TELEPHONE			94.40			
225-2120-43309	COMPUTER TECHNICAL SUPPORT			50.00			
21491110/STRTS							
86107	CONSOLIDATED TELEPHONE CO	12/12/2024	12/20/2024	95.81	0.00	Paid	Y
	12/12/24-01/11/25 STREET DEPT PHONE/	pziemer					12/20/2024

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
235-3100-43321	TELEPHONE			95.81			
21490538							
86116	CONSOLIDATED TELEPHONE CO	12/12/2024	12/20/2024	558.36	0.00	Paid	Y
	PHONE SERVICE AND RENTAL	pziemer					12/20/2024
260-9020-43321	TELEPHONE			558.36			
Total for vendor 0125 - CONSOLIDATED TELEPHONE CO:				1,805.22	0.00		

Vendor 0900 - CUB FOODS - BRAINERD:

TRX: 136566

86129	CUB FOODS - BRAINERD	12/17/2024	12/30/2024	47.76	0.00	Paid	Y
	DEC 24 LNL SUPPLIES	pziemer					12/30/2024
278-6515-43430	MISCELLANEOUS			47.76			
TRX: 137715							
86161	CUB FOODS - BRAINERD	12/18/2024	12/30/2024	2.99	0.00	Paid	Y
	DEC 24 LNL SUPPLIES	pziemer					12/30/2024
278-6515-43430	MISCELLANEOUS			2.99			
Total for vendor 0900 - CUB FOODS - BRAINERD:				50.75	0.00		

Vendor 1688 - CUSTOM FIRE APPARATUS INC:

0023569-IN

86201	CUSTOM FIRE APPARATUS INC	12/01/2024	12/30/2024	220.16	0.00	Paid	Y
	CAB TILT SPACERS	pziemer					12/30/2024
225-2220-42220	REPAIR & MAINT			220.16			
Total for vendor 1688 - CUSTOM FIRE APPARATUS INC:				220.16	0.00		

Vendor 0133 - CWC RECORDER:

1507 NORWOOD ST

86203	CWC RECORDER	12/26/2024	12/30/2024	46.00	0.00	Paid	Y
	LEWIS - SCDP RECORDING FEE	pziemer					12/30/2024
202-6323-45520	SE BRD - CAPITAL - SINGLE FAM RENTAL			46.00			
Total for vendor 0133 - CWC RECORDER:				46.00	0.00		

Vendor 0135 - CWC TREASURER:

7594/PD

86145	CWC TREASURER	12/18/2024	12/30/2024	810.80	0.00	Paid	Y
	4TH QTR 24 POLICE DEPT EXPENSES	pziemer					12/30/2024
225-2120-42220	REPAIR & MAINT			810.80			
7594/LIB							
86146	CWC TREASURER	12/16/2024	12/30/2024	952.88	0.00	Paid	Y
	4TH QTR 24 LIBRARY EXPENSES	pziemer					12/30/2024
211-5500-43430	MISCELLANEOUS			952.88			

Inv Num Inv Ref#	Vendor Description	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
	GL Distribution GRANT						
7594/FD							
86147	CWC TREASURER	12/18/2024	12/30/2024	126.55	0.00	Paid	Y
	4TH QTR 24 FIRE DEPT EXPENSES	pziemer					12/30/2024
	225-2220-42221 R&M BUILDING			126.55			
7594/CH							
86148	CWC TREASURER	12/18/2024	12/30/2024	823.43	0.00	Paid	Y
	4TH QTR CITY HALL EXPENSES	pziemer					12/30/2024
	101-1940-42220 REPAIR & MAINT			823.43			
	Total for vendor 0135 - CWC TREASURER:			2,713.66	0.00		
Vendor 3438 - DAHLHEIMER BEVERAGE:							
2357855							
86149	DAHLHEIMER BEVERAGE	12/20/2024	12/30/2024	147.30	0.00	Paid	Y
	SOAP, TOWELS, TP	pziemer					12/30/2024
	211-5500-43430 MISCELLANEOUS			147.30			
	Total for vendor 3438 - DAHLHEIMER BEVERAGE:			147.30	0.00		
Vendor 2829 - DIAMOND INDUSTRIAL CLEANING EQUIPME:							
26457							
86202	DIAMOND INDUSTRIAL CLEANING EQUIPME	12/16/2024	12/30/2024	889.26	0.00	Paid	Y
	WASH BAY HEATING COIL FROZE - REPAIR	pziemer					12/30/2024
	235-3125-42220 REPAIR & MAINT			889.26			
	Total for vendor 2829 - DIAMOND INDUSTRIAL CLEANING EQUIPME:			889.26	0.00		
Vendor MISC - DREW BELTON:							
12/17/2024							
86234	DREW BELTON	12/17/2024	12/30/2024	120.55	0.00	Paid	Y
	UNDERCOVER ALCOHOL COMPLIANCE CHECKS	chillman					12/30/2024
	225-2120-42210 OPERATING SUPPLIES			120.55			
	Total for vendor MISC - DREW BELTON:			120.55	0.00		
Vendor 4375 - DSC COMMUNICATIONS:							
2250662							
86176	DSC COMMUNICATIONS	12/20/2024	12/30/2024	1,055.00	0.00	Paid	Y
	RADIOS AND PAGERS QTY 2	pziemer					12/30/2024
	404-9055-45580 CAPITAL - RADIOS & PAGERS			1,055.00			
	Total for vendor 4375 - DSC COMMUNICATIONS:			1,055.00	0.00		
Vendor 1286 - EAST SIDE OIL COMPANY:							
R115079							
86142	EAST SIDE OIL COMPANY	12/18/2024	12/30/2024	100.00	0.00	Paid	Y
	OIL FILTERS	pziemer					12/30/2024
	227-3230-43428 USED OIL RECYCLING EXPENSE			100.00			

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
Total for vendor 1286 - EAST SIDE OIL COMPANY:				100.00	0.00		
Vendor 3320 - ESSENTIA HEALTH:							
890000484-10/31/24							
86091	ESSENTIA HEALTH	12/04/2024	12/30/2024	164.00	0.00	Paid	Y
	QTY 2 PRE-EMPTY TESTING/DRUG SCREEN	pziemer					12/30/2024
230-5200-43430	MISCELLANEOUS			66.00			
101-1700-43430	MISCELLANEOUS			52.80			
235-3100-43430	MISCELLANEOUS			13.20			
225-2120-43300	PROFESSIONAL SERVICES			32.00			
Total for vendor 3320 - ESSENTIA HEALTH:				164.00	0.00		
Vendor 0170 - FASTENAL COMPANY:							
MNBAX271432							
86189	FASTENAL COMPANY	12/23/2024	12/30/2024	195.29	0.00	Paid	Y
	CUTTING EDGE HARDWARE	pziemer					12/30/2024
235-3125-42220	REPAIR & MAINT			195.29			
MNBAX269794							
86198	FASTENAL COMPANY	12/01/2024	12/30/2024	(82.78)	0.00	Paid	Y
	CREDIT - BUSTER PAVILLION BUILD RETU	pziemer					12/30/2024
400-9050-45530	CAPITAL - OTHER			(82.78)			
Total for vendor 0170 - FASTENAL COMPANY:				112.51	0.00		
Vendor 3402 - FLEETPRIDE:							
122293196							
86159	FLEETPRIDE	12/23/2024	12/30/2024	279.37	0.00	Paid	Y
	TRUCK 108 SLACK ADJUSTERS	pziemer					12/30/2024
235-3125-42220	REPAIR & MAINT			279.37			
Total for vendor 3402 - FLEETPRIDE:				279.37	0.00		
Vendor 0186 - GALLS LLC:							
029855254							
86178	GALLS LLC	12/06/2024	12/30/2024	123.75	0.00	Paid	Y
	CSO 773BB BOOTS	pziemer					12/30/2024
225-2121-41113	UNIFORM ALLOWANCE			123.75			
Total for vendor 0186 - GALLS LLC:				123.75	0.00		
Vendor 1388 - HEIMAN INC.:							
0937458-IN							
86109	HEIMAN INC.	12/09/2024	12/30/2024	281.10	0.00	Paid	Y
	QTY 2 FIRE HOSE - ICE RINK FILLERS	pziemer					12/30/2024
230-5200-42220	REPAIR & MAINT			281.10			
Total for vendor 1388 - HEIMAN INC.:				281.10	0.00		

Inv Num Inv Ref# GL Distribution	Vendor Description GRANT	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
Vendor 4374 - HOLMES, JACKSON:							
12/6/24							
86131	HOLMES, JACKSON	12/06/2024	12/30/2024	155.70	0.00	Paid	Y
	REIMBURSE - UNIFORMWEAR	pziemer					12/30/2024
225-2220-41113	UNIFORM ALLOWANCE			155.70			
Total for vendor 4374 - HOLMES, JACKSON:				155.70	0.00		
Vendor 3220 - IMPERIAL DADE:							
4323112/CH							
86192	IMPERIAL DADE	12/23/2024	12/30/2024	160.58	0.00	Paid	Y
	JANITORIAL SUPPLIES - CITY HALL	pziemer					12/30/2024
101-1940-42220	REPAIR & MAINT			160.58			
4323112/FD							
86193	IMPERIAL DADE	12/23/2024	12/30/2024	57.10	0.00	Paid	Y
	JANITORIAL SUPPLIES - FIRE DEPT	pziemer					12/30/2024
225-2220-42220	REPAIR & MAINT			57.10			
4323112/PD							
86194	IMPERIAL DADE	12/23/2024	12/30/2024	162.96	0.00	Paid	Y
	JANITORIAL SUPPLIES - POLICE DEPT	pziemer					12/30/2024
225-2120-42220	REPAIR & MAINT			162.96			
4323112/PARKS							
86195	IMPERIAL DADE	12/23/2024	12/30/2024	28.48	0.00	Paid	Y
	JANITORIAL SUPPLIES - PARKS DEPT	pziemer					12/30/2024
230-5200-42220	REPAIR & MAINT			28.48			
4323112/STRTS							
86196	IMPERIAL DADE	12/23/2024	12/30/2024	28.48	0.00	Paid	Y
	JANITORIAL SUPPLIES - STREETS DEPT	pziemer					12/30/2024
235-3100-42220	REPAIR & MAINT			28.48			
Total for vendor 3220 - IMPERIAL DADE:				437.60	0.00		
Vendor MISC - JACOB KUNKEL:							
12/30/2024							
86235	JACOB KUNKEL	12/30/2024	12/30/2024	160.73	0.00	Paid	Y
	UNDERCOVER ALCOHOL AND TABACCO COMPL	chillman					12/30/2024
225-2120-42210	OPERATING SUPPLIES			160.73			
Total for vendor MISC - JACOB KUNKEL:				160.73	0.00		
Vendor 3488 - JEFFERSON FIRE & SAFETY:							
IN321489							
86115	JEFFERSON FIRE & SAFETY	12/12/2024	12/30/2024	819.89	0.00	Paid	Y
	NOZZLE	pziemer					12/30/2024
225-2220-42210	OPERATING SUPPLIES			819.89			

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DB: Brainerd

INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 12/01/2024 - 12/31/2024

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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						
PB001955							
86136	JEFFERSON FIRE & SAFETY	12/19/2024	12/30/2024	5,637.20	0.00	Paid	Y
	NOZZLES QTY 7	pziemer					12/30/2024
225-2220-42210	OPERATING SUPPLIES			5,637.20			
	Total for vendor 3488 - JEFFERSON FIRE & SAFETY:			6,457.09	0.00		

Vendor 0220 - KENNEDY & GRAVEN:

SERIES 2024A

86133	KENNEDY & GRAVEN	12/18/2024	12/30/2024	9,500.00	0.00	Paid	Y
	LEGAL SERVICE, BOND ISSUANCE 2024A	pziemer					12/30/2024
401-9030-43300-22:08	PROFESSIONAL SERVICES			9,500.00			
	Total for vendor 0220 - KENNEDY & GRAVEN:			9,500.00	0.00		

Vendor 3545 - KITCHIGAMI REGIONAL LIBRARY - CC:

12/4/24

86134	KITCHIGAMI REGIONAL LIBRARY - CC	12/04/2024	12/30/2024	292.80	0.00	Paid	Y
	REMIT LIB CC CHARGES THRU 11/6/24	pziemer					12/30/2024
211-0000-20800	DUE TO OTHER GOVT UNITS			292.80			
	Total for vendor 3545 - KITCHIGAMI REGIONAL LIBRARY - CC:			292.80	0.00		

Vendor 0223 - L & M STEEL:

042003

86093	L & M STEEL	12/13/2024	12/30/2024	39.02	0.00	Paid	Y
	TRUCK 109 SCRAPER REPAIR ROD	pziemer					12/30/2024
235-3125-42220	REPAIR & MAINT			39.02			

042012

86122	L & M STEEL	12/17/2024	12/30/2024	115.84	0.00	Paid	Y
	CURB GUARD REBUILD STEEL	pziemer					12/30/2024
235-3125-42220	REPAIR & MAINT			115.84			

042022

86127	L & M STEEL	12/18/2024	12/30/2024	31.44	0.00	Paid	Y
	3/4 COLD ROLLED STEEL FOR CURB GUARD	pziemer					12/30/2024
235-3125-42220	REPAIR & MAINT			31.44			
	Total for vendor 0223 - L & M STEEL:			186.30	0.00		

Vendor MISC - LEVEL CONTRACTING LLC:

BFG21-0020

86083	LEVEL CONTRACTING LLC	12/13/2024	12/30/2024	3,500.00	0.00	Paid	Y
	BD Bond Refund	pziemer					12/30/2024
101-0000-20600	BFG21-0020			3,500.00			
	Total for vendor MISC - LEVEL CONTRACTING LLC:			3,500.00	0.00		

Vendor 2141 - M&M EXPRESS SALES & SERVICE:

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DB: Brainerd

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EXP CHECK RUN DATES 12/01/2024 - 12/31/2024

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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
549599							
86111	M&M EXPRESS SALES & SERVICE	12/16/2024	12/30/2024	54.99	0.00	Paid	Y
	CHAINSAW HELMET REPLACEMENT	pziemer					12/30/2024
235-3125-42220	REPAIR & MAINT			54.99			
	Total for vendor 2141 - M&M EXPRESS SALES & SERVICE:			54.99	0.00		

Vendor 0239 - MACQUEEN EQUIPMENT INC:

P61610							
86090	MACQUEEN EQUIPMENT INC	12/12/2024	12/30/2024	17.05	0.00	Paid	Y
	SEWER CAMERA O-RINGS	pziemer					12/30/2024
237-3190-42220	REPAIR & MAINT			17.05			
P40661							
86117	MACQUEEN EQUIPMENT INC	12/16/2024	12/30/2024	201.43	0.00	Paid	Y
	5 GAL CITROSQUEEZE	pziemer					12/30/2024
225-2220-42210	OPERATING SUPPLIES			201.43			
W15499							
86160	MACQUEEN EQUIPMENT INC	12/20/2024	12/30/2024	1,077.09	0.00	Paid	Y
	SEWER CAMERA REPAIR	pziemer					12/30/2024
237-3190-42220	REPAIR & MAINT			1,077.09			
	Total for vendor 0239 - MACQUEEN EQUIPMENT INC:			1,295.57	0.00		

Vendor 1753 - MARCO:

INV13312668							
86135	MARCO	12/17/2024	12/30/2024	1,368.50	0.00	Paid	Y
	MICROSOFT INTUNE DEPLOYMENT	pziemer					12/30/2024
101-1800-43300	PROFESSIONAL SERVICES			1,368.50			
INV13317874							
86143	MARCO	12/19/2024	12/30/2024	1,315.82	0.00	Paid	Y
	UNIFY IT 12/19/24-1/18/25	pziemer					12/30/2024
101-1800-43309	COMPUTER SUPPORT			600.34			
101-0000-15510	PREPAID OTHER			600.34			
260-9020-43309	COMPUTER SUPPORT			57.57			
260-0000-15500	PREPAID EXPENSE			57.57			
INV13324888							
86151	MARCO	12/20/2024	12/30/2024	2,671.50	0.00	Paid	Y
	MICROSOFT 365 11/16/24-12/15/24	pziemer					12/30/2024
101-1800-43309	COMPUTER SUPPORT			2,447.50			
260-9020-43309	COMPUTER SUPPORT			224.00			
	Total for vendor 1753 - MARCO:			5,355.82	0.00		

Vendor 0260 - MN BUREAU OF CRIM APPREHENSION:

11/24/24							
85810	MN BUREAU OF CRIM APPREHENSION	11/27/2024	12/01/2024	60.00	0.00	Paid	Y
	QTY 4 BACKGROUND - RINK ATTENDANTS	pziemer					12/01/2024

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
230-5204-42210	OPERATING SUPPLIES			60.00			
12/16/24							
86095	MN BUREAU OF CRIM APPREHENSION	12/16/2024	12/16/2024	30.00	0.00	Paid	Y
	QTY 2 BACKGROUND CHECKS - RINK ATTENI	pziemer					12/16/2024
230-5204-42210	OPERATING SUPPLIES			30.00			
	Total for vendor 0260 - MN BUREAU OF CRIM APPREHENSION:			90.00	0.00		

Vendor 1021 - MOTOROLA:

8282036929							
86119	MOTOROLA	12/06/2024	12/30/2024	1,839.84	0.00	Paid	Y
	X3 SPEAKERS/CHARGERS	pziemer					12/30/2024
400-9050-45530	CAPITAL - OTHER			1,839.84			
	Total for vendor 1021 - MOTOROLA:			1,839.84	0.00		

Vendor 3168 - MOTORS-N-MORE:

30919							
86130	MOTORS-N-MORE	12/17/2024	12/30/2024	23.00	0.00	Paid	Y
	SQD 413 OIL CHANGE	pziemer					12/30/2024
225-2120-42221	SQUAD CAR REPAIR SUPPLIES			23.00			
30931							
86179	MOTORS-N-MORE	12/23/2024	12/30/2024	23.00	0.00	Paid	Y
	SQD 411 OIL CHANGE	pziemer					12/30/2024
225-2120-42221	SQUAD CAR REPAIR SUPPLIES			23.00			
30935							
86191	MOTORS-N-MORE	12/24/2024	12/30/2024	90.37	0.00	Paid	Y
	SQD 444 OIL CHANGE/MAINT	pziemer					12/30/2024
225-2120-42221	SQUAD CAR REPAIR SUPPLIES			90.37			
	Total for vendor 3168 - MOTORS-N-MORE:			136.37	0.00		

Vendor 3725 - NORTH RISK PARTNERS:

7065474							
86108	NORTH RISK PARTNERS	12/02/2024	12/30/2024	13,500.00	0.00	Paid	Y
	2025 HLTH INS. BROKER FEE 1ST HALF I	pziemer					12/30/2024
101-0000-15510	PREPAID OTHER			3,690.00			
101-1400-43300	PROFESSIONAL SERVICES			1,845.00			
101-0000-14100	DUE FROM COMPONENT UNIT			5,872.50			
101-0000-14100	DUE FROM COMPONENT UNIT			1,755.00			
260-9020-43300	PROFESSIONAL SERVICES			337.50			
	Total for vendor 3725 - NORTH RISK PARTNERS:			13,500.00	0.00		

Vendor 0736 - NORTHLAND FIRE PROTECTION:

61144							
86096	NORTHLAND FIRE PROTECTION	12/16/2024	12/30/2024	55.85	0.00	Paid	Y
	RECHARGE EXTINGUISHERS	pziemer					12/30/2024

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
225-2220-43300	PROFESSIONAL SERVICES			55.85			
Total for vendor 0736 - NORTHLAND FIRE PROTECTION:				55.85	0.00		
Vendor 4062 - NOVACARE REHABILITATION:							
848230721							
86162	NOVACARE REHABILITATION	12/18/2024	12/30/2024	185.00	0.00	Paid	Y
	FITNESS TESTING/POTENTIAL HIRE	pziemer					12/30/2024
225-2120-43300	PROFESSIONAL SERVICES			185.00			
Total for vendor 4062 - NOVACARE REHABILITATION:				185.00	0.00		
Vendor 0386 - OFFICE OF ADMINISTRATIVE HEARINGS:							
15106 RIVERSIDE							
86124	OFFICE OF ADMINISTRATIVE HEARINGS	12/17/2024	12/30/2024	100.00	0.00	Paid	Y
	FILING FEE ANNEXATION 15106 RIVERSIDE	pziemer					12/30/2024
101-2400-43350	PRINTING/LEGAL PUBLICATION			100.00			
Total for vendor 0386 - OFFICE OF ADMINISTRATIVE HEARINGS:				100.00	0.00		
Vendor 0284 - OFFICE SHOP:							
1149221-1							
86137	OFFICE SHOP	12/18/2024	12/30/2024	5.30	0.00	Paid	Y
	CALENDAR REFILL	pziemer					12/30/2024
101-1940-42200	OFFICE SUPPLIES			5.30			
Total for vendor 0284 - OFFICE SHOP:				5.30	0.00		
Vendor 2137 - O'REILLY AUTOMOTIVE STORES INC.:							
1647-321937							
86163	O'REILLY AUTOMOTIVE STORES INC.	12/18/2024	12/30/2024	8.01	0.00	Paid	Y
	MOLDING TAPE	pziemer					12/30/2024
225-2120-42240	SMALL TOOLS			8.01			
Total for vendor 2137 - O'REILLY AUTOMOTIVE STORES INC.:				8.01	0.00		
Vendor 0317 - SHORT ELLIOTT HENDRICKSON:							
478573							
86144	SHORT ELLIOTT HENDRICKSON	12/09/2024	12/30/2024	3,220.32	0.00	Paid	Y
	23:13 WILLOW/6TH ST ROUNDABOUT	pziemer					12/30/2024
401-9030-43300-23:13	PROFESSIONAL SERVICES			3,220.32			
Total for vendor 0317 - SHORT ELLIOTT HENDRICKSON:				3,220.32	0.00		
Vendor 3138 - ST. LOUIS MRO INC.:							
63521							
86132	ST. LOUIS MRO INC.	12/01/2024	12/30/2024	150.00	0.00	Paid	Y
	PRE-EMPLOYMENT CHECKS, TESTING FORMS	pziemer					12/30/2024
101-1700-43300	PROFESSIONAL SERVICES			9.80			

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
230-5200-43300	PROFESSIONAL SERVICES			12.25			
235-3100-43300	PROFESSIONAL SERVICES			2.45			
225-2220-43300	PROFESSIONAL SERVICES			98.00			
225-2120-43300	PROFESSIONAL SERVICES			24.50			
101-9200-43300	PROFESSIONAL SERVICES			3.00			
Total for vendor 3138 - ST. LOUIS MRO INC.:				150.00	0.00		

Vendor 0322 - STREICHERS PROF EQUIP:

I1734870							
86126	STREICHERS PROF EQUIP	12/18/2024	12/30/2024	5,618.34	0.00	Paid	Y
	TRAINING AMMO	pziemer					12/30/2024
225-2120-43330	PROFESSIONAL DEVELOPMENT			5,618.34			
I1734491							
86164	STREICHERS PROF EQUIP	12/13/2024	12/30/2024	59.99	0.00	Paid	Y
	717 CG - INITIAL ISSUE	pziemer					12/30/2024
225-2120-41113	UNIFORM ALLOWANCE			59.99			
I1734743							
86165	STREICHERS PROF EQUIP	12/16/2024	12/30/2024	59.99	0.00	Paid	Y
	717 CG - INITIAL ISSUE	pziemer					12/30/2024
225-2120-41113	UNIFORM ALLOWANCE			59.99			
I1735595							
86166	STREICHERS PROF EQUIP	12/19/2024	12/30/2024	57.00	0.00	Paid	Y
	TRT SUPPLIES	pziemer					12/30/2024
225-2131-42210	OPERATING SUPPLIES			57.00			
I1735534							
86181	STREICHERS PROF EQUIP	12/02/2024	12/30/2024	54.99	0.00	Paid	Y
	717 CG - INITIAL ISSUE	pziemer					12/30/2024
225-2120-41113	UNIFORM ALLOWANCE			54.99			
I1735729							
86182	STREICHERS PROF EQUIP	12/20/2024	12/30/2024	27.98	0.00	Paid	Y
	720 NAME PLATE	pziemer					12/30/2024
225-2120-41113	UNIFORM ALLOWANCE			27.98			
Total for vendor 0322 - STREICHERS PROF EQUIP:				5,878.29	0.00		

Vendor 0039 - VESTIS:

2530348866							
86088	VESTIS	12/13/2024	12/30/2024	62.35	0.00	Paid	Y
	RUGS AND OVERALLS	pziemer					12/30/2024
235-3100-43430	MISCELLANEOUS			62.35			
2530351340							
86141	VESTIS	12/19/2024	12/30/2024	86.63	0.00	Paid	Y
	RUGS AND OVERALLS	pziemer					12/30/2024
235-3100-43430	MISCELLANEOUS			86.63			
Total for vendor 0039 - VESTIS:				148.98	0.00		

PAID

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						

Vendor 0354 - ZIEGLER, INC:

IN001745142

86139

ZIEGLER, INC

12/18/2024

12/30/2024

9.76

0.00

Paid

Y

GRADER 113 LIGHT BULBS

pziemer

12/30/2024

235-3125-42220

REPAIR & MAINT

9.76

Total for vendor 0354 - ZIEGLER, INC:

9.76

0.00

# of Invoices:	114	# Due:	0	Totals:	250,583.52	0.00
# of Credit Memos:	1	# Due:	0	Totals:	(82.78)	0.00
Net of Invoices and Credit Memos:					250,500.74	0.00

* 1 Net Invoices have Credits Totalling: (2,075.00)

--- TOTALS BY GL DISTRIBUTION ---

101-0000-14100	DUE FROM COMPONENT UNIT	7,627.50
101-0000-15510	PREPAID OTHER	4,290.34
101-0000-20600	BFG21-0020	3,500.00
101-0000-20850	DUE TO COMPONENT UNIT	20,859.27
101-1400-43300	PROFESSIONAL SERVICES	1,845.00
101-1400-43321	TELEPHONE	149.76
101-1700-43300	PROFESSIONAL SERVICES	9.80
101-1700-43321	TELEPHONE	276.14
101-1700-43430	MISCELLANEOUS	52.80
101-1800-43300	PROFESSIONAL SERVICES	1,368.50
101-1800-43309	COMPUTER SUPPORT	3,047.84
101-1800-43321	TELEPHONE	761.03
101-1940-42200	OFFICE SUPPLIES	5.30
101-1940-42220	REPAIR & MAINT	1,007.39
101-1940-43321	TELEPHONE	54.46
101-1940-43381	BPU UTILITIES	1,819.76
101-2400-43321	TELEPHONE	149.76
101-2400-43350	PRINTING/LEGAL PUBLICATION	100.00
101-2400-43405	NUISANCES	7,250.00
101-9200-43300	PROFESSIONAL SERVICES	3.00
101-9200-43350	LEGAL PUBLICATIONS	159.38
101-9200-43381	BPU UTILITIES	150.09
101-9200-43430	MISCELLANEOUS	449.40
202-6323-45520	CAPITAL - SINGLE FAM RENTAL	46.00
203-9000-43321	TELEPHONE	49.92
203-9000-43401	VEHICLE REPAIRS	12,801.73
203-9000-43440	TRANSIT SERVICE CONTRACT PY	74,016.78
211-0000-20800	DUE TO OTHER GOVT UNITS	292.80
211-5500-43381	BPU UTILITIES	1,557.54
211-5500-43430	MISCELLANEOUS	1,100.18
225-2120-41113	UNIFORM ALLOWANCE	202.95
225-2120-42200	OFFICE SUPPLIES	35.98
225-2120-42210	OPERATING SUPPLIES	297.26
225-2120-42220	REPAIR & MAINT	984.54
225-2120-42221	SQUAD CAR REPAIR SUPPLIES	136.37
225-2120-42240	SMALL TOOLS	8.01
225-2120-43300	PROFESSIONAL SERVICES	265.17

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
225-2120-43309	COMPUTER TECHNICAL SUPPORT			855.02			
225-2120-43321	TELEPHONE			1,435.19			
225-2120-43330	PROFESSIONAL DEVELOPMENT			5,618.34			
225-2120-43380	UTILITIES			46.85			
225-2120-43381	BPU UTILITIES			3,382.02			
225-2121-41113	UNIFORM ALLOWANCE			123.75			
225-2131-42210	OPERATING SUPPLIES			57.00			
225-2220-41113	UNIFORM ALLOWANCE			617.42			
225-2220-42210	OPERATING SUPPLIES			6,658.52			
225-2220-42220	REPAIR & MAINT			286.25			
225-2220-42221	R&M BUILDING			126.55			
225-2220-43300	PROFESSIONAL SERVICES			153.85			
225-2220-43321	TELEPHONE			444.07			
225-2220-43381	BPU UTILITIES			1,865.23			
227-3230-43428	USED OIL RECYCLING EXPENSE			100.00			
230-5200-42220	REPAIR & MAINT			309.58			
230-5200-43300	PROFESSIONAL SERVICES			12.25			
230-5200-43321	TELEPHONE			394.26			
230-5200-43381	BPU UTILITIES			3,237.85			
230-5200-43430	MISCELLANEOUS			66.00			
230-5204-42210	OPERATING SUPPLIES			110.00			
230-5280-43380	UTILITIES			28.73			
235-3100-42220	REPAIR & MAINT			99.55			
235-3100-43300	PROFESSIONAL SERVICES			2.45			
235-3100-43321	TELEPHONE			183.96			
235-3100-43381	BPU UTILITIES			23,404.06			
235-3100-43410	RENTAL EXPENSE			82.70			
235-3100-43430	MISCELLANEOUS			162.18			
235-3125-42220	REPAIR & MAINT			1,985.58			
235-3125-42240	SMALL TOOLS			97.16			
236-3180-43381	BPU UTILITIES			37.50			
237-3190-42220	REPAIR & MAINT			1,094.14			
237-3190-43321	TELEPHONE			121.34			
238-3160-43321	TELEPHONE			83.11			
260-0000-15500	PREPAID EXPENSE			57.57			
260-9020-43300	PROFESSIONAL SERVICES			337.50			
260-9020-43309	COMPUTER SUPPORT			281.57			
260-9020-43321	TELEPHONE			699.99			
278-6515-43430	MISCELLANEOUS			50.75			
400-9050-45530	CAPITAL - OTHER			4,950.04			
401-1003-43380	UTILITIES			58.79			
401-9030-43300-22:08	PROFESSIONAL SERVICES			39,775.00			
401-9030-43300-23:13	PROFESSIONAL SERVICES			3,220.32			
404-9055-45580	CAPITAL - RADIOS & PAGERS			1,055.00			

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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
--- TOTALS BY FUND ---							
101 -	GENERAL FUND			54,936.52	0.00		
202 -	SCDP GRANTS			46.00	0.00		
203 -	TRANSIT FUND			86,868.43	0.00		
211 -	LIBRARY FUND			2,950.52	0.00		
225 -	PUBLIC SAFETY FUND			23,600.34	0.00		
227 -	RECYCLING FUND			100.00	0.00		
230 -	PARK & RECREATION FUND			4,158.67	0.00		
235 -	STREET & SEWER FUND			26,017.64	0.00		
236 -	PARKING LOT FUND			37.50	0.00		
237 -	SANITARY SEWER FUND			1,215.48	0.00		
238 -	STORM SEWER FUND			83.11	0.00		
260 -	AIRPORT FUND			1,376.63	0.00		
278 -	HEALTHY EMPLOYE INITIATIVE			50.75	0.00		
400 -	CAPITAL PROJECTS FUND			4,950.04	0.00		
401 -	CONSTRUCTION FUND			43,054.11	0.00		
404 -	FIRE DEPARTMENT CAPITAL			1,055.00	0.00		
--- TOTALS BY DEPT/ACTIVITY ---							
0000 -				36,627.48	0.00		
1003 -	10:03 DWNTWN MAIN CNTRACT			58.79	0.00		
1400 -	ADMINISTRATION			1,994.76	0.00		
1700 -	ENGINEERING			338.74	0.00		
1800 -	IT/GIS			5,177.37	0.00		
1940 -	CITY HALL			2,886.91	0.00		
2120 -	POLICE DEPARTMENT			13,267.70	0.00		
2121 -	COMMUNITY SERVICE			123.75	0.00		
2131 -	TACTICAL TEAM			57.00	0.00		
2220 -	FIRE DEPARTMENT			10,151.89	0.00		
2400 -	COMMUNITY DEVL/INSPECTION			7,499.76	0.00		
3100 -	S & S MAINTENANCE			23,934.90	0.00		
3125 -	SNOW REMOVAL			2,082.74	0.00		
3160 -	STORM SEWER EXPENSE			83.11	0.00		
3180 -	PARKING LOTS EXPENSE			37.50	0.00		
3190 -	SANITARY SEWER EXPENSE			1,215.48	0.00		
3230 -	RECYCLING EXPENSE			100.00	0.00		
5200 -	PARK MAIN/ADMINISTRATION			4,019.94	0.00		
5204 -	CONCESSIONS			110.00	0.00		
5280 -	CAMPGROUND			28.73	0.00		
5500 -	LIBRARY-BUDGETED			2,657.72	0.00		
6323 -	SE BRAINERD SCDP GRANT			46.00	0.00		
6515 -	HEALTHY EMPLOYE INITIATIVE			50.75	0.00		
9000 -	TRANSIT FUND			86,868.43	0.00		

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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
GL Distribution		GRANT					
--- TOTALS BY DEPT/ACTIVITY ---							
	9020 - AIRPORT M & O			1,319.06	0.00		
	9030 - CONSTRUCTION PROJ-MISC			42,995.32	0.00		
	9050 - CAPITAL PROJECTS-MISC			4,950.04	0.00		
	9055 - FIRE DEPARTMENT CAPITAL			1,055.00	0.00		
	9200 - CITY-WIDE			761.87	0.00		

Inv Num Inv Ref# GL Distribution	Vendor Description GRANT	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
Vendor 0011 - ACE HARDWARE:							
329793/1 86487	ACE HARDWARE TAPE - CITY HALL	01/13/2025 pziemer	01/22/2025	7.18	7.18	Open	N 01/22/2025
101-1940-42220	REPAIR & MAINT			7.18			
329815/1 86536	ACE HARDWARE TAPE	01/14/2025 pziemer	01/22/2025	26.97	26.97	Open	N 01/22/2025
230-5200-42210	OPERATING SUPPLIES			26.97			
Total for vendor 0011 - ACE HARDWARE:				34.15	34.15		
Vendor 2902 - ADVANCE AUTO PARTS:							
6574500345482 86398	ADVANCE AUTO PARTS WOOD CHIPPER OIL FILTERS	01/03/2025 pziemer	01/22/2025	16.26	16.26	Open	N 01/22/2025
235-3125-42220	REPAIR & MAINT			16.26			
6574500780930 86399	ADVANCE AUTO PARTS BATTERY - FOR PARKS TRUCK TO BE RETUR	01/07/2025 pziemer	01/22/2025	150.34	150.34	Open	N 01/22/2025
230-5200-42220	REPAIR & MAINT			150.34			
Total for vendor 2902 - ADVANCE AUTO PARTS:				166.60	166.60		
Vendor 4351 - ADVANTAGE HOME PROS:							
81245491 86532	ADVANTAGE HOME PROS 1/12/25 DWNTWN SNOW- BASE + 2IN	01/14/2025 pziemer	01/22/2025	13,426.00	13,426.00	Open	N 01/22/2025
235-3125-43402	DOWNTOWN SNOW REMOVAL			13,426.00			
Total for vendor 4351 - ADVANTAGE HOME PROS:				13,426.00	13,426.00		
Vendor 2846 - AMERICAN WELDING-GAS INC:							
0010575482 86353	AMERICAN WELDING-GAS INC WELDING GAS CYLINDER RENTAL	12/31/2024 pziemer	01/22/2025	84.85	84.85	Open	N 12/31/2024
235-3100-43410	RENTAL EXPENSE			84.85			
Total for vendor 2846 - AMERICAN WELDING-GAS INC:				84.85	84.85		
Vendor 2683 - ASCAP:							
500821295/2025 86446	ASCAP 2025 ANNUAL LICENSE	12/20/2024 pziemer	01/22/2025	445.00	445.00	Open	N 01/22/2025
230-5200-43430	MISCELLANEOUS			445.00			
Total for vendor 2683 - ASCAP:				445.00	445.00		

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

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Inv Num Inv Ref# GL Distribution	Vendor Description GRANT	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
Vendor 4273 - ATLAS ABSTRACT & TITLE, INC:							
1/16/25 -HRA							
86545	ATLAS ABSTRACT & TITLE, INC	01/16/2025	01/22/2025	400.00	400.00	Open	N
	SCDP O&E REPORT - PUERINGER X4: 714	pziemer					01/22/2025
202-6323-43430	SE BRD - MISCELLANEOUS			400.00			
	Total for vendor 4273 - ATLAS ABSTRACT & TITLE, INC:			400.00	400.00		
Vendor 0745 - BATTERIES PLUS:							
P79136299							
86332	BATTERIES PLUS	01/02/2025	01/22/2025	11.97	11.97	Open	N
	BATTERIES	pziemer					01/22/2025
225-2120-42210	OPERATING SUPPLIES			11.97			
	Total for vendor 0745 - BATTERIES PLUS:			11.97	11.97		
Vendor 3201 - BAYCOM INC:							
EQUIPINV_053045							
86378	BAYCOM INC	12/31/2024	01/22/2025	153.00	153.00	Open	N
	SQD 428 MOBILE REPAIR	pziemer					12/31/2024
225-2120-42221	SQUAD CAR REPAIR SUPPLIES			153.00			
	Total for vendor 3201 - BAYCOM INC:			153.00	153.00		
Vendor 3120 - BOLTON & MENK:							
0353028							
86463	BOLTON & MENK	12/27/2024	01/22/2025	12,274.00	12,274.00	Open	N
	23:16 S. BRD RESURFACING 11/9/24-12/6	pziemer					12/31/2024
401-9030-43300-23:16	PROFESSIONAL SERVICES			12,274.00			
0353282							
86503	BOLTON & MENK	12/31/2024	01/22/2025	765.00	765.00	Open	N
	24:06 LAURE ST BRIDGE SERVICES	pziemer					12/31/2024
401-9030-43300-24:06	PROFESSIONAL SERVICES			765.00			
0353281							
86504	BOLTON & MENK	12/31/2024	01/22/2025	2,400.00	2,400.00	Open	N
	2024 BRIDGE SAFETY INSPECTIONS	pziemer					12/31/2024
101-1700-43300	PROFESSIONAL SERVICES			2,400.00			
	Total for vendor 3120 - BOLTON & MENK:			15,439.00	15,439.00		
Vendor 0206 - BRAINERD HOUSING AUTHORITY:							
2024 WELLNESS							
86527	BRAINERD HOUSING AUTHORITY	01/14/2025	01/22/2025	2,465.00	2,465.00	Open	N
	REMIT '24 WELLNESS INCENTIVES	pziemer					12/31/2024
278-6515-43430	MISCELLANEOUS			2,465.00			
	Total for vendor 0206 - BRAINERD HOUSING AUTHORITY:			2,465.00	2,465.00		

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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
Vendor 0296 - BRAINERD PUBLIC UTILITIES:							
DEC 24/LIBRARY							
86488	BRAINERD PUBLIC UTILITIES	12/24/2024	01/22/2025	1,319.44	1,319.44	Open	N
	11/24/24-12/24/24 LIBRARY UTILITIES	pziemer					12/31/2024
211-5500-43381	BPU UTILITIES			1,319.44			
DEC 24/FD							
86489	BRAINERD PUBLIC UTILITIES	12/24/2024	01/22/2025	2,633.63	2,633.63	Open	N
	11/24/24-12/24/24 FIRE DEPT UTILITIES	pziemer					12/31/2024
225-2220-43381	BPU UTILITIES			2,633.63			
DEC 24/PD							
86490	BRAINERD PUBLIC UTILITIES	12/24/2024	01/22/2025	4,610.36	4,610.36	Open	N
	11/24/24-12/24/24 POLICE DEPT UTILIT	pziemer					12/31/2024
225-2120-43381	BPU UTILITIES			4,610.36			
DEC 24/CITY							
86491	BRAINERD PUBLIC UTILITIES	12/24/2024	01/22/2025	2,302.08	2,302.08	Open	N
	11/24/24-12/24/24 CITY HALL UTILITIES	pziemer					12/31/2024
101-9200-43381	BPU UTILITIES			151.59			
101-1940-43381	BPU UTILITIES			2,004.70			
236-3180-43381	BPU UTILITIES			37.50			
401-1003-43380	UTILITIES			108.29			
DEC 24/PARKS							
86492	BRAINERD PUBLIC UTILITIES	12/24/2024	01/22/2025	3,316.83	3,316.83	Open	N
	11/24/24-12/24/24 PARKS DEPT UTILIT	pziemer					12/31/2024
230-5200-43381	BPU UTILITIES			3,288.47			
230-5280-43380	UTILITIES			28.36			
DEC 24/STREETS							
86493	BRAINERD PUBLIC UTILITIES	12/24/2024	01/22/2025	24,220.59	24,220.59	Open	N
	11/24/24-12/31/24 STREET DEPT UTILIT	pziemer					12/31/2024
235-3100-43381	BPU UTILITIES			23,437.96			
230-5200-43381	BPU UTILITIES			782.63			
2024 WELLNESS							
86526	BRAINERD PUBLIC UTILITIES	01/14/2025	01/22/2025	3,120.00	3,120.00	Open	N
	REMIT '24 WELLNESS INCENTIVES	pziemer					12/31/2024
278-6515-43430	MISCELLANEOUS			3,120.00			
1/16/25							
86538	BRAINERD PUBLIC UTILITIES	01/16/2025	01/22/2025	122,159.97	122,159.97	Open	N
	REMIT LOST THRU 1/14/25	pziemer					01/22/2025
251-9360-43467	REMIT LOCAL SALES TAX COLLECT			122,159.97			
Total for vendor 0296 - BRAINERD PUBLIC UTILITIES:				163,682.90	163,682.90		

Vendor 4209 - CALLTOWER:

202317975

86363	CALLTOWER	01/01/2025	01/22/2025	347.37	347.37	Open	N
	CALLTOWER 1/1/25-1/31/25	pziemer					01/22/2025

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Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
101-1800-43321	TELEPHONE			347.37			
	Total for vendor 4209 - CALLTOWER:			347.37	347.37		
Vendor 0447 - CDW GOVERNMENT, INC:							
AB98X4T							
86409	CDW GOVERNMENT, INC	12/19/2024	01/22/2025	235.76	235.76	Open	N
	COMPUTER MICE QTY 6, USB DRIVES QTY 2	pziemer					12/31/2024
101-1800-42210	OPERATING SUPPLIES			235.76			
	Total for vendor 0447 - CDW GOVERNMENT, INC:			235.76	235.76		
Vendor 1333 - CHAMBERLAIN OIL COMPANY:							
496270-00							
86324	CHAMBERLAIN OIL COMPANY	12/31/2024	01/22/2025	150.22	150.22	Open	N
	BRAKE CLEANER AND PENETRATING OIL	pziemer					01/22/2025
235-3125-42220	REPAIR & MAINT			150.22			
	Total for vendor 1333 - CHAMBERLAIN OIL COMPANY:			150.22	150.22		
Vendor 4303 - CLIMATE MAKERS:							
PM2278							
86355	CLIMATE MAKERS	01/02/2025	01/22/2025	1,778.00	1,778.00	Open	N
	2ND HALF PREVENTATIVE MAINT. CONTRACT	pziemer					12/31/2024
211-0000-15510	PREPAID			1,185.33			
211-5500-42220	REPAIR & MAINT			592.67			
	Total for vendor 4303 - CLIMATE MAKERS:			1,778.00	1,778.00		
Vendor 4269 - COLUMN SOFTWARE:							
425BB603-0082							
86401	COLUMN SOFTWARE	12/20/2024	01/22/2025	231.49	231.49	Open	N
	2025 ADOPTED BUDGET 12/31/24	pziemer					12/31/2024
101-9200-43350	LEGAL PUBLICATIONS			231.49			
425BB603-0083							
86402	COLUMN SOFTWARE	12/24/2024	01/22/2025	77.08	77.08	Open	N
	NOTICE: COUNTRY MANOR 12-24-24	pziemer					12/31/2024
101-2400-43350	PRINTING/LEGAL PUBLICATION			77.08			
	Total for vendor 4269 - COLUMN SOFTWARE:			308.57	308.57		
Vendor 0122 - COMMUNITY ACTION:							
JAN 2025							
86471	COMMUNITY ACTION	01/10/2025	01/22/2025	8,698.73	8,698.73	Open	N
	JAN 25 LEVY PAYMENT	pziemer					01/22/2025
101-9200-43460	REMIT COMMUNITY ACTION LEVY			8,698.73			
	Total for vendor 0122 - COMMUNITY ACTION:			8,698.73	8,698.73		

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
Vendor 4258 - CREDIT BUREAU OF ALEXANDRIA:							
DEC 2024							
86529	CREDIT BUREAU OF ALEXANDRIA	12/31/2024	01/22/2025	37.00	37.00	Open	N
	QTY 1 BACKGROUND CHECK	pziemer					12/31/2024
230-5200-43300	PROFESSIONAL SERVICES			37.00			
Total for vendor 4258 - CREDIT BUREAU OF ALEXANDRIA:				37.00	37.00		

Vendor 1919 - CWC LAND DEPARTMENT:

7667							
86502	CWC LAND DEPARTMENT	01/06/2025	01/22/2025	2,000.00	2,000.00	Open	N
	2025 WCA ANNUAL ADMIN FEE	pziemer					01/22/2025
238-3160-43300	PROFESSIONAL SERVICES			2,000.00			
Total for vendor 1919 - CWC LAND DEPARTMENT:				2,000.00	2,000.00		

Vendor 0133 - CWC RECORDER:

517 N 9TH - SCDP							
86523	CWC RECORDER	01/14/2025	01/22/2025	46.00	46.00	Open	N
	RECORDING FEE -REPAYMENT SHAW/ASH PR	pziemer					01/22/2025
202-6323-45520	SE BRD - CAPITAL - SINGLE FAM RENTAL			46.00			
808 2 10TH -SCDP							
86524	CWC RECORDER	01/14/2025	01/22/2025	46.00	46.00	Open	N
	RECORDING FEE REPAYMENT AGRMNT - SHAW	pziemer					01/22/2025
202-6323-45520	SE BRD - CAPITAL - SINGLE FAM RENTAL			46.00			
1503 PINE ST - SCDP							
86525	CWC RECORDER	01/14/2025	01/22/2025	46.00	46.00	Open	N
	RECORDING FEE REPAYMENT PLAN SHAW/ASH	pziemer					01/22/2025
202-6323-45520	SE BRD - CAPITAL - SINGLE FAM RENTAL			46.00			
Total for vendor 0133 - CWC RECORDER:				138.00	138.00		

Vendor 0135 - CWC TREASURER:

7629/CH							
86328	CWC TREASURER	01/01/2025	01/22/2025	7,975.00	7,975.00	Open	N
	JAN 25 SHARED SERVICES - CITY HALL	pziemer					01/22/2025
101-9200-43300	PROFESSIONAL SERVICES			7,975.00			
7629/LIB							
86329	CWC TREASURER	01/01/2025	01/22/2025	675.00	675.00	Open	N
	JAN 25 SHARED SERVICES - LIBRARY	pziemer					01/22/2025
211-5500-43300	PROFESSIONAL SERVICES			675.00			
Total for vendor 0135 - CWC TREASURER:				8,650.00	8,650.00		

Vendor 3502 - DAKOTA MAILING:

Inv Num Inv Ref#	Vendor Description	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
	GL Distribution GRANT						
78907							
86477	DAKOTA MAILING	01/06/2025	01/22/2025	165.72	165.72	Open	N
	RED POSTAGE INK	pziemer					01/22/2025
	101-1940-42200	OFFICE SUPPLIES		165.72			
	Total for vendor 3502 - DAKOTA MAILING:			165.72	165.72		
Vendor 0921 - DONDELINGER'S:							
163354							
86548	DONDELINGER'S	01/08/2025	01/22/2025	113.00	113.00	Open	N
	410 REPLACE OIL FILL CAP	pziemer					01/22/2025
	225-2120-42221	SQUAD CAR REPAIR SUPPLIES		113.00			
	Total for vendor 0921 - DONDELINGER'S:			113.00	113.00		
Vendor 4375 - DSC COMMUNICATIONS:							
2250810							
86352	DSC COMMUNICATIONS	12/23/2024	01/22/2025	205.00	205.00	Open	N
	PROGRAMMING NEW RADIOS X3	pziemer					12/31/2024
	404-9055-45580	CAPITAL - RADIOS & PAGERS		205.00			
2250885							
86379	DSC COMMUNICATIONS	12/31/2024	01/22/2025	135.00	135.00	Open	N
	UNIFORM LAPEL MIC	pziemer					12/31/2024
	225-2120-41113	UNIFORM ALLOWANCE		135.00			
	Total for vendor 4375 - DSC COMMUNICATIONS:			340.00	340.00		
Vendor 4089 - EAGLE ENGRAVING INC:							
2025-092							
86469	EAGLE ENGRAVING INC	01/03/2025	01/22/2025	128.35	128.35	Open	N
	FIREGROUND TAGS X36	pziemer					01/22/2025
	225-2220-42250	PERSONAL PROTECTIVE GEAR		128.35			
	Total for vendor 4089 - EAGLE ENGRAVING INC:			128.35	128.35		
Vendor 1859 - ENTERPRISE FM TRUST:							
FBN5230713/CDD							
86432	ENTERPRISE FM TRUST	01/05/2025	01/22/2025	890.66	890.66	Open	N
	JAN 25 COM DEV VEHICLE LEASES	pziemer					01/22/2025
	101-2400-43331	LEASE EXPENSE		890.66			
FBN5230713/ENG							
86433	ENTERPRISE FM TRUST	01/05/2025	01/22/2025	2,559.21	2,559.21	Open	N
	JAN 25 ENG DEPT VEHICLE LEASES	pziemer					01/22/2025
	101-1700-43331	LEASE PAYMENTS		1,703.92			
	238-3160-43331	LEASE PAYMENTS		855.29			

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
FBN5230713/FD							
86434	ENTERPRISE FM TRUST	01/05/2025	01/22/2025	1,833.36	1,833.36	Open	N
	JAN 25 FIRE DEPT VEHICLE LEASES	pziemer					01/22/2025
225-2220-43331	LEASED PAYMENTS			1,833.36			
FBN5230713/PD							
86435	ENTERPRISE FM TRUST	01/05/2025	01/22/2025	12,328.35	12,328.35	Open	N
	JAN 25 POLICE DEPT VEHICLE LEASES	pziemer					01/22/2025
225-2120-43331	LEASED PAYMENTS			12,328.35			
FBN5230713/PARKS							
86436	ENTERPRISE FM TRUST	01/05/2025	01/22/2025	5,880.79	5,880.79	Open	N
	JAN 25 PARKS DEPT VEHICLE LEASES	pziemer					01/22/2025
230-5200-43331	LEASE PAYMENTS			5,880.79			
FBN5230713/STRTS							
86437	ENTERPRISE FM TRUST	01/05/2025	01/22/2025	5,964.31	5,964.31	Open	N
	JAN 25 STREET DEPT VEHICLE LEASES	pziemer					01/22/2025
235-3100-43331	LEASE PAYMENTS			4,085.15			
237-3190-43331	LEASE PAYMENTS			1,879.16			
Total for vendor 1859 - ENTERPRISE FM TRUST:				29,456.68	29,456.68		

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

7182							
86461	F.I.R.E. CROSSLAKE	12/09/2024	01/22/2025	2,360.00	2,360.00	Open	N
	2024 FD TRAININGS X5	pziemer					12/31/2024
225-2220-43330	PROFESSIONAL DEVELOPMENT			2,360.00			
7187							
86470	F.I.R.E. CROSSLAKE	01/06/2025	01/22/2025	4,500.00	4,500.00	Open	N
	NEW FF - TRAINING 2025	pziemer					01/22/2025
225-2220-43330	PROFESSIONAL DEVELOPMENT			4,500.00			
7188							
86485	F.I.R.E. CROSSLAKE	01/06/2025	01/22/2025	1,000.00	1,000.00	Open	N
	NEW FF TRAINING	pziemer					01/22/2025
225-2220-43330	PROFESSIONAL DEVELOPMENT			1,000.00			
Total for vendor 1815 - F.I.R.E. CROSSLAKE:				7,860.00	7,860.00		

Vendor 0170 - FASTENAL COMPANY:

MNBAX271495							
86354	FASTENAL COMPANY	12/31/2024	01/22/2025	24.96	24.96	Open	N
	5/8 SHACKLE	pziemer					12/31/2024
235-3125-42220	REPAIR & MAINT			24.96			
Total for vendor 0170 - FASTENAL COMPANY:				24.96	24.96		

Vendor 0071 - FORUM COMMUNICATIONS COMPANY:

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
MP3161231224							
86349	FORUM COMMUNICATIONS COMPANY	12/31/2024	01/22/2025	604.50	604.50	Open	N
	TRANSIT OPERATIONS JOB POSTING DEC 2024	pziemer					12/31/2024
203-9000-43350	PRINTING/LEGAL PUBLICATION			604.50			
	Total for vendor 0071 - FORUM COMMUNICATIONS COMPANY:			604.50	604.50		

Vendor 0200 - HEARTLAND ANIMAL RESCUE:

DEC 2024

86397	HEARTLAND ANIMAL RESCUE	12/31/2024	01/22/2025	3,491.33	3,491.33	Open	N
	DEC 24 BOARDING/ADMIN FEES	pziemer					12/31/2024
225-2700-43430	MISCELLANEOUS			1,572.00			
225-2700-43300	PROFESSIONAL SERVICES			1,919.33			
	Total for vendor 0200 - HEARTLAND ANIMAL RESCUE:			3,491.33	3,491.33		

Vendor 0209 - HEARTLAND TIRE INC.:

3054605

86380	HEARTLAND TIRE INC.	12/26/2024	01/22/2025	37.55	37.55	Open	N
	SQD 410 TIRE REPAIR	pziemer					12/31/2024
225-2120-42221	SQUAD CAR REPAIR SUPPLIES			37.55			
	Total for vendor 0209 - HEARTLAND TIRE INC.:			37.55	37.55		

Vendor 0769 - HYTEC CONSTRUCTION INC:

14862

86455	HYTEC CONSTRUCTION INC	12/24/2024	01/22/2025	24,700.00	24,700.00	Open	N
	PAY REQ 5 - BRD WATER TOWER WINDOWS	pziemer					12/31/2024
229-0000-45530	PYMTS TO CONTRACTORS			24,700.00			

14800

86457	HYTEC CONSTRUCTION INC	12/01/2024	01/22/2025	23,750.00	23,750.00	Open	N
	PAY REQ 4 - BRD WATER TOWER WINDOWS	pziemer					12/31/2024
229-0000-45530	PYMTS TO CONTRACTORS			23,750.00			
	Total for vendor 0769 - HYTEC CONSTRUCTION INC:			48,450.00	48,450.00		

Vendor 0770 - INITIATIVE FOUNDATION:

VS-6118

86537	INITIATIVE FOUNDATION	12/19/2024	01/22/2025	5,350.00	5,350.00	Open	N
	2025 ENDOWMENT	pziemer					01/22/2025
295-6510-43435	BOOKS/PAMPHLETS/DUES			5,350.00			
	Total for vendor 0770 - INITIATIVE FOUNDATION:			5,350.00	5,350.00		

Vendor 3202 - INNOVATIVE OFFICE SOLUTIONS LLC:

IN4732176

86383	INNOVATIVE OFFICE SOLUTIONS LLC	01/06/2025	01/22/2025	68.34	68.34	Open	N
	DATE STAMP/COPY PAPER	pziemer					01/22/2025

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Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
225-2120-42200	OFFICE SUPPLIES			68.34			
	Total for vendor 3202 - INNOVATIVE OFFICE SOLUTIONS LLC:			68.34	68.34		
Vendor MISC - JIBEC HEATING COOLING INC:							
00048344							
86431	JIBEC HEATING COOLING INC	01/08/2025	01/22/2025	49.00	49.00	Open	N
	BD PAYMENT REFUND	pziemer					01/22/2025
101-2400-32230	Mechanical Air Conditioner			49.00			
	Total for vendor MISC - JIBEC HEATING COOLING INC:			49.00	49.00		
Vendor 4379 - JP CONTRACTING LLC:							
1601 PINE ST							
86534	JP CONTRACTING LLC	01/14/2025	01/22/2025	10,870.00	10,870.00	Open	N
	SCDP 24: N.KUHN WATER SERVICE/ROOF	pziemer					01/22/2025
202-6323-45510	SE BRD - CAPITAL - RESIDENTIAL			10,870.00			
	Total for vendor 4379 - JP CONTRACTING LLC:			10,870.00	10,870.00		
Vendor 0221 - KITCHIGAMI REG LIBRARY:							
1/14/25							
86533	KITCHIGAMI REG LIBRARY	01/14/2025	01/22/2025	198.00	198.00	Open	N
	2025 WINTER READING INCENTIVES	pziemer					01/22/2025
211-5501-43430	MISC - SPECIFIED DONATION USE			198.00			
	Total for vendor 0221 - KITCHIGAMI REG LIBRARY:			198.00	198.00		
Vendor 0223 - L & M STEEL:							
042075							
86326	L & M STEEL	12/31/2024	01/22/2025	21.67	21.67	Open	N
	SNOW PLOW REPAIR	pziemer					12/31/2024
235-3125-42220	REPAIR & MAINT			21.67			
	Total for vendor 0223 - L & M STEEL:			21.67	21.67		
Vendor 0313 - LAKES AREA SENIOR CENTER:							
JAN 2025							
86472	LAKES AREA SENIOR CENTER	01/10/2025	01/22/2025	8,698.73	8,698.73	Open	N
	JAN 25 LEVY PAYMENT	pziemer					01/22/2025
101-9200-43461	REMIT SENIOR CITIZEN LEVY			8,698.73			
	Total for vendor 0313 - LAKES AREA SENIOR CENTER:			8,698.73	8,698.73		
Vendor 0227 - LAKES PRINTING:							
00224848							
86403	LAKES PRINTING	12/11/2024	01/22/2025	53.50	53.50	Open	N
	BRAINERD MAPS/SIGNS	pziemer					12/31/2024
101-1940-42200	OFFICE SUPPLIES			53.50			

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Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						

Total for vendor 0227 - LAKES PRINTING:

53.50

53.50

Vendor 0232 - LEAGUE MN CITIES INS TRUS:

10002612/1ST 2025

86456	LEAGUE MN CITIES INS TRUS	01/06/2025	01/22/2025	74,797.25	74,797.25	Open	N
	1ST QTR 2025 WORK COMP INSTALLMENT	pziemer					01/22/2025
280-0000-41150	WORKERS COMP			62,546.25			
101-1110-41150	WORKERS COMP			12.25			
225-2225-41150	WORKERS COMP			12,238.75			
	Total for vendor 0232 - LEAGUE MN CITIES INS TRUS:			74,797.25	74,797.25		

Vendor 0233 - LEAGUE OF MN CITIES:

419793

86476	LEAGUE OF MN CITIES	01/06/2025	01/22/2025	1,125.00	1,125.00	Open	N
	2025 MN STORMWATERS COALITION	pziemer					01/22/2025
238-3160-43430	MISCELLANEOUS			1,125.00			
	Total for vendor 0233 - LEAGUE OF MN CITIES:			1,125.00	1,125.00		

Vendor 0619 - LEAGUE OF MN CITIES:

418759

86327	LEAGUE OF MN CITIES	01/01/2025	01/22/2025	15,665.00	15,665.00	Open	N
	2025 MEMBERSHIP DUES	pziemer					01/22/2025
101-9200-43430	MISCELLANEOUS			15,665.00			
419640							
86330	LEAGUE OF MN CITIES	01/02/2025	01/22/2025	125.00	125.00	Open	N
	2025 CITY DAY ON THE HILL N.BROYLES	pziemer					01/22/2025
101-1400-43330	PROFESSIONAL DEVELOPMENT			125.00			
419925							
86376	LEAGUE OF MN CITIES	01/06/2025	01/22/2025	525.00	525.00	Open	N
	2025 MCMA CONF. - N.BROYLES	pziemer					01/22/2025
101-1400-43330	PROFESSIONAL DEVELOPMENT			525.00			
	Total for vendor 0619 - LEAGUE OF MN CITIES:			16,315.00	16,315.00		

Vendor MISC - LEVEL CONTRACTING LLC:

BFG21-0019

86458	LEVEL CONTRACTING LLC	01/09/2025	01/22/2025	3,000.00	3,000.00	Open	N
	BD Bond Refund	pziemer					01/22/2025
101-0000-20600	BFG21-0019			3,000.00			
	Total for vendor MISC - LEVEL CONTRACTING LLC:			3,000.00	3,000.00		

Vendor 0235 - LITTLE FALLS MACHINE INC:

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
372505							
86325	LITTLE FALLS MACHINE INC	12/26/2024	01/22/2025	156.04	156.04	Open	N
	LOADER 114 FRONT PLOW REBUILD HARDWARE	pziemer					01/22/2025
235-3125-42220	REPAIR & MAINT			156.04			
	Total for vendor 0235 - LITTLE FALLS MACHINE INC:			156.04	156.04		

Vendor 0237 - LOCATORS - SUPPLIES INC:

0318606-IN							
86484	LOCATORS - SUPPLIES INC	01/08/2025	01/22/2025	523.71	523.71	Open	N
	REPLACEMENT HI-VIS SWEATSHIRTS X7	pziemer					01/22/2025
235-3170-42210	OPERATING SUPPLIES			463.72			
238-3160-42210	OPERATING SUPPLIES			30.00			
238-0000-20800	DUE TO OTHER GOVT UNITS			29.99			
	Total for vendor 0237 - LOCATORS - SUPPLIES INC:			523.71	523.71		

Vendor 0243 - MARCO FINANCING:

546505595							
86506	MARCO FINANCING	01/08/2025	01/22/2025	1,566.96	1,566.96	Open	N
	COPIER CITY HALL 3RD FLOOR 2/1/25-5/1	pziemer					01/22/2025
101-1800-43331	LEASE PAYMENTS			1,566.96			
546505363							
86518	MARCO FINANCING	01/08/2025	01/22/2025	796.96	796.96	Open	N
	COPIER LEASE PD	pziemer					01/22/2025
225-2120-43331	LEASED PAYMENTS			796.96			
	Total for vendor 0243 - MARCO FINANCING:			2,363.92	2,363.92		

Vendor 3394 - MIDWEST MACHINERY CO:

10339033							
86467	MIDWEST MACHINERY CO	01/09/2025	01/22/2025	2,496.00	2,496.00	Open	N
	TRACKS - PARKS SKID STEER	pziemer					01/22/2025
230-5200-42220	REPAIR & MAINT			2,496.00			
	Total for vendor 3394 - MIDWEST MACHINERY CO:			2,496.00	2,496.00		

Vendor 1601 - MINNESOTA UI FUND:

17782754							
86530	MINNESOTA UI FUND	01/15/2025	01/22/2025	560.71	560.71	Open	N
	ACCT# 7970122 - QTY 2 SEASONAL UE	pziemer					01/22/2025
230-5200-41140	UNEMPLOYMENT			136.50			
235-3100-41140	UNEMPLOYMENT			424.21			
	Total for vendor 1601 - MINNESOTA UI FUND:			560.71	560.71		

Vendor 1877 - MINNESOTA/WISCONSIN PLAYGROUND:

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
2025013							
86531	MINNESOTA/WISCONSIN PLAYGROUND	01/14/2025	01/22/2025	1,148.00	1,148.00	Open	N
	MEMORIAL BENCH -	pziemer					12/31/2024
230-5225-42220	REPAIR & MAINT			1,148.00			
	Total for vendor 1877 - MINNESOTA/WISCONSIN PLAYGROUND:			1,148.00	1,148.00		

Vendor 0270 - MN DEPT LABOR & INDUSTRY:

DEC 2024

86350	MN DEPT LABOR & INDUSTRY	12/31/2024	01/22/2025	1,620.23	1,620.23	Open	N
	4TH QTR 24 SURCHARGE	pziemer					01/22/2025
101-0000-21800	SURCHARGE PAYABLE TO STATE			1,620.23			
	Total for vendor 0270 - MN DEPT LABOR & INDUSTRY:			1,620.23	1,620.23		

Vendor 0535 - MN DEPT OF HEALTH:

FBL-13733-15436/2025

86447	MN DEPT OF HEALTH	01/01/2025	01/22/2025	450.00	450.00	Open	N
	2025 BANE PARK CONCESSIONS	pziemer					01/22/2025
230-5204-42210	OPERATING SUPPLIES			450.00			

FBL-32213-45021/2025

86448	MN DEPT OF HEALTH	01/01/2025	01/22/2025	450.00	450.00	Open	N
	2025 BUFFALO HILLS CONCESSION STAND	pziemer					01/22/2025
230-5204-42210	OPERATING SUPPLIES			450.00			

FBL-13337-15436/2025

86449	MN DEPT OF HEALTH	01/01/2025	01/22/2025	450.00	450.00	Open	N
	2025 MEMORIAL SOFTBALL CONCESSION	pziemer					01/22/2025
230-5204-42210	OPERATING SUPPLIES			450.00			

20217 - ADDTL SITES

86450	MN DEPT OF HEALTH	01/01/2025	01/22/2025	55.00	55.00	Open	N
	ADD 11 SITES TO LUM PARK CAMPGROUND	pziemer					01/22/2025
230-5280-42210	OPERATING SUPPLIES			55.00			

MHP-20217-15436/2025

86451	MN DEPT OF HEALTH	01/01/2025	01/22/2025	150.00	150.00	Open	N
	2025 LUM PARK CAMPGROUND RENEWAL	pziemer					01/22/2025
230-5280-42210	OPERATING SUPPLIES			150.00			

FBL-34072-45021/2025

86452	MN DEPT OF HEALTH	01/01/2025	01/22/2025	95.00	95.00	Open	N
	2025 JAYCEES PARK CONCESSION -SEFS	pziemer					01/22/2025
230-5204-42210	OPERATING SUPPLIES			95.00			
	Total for vendor 0535 - MN DEPT OF HEALTH:			1,650.00	1,650.00		

Vendor 2688 - MN SECRETARY OF STATE - NOTARY:

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 01/21/2025 - 01/21/2025

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

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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						
1/16/2025							
86542	MN SECRETARY OF STATE - NOTARY	01/16/2025	01/22/2025	120.00	120.00	Open	N
	L. ASBACH NOTARY APPLICATION - NEW	pziemer					01/22/2025
101-1700-43433	DUES & SUBSCRIPTIONS			48.00			
230-5200-43433	DUES & SUBSCRIPTIONS			60.00			
235-3100-43330	PROFESSIONAL DEVELOPMENT			12.00			
	Total for vendor 2688 - MN SECRETARY OF STATE - NOTARY:			120.00	120.00		
Vendor 1021 - MOTOROLA:							
8282046778							
86466	MOTOROLA	12/20/2024	01/22/2025	6,692.40	6,692.40	Open	N
	RADIO FOR 2025 TENDER PURCHASE	pziemer					12/31/2024
404-9055-45580	CAPITAL - RADIOS & PAGERS			6,692.40			
	Total for vendor 1021 - MOTOROLA:			6,692.40	6,692.40		
Vendor 3168 - MOTORS-N-MORE:							
30946							
86438	MOTORS-N-MORE	01/07/2025	01/22/2025	475.99	475.99	Open	N
	SQD 428 SPARK PLUG REPAIR	pziemer					01/22/2025
225-2120-42221	SQUAD CAR REPAIR SUPPLIES			475.99			
30949							
86481	MOTORS-N-MORE	01/08/2025	01/22/2025	667.99	667.99	Open	N
	SQD 444 OIL FILTER	pziemer					01/22/2025
225-2120-42221	SQUAD CAR REPAIR SUPPLIES			667.99			
	Total for vendor 3168 - MOTORS-N-MORE:			1,143.98	1,143.98		
Vendor 1449 - M-R SIGN CO., INC.:							
226795							
86404	M-R SIGN CO., INC.	12/31/2024	01/22/2025	237.45	237.45	Open	N
	QTY 6 STREET SIGNS	pziemer					12/31/2024
235-3170-42210	OPERATING SUPPLIES			237.45			
	Total for vendor 1449 - M-R SIGN CO., INC.:			237.45	237.45		
Vendor 0273 - NAPA AUTO PARTS:							
766910							
86400	NAPA AUTO PARTS	12/16/2024	01/22/2025	33.98	33.98	Open	N
	5 IN HEATER FAN FOR TRUCK 108	pziemer					12/31/2024
235-3125-42220	REPAIR & MAINT			33.98			
763274							
86410	NAPA AUTO PARTS	12/02/2024	01/22/2025	292.13	292.13	Open	N
	TRUCK 106 BATTERY CABLES/STARTER LUG	pziemer					12/31/2024
235-3125-42220	REPAIR & MAINT			292.13			

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
772225							
86453	NAPA AUTO PARTS	01/08/2025	01/22/2025	118.00	118.00	Open	N
	PRY BAR	pziemer					01/22/2025
	235-3100-42240 SMALL TOOLS			118.00			
772224							
86454	NAPA AUTO PARTS	01/08/2025	01/22/2025	199.99	199.99	Open	N
	SKID STEER LIGHT BAR	pziemer					01/22/2025
	235-3100-42220 REPAIR & MAINT			199.99			
772864							
86478	NAPA AUTO PARTS	01/10/2025	01/22/2025	279.00	279.00	Open	N
	CORDLESS TOOL BATTERIES	pziemer					01/22/2025
	235-3125-42220 REPAIR & MAINT			279.00			
773000							
86528	NAPA AUTO PARTS	01/10/2025	01/22/2025	499.00	499.00	Open	N
	IMPACT WRENCH	pziemer					01/22/2025
	230-5200-42240 SMALL TOOLS			499.00			
773895							
86546	NAPA AUTO PARTS	01/14/2025	01/22/2025	185.80	185.80	Open	N
	RED AND TACKY GREASE	pziemer					01/22/2025
	235-3125-42220 REPAIR & MAINT			185.80			
	Total for vendor 0273 - NAPA AUTO PARTS:			1,607.90	1,607.90		

Vendor 3018 - NORTH COUNTRY JANITORIAL & SUPPLY I:

DEC 24/PD							
86507	NORTH COUNTRY JANITORIAL & SUPPLY I	01/02/2025	01/22/2025	1,093.00	1,093.00	Open	N
	DEC 24 POLICE DEPT JANITORIAL	pziemer					12/31/2024
	225-2120-43300 PROFESSIONAL SERVICES			1,093.00			
DEC 24/CH							
86508	NORTH COUNTRY JANITORIAL & SUPPLY I	01/02/2025	01/22/2025	1,077.00	1,077.00	Open	N
	DEC 24 CITY HALL JANITORIAL	pziemer					12/31/2024
	101-1940-43300 PROFESSIONAL SERVICES			1,077.00			
DEC 24/FD							
86509	NORTH COUNTRY JANITORIAL & SUPPLY I	01/02/2025	01/22/2025	383.00	383.00	Open	N
	DEC 24 FIRE DEPT JANITORIAL	pziemer					12/31/2024
	225-2220-43300 PROFESSIONAL SERVICES			383.00			
DEC 24/PW							
86510	NORTH COUNTRY JANITORIAL & SUPPLY I	01/02/2025	01/22/2025	382.00	382.00	Open	N
	DEC 24 PW GARAGE JANITORIAL SERVICES	pziemer					12/31/2024
	235-3100-42220 REPAIR & MAINT			191.00			
	230-5200-42220 REPAIR & MAINT			191.00			
	Total for vendor 3018 - NORTH COUNTRY JANITORIAL & SUPPLY I:			2,935.00	2,935.00		

Vendor 1153 - NORTHLAND ARBORETUM:

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
JAN 2025							
86473	NORTHLAND ARBORETUM	01/10/2025	01/22/2025	8,698.73	8,698.73	Open	N
	JAN 25 LEVY PAYMENT	pziemer					01/22/2025
101-9200-43462	REMIT ARBORETUM LEVY			8,698.73			
	Total for vendor 1153 - NORTHLAND ARBORETUM:			8,698.73	8,698.73		

Vendor 0284 - OFFICE SHOP:

1149892-0							
86406	OFFICE SHOP	01/02/2025	01/22/2025	70.81	70.81	Open	N
	EASEL POST-ITS - PW	pziemer					01/22/2025
101-1940-42200	OFFICE SUPPLIES			70.81			
1149892-1							
86407	OFFICE SHOP	01/03/2025	01/22/2025	23.23	23.23	Open	N
	MARKERS, DESKPADS - PW	pziemer					01/22/2025
101-1940-42200	OFFICE SUPPLIES			23.23			
1150311-0							
86505	OFFICE SHOP	01/13/2025	01/22/2025	49.59	49.59	Open	N
	VELCRO TAPE	pziemer					01/22/2025
101-1940-42200	OFFICE SUPPLIES			49.59			
1150528-0							
86540	OFFICE SHOP	01/15/2025	01/22/2025	8.09	8.09	Open	N
	POSTER BOARD - PW	pziemer					01/22/2025
101-1940-42200	OFFICE SUPPLIES			8.09			
1150311-1							
86547	OFFICE SHOP	01/15/2025	01/22/2025	10.05	10.05	Open	N
	DRY ERASE MARKERS - ADMIN	pziemer					01/22/2025
101-1940-42200	OFFICE SUPPLIES			10.05			
	Total for vendor 0284 - OFFICE SHOP:			161.77	161.77		

Vendor 0561 - PEOPLES SECURITY:

260328							
86474	PEOPLES SECURITY	12/31/2024	01/22/2025	23.99	23.99	Open	N
	SECURITY MONITORING - JAN 2025	pziemer					01/22/2025
211-5500-42220	REPAIR & MAINT			23.99			
	Total for vendor 0561 - PEOPLES SECURITY:			23.99	23.99		

Vendor 0291 - PIKE PLUMBING AND HEATING:

89204							
86501	PIKE PLUMBING AND HEATING	01/07/2025	01/22/2025	1,937.00	1,937.00	Open	N
	EYEWASH STATION & INSTALL	pziemer					01/22/2025
235-3100-42220	EMERGENCY EYEWASH			1,937.00			
	Total for vendor 0291 - PIKE PLUMBING AND HEATING:			1,937.00	1,937.00		

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
Vendor 3413 - RATWIK, ROSZAK AND MALONEY:							
NOV 2024							
86541	RATWIK, ROSZAK AND MALONEY	12/01/2024	01/22/2025	17,188.87	17,188.87	Open	N
	NOV 24 RETAINER/SPECIAL SERVICES	pziemer					12/31/2024
101-1610-43301	CITY ATTORNEY			4,567.99			
101-0000-14100	DUE FROM COMPONENT UNIT			51.00			
203-9000-43300	PROFESSIONAL SERVICES			272.00			
260-9020-43304	LEGAL PROFESSIONAL SERVICES			59.50			
101-1610-43301	CITY ATTORNEY			7,050.38			
101-0000-14100	DUE FROM COMPONENT UNIT			4,709.00			
101-2400-43405	NUISANCES			275.00			
401-9030-43300-23:16	PROFESSIONAL SERVICES			204.00			
Total for vendor 3413 - RATWIK, ROSZAK AND MALONEY:				17,188.87	17,188.87		
Vendor 4185 - SRF CONSULTING GROUP:							
16811.00-17							
86465	SRF CONSULTING GROUP	12/31/2024	01/22/2025	2,055.71	2,055.71	Open	N
	23:05 TH 210 WATERMAIN/SANSWR THRU 12	pziemer					12/31/2024
401-9030-43300-23:05	PROFESSIONAL SERVICES			2,055.71			
16359.00-17							
86522	SRF CONSULTING GROUP	12/31/2024	01/22/2025	4,151.93	4,151.93	Open	N
	23:06 TH 210/LUM PARK PEDESTRIAN BRII	pziemer					12/31/2024
229-9030-43300-23:06	PROFESSIONAL SERVICES			4,151.93			
Total for vendor 4185 - SRF CONSULTING GROUP:				6,207.64	6,207.64		
Vendor 0322 - STREICHERS PROF EQUIP:							
I1736165							
86333	STREICHERS PROF EQUIP	12/09/2024	01/22/2025	77.98	77.98	Open	N
	711 UNIFORM PANTS	pziemer					12/31/2024
225-2120-41113	UNIFORM ALLOWANCE			77.98			
I1736446							
86334	STREICHERS PROF EQUIP	12/26/2024	01/22/2025	74.99	74.99	Open	N
	717 CG INITIAL ISSUE	pziemer					12/31/2024
225-2120-41113	UNIFORM ALLOWANCE			74.99			
I1737214							
86335	STREICHERS PROF EQUIP	12/31/2024	01/22/2025	1,548.90	1,548.90	Open	N
	717 CG INITIAL ISSUE - 2024	pziemer					12/31/2024
225-2120-41113	UNIFORM ALLOWANCE			1,548.90			
I1731951							
86381	STREICHERS PROF EQUIP	12/02/2024	01/22/2025	1,806.94	1,806.94	Open	N
	717 CG - INITIAL ISSUE	pziemer					12/31/2024
225-2120-41113	UNIFORM ALLOWANCE			1,806.94			
I1732440							
86382	STREICHERS PROF EQUIP	12/02/2024	01/22/2025	45.97	45.97	Open	N
	717CG - INITIAL ISSUE	pziemer					12/31/2024

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
225-2120-41113	UNIFORM ALLOWANCE			45.97			
I1738237							
86482	STREICHERS PROF EQUIP	01/06/2025	01/22/2025	137.98	137.98	Open	N
	726 EXTERNAL VEST CARRIER	pziemer					01/22/2025
225-2120-41113	UNIFORM ALLOWANCE			137.98			
I1738641							
86483	STREICHERS PROF EQUIP	01/07/2025	01/22/2025	74.99	74.99	Open	N
	717 CG - INITIAL ISSUE	pziemer					01/22/2025
225-2120-41113	UNIFORM ALLOWANCE			74.99			
I1738835							
86519	STREICHERS PROF EQUIP	01/08/2025	01/22/2025	39.98	39.98	Open	N
	717 CG - INITIAL ISSUE	pziemer					01/22/2025
225-2120-41113	UNIFORM ALLOWANCE			39.98			
I1738909							
86520	STREICHERS PROF EQUIP	01/08/2025	01/22/2025	27.98	27.98	Open	N
	708 UNIFORM NAMEPLATE	pziemer					01/22/2025
225-2120-41113	UNIFORM ALLOWANCE			27.98			
Total for vendor 0322 - STREICHERS PROF EQUIP:				3,835.71	3,835.71		

Vendor 0039 - VESTIS:

2530356280							
86351	VESTIS	01/02/2025	01/22/2025	86.63	86.63	Open	N
	RUGS AND OVERALLS	pziemer					01/22/2025
235-3100-43430	MISCELLANEOUS			86.63			
Total for vendor 0039 - VESTIS:				86.63	86.63		

Vendor 0087 - VISIT BRAINERD:

AUG 2024 ADJUSTED							
86494	VISIT BRAINERD	12/30/2024	01/22/2025	5,121.20	5,121.20	Open	N
	AUG 24 LODGING TAX REMIT - ADJUSTED	pziemer					12/31/2024
101-9200-43340	LODGING TAX REMIT/PR			5,121.20			
JULY 2024 ADJUSTED							
86495	VISIT BRAINERD	12/30/2024	01/22/2025	3,689.57	3,689.57	Open	N
	REMIT JULY 24 LODGING TAX - ADJUSTED	pziemer					12/31/2024
101-9200-43340	LODGING TAX REMIT/PR			3,689.57			
JUNE 24 ADJUSTED							
86496	VISIT BRAINERD	12/30/2024	01/22/2025	4,177.97	4,177.97	Open	N
	REMIT JUNE 24 LODGING TAX - ADJUSTED	pziemer					12/31/2024
101-9200-43340	LODGING TAX REMIT/PR			4,177.97			
MAY 2024 ADJUSTED							
86497	VISIT BRAINERD	12/30/2024	01/22/2025	2,825.48	2,825.48	Open	N
	REMIT MAY 24 LODGING TAX - ADJUSTED	pziemer					12/31/2024
101-9200-43340	LODGING TAX REMIT/PR			2,825.48			

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Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
NOV 24 LODGING							
86498	VISIT BRAINERD	12/30/2024	01/22/2025	1,538.57	1,538.57	Open	N
	REMIT NOV 2024 LODGING TAX	pziemer					12/31/2024
101-9200-43340	LODGING TAX REMIT/PR			1,538.57			
OCT 24 LODGING							
86499	VISIT BRAINERD	12/30/2024	01/22/2025	2,601.60	2,601.60	Open	N
	REMIT OCT 2024 LODGING TAX	pziemer					12/31/2024
101-9200-43340	LODGING TAX REMIT/PR			2,601.60			
SEPT 24 LODGING							
86500	VISIT BRAINERD	12/30/2024	01/22/2025	2,930.44	2,930.44	Open	N
	REMIT SEPT 2024 LODGING TAX	pziemer					12/31/2024
101-9200-43340	LODGING TAX REMIT/PR			2,930.44			
Total for vendor 0087 - VISIT BRAINERD:				22,884.83	22,884.83		
Vendor 0344 - WASTE PARTNERS INC:							
4CX94419							
86356	WASTE PARTNERS INC	12/31/2024	01/22/2025	163.05	163.05	Open	N
	DEC 24 CITY HALL WASTE REMOVAL	pziemer					12/31/2024
101-1940-43380	UTILITIES			163.05			
4CX94420							
86357	WASTE PARTNERS INC	12/31/2024	01/22/2025	211.77	211.77	Open	N
	DEC 24 DWNTWN WASTE REMOVAL	pziemer					12/31/2024
401-1003-43300	PROFESSIONAL SERVICES			211.77			
4CX94418							
86358	WASTE PARTNERS INC	12/31/2024	01/22/2025	128.70	128.70	Open	N
	DEC 24 FIRE DEPT WASTE REMOVAL	pziemer					12/31/2024
225-2220-43380	UTILITIES			128.70			
4CX94421							
86359	WASTE PARTNERS INC	12/31/2024	01/22/2025	157.70	157.70	Open	N
	DEC 24 POLICE DEPT WASTE REMOVAL	pziemer					12/31/2024
225-2120-43380	UTILITIES			157.70			
4CX94423							
86360	WASTE PARTNERS INC	12/31/2024	01/22/2025	468.00	468.00	Open	N
	DEC 24 PARKS WASTE REMOVAL	pziemer					12/31/2024
230-5200-43380	UTILITIES			468.00			
4CX94417							
86361	WASTE PARTNERS INC	12/31/2024	01/22/2025	128.70	128.70	Open	N
	DEC 24 PW GARAGE WASTE REMOVAL	pziemer					12/31/2024
235-3100-43380	UTILITIES			64.35			
230-5200-43380	UTILITIES			64.35			
4CX94422							
86362	WASTE PARTNERS INC	12/31/2024	01/22/2025	76.05	76.05	Open	N
	DEC 24 WASTE OIL LOCATION	pziemer					12/31/2024
227-3230-43428	USED OIL RECYCLING EXPENSE			76.05			

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
4CX94003							
86462	WASTE PARTNERS INC	12/31/2024	01/22/2025	102.83	102.83	Open	N
	DEC 24 LIBRARY WASTE REMOVAL	pziemer					12/31/2024
	211-5500-43380 UTILITIES			102.83			
	Total for vendor 0344 - WASTE PARTNERS INC:			1,436.80	1,436.80		

Vendor 3199 - WEX BANK:

101880514/CDD							
86439*	WEX BANK	12/31/2024	01/22/2025	66.66	66.66	Open	N
	DEC 24 CDD FUEL/CARWASH	pziemer					12/31/2024
	101-2400-42212 MOTOR FUELS			61.15			
	101-2400-42220 REPAIR & MAINT			6.00			
	101-2400-42212 MOTOR FUELS			(0.49)			
101880514/ENG							
86440	WEX BANK	12/31/2024	01/22/2025	44.30	44.30	Open	N
	DEC 24 ENG DEPT FUEL	pziemer					12/31/2024
	238-3160-42212 MOTOR FUELS			44.30			
101880514/FD							
86441	WEX BANK	12/31/2024	01/22/2025	1,064.34	1,064.34	Open	N
	DEC 24 FIRE DEPT FUEL	pziemer					12/31/2024
	225-2220-42212 MOTOR FUELS			1,064.34			
101880514/PD							
86442*	WEX BANK	12/31/2024	01/22/2025	5,090.34	5,090.34	Open	N
	DEC 24 POLICE DEPT FUEL	pziemer					12/31/2024
	225-2120-42212 MOTOR FUELS			5,178.54			
	225-2120-42212 MOTOR FUELS			(88.20)			
101880514/PKS							
86443	WEX BANK	12/31/2024	01/22/2025	717.85	717.85	Open	N
	DEC 24 PARKS DEPT FUEL	pziemer					12/31/2024
	230-5200-42212 MOTOR FUELS			717.85			
101880514/STRTS							
86444	WEX BANK	12/31/2024	01/22/2025	5,482.51	5,482.51	Open	N
	DEC 24 STREET DEPT FUEL	pziemer					12/31/2024
	237-3190-42212 MOTOR FUELS			102.52			
	235-3100-42212 MOTOR FUELS			5,379.99			
101880514/TRANSIT							
86445*	WEX BANK	12/31/2024	01/22/2025	5,336.27	5,336.27	Open	N
	DEC 24 TRANSIT FUEL	pziemer					12/31/2024
	203-9000-42212 MOTOR FUELS			5,400.09			
	203-9000-42212 MOTOR FUELS			(63.82)			
	Total for vendor 3199 - WEX BANK:			17,802.27	17,802.27		

Vendor 3899 - WEX HEALTH INC:

01/16/2025 01:49 PM

User: pziemer

DB: Brainerd

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						
2092622-IN							
86464	WEX HEALTH INC	12/31/2024	01/22/2025	42.50	42.50	Open	N
	DEC 2024 COBRA	pziemer					12/31/2024
101-9200-43300	PROFESSIONAL SERVICES			42.50			
	Total for vendor 3899 - WEX HEALTH INC:			42.50	42.50		

Vendor 0346 - WIDSETH SMITH NOLTING:

235700							
86408	WIDSETH SMITH NOLTING	12/30/2024	01/22/2025	740.00	740.00	Open	N
	23:26 BRD PD - RTU REPLC THRU 12/13/2024	pziemer					12/31/2024
229-0000-43300-23:26	PROFESSIONAL SERVICES			740.00			
	Total for vendor 0346 - WIDSETH SMITH NOLTING:			740.00	740.00		

Vendor 1159 - WINNERS TROPHY:

13636							
86405	WINNERS TROPHY	01/02/2025	01/22/2025	55.00	55.00	Open	N
	TOWER AWARD - G.HOLST	pziemer					01/22/2025
101-9200-43430	MISCELLANEOUS			55.00			
13642							
86468	WINNERS TROPHY	01/07/2025	01/22/2025	64.00	64.00	Open	N
	CITY COUNCIL NAMEPLATES - CHAMBERS	pziemer					01/22/2025
101-1110-43430	MISCELLANEOUS			64.00			
13656							
86535	WINNERS TROPHY	01/14/2025	01/22/2025	92.00	92.00	Open	N
	2 ADDTL 2024 SOFTBALL TROPHIES	pziemer					01/22/2025
230-5215-42210	OPERATING SUPPLIES			92.00			
	Total for vendor 1159 - WINNERS TROPHY:			211.00	211.00		

Vendor 1712 - WSB & ASSOCIATES:

R-026252-000-6							
86539	WSB & ASSOCIATES	01/15/2025	01/22/2025	23,403.00	23,403.00	Open	N
	24:07 LOWELL SRTS DEC 2024	pziemer					12/31/2024
401-9030-43300-24:07	PROFESSIONAL SERVICES			23,403.00			
	Total for vendor 1712 - WSB & ASSOCIATES:			23,403.00	23,403.00		

Vendor 0354 - ZIEGLER, INC:

IN001764670							
86459	ZIEGLER, INC	01/08/2025	01/22/2025	39,999.00	39,999.00	Open	N
	SKIDSTEER 255 ATTACHMENTS X4	pziemer					01/22/2025
400-3100-45500	STREET CAPITAL OUTLAY			19,999.50			
400-5200-45500	PARKS CAPITAL OUTLAY			19,999.50			

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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						
IN001764918							
86460	ZIEGLER, INC	01/08/2025	01/22/2025	76,412.00	76,412.00	Open	N
	SKIDSTEER 255 PURCHASE	pziemer					01/22/2025
400-3100-45500	STREET CAPITAL OUTLAY			38,206.00			
400-5200-45500	PARKS CAPITAL OUTLAY			38,206.00			
IN001765436							
86479	ZIEGLER, INC	01/09/2025	01/22/2025	557.98	557.98	Open	N
	SAFETY GLASSES	pziemer					01/22/2025
235-3125-42220	REPAIR & MAINT			557.98			
IN001766004							
86480	ZIEGLER, INC	01/09/2025	01/22/2025	12.36	12.36	Open	N
	SKIDSTEER 255 BEACON ADAPTOR	pziemer					01/22/2025
235-3125-42220	REPAIR & MAINT			12.36			
IN001771415							
86543	ZIEGLER, INC	01/15/2025	01/22/2025	97.50	97.50	Open	N
	CUTTING EDGE NUTS	pziemer					01/22/2025
235-3125-42220	REPAIR & MAINT			97.50			
	Total for vendor 0354 - ZIEGLER, INC:			117,078.84	117,078.84		

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

Vendor 3698 - AMAZON:

12/2/24 - 2							
86418	AMAZON	12/01/2024	01/22/2025	369.88	369.88	Open	N
	AWS NOV 2024	pziemer					12/31/2024
101-1800-43309	COMPUTER SUPPORT			369.88			
12/10/24 - 5							
86426	AMAZON	12/10/2024	01/22/2025	74.69	74.69	Open	N
	SCREEN PROTECTORS-PD	pziemer					12/31/2024
225-2220-42210	OPERATING SUPPLIES			74.69			
12/2/24 - 3							
86427	AMAZON	12/02/2024	01/22/2025	40.78	40.78	Open	N
	IPHONE CHARGERS	pziemer					12/31/2024
101-1800-42210	OPERATING SUPPLIES			40.78			
	Total for vendor 3698 - AMAZON:			485.35	485.35		

Vendor 3718 - AVTECH SOFTWARE INC:

12/9/24							
86430	AVTECH SOFTWARE INC	12/09/2024	01/22/2025	395.72	395.72	Open	N
	ROOM ALERT 12/9/24-12/8/25	pziemer					01/22/2025
101-1800-43309	COMPUTER SUPPORT			395.72			
	Total for vendor 3718 - AVTECH SOFTWARE INC:			395.72	395.72		

Vendor 0767 - CEAM:

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						

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12/6/24							
86415	CEAM	12/06/2024	01/22/2025	450.00	450.00	Open	N
	2025 CEAM CONFERENCE REG. J.DEHN	pziemer					01/22/2025
101-1700-43330	PROFESSIONAL DEVELOPMENT			450.00			
	Total for vendor 0767 - CEAM:			450.00	450.00		

Vendor 0838 - EHLERS & ASSOCIATES:

12/19/24							
86416	EHLERS & ASSOCIATES	12/19/2024	01/22/2025	350.00	350.00	Open	N
	2025 EHLERS CONF. REG. C.HILLMAN	pziemer					01/22/2025
101-1400-43330	PROFESSIONAL DEVELOPMENT			350.00			
12/23/24							
86420	EHLERS & ASSOCIATES	12/23/2024	01/22/2025	350.00	350.00	Open	N
	2025 EHLERS CONFERENCE J.KRAMVIK	pziemer					01/22/2025
101-2400-43330	PROFESSIONAL DEVELOPMENT			350.00			
	Total for vendor 0838 - EHLERS & ASSOCIATES:			700.00	700.00		

Vendor 3983 - EMBASSY SUITES:

12/05/24							
86422	EMBASSY SUITES	12/05/2024	01/22/2025	176.84	176.84	Open	N
	HOTEL FOR TRAINING D.DESETH	pziemer					01/22/2025
101-2400-43330	PROFESSIONAL DEVELOPMENT			176.84			
	Total for vendor 3983 - EMBASSY SUITES:			176.84	176.84		

Vendor 1289 - INT'L CODE COUNCIL:

12/5/24							
86419	INT'L CODE COUNCIL	12/05/2024	01/22/2025	1,400.00	1,400.00	Open	N
	2025 TRAININGS - DESTH & STOCKINGER	pziemer					01/22/2025
101-2400-43330	PROFESSIONAL DEVELOPMENT			1,400.00			
	Total for vendor 1289 - INT'L CODE COUNCIL:			1,400.00	1,400.00		

Vendor MISC - MINNESOTA NURSERY AND LANDSCAPE:

12/23/24							
86424	MINNESOTA NURSERY AND LANDSCAPE	12/23/2024	01/22/2025	235.00	235.00	Open	N
	2025 MN SHADE TREE COURSE J.KRAMVIK	pziemer					01/22/2025
101-2400-43330	PROFESSIONAL DEVELOPMENT			235.00			
	Total for vendor MISC - MINNESOTA NURSERY AND LANDSCAPE:			235.00	235.00		

Vendor 2623 - MN BOARD OF ACCOUNTANCY:

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						

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

12/16/24							
86425	MN BOARD OF ACCOUNTANCY	12/16/2024	01/22/2025	102.00	102.00	Open	N
	CERTIFICATE RENEWAL C.HILLMAN	pziemer					01/22/2025
101-1400-43433	DUES & SUBSCRIPTIONS			102.00			
	Total for vendor 2623 - MN BOARD OF ACCOUNTANCY:			102.00	102.00		

Vendor 0264 - MN DEPT LABOR & INDUSTRY:

11/25/24							
86417	MN DEPT LABOR & INDUSTRY	12/01/2024	01/22/2025	93.00	93.00	Open	N
	LICENSE RENEWAL -D.DESETH	pziemer					01/22/2025
101-2400-43433	DUES & SUBSCRIPTIONS			93.00			
	Total for vendor 0264 - MN DEPT LABOR & INDUSTRY:			93.00	93.00		

Vendor 3707 - PDL CCAPSCONF5:

12/5/24							
86421	PDL CCAPSCONF5	12/05/2024	01/22/2025	525.00	525.00	Open	N
	2025 ANNUAL INSTITUTE FOR BLDG OFFIC	pziemer					01/22/2025
101-2400-43330	PROFESSIONAL DEVELOPMENT			525.00			
	Total for vendor 3707 - PDL CCAPSCONF5:			525.00	525.00		

Vendor 2126 - PITNEY BOWES INC:

12/17/24							
86428	PITNEY BOWES INC	12/17/2024	01/22/2025	91.29	91.29	Open	N
	POSTAGE INK	pziemer					12/31/2024
101-1940-42200	OFFICE SUPPLIES			91.29			
	Total for vendor 2126 - PITNEY BOWES INC:			91.29	91.29		

Vendor 3697 - USPS:

12/20/24							
86429	USPS	12/20/2024	01/22/2025	29.64	29.64	Open	N
	POSTAGE FOR MAILING TICKETS	pziemer					12/31/2024
203-9000-43322	POSTAGE			29.64			
	Total for vendor 3697 - USPS:			29.64	29.64		

Vendor 3858 - ZOOM VIDEO COMMUNICATIONS:

12/18/24							
86423	ZOOM VIDEO COMMUNICATIONS	12/18/2024	01/22/2025	31.98	31.98	Open	N
	ZOOM 12/18/24-1/17/25	pziemer					12/31/2024
101-1800-43309	COMPUTER SUPPORT			31.98			
	Total for vendor 3858 - ZOOM VIDEO COMMUNICATIONS:			31.98	31.98		

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution	GRANT					
PCard: 2257 U.S. BANK Card Holder: CITY HALL							
Total PCard: 2257 U.S. BANK Card Holder: CITY HALL				4,715.82	4,715.82		

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						

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

Vendor 3866 - 5.11 TACTICAL:

11/25/24							
86285	5.11 TACTICAL	12/01/2024	01/22/2025	108.00	108.00	Open	N
	BOOTS	pziemer					12/31/2024
225-2220-41113	UNIFORM ALLOWANCE			108.00			
12/9/24							
86287	5.11 TACTICAL	12/09/2024	01/22/2025	199.49	199.49	Open	N
	UNIFORMS - PANTS	pziemer					12/31/2024
225-2220-41113	UNIFORM ALLOWANCE			199.49			
12/12/24							
86288	5.11 TACTICAL	12/12/2024	01/22/2025	196.00	196.00	Open	N
	UNIFORMS - SHIRTS	pziemer					12/31/2024
225-2220-41113	UNIFORM ALLOWANCE			196.00			
	Total for vendor 3866 - 5.11 TACTICAL:			503.49	503.49		

Vendor 3698 - AMAZON:

12/13/24							
86283	AMAZON	12/13/2024	01/22/2025	37.75	37.75	Open	N
	SOCKETS/RATCHET	pziemer					12/31/2024
225-2220-42210	OPERATING SUPPLIES			37.75			
12/13/24 - 2							
86284	AMAZON	12/13/2024	01/22/2025	11.95	11.95	Open	N
	CRAFTSMAN EXTENSION BAR	pziemer					12/31/2024
225-2220-42210	OPERATING SUPPLIES			11.95			
12/2/24							
86286	AMAZON	12/02/2024	01/22/2025	242.88	242.88	Open	N
	BOOK, TOWELS, CHARGER	pziemer					12/31/2024
225-2220-43435	BOOKS & PAMPHLETS			62.10			
225-2220-42210	OPERATING SUPPLIES			115.84			
225-2500-42210	OPERATING SUPPLIES			64.94			
	Total for vendor 3698 - AMAZON:			292.58	292.58		

Vendor 3931 - DISCOUNT TIRE:

11/26/24							
86281	DISCOUNT TIRE	12/01/2024	01/22/2025	510.26	510.26	Open	N
	21 CHEVY - TIRES	pziemer					12/31/2024
225-2220-42220	REPAIR & MAINT			510.26			
	Total for vendor 3931 - DISCOUNT TIRE:			510.26	510.26		

Vendor 2989 - HOME DEPOT:

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution	GRANT					
PCard: 2257 U.S. BANK Card Holder: FIRE							
12/6/24							
86282	HOME DEPOT	12/06/2024	01/22/2025	119.82	119.82	Open	N
	QTY 6 CO ALARMS	pziemer					12/31/2024
225-2220-42210	OPERATING SUPPLIES			119.82			
	Total for vendor 2989 - HOME DEPOT:			119.82	119.82		
Total PCard: 2257 U.S. BANK Card Holder: FIRE				1,426.15	1,426.15		

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

GL Distribution GRANT

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

Vendor 3996 - ADOBE:

2945697206							
86364	ADOBE	12/01/2024	01/22/2025	239.88	239.88	Open	N
	ADOBE PRO 12/1/24-11/30/25	pziemer					12/31/2024
211-5503-43430	MISC - USE OF HOLDEN TRUST			19.99			
211-0000-15510	PREPAID			219.89			
	Total for vendor 3996 - ADOBE:			239.88	239.88		

Vendor 3698 - AMAZON:

12/11/24 - 3							
86366	AMAZON	12/11/2024	01/22/2025	26.45	26.45	Open	N
	FLOOR CLEANER	pziemer					12/31/2024
211-5500-42220	REPAIR & MAINT			26.45			
12/11/24 - 4							
86367	AMAZON	12/11/2024	01/22/2025	35.18	35.18	Open	N
	ENVELOPES/LABELS FOR BOARD	pziemer					12/31/2024
211-5500-42200	OFFICE SUPPLIES			35.18			
12/12/24							
86368	AMAZON	12/12/2024	01/22/2025	9.99	9.99	Open	N
	USB HUB	pziemer					12/31/2024
211-5501-43430	MISC - SPECIFIED DONATION USE			9.99			
11/25/24							
86370	AMAZON	12/01/2024	01/22/2025	44.65	44.65	Open	N
	WIPES, PLANNER, PROGRAM TREATS	pziemer					12/31/2024
211-5501-43430	MISC - SPECIFIED DONATION USE			44.65			
11/27/24 - 3							
86372	AMAZON	12/01/2024	01/22/2025	85.76	85.76	Open	N
	AIR DUSTER, CARDS, USB HUB, TAPE MEAS	pziemer					12/31/2024
211-5501-43430	MISC - SPECIFIED DONATION USE			85.76			
	Total for vendor 3698 - AMAZON:			202.03	202.03		

Vendor MISC - MAILCHIMP:

12/4/24							
86365	MAILCHIMP	12/04/2024	01/22/2025	45.00	45.00	Open	N
	EMAIL SUBSCRIPTION SERVICE	pziemer					12/31/2024
211-5503-43430	MISC - USE OF HOLDEN TRUST			45.00			
	Total for vendor MISC - MAILCHIMP:			45.00	45.00		

Vendor 3943 - PLUNKETT'S PEST CONTROL:

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	GL Distribution GRANT						

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

12/17/24							
86374	PLUNKETT'S PEST CONTROL	12/17/2024	01/22/2025	73.03	73.03	Open	N
	PEST CONTROL	pziemer					12/31/2024
	211-5500-42220	REPAIR & MAINT		73.03			
	Total for vendor 3943 - PLUNKETT'S PEST CONTROL:			73.03	73.03		

Vendor 0039 - VESTIS:

11/27/24							
86369	VESTIS	12/01/2024	01/22/2025	35.55	35.55	Open	N
	RUG SERVICE	pziemer					12/31/2024
	211-5500-42220	REPAIR & MAINT		35.55			
12/5/24							
86371	VESTIS	12/05/2024	01/22/2025	35.55	35.55	Open	N
	RUG SERVICE	pziemer					12/31/2024
	211-5500-42200	OFFICE SUPPLIES		35.55			
12/12/24							
86373	VESTIS	12/12/2024	01/22/2025	35.55	35.55	Open	N
	RUG SERVICE	pziemer					12/31/2024
	211-5500-42220	REPAIR & MAINT		35.55			
12/19/24							
86375	VESTIS	12/19/2024	01/22/2025	35.55	35.55	Open	N
	RUG SERVICE	pziemer					12/31/2024
	211-5500-42220	REPAIR & MAINT		35.55			
	Total for vendor 0039 - VESTIS:			142.20	142.20		

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702.14 702.14

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Inv Ref#	Description	Entered By					Post Date

GL Distribution GRANT

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

Vendor 1844 - MN EROSION CONTROL ASSOC. (MECA):

12/6/24							
86411	MN EROSION CONTROL ASSOC. (MECA)	12/06/2024	01/22/2025	585.00	585.00	Open	N
	2025 MECA CONF. REGISTRATION K. ROBI	pziemer					01/22/2025
238-3160-43330	PROFESSIONAL DEVELOPMENT			585.00			
	Total for vendor 1844 - MN EROSION CONTROL ASSOC. (MECA):			585.00	585.00		
Total PCard: 2257 U.S. BANK Card Holder: PARKS				585.00	585.00		

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
PCard: 2257 U.S. BANK Card Holder: POLICE							
Vendor 3698 - AMAZON:							
11/27/24							
86291	AMAZON	12/01/2024	01/22/2025	45.03	45.03	Open	N
	712 PORTFOLIO BINDER, FLASH DRIVES	pziemer					12/31/2024
	225-2120-42210			27.04			
	225-2120-42200			17.99			
11/27/24 - 2							
86292	AMAZON	12/01/2024	01/22/2025	76.99	76.99	Open	N
	RADIO HOLSTER	pziemer					12/31/2024
	225-2120-41113			76.99			
12/5/24							
86295	AMAZON	12/05/2024	01/22/2025	128.07	128.07	Open	N
	TOOL BATTERIES & BATTERY CHARGER	pziemer					12/31/2024
	225-2120-42240			128.07			
12/5/24 - 2							
86296	AMAZON	12/05/2024	01/22/2025	137.56	137.56	Open	N
	MILWAUKEE INFLATOR	pziemer					12/31/2024
	225-2120-42240			137.56			
12/9/24							
86303	AMAZON	12/09/2024	01/22/2025	670.19	670.19	Open	N
	DEPT CELL PHONE CASES X29	pziemer					12/31/2024
	225-2120-43321			670.19			
12/9/24 - 2							
86305	AMAZON	12/09/2024	01/22/2025	(76.99)	(76.99)	Open	N
	CREDOT - RADIO HOLSTER	pziemer					12/31/2024
	225-2120-41113			(76.99)			
12/10/24							
86309	AMAZON	12/10/2024	01/22/2025	101.50	101.50	Open	N
	TRT SUPPLIES	pziemer					12/31/2024
	225-2131-42210			101.50			
12/10/24 - 2							
86310	AMAZON	12/10/2024	01/22/2025	122.60	122.60	Open	N
	TRT SUPPLIES	pziemer					12/31/2024
	225-2131-42210			122.60			
12/10/24 - 3							
86311	AMAZON	12/10/2024	01/22/2025	26.58	26.58	Open	N
	BULLETIN BOARD ADMIN SUP OFFICE	pziemer					12/31/2024
	225-2120-42200			26.58			
12/29/24 - 3							
86312	AMAZON	12/09/2024	01/22/2025	(46.22)	(46.22)	Open	N
	RETURN 2 DEPT CELL PHONE CASES	pziemer					12/31/2024
	225-2120-43321			(46.22)			

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						

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

12/17/24							
86315	AMAZON	12/17/2024	01/22/2025	47.80	47.80	Open	N
	DEPT CELL PHONE CASES X2	pziemer					12/31/2024
	225-2120-43321 TELEPHONE			47.80			
12/10/24 - 4							
86318	AMAZON	12/14/2024	01/22/2025	147.28	147.28	Open	N
	TRT SUPPLIES	pziemer					12/31/2024
	225-2131-42210 OPERATING SUPPLIES			147.28			
	Total for vendor 3698 - AMAZON:			1,380.39	1,380.39		

Vendor 3420 - BCA :

12/9/24							
86304	BCA	12/09/2024	01/22/2025	75.00	75.00	Open	N
	710 DMT RECERTIFICATION -2024 TRNG	pziemer					12/31/2024
	225-2120-43330 PROFESSIONAL DEVELOPMENT			75.00			
12/24/24							
86320	BCA	12/24/2024	01/22/2025	75.00	75.00	Open	N
	720 DMT RECERTIFICATION - 2024 TRNG	pziemer					12/31/2024
	225-2120-43330 PROFESSIONAL DEVELOPMENT			75.00			
	Total for vendor 3420 - BCA :			150.00	150.00		

Vendor 3706 - BEST BUY:

12/17/24							
86319	BEST BUY	12/17/2024	01/22/2025	60.39	60.39	Open	N
	512 GB FLASH DRIVE X2	pziemer					12/31/2024
	225-2120-42210 OPERATING SUPPLIES			60.39			
	Total for vendor 3706 - BEST BUY:			60.39	60.39		

Vendor 0110 - BRAINERD LAKES AREA CHAMBERS OF COM:

12/5/24							
86297	BRAINERD LAKES AREA CHAMBERS OF COM	12/05/2024	01/22/2025	795.00	795.00	Open	N
	LEADERS EDGE 2025 - A.TIMMONS	pziemer					01/22/2025
	225-2120-43330 PROFESSIONAL DEVELOPMENT			795.00			
12/5/24 - 2							
86298	BRAINERD LAKES AREA CHAMBERS OF COM	12/05/2024	01/22/2025	795.00	795.00	Open	N
	LEADER'S EDGE 2025 M.HALVERSON	pziemer					01/22/2025
	225-2120-43330 PROFESSIONAL DEVELOPMENT			795.00			
	Total for vendor 0110 - BRAINERD LAKES AREA CHAMBERS OF COM:			1,590.00	1,590.00		

Vendor 0186 - GALLS LLC:

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

GL Distribution GRANT

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

12/17/24							
86316	GALLS LLC	12/17/2024	01/22/2025	248.94	248.94	Open	N
	702 UNIFORM BOOTS	pziemer					01/22/2025
225-2120-41113	UNIFORM ALLOWANCE			248.94			
12/19/24							
86336	GALLS LLC	12/19/2024	01/22/2025	228.94	228.94	Open	N
	720 UNIFORM BOOTS	pziemer					01/22/2025
225-2120-41113	UNIFORM ALLOWANCE			228.94			
	Total for vendor 0186 - GALLS LLC:			477.88	477.88		

Vendor 4086 - LA POLICE GEAR:

12/6/24							
86301	LA POLICE GEAR	12/06/2024	01/22/2025	1,460.48	1,460.48	Open	N
	TRAUMA EQUIPMENT X16	pziemer					12/31/2024
225-2120-42209	SAFETY EQUIPMENT SUPPLIES			1,460.48			
	Total for vendor 4086 - LA POLICE GEAR:			1,460.48	1,460.48		

Vendor 4378 - MAVERICK:

12/20/24							
86486	MAVERICK	12/20/2024	01/22/2025	3,289.59	3,289.59	Open	N
	TRT SUPPLIES	pziemer					12/31/2024
225-2131-42210	OPERATING SUPPLIES			3,289.59			
	Total for vendor 4378 - MAVERICK:			3,289.59	3,289.59		

Vendor 0599 - MN COUNTY ATTORNEY ASSN:

12/6/24							
86300	MN COUNTY ATTORNEY ASSN	12/06/2024	01/22/2025	44.00	44.00	Open	N
	PROPERTY RECEIPT FORMS	pziemer					12/31/2024
225-2120-42200	OFFICE SUPPLIES			44.00			
	Total for vendor 0599 - MN COUNTY ATTORNEY ASSN:			44.00	44.00		

Vendor 0664 - MN POST BOARD:

12/4/24							
86294	MN POST BOARD	12/04/2024	01/22/2025	91.94	91.94	Open	N
	POST LICENSE C. GUTENKAUF	pziemer					12/31/2024
225-2120-43433	DUES & SUBSCRIPTIONS			91.94			
	Total for vendor 0664 - MN POST BOARD:			91.94	91.94		

Vendor 3871 - MN STATE COLLEGES & UNIVERSITIES:

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	GL Distribution GRANT						

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

12/10/24							
86323	MN STATE COLLEGES & UNIVERSITIES	12/10/2024	01/22/2025	15.00	15.00	Open	N
	717CG & 721SR -CPR CARDS	pziemer					12/31/2024
225-2120-43330	PROFESSIONAL DEVELOPMENT			15.00			
	Total for vendor 3871 - MN STATE COLLEGES & UNIVERSITIES:			15.00	15.00		

Vendor 4102 - PRI MANAGEMENT GROUP:

12/16/24							
86313	PRI MANAGEMENT GROUP	12/16/2024	01/22/2025	159.00	159.00	Open	N
	DIGITAL EVIDENCE TRNG - A.TIMMONS 2(pziemer						01/22/2025
225-2120-43330	PROFESSIONAL DEVELOPMENT			159.00			
12/16/24 - 2							
86314	PRI MANAGEMENT GROUP	12/16/2024	01/22/2025	279.00	279.00	Open	N
	PROPERTY/EVIDENCE TRNG A.TIMMONS 202(pziemer						01/22/2025
225-2120-43330	PROFESSIONAL DEVELOPMENT			279.00			
	Total for vendor 4102 - PRI MANAGEMENT GROUP:			438.00	438.00		

Vendor MISC - TACO JOHNS:

12/17/24							
86317	TACO JOHNS	12/18/2024	01/22/2025	442.29	442.29	Open	N
	DEC 24 LNL - TACO BAR	pziemer					12/31/2024
278-6515-43430	MISCELLANEOUS			442.29			
	Total for vendor MISC - TACO JOHNS:			442.29	442.29		

Vendor 4306 - TACTACAM REVEAL:

12/5/24							
86299	TACTACAM REVEAL	12/05/2024	01/22/2025	13.00	13.00	Open	N
	DEC 24 CAMERA SUBSCRIPTION	pziemer					12/31/2024
225-2120-43433	DUES & SUBSCRIPTIONS			13.00			
	Total for vendor 4306 - TACTACAM REVEAL:			13.00	13.00		

Vendor 3703 - TRANSUNION RISK:

12/10/24							
86306	TRANSUNION RISK	12/10/2024	01/22/2025	75.00	75.00	Open	N
	INVESTIGATIONS & PARKING TKT COLLECT(pziemer						12/31/2024
225-2120-42210	OPERATING SUPPLIES			75.00			
	Total for vendor 3703 - TRANSUNION RISK:			75.00	75.00		

Vendor 4011 - TURTLEBACK:

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution GRANT						

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

12/9/24							
86307	TURTLEBACK	12/09/2024	01/22/2025	782.90	782.90	Open	N
	UNIFORM RADIO HOLSTERS X 12	pziemer					12/31/2024
225-2120-41113	UNIFORM ALLOWANCE			782.90			
	Total for vendor 4011 - TURTLEBACK:			782.90	782.90		

Vendor 3697 - USPS:

11/25/24							
86290	USPS	12/01/2024	01/22/2025	14.00	14.00	Open	N
	POSTAGE	pziemer					12/31/2024
225-2120-43322	POSTAGE			14.00			
12/2/24							
86293	USPS	12/02/2024	01/22/2025	7.00	7.00	Open	N
	POSTAGE	pziemer					12/31/2024
225-2220-43322	POSTAGE			7.00			
12/5/24							
86302	USPS	12/05/2024	01/22/2025	1.77	1.77	Open	N
	POSTAGE	pziemer					12/31/2024
225-2120-43322	POSTAGE			1.77			
12/9/24							
86308	USPS	12/09/2024	01/22/2025	9.90	9.90	Open	N
	POSTAGE	pziemer					12/31/2024
225-2120-43322	POSTAGE			9.90			
12/24/24							
86321	USPS	12/24/2024	01/22/2025	11.40	11.40	Open	N
	POSTAGE	pziemer					12/31/2024
225-2120-43322	POSTAGE			11.40			
	Total for vendor 3697 - USPS:			44.07	44.07		

Vendor 3924 - VISTA PRINT:

12/6/24							
86322	VISTA PRINT	12/06/2024	01/22/2025	30.98	30.98	Open	N
	713 BUSINESS CARDS	pziemer					12/31/2024
225-2120-42210	OPERATING SUPPLIES			30.98			
	Total for vendor 3924 - VISTA PRINT:			30.98	30.98		

Vendor 0006 - WALMART COMMUNITY/GECRB:

11/25/24							
86289	WALMART COMMUNITY/GECRB	12/01/2024	01/22/2025	29.68	29.68	Open	N
	DEC 24 LNL SUPPLIES	pziemer					12/31/2024
278-6515-43430	MISCELLANEOUS			29.68			
	Total for vendor 0006 - WALMART COMMUNITY/GECRB:			29.68	29.68		

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution	GRANT					
PCard: 2257 U.S. BANK Card Holder: POLICE							
Total PCard: 2257 U.S. BANK Card Holder: POLICE				10,415.59	10,415.59		

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Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						

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

Vendor 3698 - AMAZON:

12/12/24 - 2

86413	AMAZON	12/12/2024	01/22/2025	120.49	120.49	Open	N
	CARHART BIBS J.SIPPER	pziemer					12/31/2024
235-3125-42220	REPAIR & MAINT			120.49			
Total for vendor 3698 - AMAZON:				120.49	120.49		

Vendor 3719 - FLEET FARM:

12/12/24

86412	FLEET FARM	12/12/2024	01/22/2025	514.96	514.96	Open	N
	CARHARTS - B.ANDERSON & J.SIPPER	pziemer					12/31/2024
235-3125-42220	REPAIR & MAINT			514.96			
Total for vendor 3719 - FLEET FARM:				514.96	514.96		

Vendor 3885 - THE UPS STORE:

12/17/24

86414	THE UPS STORE	12/17/2024	01/22/2025	114.74	114.74	Open	N
	SHIPPING - SEWER CAMERA LENS	pziemer					12/31/2024
237-3190-42220	REPAIR & MAINT			114.74			
Total for vendor 3885 - THE UPS STORE:				114.74	114.74		

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

# of Invoices:	229	# Due:	229	Totals:	693,583.72	693,583.72
# of Credit Memos:	2	# Due:	2	Totals:	(123.21)	(123.21)
Net of Invoices and Credit Memos:					693,460.51	693,460.51

* 3 Net Invoices have Credits Totalling:	(152.51)
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--- TOTALS BY GL DISTRIBUTION ---

101-0000-14100	DUE FROM COMPONENT UNIT	4,760.00
101-0000-20600	BFG21-0019	3,000.00
101-0000-21800	SURCHARGE PAYABLE TO STATE	1,620.23
101-1110-41150	WORKERS COMP	12.25
101-1110-43430	MISCELLANEOUS	64.00
101-1400-43330	PROFESSIONAL DEVELOPMENT	1,000.00
101-1400-43433	DUES & SUBSCRIPTIONS	102.00
101-1610-43301	CITY ATTORNEY	11,618.37
101-1700-43300	PROFESSIONAL SERVICES	2,400.00
101-1700-43330	PROFESSIONAL DEVELOPMENT	450.00
101-1700-43331	LEASE PAYMENTS	1,703.92
101-1700-43433	DUES & SUBSCRIPTIONS	48.00
101-1800-42210	OPERATING SUPPLIES	276.54
101-1800-43309	COMPUTER SUPPORT	797.58

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Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
	101-1800-43321	TELEPHONE		347.37			
	101-1800-43331	LEASE PAYMENTS		1,566.96			
	101-1940-42200	OFFICE SUPPLIES		472.28			
	101-1940-42220	REPAIR & MAINT		7.18			
	101-1940-43300	PROFESSIONAL SERVICES		1,077.00			
	101-1940-43380	UTILITIES		163.05			
	101-1940-43381	BPU UTILITIES		2,004.70			
	101-2400-32230	Mechanical Air Conditioner		49.00			
	101-2400-42212	MOTOR FUELS		60.66			
	101-2400-42220	REPAIR & MAINT		6.00			
	101-2400-43330	PROFESSIONAL DEVELOPMENT		2,686.84			
	101-2400-43331	LEASE EXPENSE		890.66			
	101-2400-43350	PRINTING/LEGAL PUBLICATION		77.08			
	101-2400-43405	NUISANCES		275.00			
	101-2400-43433	DUES & SUBSCRIPTIONS		93.00			
	101-9200-43300	PROFESSIONAL SERVICES		8,017.50			
	101-9200-43340	LODGING TAX REMIT/PR		22,884.83			
	101-9200-43350	LEGAL PUBLICATIONS		231.49			
	101-9200-43381	BPU UTILITIES		151.59			
	101-9200-43430	MISCELLANEOUS		15,720.00			
	101-9200-43460	REMIT COMMUNITY ACTION LEVY		8,698.73			
	101-9200-43461	REMIT SENIOR CITIZEN LEVY		8,698.73			
	101-9200-43462	REMIT ARBORETUM LEVY		8,698.73			
	202-6323-43430	MISCELLANEOUS		400.00			
	202-6323-45510	CAPITAL - RESIDENTIAL		10,870.00			
	202-6323-45520	CAPITAL - SINGLE FAM RENTAL		138.00			
	203-9000-42212	MOTOR FUELS		5,336.27			
	203-9000-43300	PROFESSIONAL SERVICES		272.00			
	203-9000-43322	POSTAGE		29.64			
	203-9000-43350	PRINTING/LEGAL PUBLICATION		604.50			
	211-0000-15510	PREPAID		1,405.22			
	211-5500-42200	OFFICE SUPPLIES		70.73			
	211-5500-42220	REPAIR & MAINT		822.79			
	211-5500-43300	PROFESSIONAL SERVICES		675.00			
	211-5500-43380	UTILITIES		102.83			
	211-5500-43381	BPU UTILITIES		1,319.44			
	211-5501-43430	MISC - SPECIFIED DONATION USE		338.40			
	211-5503-43430	MISC - USE OF HOLDEN TRUST		64.99			
	225-2120-41113	UNIFORM ALLOWANCE		5,231.49			
	225-2120-42200	OFFICE SUPPLIES		156.91			
	225-2120-42209	SAFETY EQUIPMENT SUPPLIES		1,460.48			
	225-2120-42210	OPERATING SUPPLIES		205.38			
	225-2120-42212	MOTOR FUELS		5,090.34			
	225-2120-42221	SQUAD CAR REPAIR SUPPLIES		1,447.53			
	225-2120-42240	SMALL TOOLS		265.63			
	225-2120-43300	PROFESSIONAL SERVICES		1,093.00			
	225-2120-43321	TELEPHONE		671.77			
	225-2120-43322	POSTAGE		37.07			
	225-2120-43330	PROFESSIONAL DEVELOPMENT		2,193.00			
	225-2120-43331	LEASED PAYMENTS		13,125.31			
	225-2120-43380	UTILITIES		157.70			
	225-2120-43381	BPU UTILITIES		4,610.36			
	225-2120-43433	DUES & SUBSCRIPTIONS		104.94			
	225-2131-42210	OPERATING SUPPLIES		3,660.97			
	225-2220-41113	UNIFORM ALLOWANCE		503.49			
	225-2220-42210	OPERATING SUPPLIES		360.05			
	225-2220-42212	MOTOR FUELS		1,064.34			

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Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
	225-2220-42220	REPAIR & MAINT		510.26			
	225-2220-42250	PERSONAL PROTECTIVE GEAR		128.35			
	225-2220-43300	PROFESSIONAL SERVICES		383.00			
	225-2220-43322	POSTAGE		7.00			
	225-2220-43330	PROFESSIONAL DEVELOPMENT		7,860.00			
	225-2220-43331	LEASED PAYMENTS		1,833.36			
	225-2220-43380	UTILITIES		128.70			
	225-2220-43381	BPU UTILITIES		2,633.63			
	225-2220-43435	BOOKS & PAMPHLETS		62.10			
	225-2225-41150	WORKERS COMP		12,238.75			
	225-2500-42210	OPERATING SUPPLIES		64.94			
	225-2700-43300	PROFESSIONAL SERVICES		1,919.33			
	225-2700-43430	MISCELLANEOUS		1,572.00			
	227-3230-43428	USED OIL RECYCLING EXPENSE		76.05			
	229-0000-43300-23:26	PROFESSIONAL SERVICES		740.00			
	229-0000-45530	PYMTS TO CONTRACTORS		48,450.00			
	229-9030-43300-23:06	PROFESSIONAL SERVICES		4,151.93			
	230-5200-41140	UNEMPLOYMENT		136.50			
	230-5200-42210	OPERATING SUPPLIES		26.97			
	230-5200-42212	MOTOR FUELS		717.85			
	230-5200-42220	REPAIR & MAINT		2,837.34			
	230-5200-42240	SMALL TOOLS		499.00			
	230-5200-43300	PROFESSIONAL SERVICES		37.00			
	230-5200-43331	LEASE PAYMENTS		5,880.79			
	230-5200-43380	UTILITIES		532.35			
	230-5200-43381	BPU UTILITIES		4,071.10			
	230-5200-43430	MISCELLANEOUS		445.00			
	230-5200-43433	DUES & SUBSCRIPTIONS		60.00			
	230-5204-42210	OPERATING SUPPLIES		1,445.00			
	230-5215-42210	OPERATING SUPPLIES		92.00			
	230-5225-42220	REPAIR & MAINT		1,148.00			
	230-5280-42210	OPERATING SUPPLIES		205.00			
	230-5280-43380	UTILITIES		28.36			
	235-3100-41140	UNEMPLOYMENT		424.21			
	235-3100-42212	MOTOR FUELS		5,379.99			
	235-3100-42220	REPAIR & MAINT		2,327.99			
	235-3100-42240	SMALL TOOLS		118.00			
	235-3100-43330	PROFESSIONAL DEVELOPMENT		12.00			
	235-3100-43331	LEASE PAYMENTS		4,085.15			
	235-3100-43380	UTILITIES		64.35			
	235-3100-43381	BPU UTILITIES		23,437.96			
	235-3100-43410	RENTAL EXPENSE		84.85			
	235-3100-43430	MISCELLANEOUS		86.63			
	235-3125-42220	REPAIR & MAINT		2,463.35			
	235-3125-43402	DOWNTOWN SNOW REMOVAL		13,426.00			
	235-3170-42210	OPERATING SUPPLIES		701.17			
	236-3180-43381	BPU UTILITIES		37.50			
	237-3190-42212	MOTOR FUELS		102.52			
	237-3190-42220	REPAIR & MAINT		114.74			
	237-3190-43331	LEASE PAYMENTS		1,879.16			
	238-0000-20800	DUE TO OTHER GOVT UNITS		29.99			
	238-3160-42210	OPERATING SUPPLIES		30.00			
	238-3160-42212	MOTOR FUELS		44.30			
	238-3160-43300	PROFESSIONAL SERVICES		2,000.00			
	238-3160-43330	PROFESSIONAL DEVELOPMENT		585.00			
	238-3160-43331	LEASE PAYMENTS		855.29			
	238-3160-43430	MISCELLANEOUS		1,125.00			

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Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
	251-9360-43467	REMIT LOCAL SALES TAX COLLECT		122,159.97			
	260-9020-43304	LEGAL PROFESSIONAL SERVICES		59.50			
	278-6515-43430	MISCELLANEOUS		6,056.97			
	280-0000-41150	WORKERS COMP		62,546.25			
	295-6510-43435	BOOKS/PAMPHLETS/DUES		5,350.00			
	400-3100-45500	STREET CAPITAL OUTLAY		58,205.50			
	400-5200-45500	PARKS CAPITAL OUTLAY		58,205.50			
	401-1003-43300	PROFESSIONAL SERVICES		211.77			
	401-1003-43380	UTILITIES		108.29			
	401-9030-43300-23:05	PROFESSIONAL SERVICES		2,055.71			
	401-9030-43300-23:16	PROFESSIONAL SERVICES		12,478.00			
	401-9030-43300-24:06	PROFESSIONAL SERVICES		765.00			
	401-9030-43300-24:07	PROFESSIONAL SERVICES		23,403.00			
	404-9055-45580	CAPITAL - RADIOS & PAGERS		6,897.40			

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Inv Ref#	Description	Entered By					Post Date
GL Distribution	GRANT						
--- TOTALS BY FUND ---							
101 -	GENERAL FUND			110,731.27	110,731.27		
202 -	SCDP GRANTS			11,408.00	11,408.00		
203 -	TRANSIT FUND			6,242.41	6,242.41		
211 -	LIBRARY FUND			4,799.40	4,799.40		
225 -	PUBLIC SAFETY FUND			70,781.18	70,781.18		
227 -	RECYCLING FUND			76.05	76.05		
229 -	PANDEMIC GRANTS			53,341.93	53,341.93		
230 -	PARK & RECREATION FUND			18,162.26	18,162.26		
235 -	STREET & SEWER FUND			52,611.65	52,611.65		
236 -	PARKING LOT FUND			37.50	37.50		
237 -	SANITARY SEWER FUND			2,096.42	2,096.42		
238 -	STORM SEWER FUND			4,669.58	4,669.58		
251 -	LOCAL OPTION SALES TAX			122,159.97	122,159.97		
260 -	AIRPORT FUND			59.50	59.50		
278 -	HEALTHY EMPLOYEE INITIATIVE			6,056.97	6,056.97		
280 -	PACKAGE INSURANCE FUND			62,546.25	62,546.25		
295 -	EDA FUND			5,350.00	5,350.00		
400 -	CAPITAL PROJECTS FUND			116,411.00	116,411.00		
401 -	CONSTRUCTION FUND			39,021.77	39,021.77		
404 -	FIRE DEPARTMENT CAPITAL			6,897.40	6,897.40		
--- TOTALS BY DEPT/ACTIVITY ---							
0000 -				122,551.69	122,551.69		
1003 -	10:03 DWNTWN MAIN CNTRACT			320.06	320.06		
1110 -	MAYOR & COUNCIL			76.25	76.25		
1400 -	ADMINISTRATION			1,102.00	1,102.00		
1610 -	LEGAL-CIVIL ATTORNEY			11,618.37	11,618.37		
1700 -	ENGINEERING			4,601.92	4,601.92		
1800 -	IT/GIS			2,988.45	2,988.45		
1940 -	CITY HALL			3,724.21	3,724.21		
2120 -	POLICE DEPARTMENT			35,850.91	35,850.91		
2131 -	TACTICAL TEAM			3,660.97	3,660.97		
2220 -	FIRE DEPARTMENT			15,474.28	15,474.28		
2225 -	PAID ON-CALL FIRE DEPT			12,238.75	12,238.75		
2400 -	COMMUNITY DEVL/INSPECTION			4,138.24	4,138.24		
2500 -	CIVIL DEFENSE			64.94	64.94		
2700 -	ANIMAL CONTROL			3,491.33	3,491.33		
3100 -	S & S MAINTENANCE			94,226.63	94,226.63		
3125 -	SNOW REMOVAL			15,889.35	15,889.35		
3160 -	STORM SEWER EXPENSE			4,639.59	4,639.59		
3170 -	TRAFFIC CONTROL			701.17	701.17		
3180 -	PARKING LOTS EXPENSE			37.50	37.50		

01/16/2025 01:49 PM

User: pziemer

DB: Brainerd

INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 01/21/2025 - 01/21/2025

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Page: 41/41

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 ---							
	3190 - SANITARY SEWER EXPENSE			2,096.42	2,096.42		
	3230 - RECYCLING EXPENSE			76.05	76.05		
	5200 - PARK MAIN/ADMINISTRATION			73,449.40	73,449.40		
	5204 - CONCESSIONS			1,445.00	1,445.00		
	5215 - ADULT SOFTBALL			92.00	92.00		
	5225 - MEMORIAL BENCHES & TREE PROGRAM			1,148.00	1,148.00		
	5280 - CAMPGROUND			233.36	233.36		
	5500 - LIBRARY-BUDGETED			2,990.79	2,990.79		
	5501 - SPECIFIED DONATION USE			338.40	338.40		
	5503 - HOLDEN TRUST DONATION USE			64.99	64.99		
	6323 - SE BRAINERD SCDP GRANT			11,408.00	11,408.00		
	6510 - ECONOMIC DEVELOPMENT AUTH			5,350.00	5,350.00		
	6515 - HEALTHY EMPLOYEE INITIATIVE			6,056.97	6,056.97		
	9000 - TRANSIT FUND			6,242.41	6,242.41		
	9020 - AIRPORT M & O			59.50	59.50		
	9030 - CONSTRUCTION PROJ-MISC			42,853.64	42,853.64		
	9055 - FIRE DEPARTMENT CAPITAL			6,897.40	6,897.40		
	9200 - CITY-WIDE			73,101.60	73,101.60		
	9360 - LOCAL OPTION SALES TAX			122,159.97	122,159.97		

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 Administrator Broyles.

Administer Oath of Office

Administrator Broyles administered the oath of office to Tad Erickson- Ward 1, Jeff Czczok- Ward 3, Mike O'Day- At Large, Kevin Stunek- At Large.

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

Administrator Broyles led the Pledge of Allegiance to the flag.

Appoint Council Member to Fill the At-Large Vacancy

Administrator Broyles stated that there were seven applicants for the vacant At Large seat: Jeffrey Bipes, Kyle Christenson, Wayne Erickson, Emily LeClaire, Tiffany Stenglein, Kevin Yeager, and Shirley Yeager. He stated that Ms. Shirley Yeager withdrew her application on January 6th.

The Council had no questions for the applicants.

Member Johnson nominated Kevin Yeager for the vacant seat.

Member Stunek nominated Tiffany Stenglein for the vacant seat.

Council Members voted for the vacant seat per the Rules of Decorum.

Members O'Day, Czczok, Erickson, Johnson, and Bevans voted for Kevin Yeager. Member Stunek voted for Tiffany Stenglein.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND STUNEK, DULY CARRIED, TO APPOINT MR. KEVIN YEAGER TO THE AT LARGE SEAT FROM JANUARY 6TH, 2025 THROUGH DECEMBER 31ST, 2026.

Election of President and Vice President of the Council for 2025-2026

Member Johnson nominated Member O'Day for the office of President.

Member Stunek nominated Member Bevans for the office of President.

Council Members voted for the appointment per the Rules of Decorum.

Members O'Day, Czczok, Erickson, and Johnson voted for Member O'Day. Members Stunek and Bevans voted for Member Bevans.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND JOHNSON, DULY CARRIED, TO APPOINT MEMBER O'DAY AS THE COUNCIL PRESIDENT FOR 2025-2026.

Member Stunek nominated Member Bevans for office of Vice President.

Member O'Day nominated Member Johnson for office of Vice President.

Council Members voted for the appointment per the Rules of Decorum.

Members Stunek and Bevans voted for Member Bevans. Members Erickson, Czeczok, O'Day, and Johnson voted for Member Johnson.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND ERICKSON, DULY CARRIED, TO APPOINT MEMBER JOHNSON AS VICE PRESIDENT FOR 2025-2026.

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

Member Czeczok stated that minutes should include that the votes for appointment of Council Members to vacancies and President/Vice President should be read with the Council Members identity for each round.

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

- A. **Approval of Bills**
- B. **Approval of Minutes**
- C. **Department Activity Report**
- D. **Adopt Resolution Designating Financial Institutions as Depositories for 2025**
- E. **Annual Authorization to Perform Electronic Transfers**
- F. **Designate the Brainerd Dispatch as the Official Newspaper for Calendar Year 2025 pursuant to the City Charter and Authorize Extension of Contract with Dispatch**
- G. **Appoint City Attorney for 2025-2026 Pursuant to City Charter**
- H. **Adopt Resolution Minnesota Lawful Gambling Premise Permit- Brainerd American Legion at Brainerd Elks, 215 S 9th St, Brainerd**
- I. **Authorize Signatures on League of Minnesota Cities Insurance Trust (LMCIT) Liability Coverage Waiver Form**
- J. **Approve Hiring of 2024-2025 Warming House Attendant Temporary Employees**
- K. **Adopt Resolution Approving Signature Authorization for 2025 Capital Projects for the Brainerd Lakes Regional Airport**
- L. **Approve On-Sale Intoxicating Liquor License Submitted by Last Turn Brew Pub LLC, 214 S 8th St- Contingent Upon Approvals**

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

Unfinished Business

Declare Vacancy on the Public Utilities Commission Expiring 2026

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND JOHNSON, DULY CARRIED, TO DECLARE VACANCY ON THE PUBLIC UTILITIES COMMISSION EXPIRING DECEMBER 31, 2026.

Call for Applicants – Informational:

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

Airport Commission - **1 term** (2027)

Charter Commission – **2 terms** (Expire 2025) **2 terms** (Expire 2026) **3 terms** (Expire 2028)

Housing and Redevelopment Authority - **1 term** (Expire 2029)

Parks & Recreation - **1 term** (Expire 2029)

Public Utilities Commission - **1 term** (Expire 2029)

Transportation Advisory Committee- **4 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 2027)

Consider Technology Director Job Description and Authorize Staff to Conduct an Internal Job Posting Process

HR Director Schubert stated that on December 19, 2024, the City Council approved creation of a single integrated City IT Department. As discussed at that meeting, Staff has prepared a Technology Director job description to oversee the new integrated Technology Department. Staff requests that the Council approve the job description and authorize Staff to conduct an internal job posting process to fill the position as soon as possible. One of the items that will be requested is that any applicant provide their staffing vision for the new department, including an Organizational Chart and draft job descriptions for any recommended positions to help expedite future hiring processes.

Member Czczok asked whether the position would be required to perform the tasks of those this person would oversee.

HR Director Schubert stated that the Director would oversee the tasks of those they supervise and could provide backup if necessary. Ongoing training would be provided to ensure that staff are able to provide backup.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND BEVANS, DULY CARRIED, TO APPROVE THE TECHNOLOGY DIRECTOR JOB DESCRIPTION AS PRESENTED AND TO AUTHORIZE STAFF TO CONDUCT AN INTERNAL JOB POSTING PROCESS TO FILL THE POSITION.

New Business

Accept Retirement of Street Maintenance III Glen Holst

HR Director Schubert stated that Mr. Holst submitted his retirement as of January 10th, 2025.

Member Czczok thanked Mr. Holst for his many years of service, including the service of his family members.

MOVED AND SECONDED BY COUNCIL MEMBERS BEVANS AND CZECZOK, DULY CARRIED, TO ACCEPT THE RETIREMENT OF STREET MAINTENANCE III GLEN HOLST EFFECTIVE JANUARY 10, 2025; APPROVE THE UPDATED MAINTENANCE III - STREET & SEWER DIVISION JOB DESCRIPTION AS PRESENTED; AND AUTHORIZE STAFF TO BEGIN AN INTERNAL HIRING PROCESS TO BACKFILL THE MAINTENANCE III POSITION.

Accept Resignation of CSO Dominick Baillif

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND CZECZOK, DULY CARRIED, TO ACCEPT MR. DOMINICK BAILLIF'S RESIGNATION EFFECTIVE JANUARY 13, 2025, AND TO AUTHORIZE STAFF TO BACKFILL THE POSITION.

Accept Resignation of Michelle Mendoza

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND CZECZOK, DULY CARRIED, TO ACCEPT MICHELLE MENDOZA'S RESIGNATION EFFECTIVE JANUARY 2, 2025; FURTHER, TO AUTHORIZE STAFF TO BEGIN THE HIRING PROCESS TO BACKFILL A POLICE RECORDS TECH POSITION.

Ratify the Hiring of CSO Joshua Winslow

Member Johnson asked whether this hiring will backfill the resignation just approved or whether this will be another job posting.

HR Director Schubert stated that this will be a new job posting.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND ERICKSON, DULY CARRIED, TO RATIFY THE HIRING OF JOSHUA WINSLOW AS A COMMUNITY SERVICE OFFICER EFFECTIVE JANUARY 14, 2025, AT \$21.31 PER HOUR.

Ratify Hiring Brian Seieroe for Journeyman Electrician Position

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND JOHNSON, DULY CARRIED, TO RATIFY THE HIRING OF BRIAN SEIEROE FOR THE JOURNEYMAN ELECTRICIAN POSITION EFFECTIVE JANUARY 6, 2025; FURTHER, THAT HE BE PLACED ON STEP 3 OF THE JOURNEYMAN ELECTRICIAN WAGE GRID (\$40.10 PER HOUR).

Approve Memorandum Of Understanding (MOU) Extending Timeframe Allowing IBEW Employees to Work at Hydro Facility

HR Director Schubert stated that both the United Steel Workers (USW) and IBEW Local No. 31 (Public Utility) Union representatives have agreed to extend the Memorandum of Understanding allowing IBEW BPU employees to temporarily perform work at the Hydro facility. This MOU will give the City more time to finalize the IBEW contract.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE THE MOU BETWEEN THE CITY OF BRAINERD, THE USW LOCAL NO. 9230 UNIT 09 UNION, AND THE IBEW LOCAL NO. 31 UNION REPRESENTING PUBLIC UTILITY EMPLOYEES THAT ALLOWS IBEW BPU EMPLOYEES TO ASSIST AT THE HYDRO DAM FACILITY AS NEEDED TO APRIL 1, 2025; FURTHER, TO AUTHORIZE THE SIGNATURE OF CITY ADMINISTRATOR ON SAID MOU.

Consider Approval of the Revised Employee Policy Manual

HR Director Schubert gave an overview of the changes that are proposed to the Employee Policy Manual with State law changes in 2024.

Member Johnson stated that without being able to review the redlined version of the manual, he would request more time before approval. He would request that the Personnel and Finance Committee review the manual prior to its approval.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO HOLD OFF ON A DECISION SO THAT THE PERSONNEL AND FINANCE COMMITTEE CAN REVIEW THE CHANGES AT ITS NEXT MEETING.

Adopt Resolution - Receive Feasibility Report, Call for Public Hearing on Improvement, and Request for Contract Amendment for Bolton & Menk - Imp 23-16 - South Brainerd Resurfacing

City Engineer Dehn gave an overview of the feasibility report and contract amendment. The original scope of work did not include the design and installation of ten additional hydrants.

Member Johnson asked about the total cost of the contract and the percentage increase of the additional hydrants.

City Engineer Dehn stated that the original engineering contract was \$68,450. The amendment to include the hydrants and gate valves is \$32,130.

Member Johnson stated that he could not support a roughly 50% increase to the contract for ten new hydrants.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND ERICKSON TO ADOPT RESOLUTION RECEIVING THE ATTACHED FEASIBILITY REPORT AND CALLING FOR THE PUBLIC HEARING ON THE PROPOSED IMPROVEMENT TO BE HELD ON FEBRUARY 3RD AT 7:30 P.M.

RESOLUTION 04:25

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

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND ERICKSON TO APPROVE THE CONTRACT AMENDMENT REQUEST BY BOLTON AND MENK IN THE AMOUNT OF \$32,130.

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

Adopt Resolution - Imp 21-13 - Beech/Oakridge Reconstruction Project - Order Feasibility Report

City Engineer Dehn gave an overview of the reconstruction project. The feasibility report will include more information.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK TO ADOPT RESOLUTION ORDERING THE FEASIBILITY REPORT FOR IMPROVEMENT 21-13 - BEECH/OAKRIDGE RECONSTRUCTION PROJECT.

RESOLUTION 05:25

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

Adopt Resolution - Imp 17-12 - Wright/S. 10th Reconstruction Project - Order Feasibility Report

City Engineer Dehn gave an overview of the reconstruction project.

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND CZECZOK TO ADOPT RESOLUTION ORDERING THE FEASIBILITY REPORT FOR IMPROVEMENT 17-12 - WRIGHT/S. 10TH RECONSTRUCTION PROJECT.

RESOLUTION 06:25

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

Direction on Active Code Enforcement Cases

Community Development Director Kramvik gave an overview of 823 Willow Street. He stated that this property is also going through the process of resolving an illegal rental.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND JOHNSON, DULY CARRIED, TO OBTAIN AN ADMINISTRATIVE WARRANT TO ABATE THE GARBAGE/JUNK/DEBRIS AT 823 WILLOW ST.

Consider Variance from Fence Height Requirements at 303 J St NE

Community Development Director Kramvik gave an overview of the variance request and history of the property. He stated that the Planning Commission did not provide a recommendation after a failed motion to approve the variance. Staff recommend the approval of the variance.

Mayor Badeaux asked about the status of the nuisance items.

Community Development Director Kramvik stated that the items had been cleaned up prior to the Christmas holiday.

Chair O'Day stated that there has been a lot of staff time put into this property, he is glad that they are finally working with staff and hopes that we can move on.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND CZECZOK, DULY CARRIED, TO APPROVE THE VARIANCE AT 303 J ST NE.

First Reading Proposed Ordinance 1578 - Lot Standards and Building Design Standards

Community Development Director Kramvik gave an overview of the ordinance. The EDA had originally recommended that the Planning Commission pursue mixed use along the Washington Street corridor.

Member Johnson questioned why the City Council would consult the Public Utilities Commission if the SAC/WAC fees are City fees.

Community Development Director Kramvik stated that this may be a significant change if mixed use development does go in on Washington Street with the change to the Central Business District Incentive Program. The Public Utilities Commission had concerns about the incentive program but made no recommendation in its approval.

Member Czeczok asked who is in control of the SAC/WAC fees.

Community Development Director Kramvik stated that the City collects the fees, and the City Council approves the distribution of the funds.

Finance Director Hillman stated that the City Council did approve sending the water accessibility fee charges to BPU on an annual basis.

Member Czeczok asked when the revenues are decreased, how does this affect the future of the system.

Public Utilities Director Evans stated that the use of the property isn't of concern to the Utility Department. If the charges are not collected, the new section of the system would need to be funded from another source.

Member Czeczok stated that waiving the fees is a "feel good" thing. He doesn't believe that saving these businesses the SAC/WAC fees will prevent new business.

Member Johnson clarified that the SAC/WAC charges are for expanding the system. The money is not spent replacing pipes and fixing what the City already maintains. When the City is waiving the fees downtown, all the City is doing is ensuring that these businesses downtown aren't paying for the expansion of the system outside of the current city limits.

Member Czeczok stated that he is talking about expansion. He understands the law of Brainerd.

Chair O'Day stated that this is an incentive for redevelopment. He does not see this incentive being in place forever, it is valuable right now to redevelop Highway 210.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND JOHNSON, DULY CARRIED, TO CONDUCT THE FIRST READING OF PROPOSED ORDINANCE 1578 AND DISPENSE WITH THE ACTUAL READING.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS TO DIRECT STAFF TO BRING PROPOSED ORDINANCE 1578 TO THE JANUARY 21ST CITY COUNCIL MEETING TO CONDUCT THE SECOND READING AND CONSIDER THE ORDINANCE.

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

Discuss Future of City Hall Annex Building

Administrator Broyles gave an overview of the recent history of the Annex. The Annex is in need of significant updates. He stated that he anticipates future growth for Brainerd and additional office space may be limited. Furthermore, if the City Council continues with efforts to integrate functional areas within the city, there may be significant benefits to retaining the Annex. Making necessary repairs to an existing building that we already own would be significantly more cost effective than new construction. If Council desires to sell the Annex, staff will work with potential buyers and present to Council when appropriate.

Administrator Broyles stated that he sees benefit in consolidating functional activities.

Member Johnson stated that the facilities study showed concern about ADA compliance. City Hall HVAC can support the annex.

Chair O'Day stated that he is open to anything with the Annex. If the right offer came, anything is for sale. If there is someone who could fix it up and use it more immediately, he would be open.

Member Czczok stated that if the City is interested in using the building it for its own use, there aren't funds to fix it up for use. He stated that staff could work to come up with figures to make the Annex useable and still consider offers in the closed session.

Administrator Broyles stated that staff work has not been done to estimate the potential costs. He is looking for direction to staff to either pursue those numbers or proceed with sale.

Member Bevans stated that the City Council could consider both selling and modernizing the Annex. More information is needed from both options.

MOVED AND SECONDED BY COUNCIL MEMBERS BEVANS AND STUNEK, DULY CARRIED, TO DIRECT STAFF TO PROVIDE INFORMATION ON COST ESTIMATES AND TIMELINES NEEDED FOR IMPROVEMENTS.

Adopt Resolution Calling a Public Hearing on a Property Tax Abatement for Certain Property in the City of Brainerd

Community Development Director Kramvik stated that the specifics of the abatement will be provided at the Council meeting on February 3rd. The EDA did recommend a blended tax abatement structure. The resolution at this meeting is to set the public hearing.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND JOHNSON TO ADOPT RESOLUTION AUTHORIZING AND DIRECTING STAFF TO PUBLISH A NOTICE SETTING A PUBLIC HEARING BEFORE THE CITY COUNCIL ON MONDAY, FEBRUARY 3RD, 2025, AT OR AFTER 7:30 P.M. AT CITY HALL ON THE ABATEMENT.

RESOLUTION 07:25

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

Informational - City Issuing Conduit Debt

Finance Director Hillman stated that the City has been requested to issue conduit debt for the Country Manor project. If the City were to issue the conduit debt, there is no obligation for the City to pay the debt, there is no impact on the City's credit rating, and the conduit debt does not go towards the City's debt limit. The debt however does count towards the City's annual \$10 million limit to issue bank-qualified bonds (BQ bonds). This could result in the City paying a higher interest rate if the City issues bonds in 2025.

Member Johnson asked whether there are plans to issue debt in the capital plan in 2025. He requested more information.

Finance Director Hillman stated that the plan is to issue debt in 2025.

Member Czczok asked about the amount that Country Manor would be able to access.

Finance Director Hillman stated that they are issuing bonds for up to \$50 million. In the City's policy it can issue conduit debt. However, if the City does not want to issue this debt, the City will need to notify Country Manor.

Member Johnson stated that he is not opposed to the issuance at this time. He would like to see more information.

Chair O'Day would like this issue to go to Personnel and Finance when information is available.

Public Forum

The Chair opened the public forum at 8:48 p.m.

No one came forward.

The Chair closed the public forum at 8:49 p.m.

Staff Reports

Public Works Director Habighorst stated that there will be a new skid steer in the Public Works Department. Transit was able to visit Winter Wonderland one of the two nights that it was scheduled. The rain on December 27th prevented the second trip from touring the lights. The average number of riders per day in 2024 was 154.

Community Development Director Kramvik stated that the Planning Commission started discussion on data center regulations, discussion will continue at its next meeting.

Administrator Broyles stated that Staff is excited for the New Year and new opportunities. He anticipates some great things in 2025. He thanked Member Bevans for his mentorship over the last eleven months. He congratulated the new and returning Council Members. He looks forward to a great year working with Chair O'Day.

Council Member Reports

Member Czczok stated that he was onboard the Transit tour on December 27th that had to be cancelled. It was unfortunate, but people enjoyed the bus ride overall.

Member Johnson stated that he received a phone call from a constituent regarding the great leadership by Chief Davis and Chief Holmes.

Member O'Day thanked the Council for their confidence. He'll do his best. In the next couple of weeks e-mails will be sent out setting up leadership positions and Council Liaisons.

Adjourn

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO ADJOURN TO CLOSED SESSION PER MN STATUTE 13D.03 SUBD. 3(C)3 TO CONSIDER OFFERS FOR THE SALE OF THE ANNEX.

The Chair adjourned the meeting to the closed session at 8:55 p.m.

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

The Chair adjourned the meeting at 9:21 p.m.

Nicholas W. Broyles
City Administrator



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

Report to City Council December 2024

Office

Financial Reports

October's financial report is attached, November and December are on-going as we prepare for the audit and year-end entries and cost studies.

MN Dept Health/PFA Funding

Staff met with the MN Department of Health and MN Public Facilities Authority related to funding options on the lead service line replacements. Staff continue to work on a replacement plan. A plan for funding must be submitted to PFA by May 1st, 2025, for funding considerations in 2026. Bolton & Menk has already been hired from an earlier grant to assist with this preparation. Project planning is on-going. Note, PFA and MDH indicated that BPU customers showed a lot of interest in the funding avenues. PFA and MDH are working on additional flyers and informational pamphlets for all customers statewide. Staff are working on website updates. Indications are that there are grant options for cost-free options for customers and no interest loans for the Commissions portion of the replacements. Staff are monitoring the updates closely.

Streetlighting/Water/Wastewater Cost Studies

The cost studies for streetlighting/water/wastewater have begun and are collecting data for Utility Financial Solutions. Meetings with UFS have continued to determine their data needs and requests for the cost studies. UFS is awaiting staff responses before continuing. Staff are compiling information and expect to have all information to UFS in early January 2025.

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. Scoping of the project is on-going, staff reviewed a draft of the project scope document and provided comments to NREL staff for additional consideration. Staff met with all members of the coalition and discussed the revised scoping document, which all scoping was agreed upon and staff are awaiting updates from NREL. Last discussion was that scoping document will be available in January 2025.

After Hours Call Center:

Staff have stressed concerns about after-hours call capabilities. Staff attended presentations from both Cooperative Response Center and Gold Cross answering services. Staff have included in the budget an additional amount for call center services from Gold Cross Answering services. This will enable and allow customers to call and receive a live person on the call center, as they would have with Central station operating 24 hours a day, as well as give us the ability to set up our processes and procedures for dispatching after-hours calls. This set up continues with staff and we expect a trial run in late January 2025.

Wastewater

Lift Station

Ongoing maintenance of wet wells, pumps, generators, and controls for the 17 lift stations. Ongoing cleaning and painting of main lift pumps and piping as time allows. Ongoing SCADA improvements at main lift

Wastewater Treatment Plant

On-call operator tested Wastewater Treatment Facility and lift stations SCADA alarms. Equipment maintenance is ongoing. Replaced SBR 2 jet motive pump volute and wear ring and inspected piping. Put SBR 2 back online. Took SBR 1 offline and are getting ready to enter, clean and inspect.

Biosolids

Operating equipment and lab testing is ongoing.

Lab

Sent November 2024 Electronic Daily Monitoring Report. Sent CY 2024 Annual Biosolids Report to MPCA. Sent 2024 Whole Effluent Toxicity Testing to MPCA. Sampled influent and effluent for copper and Mercury. Sampled plating businesses for metals. 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. All 60 MDH approved locations have been sent. Resampled HAA5 for MDH. Ongoing testing for the Optimal Corrosion Control Treatment (OCCT) requirements. Collected the 15 required Coliform samples. Responded to 5 residential drinking water concerns from Nov 20- Dec 18.

River crossing

Working on final payment and landscaping approval.

Generators

Test ran Evergreen Lift, Main Lift, SW6th Lift, portable 25KW, 150KW, 45KW and both plant generators. Added fuel where needed.

Working Hours Alarms (Nov20-Dec 23)

SW6th Pump 1 fault, rags were wrapped around impeller shaft.

Lift Stations- 1 event

WWTF- 0 event

Call-In After-Hours Alarms (Nov20-Dec 23)

11/30 Dumbeck Scada power alarm.

12/10 power outages throughout town affecting Jordan, 10thO, Walnut&Pine, Meadowview, St Hosp, Main lift, Ellingson, Stonebridge. 12/10 power outages affected the WWTF including the biorem, jet motive pumps 3 & 4, filtrate and thickened tank mixers.

12/20 SBR blower 2 high outlet bearing vibration. 12/20 SBR blower 2 high outlet bearing vibration.

Lift Stations- 9 events

WWTF- 6 events

Personnel

Working on ordering and scheduling of the Approved 2025 budget items.

November DMR Results

Wastewater Influent Flows

Brainerd monthly total flow 32,861,000 gallons

Daily average flow 1,089,000 gallons

Baxter monthly total flow 18,164,000 gallons

Baxter daily average flow 605,000 gallons.

Combined monthly total flow 50,841,000 gallons

Combine daily average flow 1,690,000 gallons.

Design capacity-6,000,000 gallons per day

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

Brainerd composite monthly average 137 mg/L.

Baxter composite monthly average 215 mg/L.

Combined composite monthly average 256 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 230 mg/L.

Baxter composite monthly average 303 mg/L.

Combined monthly average 356 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 6.84 mg/L.

Baxter monthly average 8.01 mg/L.

Combine monthly average 6.91 mg/L. Combine monitor only (used for calculation)

Copper Influent (Cu) (metals in wastewater)

Brainerd monthly average 202 ug/L.

Baxter monthly average 134 ug/L.

Combine monthly average 225 ug/L. Combine monitor only (used for calculation)

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

Brainerd monthly 100 ng/L.

Baxter monthly 119 ng/L.

Combine monthly 113 ng/L. Combine monthly monitor only (used for mercury minimization plan requirements)

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

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

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

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

Wastewater Effluent Flows

Monthly total flow 53,212,000 gallons

Daily average flow 1,770,000 gallons

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

2 kg/d CBOD monthly average Permit maximum 296 kg/d monthly average

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

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

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

99% CBOD removal Permit minimum 85% removal required

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

26 kg/d TSS monthly average Permit maximum 355 kg/d monthly average

30 kg/d TSS calendar week average Permit maximum 533 kg/d calendar week average

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

4 mg/L TSS monthly average Permit maximum 30 mg/L monthly average

4 mg/L TSS calendar week average Permit maximum 45 mg/L calendar week average

99% TSS removal Permit minimum 85% removal

Total Phosphorus Effluent (P) (nutrients in wastewater)

0.83 kg/y phosphorus monthly average

2199 kg/y phosphorus 12-month moving total Permit maximum 8278 kg/y for the 12-month moving total

0.806 mg/L phosphorus 12-month moving average Permit maximum 1.0 mg/L for the 12-month moving average

Copper Effluent (Cu) (metals in wastewater)

39.70 ug/L copper monthly average Permit maximum 235 ug/L monthly average

54.90 ug/L copper daily maximum Permit maximum 581 ug/L daily

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

<0.5 ng/L mercury monthly average Permit maximum 6.9 ng/L monthly average

<0.5 ng/L mercury daily maximum Permit maximum 11.95 ng/L daily

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

3.87 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)

1.37 mg/L TKN monthly average Monitor only (used for calculation)

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

8.70 ng/L PFOS quarterly average **Permit maximum 287 ng/L quarterly average**

8.70 ng/L PFOS daily maximum **Permit maximum 497ng/L daily**

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

10 organisms per 100 milliliters **Permit maximum <=200 geometric mean**

Biosolids Process Analysis

3,274,000 gallons Waste Activated Sludge (WAS) Average 0.5% solids.

3,195,000 gallons Gravity Belt Thickeners (GBT) Average 7% solids.

3,239,000 gallons Filtrate return to headworks

6.68% average raw feed to Primary Digesters

84.87% volatile raw feed solids to Primary Digesters

3.80% average solids in Primary Digesters

70.42% average volatile solids in Primary Digesters

299,000 gallons in Biosolids Storage Tanks at 2.85% solids.

53% Average Volatile Solids reduction

38% minimum volatile solids reduction required for land application of biosolids.

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

Water

November 2024 Water Pumping Statistics

Water pumped to the North distribution system was 26.2 MG for an average of 0.873 MGD. Water pumped to the South distribution system was 3.778 MG for an average of 0.126 MGD. Chemical usage averages for the month: 2.06 gallons of fluoride per day, 5.43 gallons of caustic soda per day, 6.67 gallons of orthophosphate per day, and 19.81 pounds of chlorine per day. Went through 19 filter backwash events while using an average of 0.171 MG for each event.

Wells

BPU Management staff gave instructions to discontinue the use of Well 3 due to the discovery of PFOS in past water samples. Notes indicating this well will not be used until further notice have been placed near the control switches and the motor disconnect switch is open and locked out.

Filtration Plant

Daily test results indicates finished water is achieving an average of 95.96% removal of iron from the raw water concentration and 97.75% removal of manganese. Found a deficiency with the high service pump room heating system not starting with the thermostatic control. Alerted maintenance staff.

Gas chlorine feed system

It was discovered that the chlorine equipment building needs a temporary heat source for cold weather months to maintain desired feed rates. Deficiency found in the electrical supply for said building- the ground fault circuit interrupter will occasionally fail when the heater is operating. Staff has been instructed to re-set the unit when necessary.

Booster Pump Stations

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

Call-out events

12/10/2024 02:00 AM SCADA alarm for Lum Park booster loss of power during a widespread outage. Staff checked to be sure the emergency backup generator was operating. Also, staff checked Riverside booster, filter plant and high service pump room for any unanticipated problems, finding none.

Law enforcement event

Staff found an individual parking a vehicle near an exterior building electrical outlet and using a BPU owned extension cord. Crow Wing County dispatch was requested to send a Brainerd PD officer to talk to the individual and get them to leave the premises. BPU staff then went to all exterior outlets to disconnect them and cover them with a blank plate. We have not observed any further activity related to this, although overall security of the water plant grounds continues to be a concern.

Electric

Main Substation

Staff found some areas on concern with connectors during routine IR inspection. BPU coordinated with MP to affect corrective action to those portions of the 115kV assets.

Hydro Facility Walkthrough

Staff met with our representative and senator with the operations committee at the hydro facility on December 17. Barr and BPU staff presented the hydro facility and design options for consideration for the funding request. All seemed interested in the project. Discussions with Flaherty and Hood indicated a testimony at the state capital is expected in the first quarter of 2025.



BRAINERD POLICE DEPARTMENT MONTHLY REPORT



BOOYAH AWARD

This month's Booyah winner is Officer Peters. Officers received a report of a burglary in progress. Information Provided was two individuals had tried to get into an occupied residence and fled from the scene. Officer Peters began to search the area and found two individuals running across a frozen lake.

Officer Peters was able to determine the two individuals were involved in the reported call for service and began to track them across the lake on foot. In the foot pursuit, Peters aired information, location, and necessary details to officers that helped to set up a perimeter and a response to apprehend the individuals. Great work catching the individuals on the squad thermal, taking the initiative to track them across the lake, and confirming they were the ones seen on the property. Hope the boots have dried out by now! Booyah!!



STAFFING & ASSIGNMENTS



Colton Gutenkauf, our newest Patrol Officer. Colton grew up locally in Baxter, MN. Family and friends are most important to Colton, and he enjoys hunting, fishing, shooting, and working on vehicles in his free time.



TRAINING & STAFF DEVELOPMENT

Basic Crisis Negotiations

Officer Rachel Reed attended the Basic Crisis Negotiations training. This is a basic level course designed for personnel who work with or oversee the functions of a crisis/hostage negotiations team. This curriculum is designed to meet the standards set forth by the National Council of Negotiations Associations for a basic course of study for police crisis/hostage negotiators. Although it is a "basic" course, it represents a robust and comprehensive view of the most likely negotiation problems and best techniques to resolve them peacefully.

BODY WORN CAMERA DATA REPORT

Month	Number of Videos	Hours of Video	GB of Videos	Average MB per Video	Average Time Length of Videos	Average Number of Videos Per Day
December	1,828	421	735	412	14.21 Minutes	59

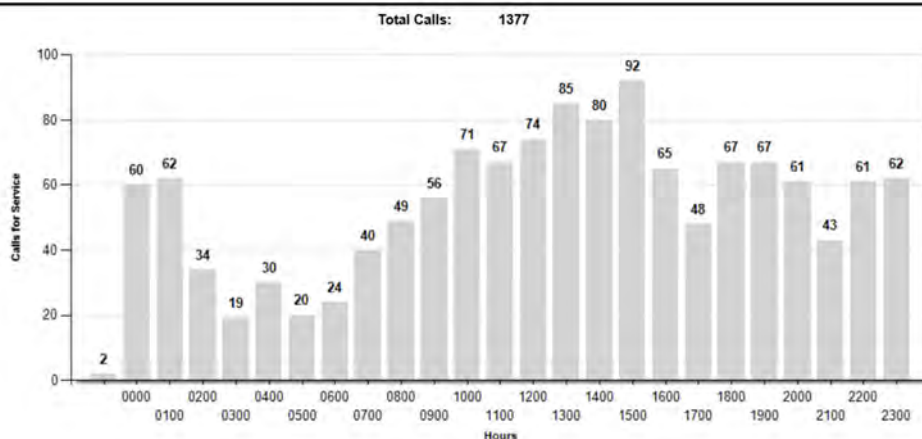


OVERALL CALLS FOR SERVICE

December	2024	2023
Number of Calls for Service	1,339	1,293

**Calls for Service Hourly**

12/1/2024 to 12/31/2024



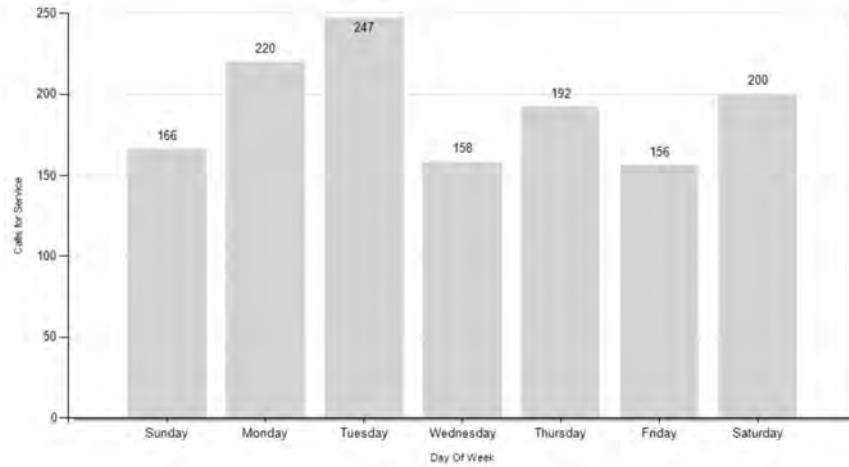


Calls for Service Day Of Week

Start Date: 12/1/2024

End Date: 12/31/2024

Total Calls: 1377



CRIME STATISTICS

Year to Date through December	2024	2023
Group A Offenses Known or Reported to Police	1,015	1,198
Group A and B Arrests	819	763

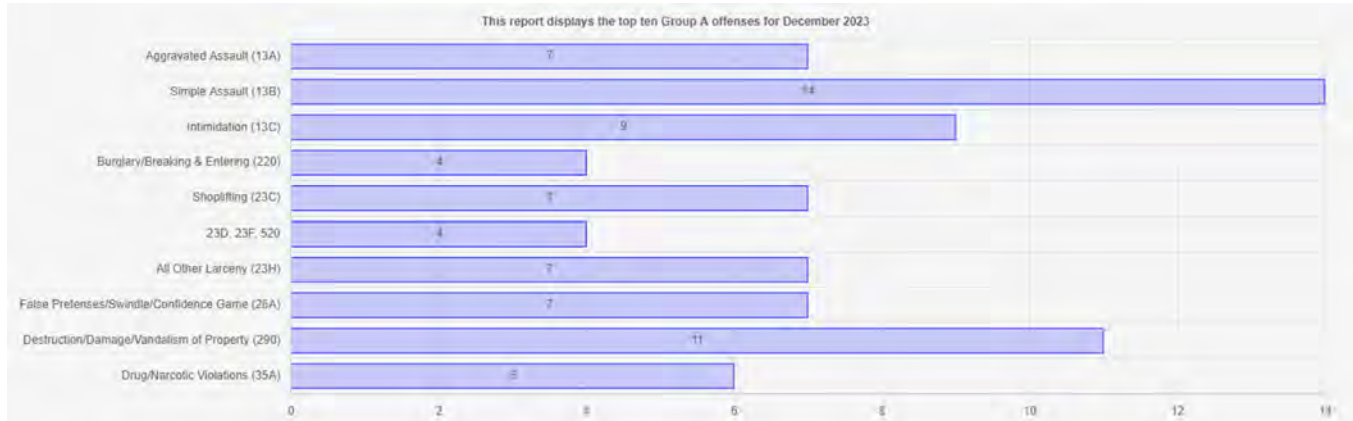
**** Note: 2024 totals do not include case files that have not yet been coded.**

TOP 10 GROUP A OFFENSES

December 2024

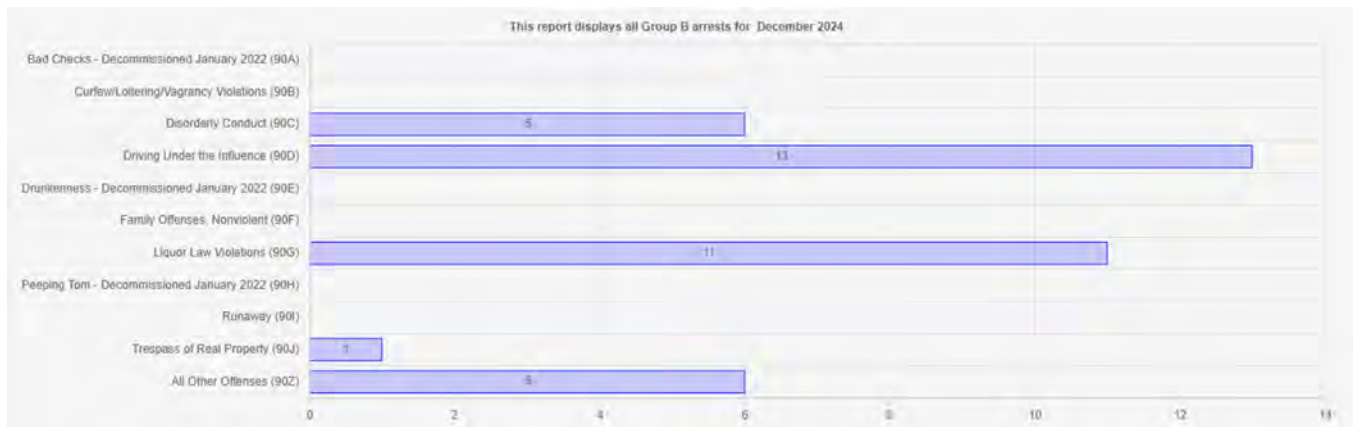


December 2023

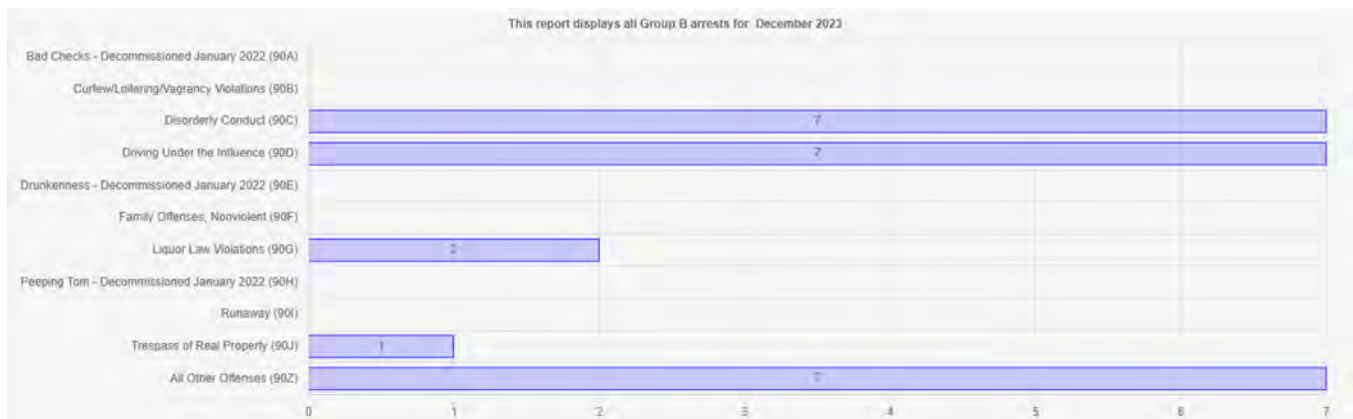


GROUP B ARREST DATA

December 2024



December 2023



CITATIONS, PARKING TICKETS, & WRITTEN WARNINGS

Month	2024	2023
Citations (Inc. Parking Tickets & Written Warnings)	123	107

23 parking tickets were issued in the month of December, with the following dispositions.

1	Dismissed
6	Paid in Full
0	Partial Payments Received
16	No Payment Received

Revenue Recapture Receipts:

2023 Total:	\$ 8,046.99
2024 To Date:	\$ 8,295.10

CONDUCT ON PREMISES ACTIVITY REPORT

ICR	Date Reported	Title	Address
24017310	12/04/24	Conduct on Premises	120 Gillis Ave Apt 3
24017691	12/13/24	Conduct on Premises	109 Laurel St Apt 2
24017884	12/18/24	Conduct on Premises	109 Laurel St Apt 3
24018192	12/25/24	Conduct on Premises	109 Laurel St Apt 3
24018223	12/26/24	Conduct on Premises	109 Laurel St Apt 3
24018298	12/28/24	Conduct on Premises	109 Laurel St Apt 3 – BPD has been working with property owner and the tenant was served notice of court eviction on 1/2/25.

COMMUNITY OUTREACH

The Grinch wasn't able to steal Christmas this year. The Grinch was apprehended by Officer Walkowiak allowing for Santa to continue spreading his Christmas cheer at the Northland Arboretum.

**Shop with a Cop**

Officers from the Brainerd and Baxter police departments and deputies from the CWC Sheriff's Office participated in Shop with a Cop. Over three weekends, different area children had the opportunity to have breakfast with officers and go Christmas shopping at local businesses in December. We were also joined by the Lakes Area Law Enforcement Club and volunteers from the CLC Law Enforcement program and Junior Jaycees.





COMMUNITY DEVELOPMENT DEPARTMENT REPORT

James Kramvik, CDD

December 2024



BUILDING PERMITS

The Community Development Department issued 42 building permits with a total project valuation of \$896,922 in the month of December, thus resulting in 901 building permits with a total project valuation of \$15,017,804 for calendar year 2024.

Within the Central Business District (prev. River to Rail), five (5) building permits were issued with a total of \$7,400 in waived permit fees in the month of December, thus resulting in 115 building permits issued with a total of \$40,745 in waived fees for calendar year 2024.

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

Issued Permits for December 2024		
Type Of Permit	# Issued	Total Project Valuation
Commercial – Building – Demolition	1	\$350,000
Commercial – Building – Remodel	2	\$433,465
Commercial – Mechanical – Remodel	1	\$4,500
Commercial – Mechanical- Roof Top Unit	1	N/A
Commercial – Plumbing – Remodel	2	\$22,850
Commercial – Plumbing – Water Heater	2	N/A
Engineering – Excavation	3	N/A
Residential – Building – Deck	2	\$18,000
Residential – Building – Remodel	4	\$62,107
Residential – Building – Roofing	1	N/A
Residential – Building – Windows/Doors	10	N/A
Residential – Mechanical – Furnace/Boiler	6	N/A
Residential – Mechanical – Furnace+AC	1	N/A
Residential – Plumbing – Water Heater	4	N/A

Sign	1	\$6,000
Temporary Sign	1	N/A

There were no single-family home building permits issued in the month of December, thus bringing the total number of new single-family homes built in calendar year 2024 to seventeen (17) with a valuation of \$4,397,000. There was one multi-family residential building permit issued in 2024 with a valuation of \$1,200,000.

BUILDING INSPECTIONS

The Community Development Department conducted 107 building inspections and re-inspections in December, thus resulting in 1,660 building inspections and re-inspections in calendar year 2024.

CODE ENFORCEMENT

The Community Development Department conducted 54 code enforcement inspections and re-inspections in December resulting in violations across the following categories, thus resulting in 673 code enforcement inspections and re-inspections in calendar year 2024.

CODE ENFORCEMENT INSPECTIONS	
Junk and Debris	19
Nuisance on Public Sidewalk	17
Unlicensed/Inoperable Vehicles	7
Zoning Code Violation	5
Outdoor Storage	2
Tree Diseased/Dead/Hazardous	1
Vacant Dwellings	1
Accessory Structure Material	1
Animal Feces	1
Total = 54	

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

Direction on Active Code Enforcement Cases

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

- 1) **823 Willow St** – Unlicensed Rental - Issuing \$300 citation monthly for non-licensed rental. Legal action from the City Attorney is taking place.
- 2) **303 J St NE** – Fence - Issuing a \$300 citation each month until the non-permitted fence is corrected. Property owner has applied for a variance and fence permit 12/2/24. Variance was approved 1/6/25.
- 3) **1812 Oak St** – Unlicensed Rental – Issuing a \$300 citation each month for non-licensed rental. Legal action from the City Attorney is taking place with a scheduling conference set for 8/5/24. The house has been vacated, so the \$300 citations have been halted. The City obtained an administrative warrant to abate garbage/junk/debris, which was abated October 31st. The property owner has obtained and completed a new roofing permit.

- 4) **319 N 9th St** – Property Maintenance/ Roof – Issuing a \$300 citation each month until roof is corrected.

VACANT BUILDING REGISTRY

Properties proposed to be assessed in 2024

408 2nd Ave NE – Vacant Building – No Response

224 5th St N – Fire Damage

Properties that have registered/ applied for permits

1521 Norwood St – Fire Damage – Recently Purchased

1216 6th St S – Owner Repaired Roof

1623 9th Ave NE – Remodel Permit Issued – Work in Progress

1812 Oak St – Roof Damage. Roofing permit was obtained and completed.

Vacant Building Registry Letters Sent after 9/1/2024

715 7th Ave NE – Grass and Structural Issues

1201 L St NE – Returned in Mail – Posted to Door

912 6th Ave NE – Returned in Mail – Posted to Door

1022 13th Ave NE – Siding Uncompleted 3+ years

508 9th St N – Roof Damage and Grass. Property currently being purchased and the City is working with the new owner.

1420 Quince – Construction debris, Grass, Uncompleted work 15+ years

1119 13th St SE – Roof Damage

1889 Graydon Ave – Open Excavation – No Progress

RENTAL LICENSES & INSPECTIONS

The Community Development Department issued 1 new rental license in the month of December which brings the total number of rental units licensed for the 2024-2025 renewal period to 2,553 units.

The Housing Inspector completed 416 rental property inspections and re-inspections in calendar year 2024.

CONTRACTOR REGISTRATION

The Community Development Department issued 112 contractor registrations in December for 2025.

PLANNING AND ZONING

January 15th Planning Commission Agenda:

- 1) PUD Amendment for Country Manor
- 2) Review Proposed Data Center Ordinance
- 3) Approve Planning Commission 2025 Calendar
- 4) Review Planning Commission Itinerary

The Planning Commission continues to work on a potential data center ordinance. The proposed ordinance would make data centers a conditional use in the (GI) General Industrial Zoning District. Also, the proposed ordinance requires the developer to commission a noise study before and after construction and prove through a third-party engineer that the facility will fall within MPCA sound requirements. As proposed, the developer shall design and build the facility with sound mitigation methods to reduce sound levels emanating from the Data Center to adjacent residential structures within 1000 feet of the facility.



ECONOMIC DEVELOPMENT

City Staff and two members of the EDA will begin touring Brainerd childcare facilities in the first quarter of 2025. Available childcare is a problem that all cities in Minnesota are currently facing and certainly have an economic impact on the region. The purpose of the tours is to hear first-hand accounts about the difficulties these facilities encounter on a daily, monthly, and yearly basis. Staff will create a report for the EDA to review and potentially make recommendations to help facilities expand their childcare spots.

2025-2026 EDA Goals and Action Steps

The Brainerd EDA approved their 2025-2026 Goals and Action Steps at the December 5th meeting. The following actions were added:

1. Developing/defining/branding our different neighborhood districts with the goal of being able to be more strategic about how we roll out initiatives and deciding which neighborhoods to target.
2. Implement a grant program to improve business signage in the downtown district with new adopted design standards.
3. Create a program and contract for private property owners to list underutilized properties on the EDA website.
4. Continue to work with the School District in developing the parcel North of Buffalo Hills Park.
5. Create a comprehensive plan for Brainerd's Downtown.
6. Create a development strategy, specifically for infrastructure, for potential developers.
7. Develop a Key Performance Indicators/Metrics report that the EDA can both use internally to track the progress we are making as well as demonstrate to outside developers that we are a good place to invest in.
8. Complete Business Retention and Expansion (BRE) visits that involve interviews and information gathering.
9. Conduct quarterly EDA business tours.
10. Tour childcare facilities to understand difficulties in operation and potential for expansion.
11. Create a marketing strategy and campaign for the EDA website and available Brainerd properties.
12. Develop and implement an advertising campaign focused on recruiting entrepreneurs, developers, investors and the like to start a business within the corporate limits of the City of Brainerd.
13. Update the EDA website quarterly.
14. Optimize the website with additional links, contact information, and land prices to make it easier for developers and interested businesses.

PLANNING AND ZONING PROCESSES – CURRENT PROGRESS UPDATE

Address: 418 8th Ave NE **COMPLETED**

PZE Process: Conditional Use Permit

Date Issued: 3/4/2024

Project Description: The utilization of the property as a commercial childcare facility with two Early Head Start Classrooms and a total enrollment of 16 children.

Project Progress: The Conditional Use Permit was approved by the City Council at the April 1st, 2024 meeting. A fence permit was applied for and issued.

Address: PID 41040887 620 3rd St NW **STARTED**

PZE Process: Conditional Use Permit Amendment

Amendment Approved: 3/4/24

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

Project Progress: The applicant has not begun construction. The applicant was approved for a Conditional Use Permit Amendment at the March 4th, 2024, City Council meeting. The site has been graded, permits issued, and the construction project has started.

Address: PID 41040888 610 3rd St NW

PZE Process: Conditional Use Permit Amendment

Amendment Approved: 4/1/24

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

Project Progress: The applicant has not begun construction of the facility but has begun site grading. The applicant was approved for a Conditional Use Permit amendment at the April 1st, 2024 City Council meeting. The site has been graded and stabilized.

Address: PID 41040889 580 3rd St NW

PZE Process: Conditional Use Permit

Date Issued: 3/4/2024

Project Description: The construction of a residential 12-unit multifamily apartment building consisting of two 2-bedroom units and ten studio apartment units.

Project Progress: The Conditional Use Permit was approved by the City Council at the April 1st, 2024 meeting. The site has been graded and stabilized.

Address: 714 7th St S

COMPLETED

PZE Process: Interim Use Permit for a Short-Term Rental

Date Issued: 4/1/24

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

Project Progress: The applicant has obtained a rental license, and a local agent/contact has been assigned.

Address: 805 Laurel St

PZE Process: Conditional Use Permit and Variance

Date Issued: 4/22/2024

Project Description: To construct a mixed-use multifamily building supporting commercial space along with 78 units of housing.

Project Progress: The developer is awaiting news of the MN Workforce Housing Grant recipients which will most likely be determined in mid-September.

Address: 1101 Pine St

COMPLETED

PZE Process: Variance

Date Issued: 5/6/2024

Project Description: To construct a 12' wide concrete street loaded driveway off of Pine Street rather than off the alley to an existing accessory structure.

Project Progress: Project completed.

Address: 1111 Oak St

STARTED

PZE Process: Conditional Use Permit and Variance

Date Issued: 5/6/2024

Project Description: To construct a 5+ unit apartment and exceed 20+ DU/AC in the TN-2 District. Variance from the landscape requirements.

Project Progress: The remodel permit has been issued and the property owner is currently working on the property.

Address: 1918 Thiesse Dr

DENIED

PZE Process: Interim Use Permit for Outdoor Storage

Date Issued: Denied

Project Description: Outdoor storage as a principal use on an industrial lot.

Project Progress: None

Address: 1123 15th Ave NE

COMPLETED

PZE Process: Interim Use Permit

Date Issued: 8/5/2024

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

Project Progress: The applicant has obtained a rental license; a local agent has been assigned and the necessary inspections have been completed.

Address: 418 8th Ave NE

COMPLETED

PZE Process: Conditional Use Permit Amendment

Date Issued: 8/5/2024

Project Description: The expansion of a fenced in area of the property to be used as a commercial childcare facility with two Early Head Start Classrooms and a total enrollment of 16 children. Additionally, to allow the expansion of one more classroom later in the year.

Project Progress: The Conditional Use Permit was approved by the City Council at the April 1st, 2024 meeting. A fence permit was applied for and issued, but it was discovered that the fence was too small of an area and needed expansion. A new fence permit was issued to Elite Fencing and the project was completed.

Address: 703 Oak St

PZE Process: Conditional Use Permit Amendment

Date Issued: 9/3/2024

Project Description: To construct an outdoor playground at the current childcare facility

Project Progress: The property owner will be submitting the necessary permit applications.

Address: 1306 Chicago Ave

PZE Process: Variance

Date Issued: 10/8/2024

Project Description: To split two parcels into equal lots to construct a duplex and variances from rear and front yard setback requirements.

Project Progress: The property owner will be submitting the necessary permit applications.

Address: 2602 S 11th St

PZE Process: Conditional Use Permit

Date Issued: 10/21/2024

Project Description: To add a propane storage tank to the property site.

Project Progress: The property owner will be submitting the necessary permit applications.

Address: 502 Juniper St

COMPLETED

PZE Process: Interim Use Permit Renewal

Date Issued: 12/2/2024

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

Project Progress: The applicant has obtained a rental license; a local agent has been assigned and the necessary inspections have been completed. This is a renewal.

Address: 524 N 8th St

COMPLETED

PZE Process: Interim Use Permit Renewal

Date Issued: 12/2/2024

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

Project Progress: The applicant has obtained a rental license; a local agent has been assigned and the necessary inspections have been completed. This is a renewal.

Address: 203 Hawkins Dr

COMPLETED

PZE Process: Interim Use Permit Renewal

Date Issued: 12/2/2024

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

Project Progress: The applicant has obtained a rental license; a local agent has been assigned and the necessary inspections have been completed. This is a renewal.

Address: 214 S 8th St

PZE Process: Conditional Use Permit

Date Issued: 12/2/2024

Project Description: To operate a brew pub at the Last Turn Saloon.

Project Progress: In progress

Address: 722 Laurel St

PZE Process: Conditional Use Permit

Date Issued: 12/2/2024

Project Description: To convert the existing main floor commercial space into two (2) commercial units and the second floor into seven (7) residential apartment units

Project Progress: Property owner will submit the necessary applications.

Address: 722 Laurel St

PZE Process: Variance

Date Issued: 12/2/2024

Project Description: From the parking requirements for the seven (7) units of additional housing and one (1) additional commercial space.

Project Progress: In progress with the CUP in the remodel process.

Address: 303 J St NE

COMPLETED

PZE Process: Variance

Date Issued: 01/06/2025

Project Description: Variance to exceed the fence height on the side yard (corner) setback requirement for 6' high fences.

Project Progress: Approved and completed.



City Council Agenda Request

MEETING DATE: January 21, 2025

TITLE OF ITEM: Approve Event/Lane Closure Application - MCCL March for Life

AGENDA: Consent

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Mike Habighorst, Public Works
Director

DEPARTMENT: Public Works

PRESENTER: Mike Habighorst, Public Works
Director

ESTIMATED TIME (MIN):

SUMMARY OF ISSUE: Attached to this request is the event application for the annual March for Life event to be held on Wednesday, January 22, 2025 from 11:30 a.m. to 12:00 p.m. on S. 6th Street and Laurel Street.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The applicant is requesting a short-term lane closure on northbound S. 6th Street from Oak Street to Laurel Street and on westbound Laurel Street between S. 6th Street and the County Courthouse. This event is the annual March for Life by the MCCL. There will be signs and banners held during the event. Brainerd Police will assist with the traffic control during this event. MnDOT has approved the event application for the lane closure on the state highway.

RECOMMENDED ACTION/MOTION: Staff recommends approval of the attached application.

FINANCIAL IMPACT: N/A



SPECIAL EVENT APPLICATION

Date of Application: 12/31/2024

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

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

Name of event: March for Life

Organizer Information

Organizer's Name: MCCL - Lisa Anderson, chair
Organizer's Address: 31945 Harvest Rd Breezy Point MN 56472
Event Contact Person: Lisa Anderson
Event Contact Daytime Phone: 320-293-9694
Event Contact E-mail Address: lisandan13@gmail.com
Contact Name/Number Day of Event: Wednesday, January 22, 2025
For Profit/Nonprofit Status (type): non-profit

Applicant information (if different from the event organizer):

Applicant Name: same
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
01/22/2025	11:30 am	12:00 noon	March from corner of South 6th and Oak Street
			north on 6th Street to Laurel Street
			and proceed west to the Courthouse

☐ 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:

Participants will gather in the parking lot at the NE corner of 6th Street and Oak Street.

Police escort is desired as the walkers move from there to the Courthouse, beginning at 11:30 am.

The walk/march will take about 15 minutes.

Site Information

Electrical usage

☐

Yes

☒

No

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

Amplified Sound

☐

Yes

☒

No

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

Restrooms provided

☐

Yes

☒

No

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

Company contracted for restrooms: _____

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

Signs, banners, and/or posters/flyers

☐

Yes

☐

No

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

MCCL will provide banners and posters to the participants

Trash Receptacle Disposal

☐

Yes

☒

No

Company contracted for trash receptacle disposal: _____

Additional Event Information

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

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

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

Street Closure Request Information

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

South 6th street from Oak street to Laurel

Laurel Street from South 6th to the Courthouse

Date and time for beginning of street closures: **11:30 am**

Date and time for reopening of streets: **11:50 am**

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.

Businesses should not be impacted by this short walk.

We ask participants not to leave their cars at the gathering place so not to affect the businesses.

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

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

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

Hold Harmless Agreement and Insurance Information

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

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

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

Signature of Event Applicant

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

Signature of Applicant

Lisa Anderson

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	_____	_____
City Administration	_____	_____
Engineering Department	_____	_____
Fire Department	_____	_____
Fire Support/EMS	_____	_____
Parks Department	_____	_____
Planning Department	_____	_____
Police Department	_____	_____

Event Application Approval

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

City Administrator

Date

Approval Conditions

Contact Police Department 1 week prior to the event.

Certification of Street Closure Approval

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



City Council Agenda Request

MEETING DATE: January 21, 2025

TITLE OF ITEM: Approve Event/Street Closure Application- CLC 5K

AGENDA: Consent

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Mike Habighorst, Public Works
Director

DEPARTMENT: Public Works

PRESENTER: Mike Habighorst, Public Works
Director

ESTIMATED TIME (MIN):

SUMMARY OF ISSUE: Attached to this request is an event application for the CLC Mental Health Awareness 5K Run, to be held on Saturday, April 26, 2025 from 9:00 a.m. – 11 a.m.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The event is a 5K run starting at CLC and utilizing Mississippi Parkway, College Drive, and East River Road. A map is included in the packet. The applicant is requesting closure of Mississippi Parkway and East River Road and requesting a lane closure on College Drive from Mississippi Parkway to East River Road. There are signs planned along the route and warning signs for drivers adjacent to the route. The event organizer met with the Police Department regarding the route.

RECOMMENDED ACTION/MOTION: Staff recommends approval of the application under the conditions listed in the attachment.

FINANCIAL IMPACT: N/A



SPECIAL EVENT APPLICATION

Date of Application: 11/20/2024

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

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

Name of event: CLC 5k Mental Health Awareness run

Organizer Information

Organizer's Name: Central Lakes College
Organizer's Address: 501 W Collge Dr Brainerd, MN 56401
Event Contact Person: Troy Schreifels
Event Contact Daytime Phone: 218 820 3003
Event Contact E-mail Address: troy.schreifels@clcmn.edu
Contact Name/Number Day of Event: Troy Schreifels/April 26th, 2025
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
04/26/2025	0900	1100	College Dr/Mississippi parkway/East River RD

☐ 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:

Same route as last year. Run/walk event on Mississippi parkway/College Dr and sidewalk on East River RD.

Requesting closure of Mississippi Pkwy and one lane on College Dr

Already met with Brainerd PD regarding the route

Site Information

Electrical usage

☐

Yes

☒

No

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

Amplified Sound

☐

Yes

☒

No

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

Restrooms provided

☐

Yes

☒

No

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

Company contracted for restrooms: _____

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

Signs, banners, and/or posters/flyers

☐

Yes

☐

No

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

Road closure signs/BPD electronic sign/event in progress, and markers

Trash Receptacle Disposal

☐

Yes

☒

No

Company contracted for trash receptacle disposal: _____

Additional Event Information

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

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

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

Street Closure Request Information

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

Requesting road closure for all of Mississippi Pkwy/One lane closure on

College dr, from NW 4th to East River rd-met with Braienerd PD-same as last year

Date and time for beginning of street closures: 04/26/2026 0845 hours

Date and time for reopening of streets: 04/26/2025 1100 hours

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.

NA

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

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

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

Hold Harmless Agreement and Insurance Information

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

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

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

Signature of Event Applicant

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

Signature of Applicant

Print Name

Contacts, Permits, and Fees Checklist

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

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

Permit, License, or Checklist	Yes	Pending	N/A	Contact (See contact information below)
Authorization to use a city park				Contact the Parks & Recreation Department for information/procedure.
Fire/EMS/Police support				Check yes to request emergency support. The appropriate level of fire, EMS, and police support will be determined based on crowd size and the type of event. Fees may be discussed with the sponsor.
Food and vendor licenses				All vendors must apply for a temporary license through the Commissioner of Revenue's Office. Food vendors are required to collect and report meals tax. Contact City Hall for information/procedure.
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Contact Information

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Police Department:	(218) 829-2805 police@ci.brainerd.mn.us
Fire Department:	(218) 828-2312 fire@ci.brainerd.mn.us
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MN Department of Health	(320) 223-7300 www.health.state.mn.us
MNDOT Baxter Office	(218) 828-5700 www.dot.state.mn.us

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Department Sign-offs Required

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

Event Application Approval

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

City Administrator

Date

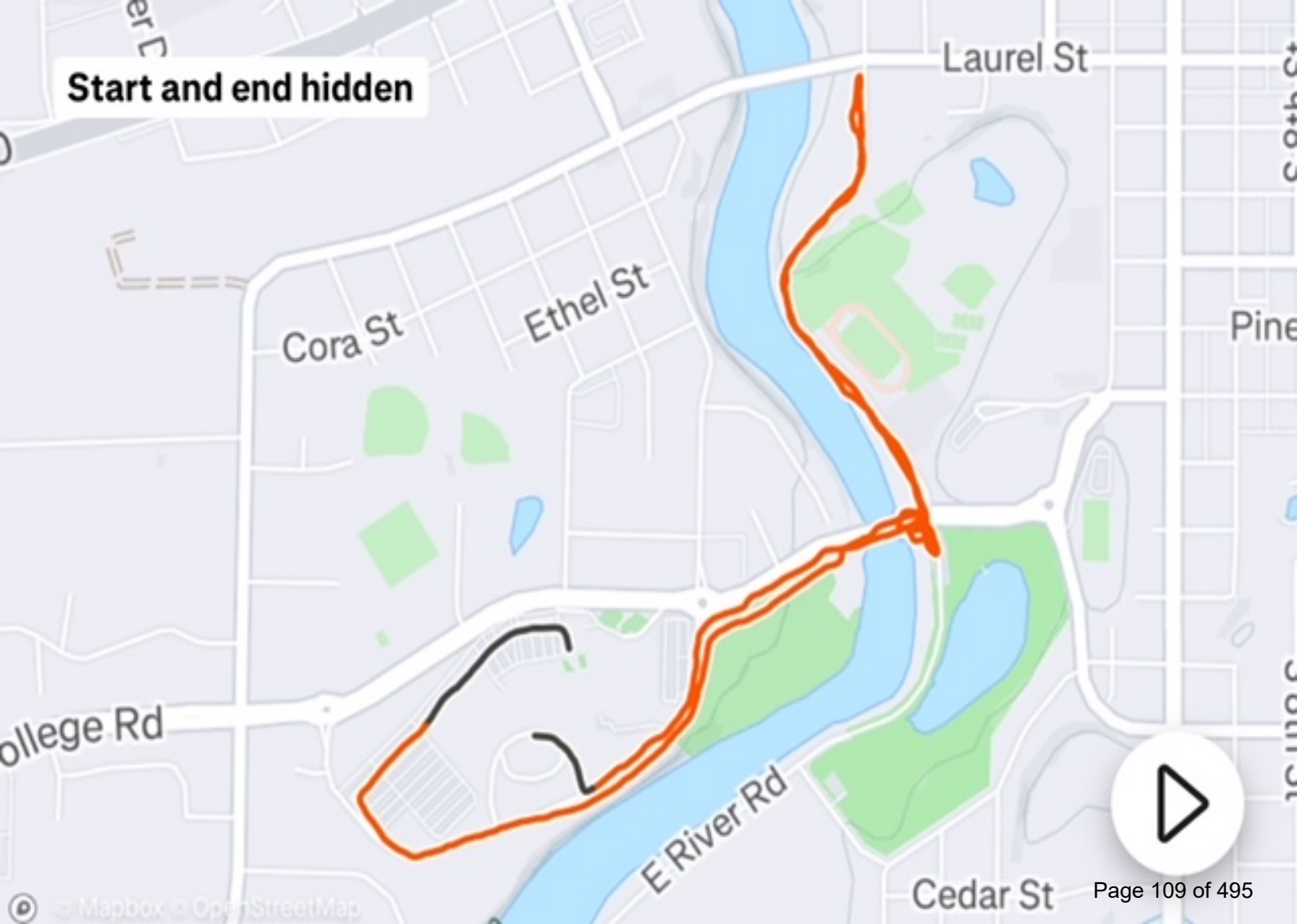
Approval Conditions

Contact Street Department 1 week prior to the event- 218-513-4412

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):

Start and end hidden





City Council Agenda Request

MEETING DATE: January 21, 2025

TITLE OF ITEM: Approve 2025 Budgeted Transfers

AGENDA: Consent

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Connie Hillman, Finance Director

DEPARTMENT: Finance

PRESENTER: Connie Hillman, Finance Director

ESTIMATED TIME (MIN): N/A

SUMMARY OF ISSUE:

The following transfers were included in the 2025 budget:

General Fund to Airport Fund	\$1,000
General Fund to Mayor Contingency Fund	\$2,500
Public Safety Fund to Fire Capital Fund	\$167,000
Public Safety Fund to Capital Fund	\$65,000
Public Safety Fund to Debt Service Fund (310)	\$41,167
Construction Fund to Street Fund	\$100,000
Storm Sewer Fund to Recycling Fund	\$1,500

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION:

Approve transfers

FINANCIAL IMPACT:

Brainerd for All Ages

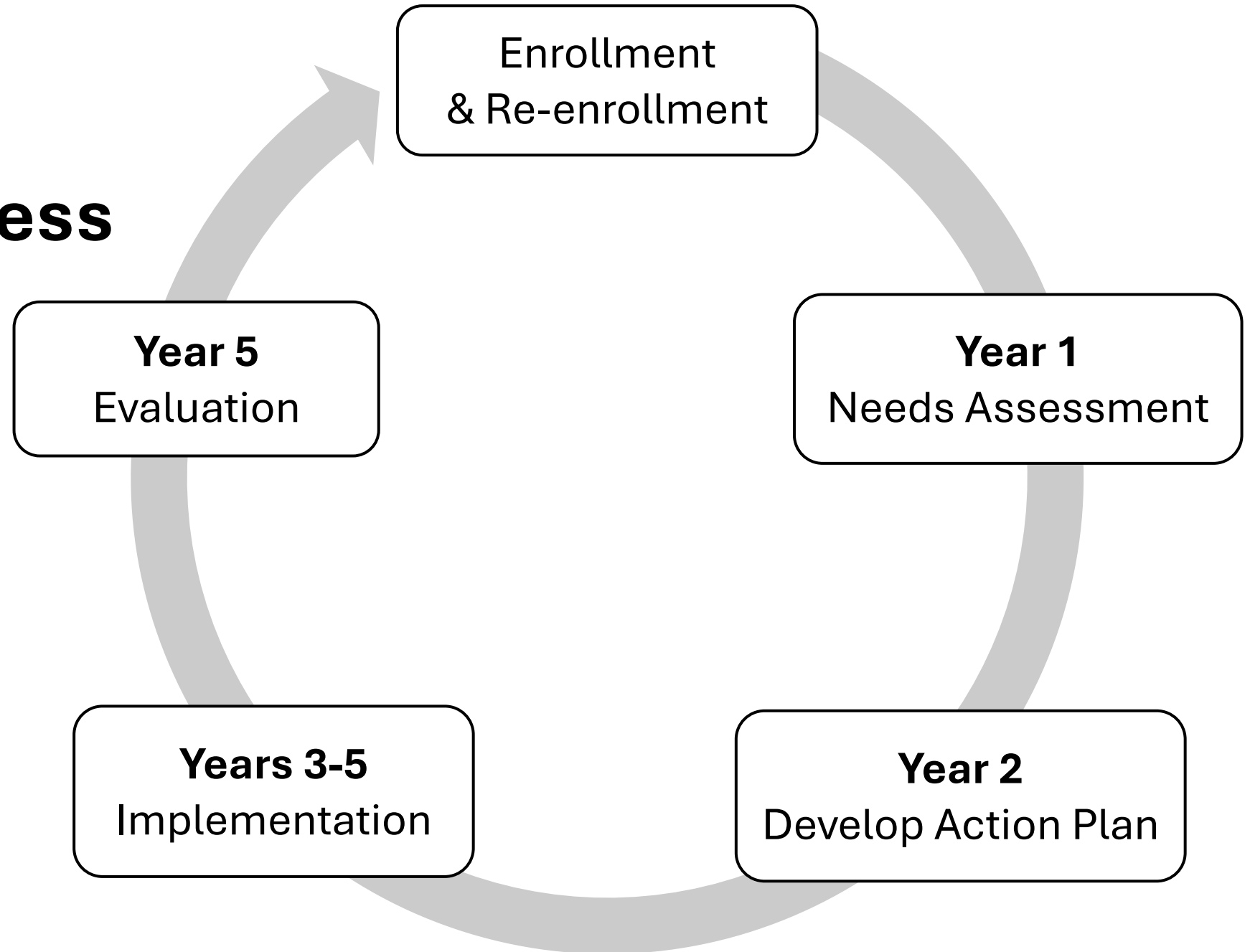
Brainerd City Council Meeting
January 21, 2025



**Age-Friendly Communities
Are Livable for
People of All Ages**
aarp.org/livable

Brainerd for All Ages fosters a
welcoming and inclusive community
where **everyone** can **thrive** by
living a highly **engaged** and **healthy** life.

The AARP Age-Friendly Program Process



AARP Network of Age-Friendly States & Communities

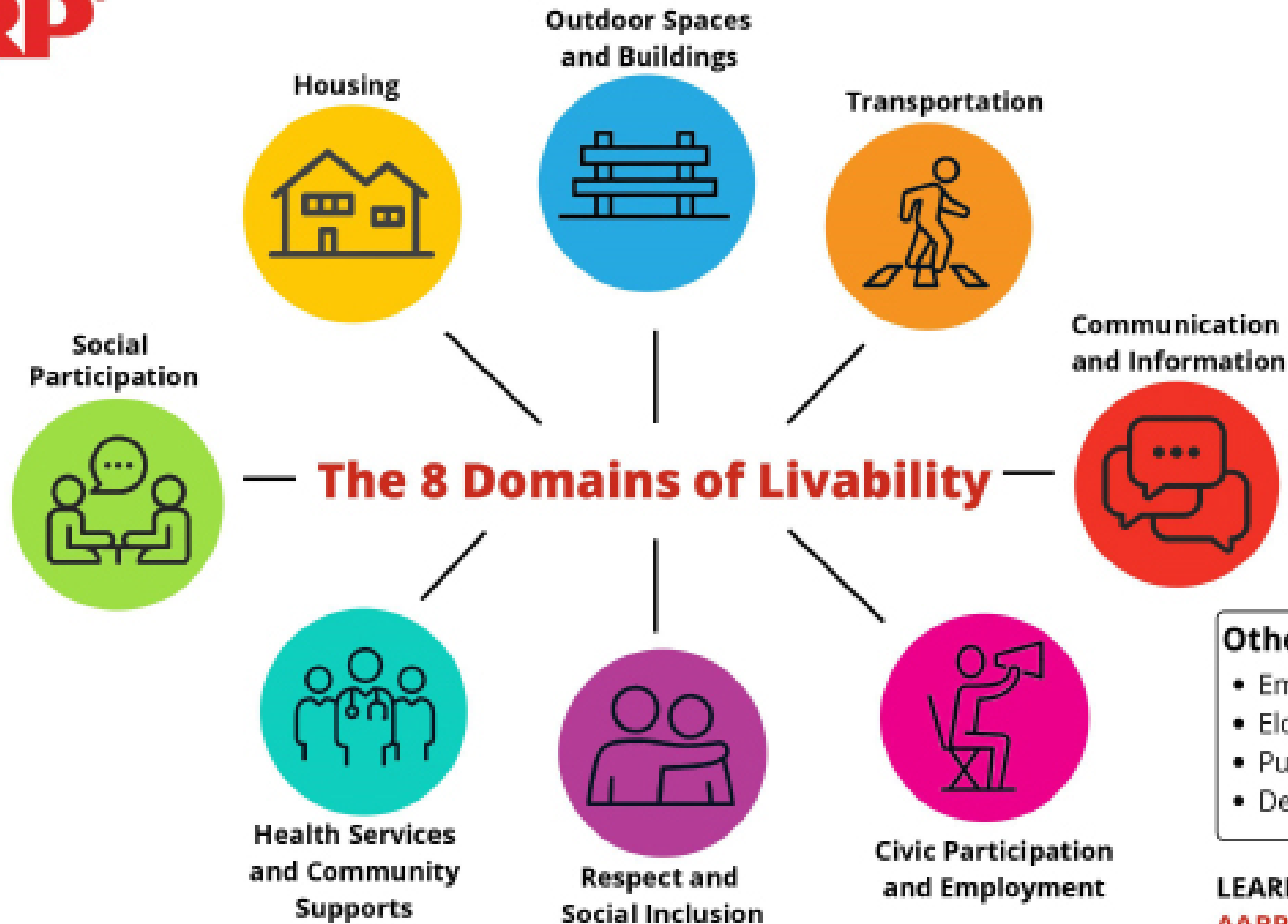
Alexandria
Balkan Township
Bird Island
Brainerd
Brooklyn Park
Chisholm
Cook County
Duluth
Fillmore County
Freeborn County
Hennepin County
Lake County



Lynd
Maple Grove
Minneapolis
Northfield
Oakdale
Olmsted County
Oronoco
Pine Island
Princeton
St. Cloud
Wabasha
West St. Paul
Willmar
Wyoming



www.agefriendlymn.org/blueprint



Other Areas

- Emergency Preparedness
- Elder abuse
- Public safety
- Dementia-friendly

LEARN MORE

[AARP.org/Livable](https://www.aarp.org/Livable)

Brainerd for All Ages Core Team

- Crow Wing County
- Crow Wing Energized
- The Center
- Brainerd YMCA
- St. Croix Hospice
- Central Minnesota Council on Aging
- Community Members

**Continuing
to grow!**

Needs Assessment Survey

- Seeking input from people aged 18 and over who live in Crow Wing County.
- Questions related to all eight domains of livability.
- Focus groups to complement survey results
- Survey results will influence the focus of the action plan.

Next Steps

- Age-Friendly Minnesota Grant
 - Application Completed
 - Awaiting Results
- Needs Assessment Results Analysis
- Action Plan Development
based on community input

Questions and Comments

- AARP Minnesota Certificate Presentation
- Photograph Opportunity

Thank you for your support!

BrainerdforAllAges@gmail.com



City Council Agenda Request

MEETING DATE: January 21, 2025

TITLE OF ITEM: Appoint Members to Council Committees and as Liaisons

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Mike O'Day, Councilmember

DEPARTMENT: Administration

PRESENTER: Mike O'Day, Councilmember

ESTIMATED TIME (MIN):

SUMMARY OF ISSUE: Council President O'Day has submitted his Council Committee and Committee Liaison assignments.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: Motion to appoint Council Committee Members and Committee Liaisons as presented for 2025-2026.

FINANCIAL IMPACT:

2025-2026 COUNCIL ASSIGNMENTS

President – Mike O'Day
Vice President – Gabe Johnson

PERSONNEL & FINANCE COMMITTEE

Gabe Johnson– Chair
Kelly Bevans
Kevin Stunek

SAFETY AND PUBLIC WORKS COMMITTEE

Tad Erickson– Chair
Jeff Czeczok
Kevin Yeager

NAME	WARD	TERM	TITLE	ADDRESS	EMAIL	MAIN#	ALT#
Dave Badeaux	Mayor	1/1/2023-12/31/2026	Mayor	602 N 9 th St	dbadeaux@ci.brainerd.mn.us	330-8204	
Michael O'Day	LG	1/1/2025-12/31/2028	Council President	1702 Linden Lane	moday@ci.brainerd.mn.us	851-3716	
Gabe Johnson	4	1/1/2023-12/31/2026	Council VP, PF Chair	1501 Rosewood St	gjohnson@ci.brainerd.mn.us	831-3623	
Tad Erickson	1	1/1/25-12/31/2028	Council, SPW Chair	1906 Graydon Ave	terickson@ci.brainerd.mn.us	218-820-9281	
Kelly Bevans	2	1/1/2023-12/31/2026	Council, PF	523 Holly St	kbevans@ci.brainerd.mn.us	828-9515	
Jeff Czeczok	3	1/1/2024-12/31/2028	Council, SPW	511 D St NE #105	jczeczok@ci.brainerd.mn.us	218-828-8476	
Kevin Yeager	LG	1/1/25-12/31/28	Council, SPW	325 Bluff Ave	kyeager@ci.brainerd.mn.us	218-838-3483	
Kevin Stunek	LG	1/1/2025-12/31/2028	Council, PF	15535 Sunset Way	kstunek@ci.brainerd.mn.us	839-1815	

2025-2026 COUNCIL ASSIGNMENTS

Liaisons by Committee/Commission/Board

Commission/Board	2023-2024 Liaison	2025-2026
Airport	Kevin Stunek	Kevin Yeager
BLAEDC Unified Fund (BUF)	Tiffany Stenglein	Gabe Johnson
Brainerd Community Action	Kevin Stunek	Kevin Stunek
Brainerd Library Board	Kara Terry	Kelly Bevans
Brainerd Public Utilities (BPU/PUC)	Jeff Czczok	Jeff Ceczok
Brainerd Riverfront Committee	Mike O'Day	Mike O'Day
Charter Commission	Kelly Bevans	Kelly Bevans
The Center	Kevin Stunek	Kevin Stunek
Economic Development Authority (EDA)	Gabe Johnson/Mike O'Day	O'Day, Johnson, Yeager
Fire Advisory	Kara Terry	Kevin Stunek
Housing and Redevelopment Authority (HRA)	Gabe Johnson	Kevin Yeager
KRLS Library Board	Gabe Johnson	Gabe Johnson
Northland Arboretum	Kara Terry	Kelly Bevans
Park Board	Dave Badeaux	Dave Badeaux
Planning Commission	Tiffany Stenglein	Tad Erickson
Region 5 Development Commission	Tiffany	Tad Erickson
Transit Advisory Committee	Jeff Czczok	Jeff Ceczok
Water Tower	Dave Badeaux	Dave Badeaux

Ad Hoc Committees

210 Project Management Team (PMT)	Badeaux, Johnson, O'Day
210 Aesthetics PMT	Stunek, Bevans, Yeager
Wastewater Treatment Board	Czczok, O'Day
210 Pedestrian Bridge PMT	Johnson, O'Day



City Council Agenda Request

MEETING DATE: January 21, 2025

TITLE OF ITEM: Declare Vacancy on the Housing Redevelopment Authority to Vacate Council Member Yeager's Seat and Declare a Seat on the Library Board Vacant

AGENDA:

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Nick Broyles, City Administrator

DEPARTMENT: Administration

PRESENTER: Nick Broyles, City Administrator

ESTIMATED TIME (MIN):

SUMMARY OF ISSUE: As Member Yeager will be serving as the Liaison to the HRA Board and he is an elected official, the citizen seat he currently fills needs to be vacated.
Ms. Sue Hardy, a Member of the Library Board, recently passed away. Her seat on the Library Board needs to be vacated and applications taken for the open seat.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: Declare HRA Board seat and Library Board seat vacant.

FINANCIAL IMPACT:



City Council Agenda Request

MEETING DATE: January 21, 2025

TITLE OF ITEM: Discuss City Hall Annex Building

AGENDA: Main

ACTION REQUESTED: Direction Requested

SUBMITTED BY: Nick Broyles, City Administrator

DEPARTMENT: Administration

PRESENTER: Nick Broyles, City Administrator

ESTIMATED TIME (MIN): 10 min

SUMMARY OF ISSUE:

There are currently no tenants occupying the Annex. Regarding maintenance of the building, a new roof was installed in 2020, but the Annex is in considerable need of HVAC updates and repairs, new or refurbished windows, elevator repair, and various cosmetic updates. City Council did allocate \$160,000 in the capital plan that has been rolling over in the budget. At the May 6th, 2024 meeting, the City Council unanimously authorized the EDA to enter into a brokerage agreement with Kamp Real Estate and Development for the sale or lease of the Annex.

The City Council considered the future of the Annex at the January 6th meeting. Staff provided a brief history of the Annex and provided the following options to Council:

1. Work with Kamp Real Estate and Development to aggressively pursue selling the Annex.
2. Retain ownership of the Annex and direct staff to provide cost estimates and timelines for needed improvements.

In addition to the discussion, City Council also considered an offer for the Annex in closed session. City Council directed staff to gather additional information before making a decision and to obtain an appraisal of the building. Staff has contracted with an appraisal firm for the Annex and anticipate approximately three weeks for completion. Staff has provided the following information for Council to Consider:

1. Annex Facilities Study Report and Estimate. (Provided as an Attachment)
2. Comments from Widseth regarding the Annex and Updating the Facilities Study Report (Provided in Comments Below)
3. Estimate to Survey and Legally Separate City Hall and the Annex: Staff received a preliminary estimate in the amount of \$2,500 to \$3,500 to legally survey and separate the buildings. A party wall agreement drafted by an attorney will range between \$1,000 and \$2,000.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The estimate provided by Widseth has been update by City Engineer Dehn by removing the re-roofing line item and adding an inflationary

factor. The estimate provided by Widseth included basic updates to make the building functional. Region 5's proposed update included a significant floor plan alteration with higher end cosmetic updates. The estimate provided to Region 5 in 2022 was \$735,198.

Comments from Widseth (Mike Angland):

2019-06-17 Widseth Presentation to the Brainerd City Council

1. I gave this report during the city-wide facility assessment project, which included options for city hall. At that time, we were establishing the scope of a remodel project, identifying space efficiency opportunities, consolidation, etc.
2. Option #5, pages 16-18 provide floor plans of a potential remodel project where city hall and the annex would provide space for future city hall staff.
3. I am providing this to you, to provide you with some history of where we've been, and what was discussed at that time.

City Hall HVAC Design

During the 2019 facility study process, the question was asked if the City Hall HVAC could be designed to accommodate the Annex building, and I did acknowledge that it was a possibility. Here are reasons that the City Hall HVAC was not designed and constructed that way for the project:

1. It is best to design HVAC systems where they are not oversized, if the Annex building would have been included, it would have been too oversized, and it wouldn't have operated properly.
2. The HVAC system from 2019 was therefore designed appropriately in terms of its capacity and it also aligned well with the budget for the project at the time. Adding the annex building would have increased the cost for HVAC by \$150,000, which the project budget would not allow.
3. The Annex and City Hall are conditioned by two very different systems, and this wouldn't work well to meld the two together. City Hall has an intricate boiler, VRF system, and the annex building has forced air units.

Annex Facility Study Update

1. I propose that Adam Siemers, Nate Thiesse and I walk through the annex building with you, and we can review the existing conditions and compare them to the findings of our 2019 facility study.
2. I can add supplemental information or modify our report accordingly, however as you and I discussed, replacing the roof was a huge step in preserving the building.
3. We can do this gratis, and you just let me know what works best for your schedule and I'll coordinate things on my end.

RECOMMENDED ACTION/MOTION:

Staff recommends no action at this time and will report back to council once staff have received the appraisal of the Annex.

FINANCIAL IMPACT: TBD



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GOALS & EXPECTATIONS

PRESERVE AND ENHANCE EXISTING ASSETS

CREATE DEPARTMENT EFFICIENCIES

CREATE OPERATIONAL EFFICIENCIES

ADDRESS LONG TERM MAINTENANCE ITEMS

PROMOTE AND PLAN FOR GROWTH

PROVIDE SAFE AND SECURE WORK ENVIRONMENTS

PROVIDE SPACE THAT WILL ALLOW THE CITY OF BRAINERD TO BETTER SERVE CLIENTS

UNIVERSAL DESIGN FOR ALL EMPLOYEES AND CUSTOMERS

INTRODUCTION



OPTION #1

FIRE DEPARTMENT
- FIRE DEPARTMENT NEEDS STUDY & HVAC CONTROLS UPGRADE.

POLICE DEPARTMENT
- INTERIOR REMODEL & HVAC CONTROLS UPGRADE

CITY HALL
- REPLACE EXISTING COOLING TOWER AND HEAT PUMPS.
- UPGRADE HVAC CONTROLS.
- REPAIR EXTERIOR SOUTH STEPS.

OPTION #2

FIRE DEPARTMENT
- FIRE DEPARTMENT NEEDS STUDY & HVAC CONTROLS UPGRADE.

POLICE DEPARTMENT
- INTERIOR REMODEL & HVAC CONTROLS UPGRADE

CITY HALL
- REPLACE EXISTING COOLING TOWER AND HEAT PUMPS WITH NEW VRF SYSTEM.
- UPGRADE HVAC CONTROLS.
- REPLACE INTERIOR LIGHT FIXTURES WITH LED LIGHT FIXTURES.
- REPAIR EXTERIOR SOUTH STEPS.

OPTION #3

FIRE DEPARTMENT
- FIRE DEPARTMENT NEEDS STUDY & HVAC CONTROLS UPGRADE.

POLICE DEPARTMENT
- INTERIOR REMODEL & HVAC CONTROLS UPGRADE

CITY HALL
- REPLACE EXISTING COOLING TOWER AND HEAT PUMPS WITH NEW VRF SYSTEM.
- UPGRADE HVAC CONTROLS.
- REPLACE INTERIOR LIGHT FIXTURES WITH LED LIGHT FIXTURES.
- REPAIR EXTERIOR SOUTH STEPS.
- INCORPORATE PARKS & REC WITHIN CITY HALL.

STREET & SEWER
- INTERIOR REMODEL & ADDITION TO INCORPORATE PARKS & REC MAINTENANCE FOREMAN

OPTION #4

FIRE DEPARTMENT
- FIRE DEPARTMENT NEEDS STUDY & HVAC CONTROLS UPGRADE.

POLICE DEPARTMENT
- INTERIOR REMODEL & HVAC CONTROLS UPGRADE

CITY HALL
- INTERIOR REMODEL.
- REPLACE EXISTING COOLING TOWER AND HEAT PUMPS WITH NEW VRF SYSTEM.
- UPGRADE HVAC CONTROLS.
- REPAIR EXTERIOR SOUTH STEPS.

STREET & SEWER
- INTERIOR REMODEL & ADDITION TO INCORPORATE PARKS & REC MAINTENANCE FOREMAN

OPTION #5

FIRE DEPARTMENT
- FIRE DEPARTMENT NEEDS STUDY & HVAC CONTROLS UPGRADE.

POLICE DEPARTMENT
- INTERIOR REMODEL & HVAC CONTROLS UPGRADE

CITY HALL
- INTERIOR REMODEL.
- REPLACE EXISTING COOLING TOWER AND HEAT PUMPS WITH NEW VRF SYSTEM.
- UPGRADE HVAC CONTROLS.
- REPAIR EXTERIOR SOUTH STEPS.

STREET & SEWER
- INTERIOR REMODEL & ADDITION TO INCORPORATE PARKS & REC MAINTENANCE FOREMAN

ANNEX
- INTERIOR REMODEL & CONNECTION WITH CITY HALL

FACILITY RECOMMENDATIONS

CITY HALL
- REPLACE BALLASTED ROOF.
- REPLACE GALVANIZED SHEETING WITH EPDM WEATHER BARRIER ON PARAPET WALLS.
- TUCKPOINT EXTERIOR BRICK AND MORTAR.
- REPLACE EXISTING WINDOWS.
- UPGRADE SECURITY SYSTEM.

FACILITY DISCUSSION PARTICIPANTS:

CITY ADMINISTRATION

- CASSANDRA TORSTENSON
- CONNIE HILLMAN
- PAUL SANDY
- DAVID CHANSKI
- SHAWN STRONG

POLICE DEPARTMENT

- CHIEF MCQUISTON

FIRE DEPARTMENT

- CHIEF HOLMES

PARKS & REC

- TONY SAILER

CONTEGRIGY GROUP

- KEVIN CURRIE
- PETE FILIPIPI

CROW WING COUNTY

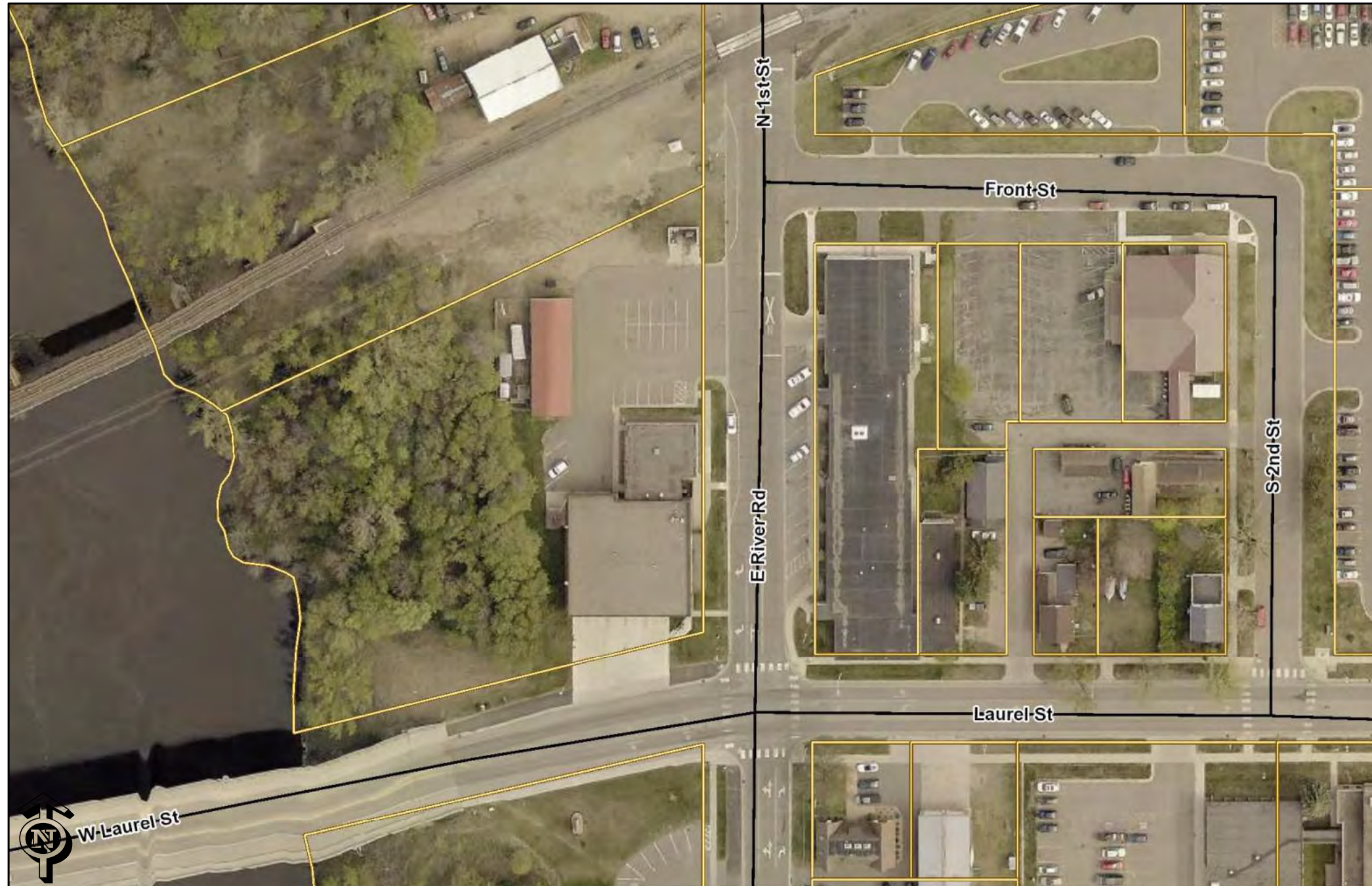
- REID THIESSE

WSN

- MIKE ANGLAND
- ERIC JENDRO



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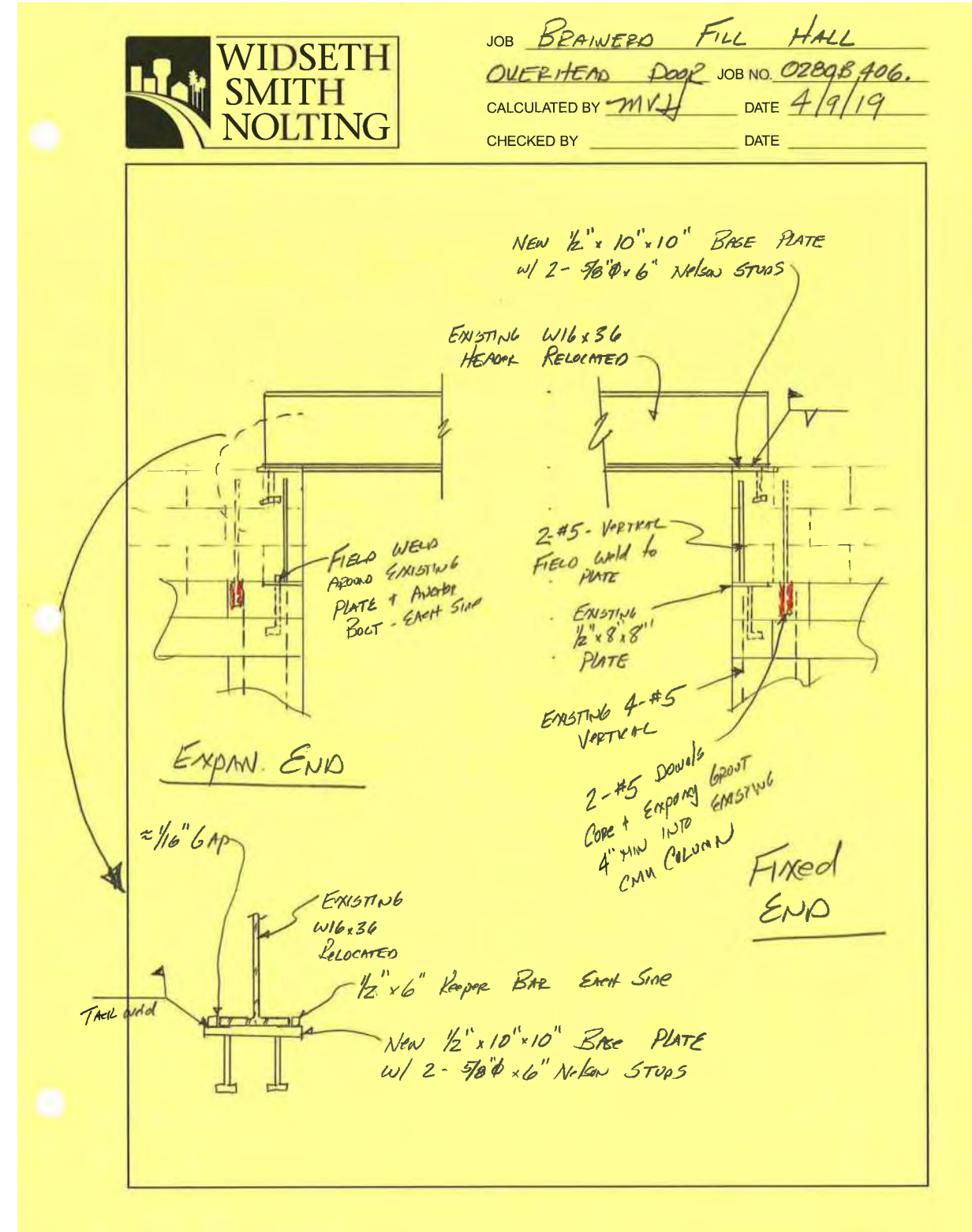
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POLICE - FIRE



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SCOPE:

- UPGRADE HVAC CONTROLS
- INCREASING THE HEIGHT OF EXISTING O.H. DOORS FOR FIRE TRUCK ACCESS WAS EXPLORED
- PROPOSED FIRE DEPARTMENT NEEDS STUDY

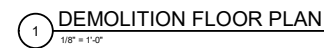
PROS:

- IMPROVE HVAC PERFORMANCE
- PROVIDE CITY OF BRAINERD WITH LONG TERM SOLUTION FOR FIRE DEPARTMENT NEEDS

CONS:

- BLUFF SETBACK ELIMINATES OPPORTUNITY FOR AN ADDITION
- DOES NOT ADDRESS NUMEROUS OTHER ISSUES WITH APPERATUS FLOOR, DECON, ETC.

OPTIONS #1-5 - FIRE DEPARTMENT



NFC

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CONS:



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CITY HALL OPTIONS #1-5



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SCOPE:

- REPLACE EXISTING COOLING TOWER
- REPLACE EXISTING HEAT PUMPS
- UPGRADE HVAC CONTROLS

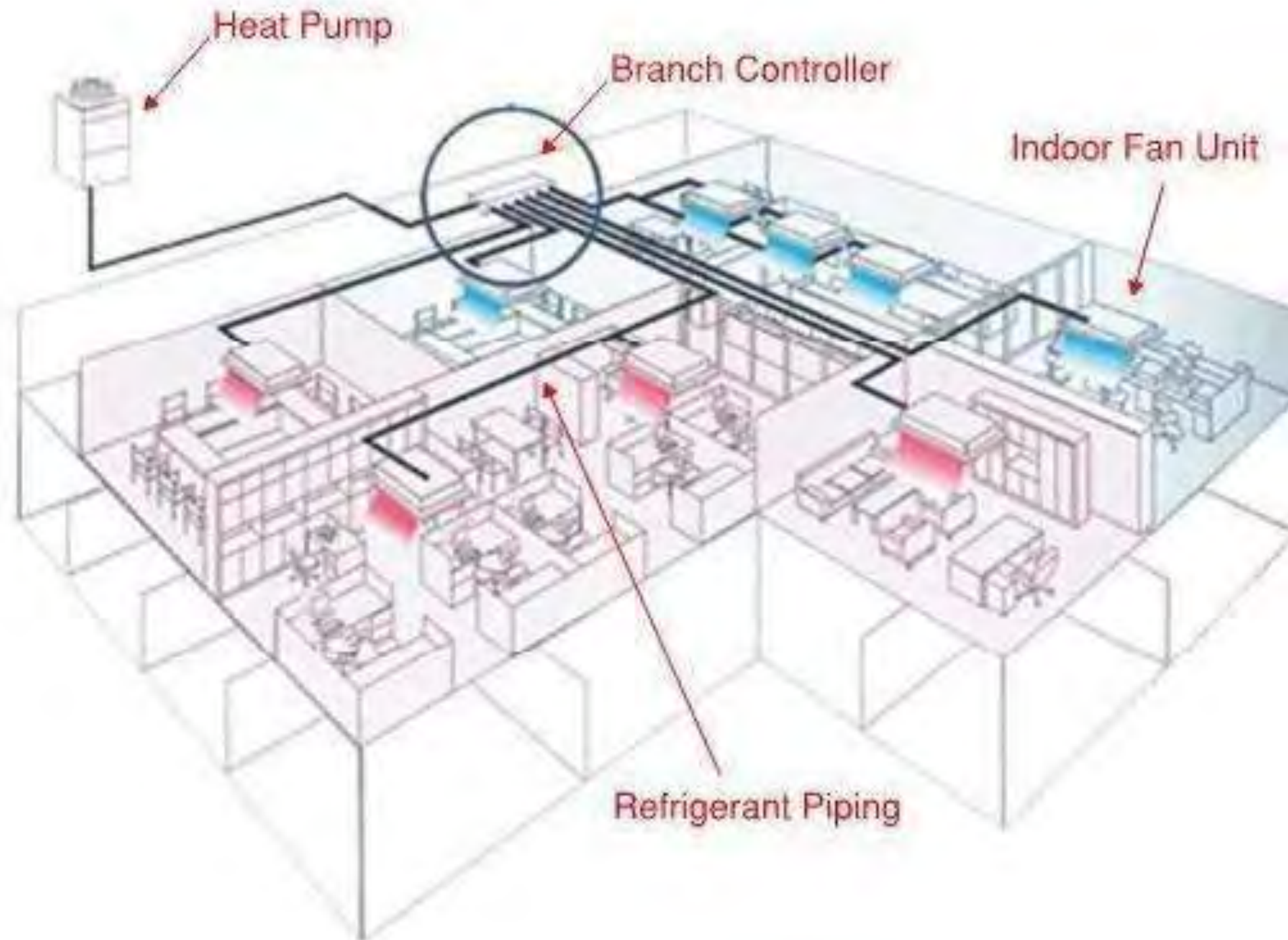
PROS:

- STAFF CAN REMAIN IN EXISTING WORK SPACE, WITH MINIMAL INTERFERENCE
- REQUIRES MINIMAL INTERIOR REMODELING TO REPLACE EXISTING HEAT PUMPS
- ADDITIONAL HEAT PUMPS MAY BE ADDED TO PROVIDE ADDITIONAL ZONES
- 10% IMPROVEMENT IN OPERATIONAL EFFICIENCY
- REPLACEMENT PARTS ARE AVAILABLE

CONS:

- UNDERGROUND STORAGE SPACES WILL REMAIN UNCONDITIONED

OPTION #1 - CITY HALL HVAC REPLACEMENT



VRF Schematic

SCOPE:

- REMOVE EXISTING CHILLER AND HEAT PUMPS
- INSTALL NEW VRF SYSTEM
- UPGRADE CONTROLS
- INTERIOR DEMOLITION AND REMODELING OF CEILINGS WILL OCCUR IN ORDER TO PROVIDE ACCESS

PROS:

- STAFF CAN REMAIN IN CITY HALL, HOWEVER WORK SPACES WILL NEED TO BE TEMPORARILY RELOCATED
- ADDITIONAL ZONING OPPORTUNITIES FOR THERMAL COMFORT
- 25% IMPROVEMENT IN OPERATIONAL EFFICIENCY
- UNDERGROUND STORAGE SPACES WILL NOW BE CONDITIONED

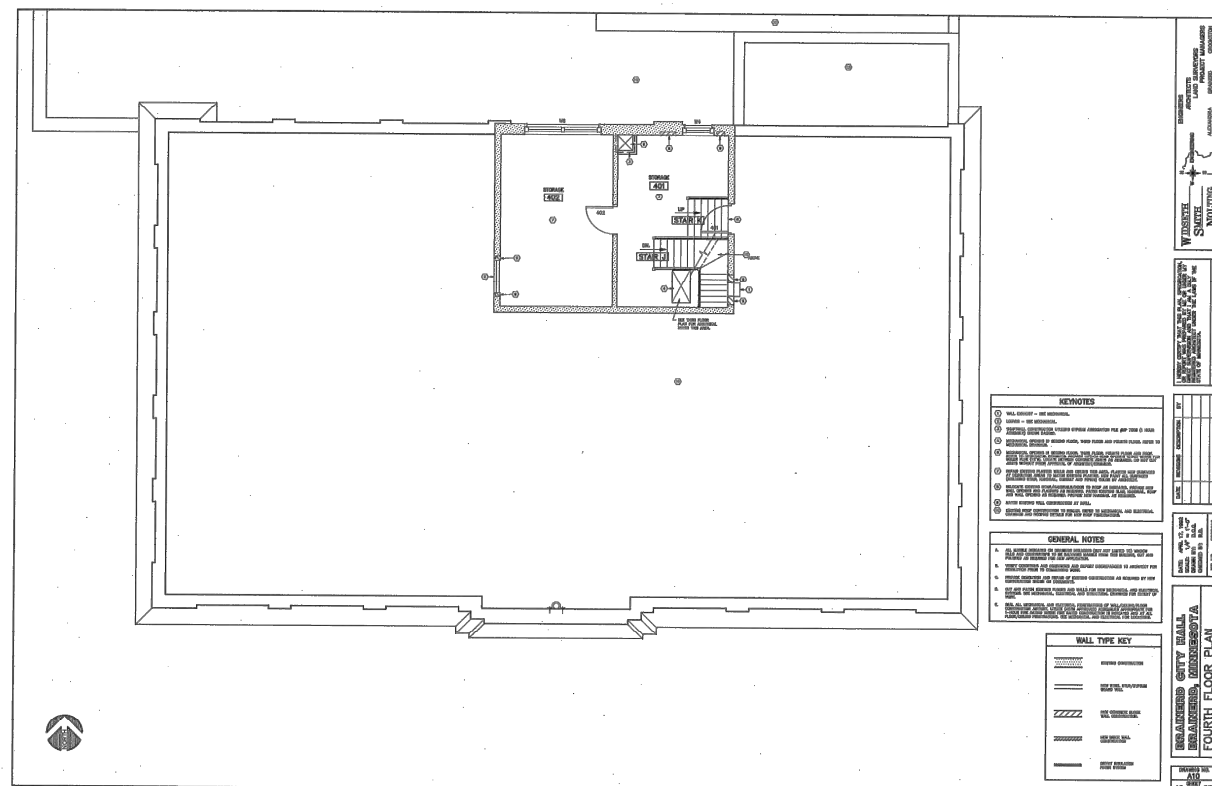
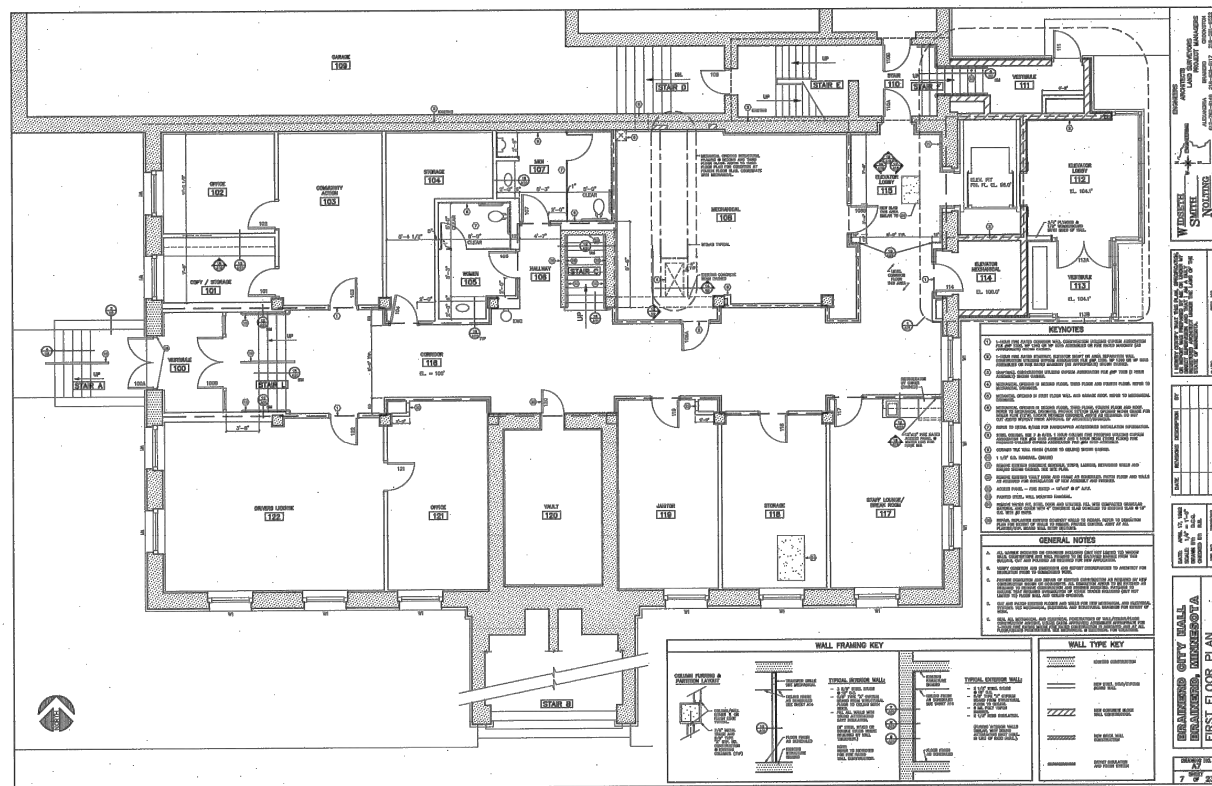
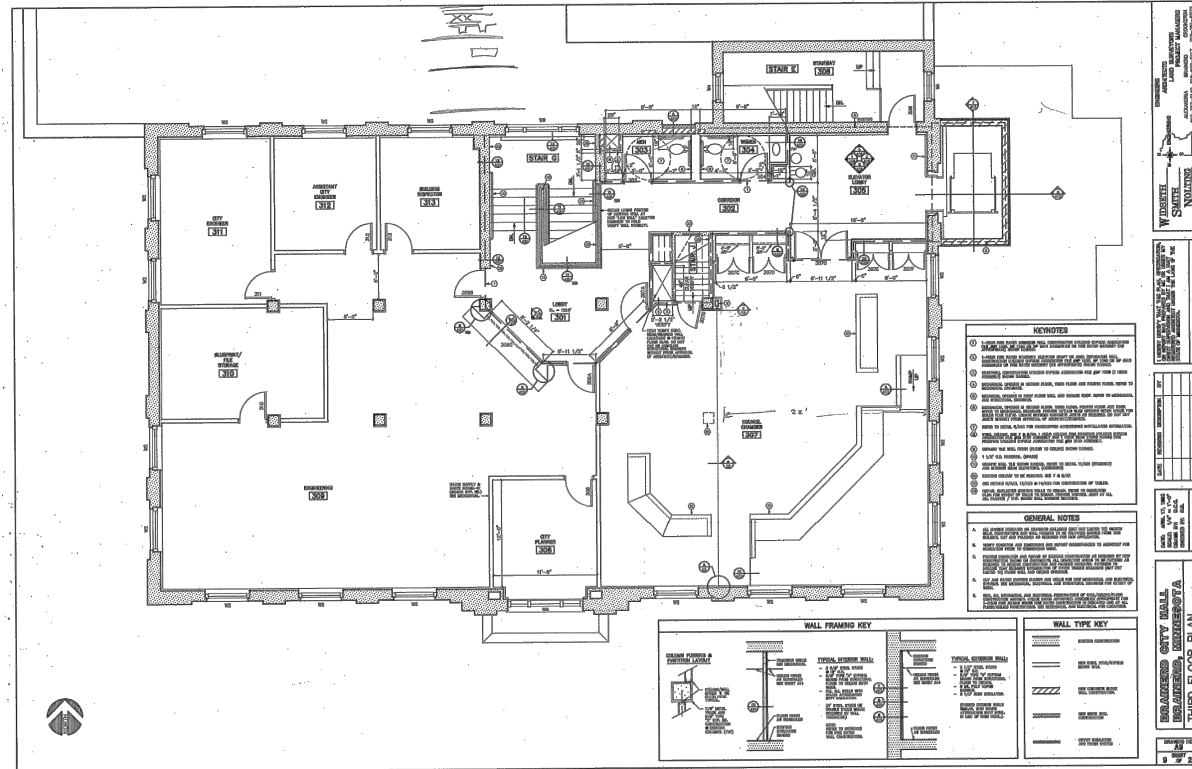
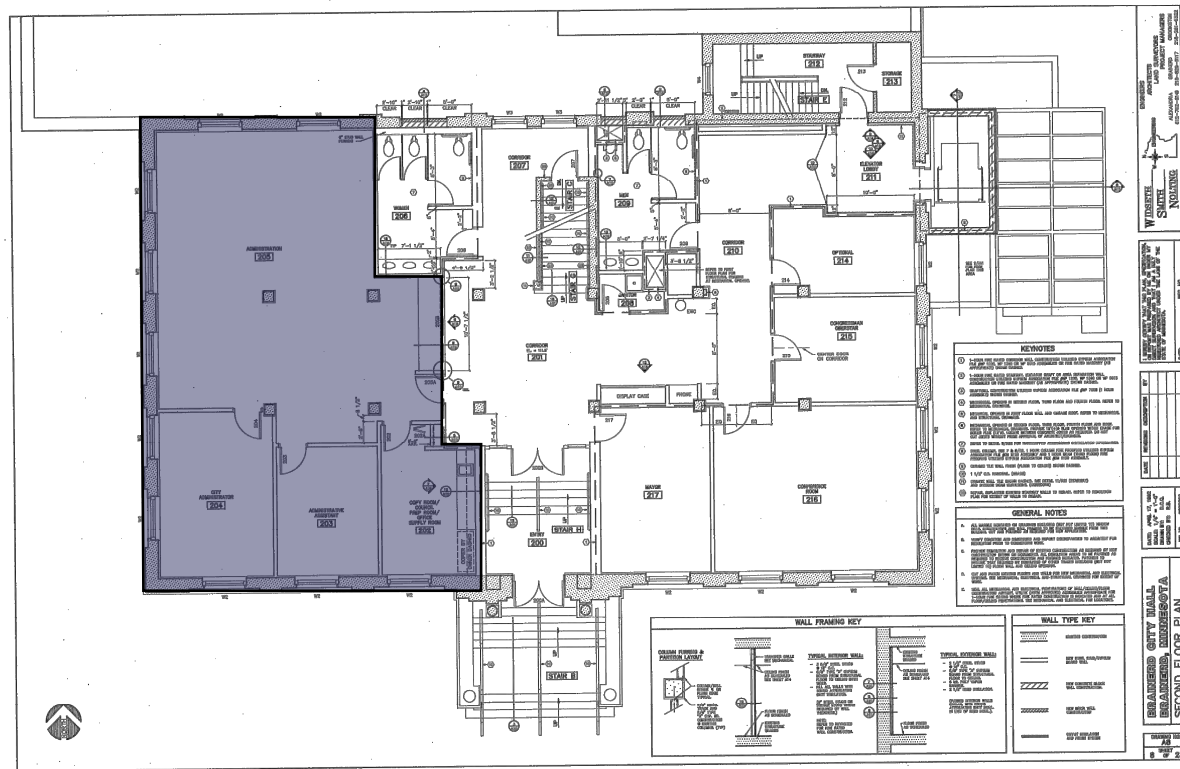
CONS:

- INTERIOR REMODELING WILL NEED TO OCCUR IN ORDER TO INSTALL THIS SYSTEM

OPTION #2 - CITY HALL HVAC REPLACEMENT



BRAINERD MINNESOTA



PROGRAM:

- RESTRUCTURE
EXISTING
ENGINEERING
DEPARTMENT TO
INCORPORATE PARKS
& REC STAFF ON MAIN
LEVEL

- PARKS & REC
STORAGE WILL BE
LOCATED WITHIN THE
EXISTING
UNDERGROUND
PARKING STORAGE
AREA

OPTION #3 - STREET & SEWER/PARKS & REC



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OPTIONS #3-5 - STREET & SEWER/PARKS & REC



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PROGRAM:

- ADDITIONAL OFFICE FOR
PARKS & REC MAINTENANCE
FOREMAN

- MAINTENANCE SHOP
ADDITION FOR PARKS & REC

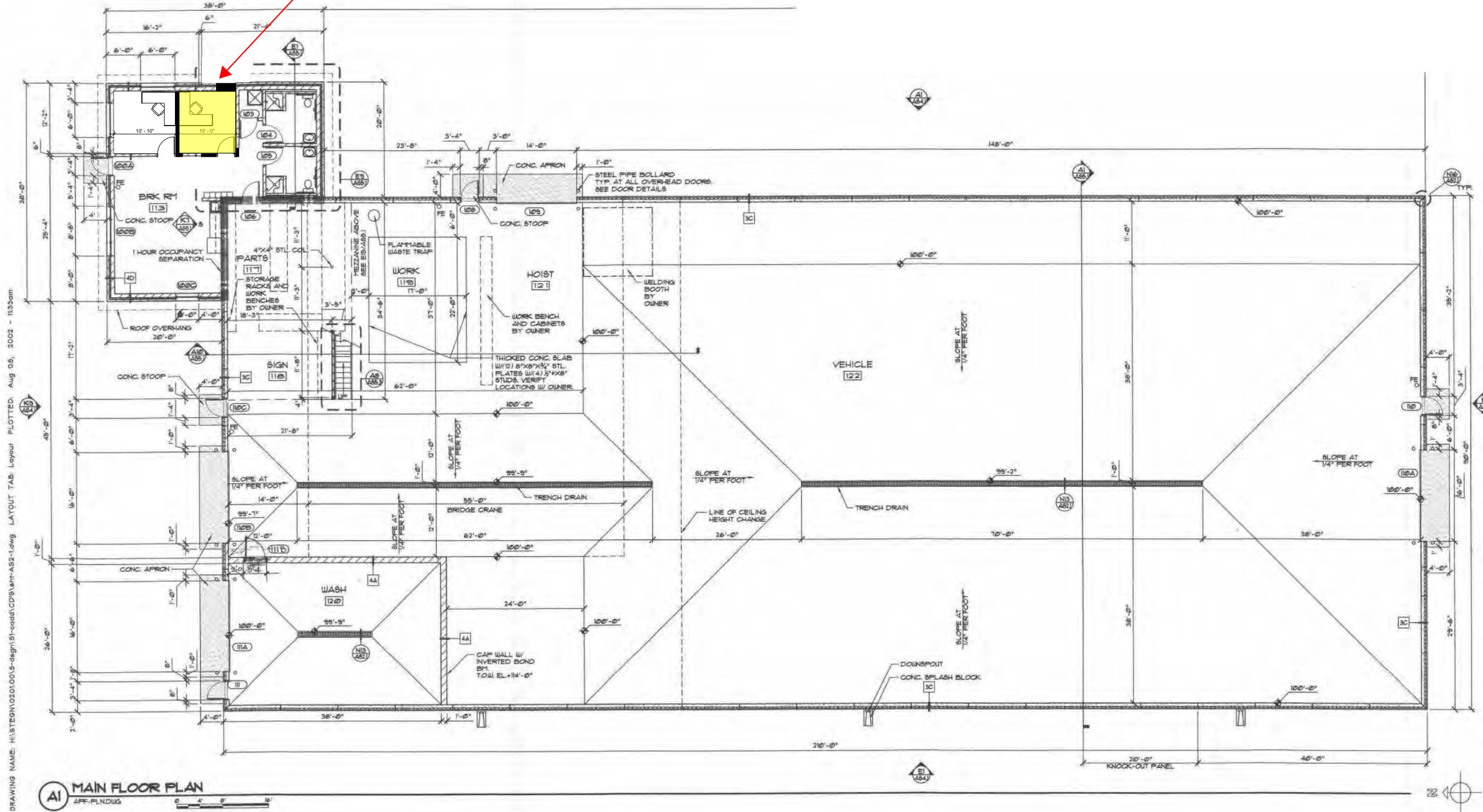
OPTIONS #3-5 - STREET & SEWER/PARKS & REC



POTENTIAL PROJECT LEGEND

 - NEW OFFICE FOR PARKS & REC

REMOVE EXISTING DEMISING
WALLS, EXTERIOR DOOR AND
RELOCAT LOCKERS FOR NEW
OFFICE



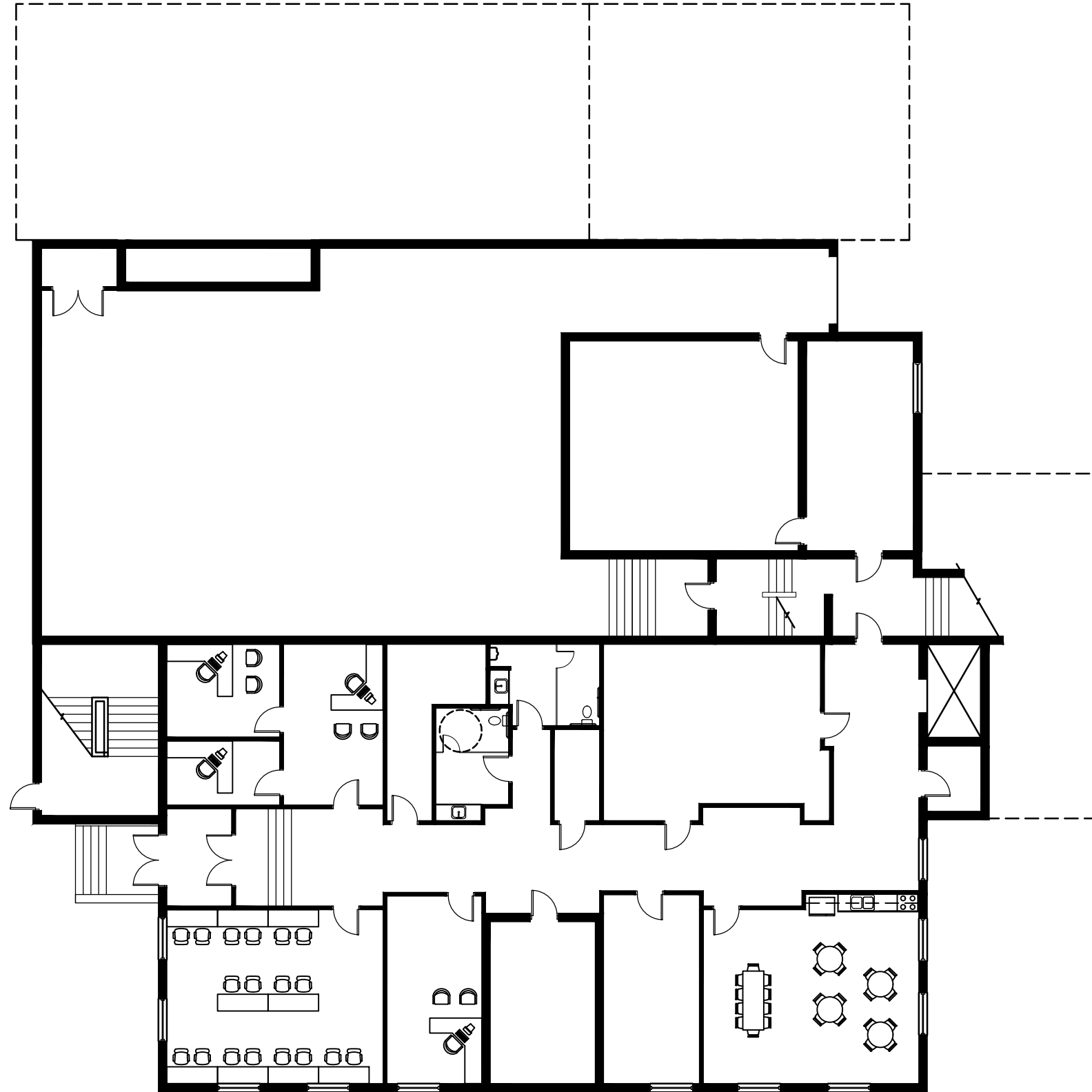
PROGRAM:

- ADDITIONAL OFFICE FOR
PARKS & REC MAINTENANCE
FOREMAN

- MAINTENANCE SHOP
ADDITION FOR PARKS & REC



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PROGRAM:

- COVERED PARKING
- PARKS & REC STORAGE

PROGRAM:

- EMPLOYEE BREAKROOM
- PLAN ROOM
- MN REP'S OFFICE
- TRANSIT

OPTION #4 - CITY HALL REMODEL - LOWER LEVEL



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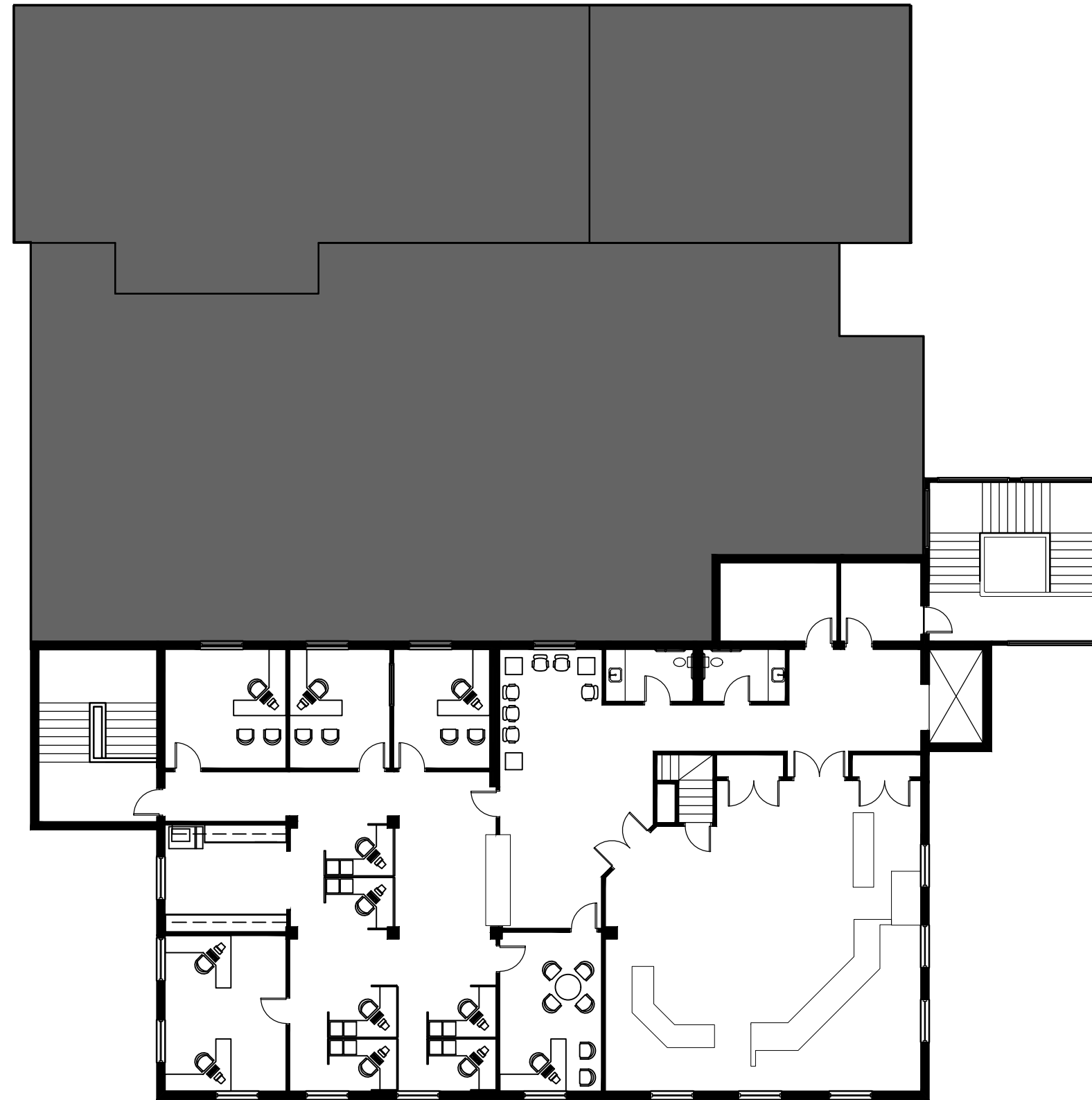
PROGRAM:

- CONFERENCE ROOM
- CUSTOMER SERVICE DESK
- ENGINEERING
- COMMUNITY DEVELOPMENT
- PARKS & REC

OPTION #4 - CITY HALL REMODEL - MAIN LEVEL



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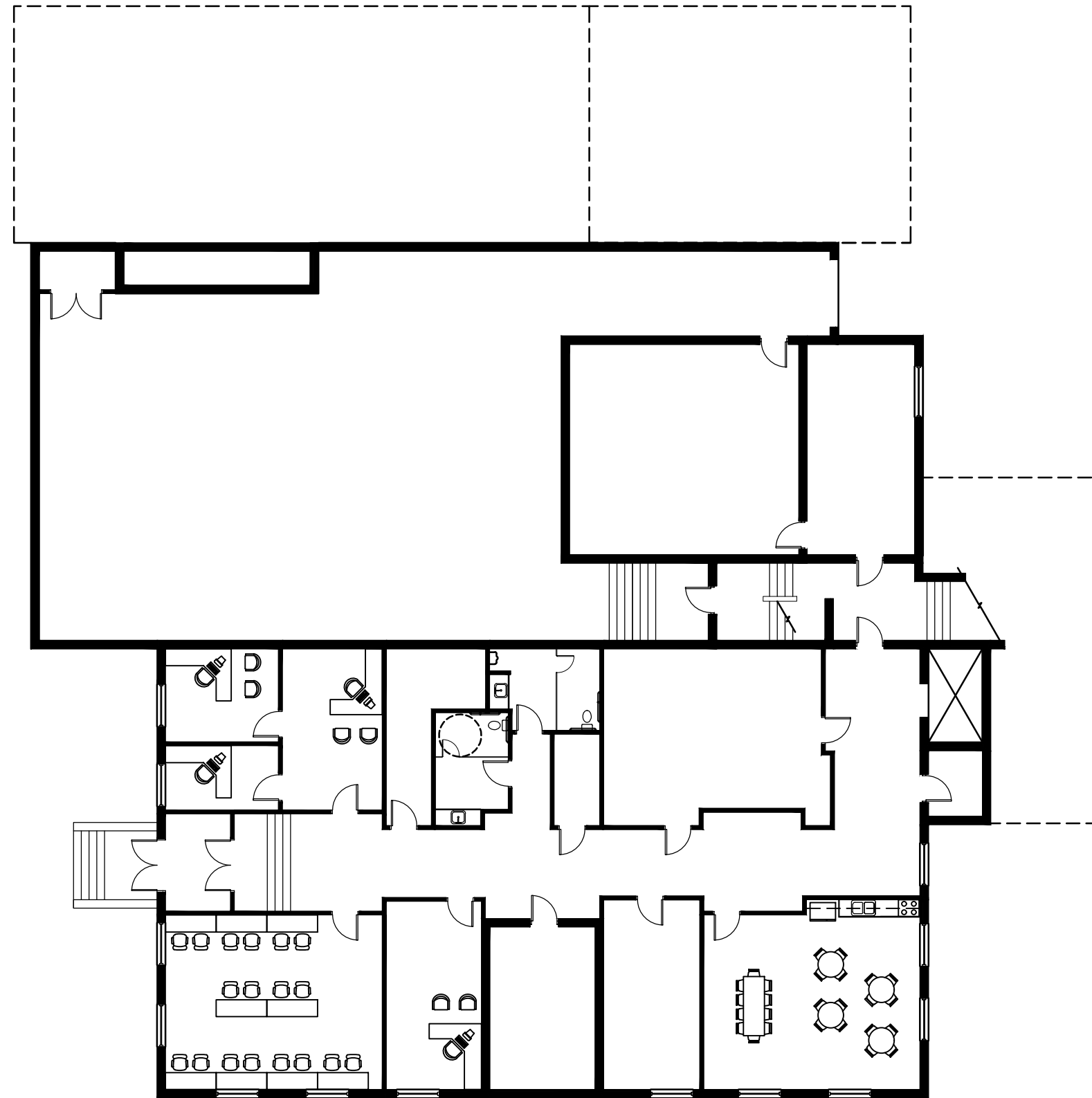
PROGRAM:

- CONFERENCE ROOM
- COUNCIL CHAMBERS
- ADMINISTRATION
- HUMAN RESOURCES
- FINANCE
- I.T.

OPTION #4 - CITY HALL REMODEL - UPPER LEVEL



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PROGRAM:

- COVERED PARKING
- PARKS & REC STORAGE

PROGRAM:

- EMPLOYEE BREAKROOM
- PLAN ROOM
- MN REP'S OFFICE
- TRANSIT

OPTION #5 - CITY HALL & ANNEX REMODEL - LOWER LEVEL



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PROGRAM:

- POTENTIAL TENANT

PROGRAM:

- CONFERENCE ROOM

- CUSTOMER SERVICE DESK

- ENGINEERING

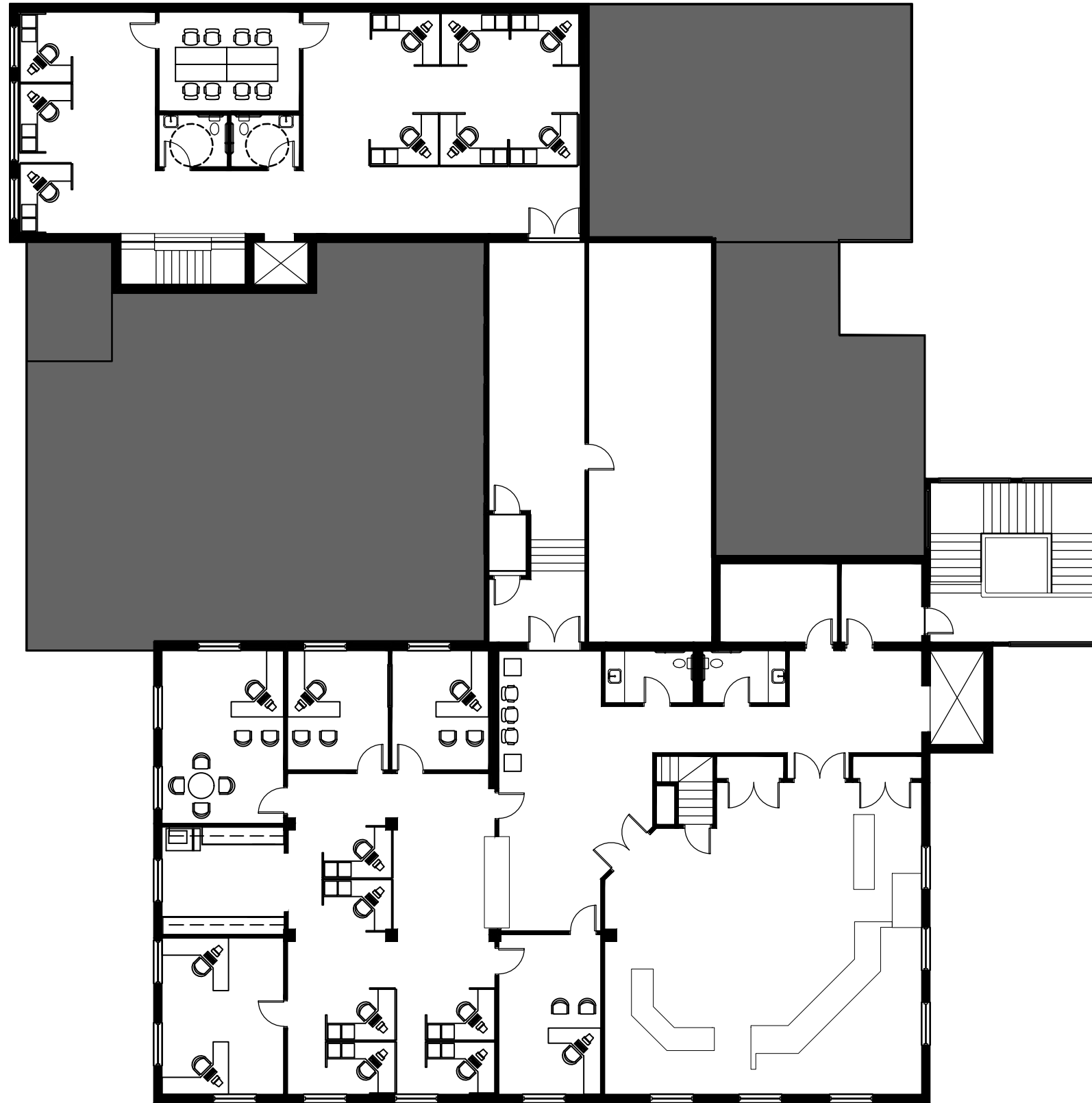
- COMMUNITY DEVELOPMENT

- PARKS & REC

OPTION #5 - CITY HALL & ANNEX REMODEL - MAIN LEVEL



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PROGRAM:

- FLEXIBLE OFFICE SPACE

PROGRAM:

- LINK
- MECHANICAL ROOM

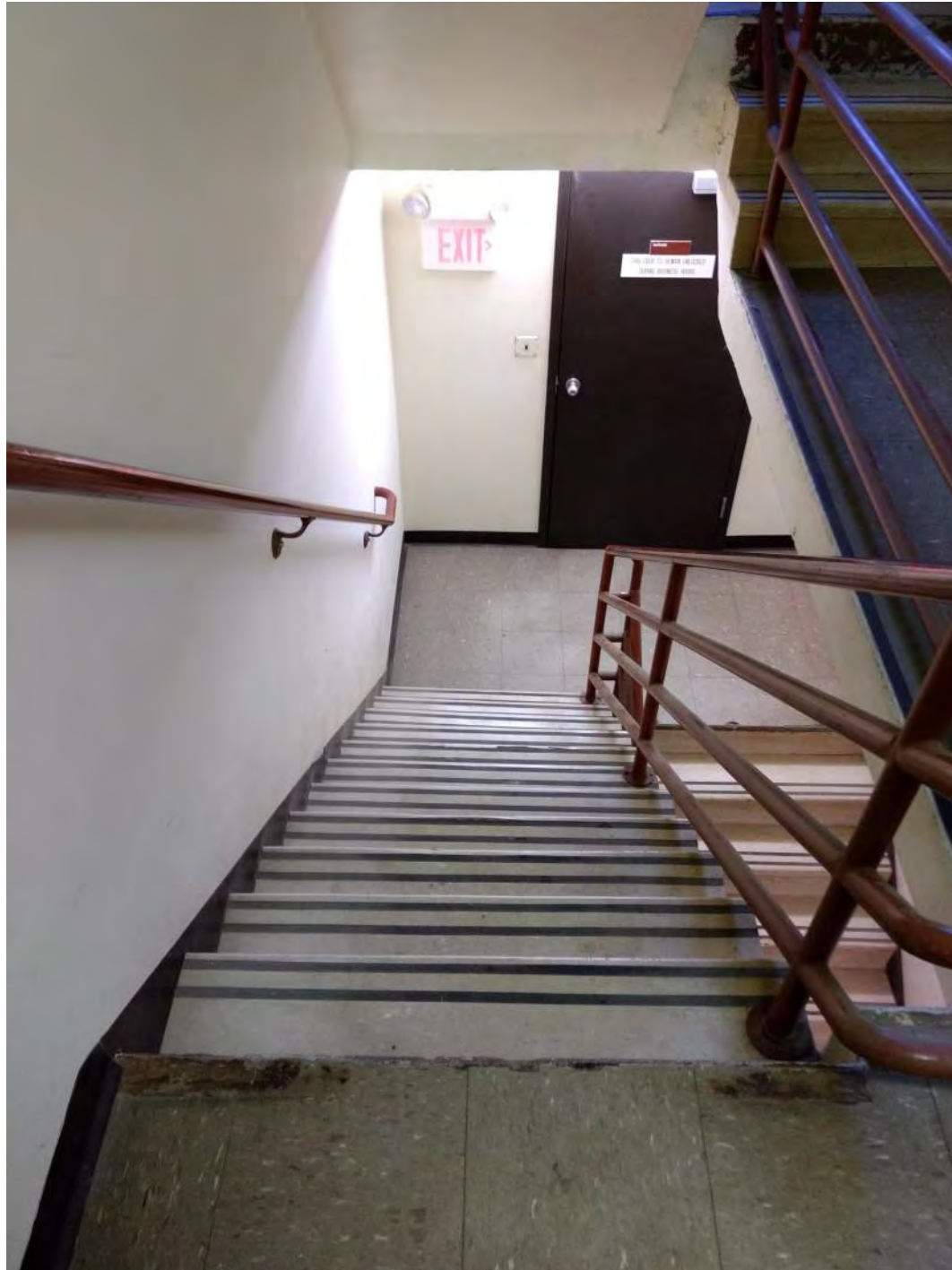
PROGRAM:

- CONFERENCE ROOM
- COUNCIL CHAMBERS
- ADMINISTRATION
- HUMAN RESOURCES
- FINANCE
- I.T.

OPTION #5 - CITY HALL & ANNEX REMODEL - UPPER LEVEL



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SCOPE:

- REPLACE EXISTING BALLASTED ROOF
- REPLACE EXISTING ROOF AND PARAPET WALLS
- TUCKPOINT BRICK, STONE & MORTAR
- NEW LED LIGHT FIXTURES WITH HVAC OPTION
- INSTALL NEW GUARD RAIL AND RAILINGS IN STAIR ENCLOSURE
- UPGRADE SECURITY SYSTEM

PROS:

- IMPROVE THE PERFORMANCE OF THE BUILDING ENVELOPE
- ECONOMIC EFFICIENCIES WITH COMBINING THESE ITEMS WITH HVAC PROJECT
- LIMIT DISTURBANCE TO CITY HALL STAFF AND GENERAL PUBLIC USE TO ONE PROJECT

CONS:

- OVERALL PROJECT COST IMPACT

CITY HALL - ADDITIONAL RECOMMENDATIONS



FACILITIES ASSESSMENT FOR THE CITY OF BRAINERD
Estimated Budgetary Cost Summary
6/17/2019



BRAINERD
MINNESOTA



OPTION	ITEM	DESCRIPTION	ESTIMATED BUDGETARY COST
OPTION #1			
	1	Replace City Hall existing cooling tower and heat pumps - HVAC Replacement Option #1.	\$272,500.00
	2	Upgrade City Hall HVAC controls.	\$26,000.00
	3	Repair City Hall exterior south stairs.	\$25,500.00
	4	Police Department interior remodel.	\$192,000.00
	5	Police Department HVAC controls upgrade.	\$15,000.00
	6	Fire Department needs study.	\$25,000.00
	7	Fire Department HVAC controls upgrade.	\$15,000.00
SUB-TOTAL			\$571,000.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE			\$844,234.92
OPTION #2			
	1	Replace City Hall existing cooling tower and heat pumps - HVAC Replacement Option #2.	\$415,000.00
	2	Upgrade City Hall HVAC controls.	\$26,000.00
	3	Repair City Hall exterior south stairs.	\$25,500.00
	3	Replace City Hall flourescent light fixtures with LED light fixtures.	\$120,000.00
	4	Police Department interior remodel.	\$192,000.00
	5	Police Department HVAC controls upgrade.	\$15,000.00
	6	Fire Department needs study.	\$25,000.00
	7	Fire Department HVAC controls upgrade.	\$15,000.00
SUB-TOTAL			\$833,500.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE			\$1,232,346.42
OPTION #3			
	1	Replace City Hall existing cooling tower and heat pumps - HVAC Replacement Option #2.	\$660,000.00
	2	Upgrade City Hall HVAC controls.	\$26,000.00
	3	Repair City Hall exterior south stairs.	\$25,500.00
	4	Replace City Hall flourescent light fixtures with LED light fixtures.	\$120,000.00
	5	Police Department interior remodel.	\$192,000.00
	6	Police Department HVAC controls upgrade.	\$15,000.00
	7	Fire Department needs study.	\$25,000.00
	8	Fire Department HVAC controls upgrade.	\$15,000.00
	9	Street & Sewer interior remodel and exterior addition.	\$234,500.00
SUB-TOTAL			\$1,313,000.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE			\$1,941,296.76
OPTION #4			
	1	Interior remodel of entire City Hall building.	\$2,700,000.00
	2	Repair City Hall exterior south stairs.	\$25,500.00
	3	Police Department interior remodel.	\$192,000.00
	4	Police Department HVAC controls upgrade.	\$15,000.00
	5	Fire Department needs study.	\$25,000.00
	6	Fire Department HVAC controls upgrade.	\$15,000.00
	7	Street & Sewer interior remodel and exterior addition.	\$234,500.00
SUB-TOTAL			\$3,207,000.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE			\$4,741,613.64
OPTION #5			
	1	Interior remodel of entire City Hall building.	\$2,700,000.00
	2	Repair City Hall exterior south stairs.	\$25,500.00
	3	Police Department interior remodel.	\$192,000.00
	4	Police Department HVAC controls upgrade.	\$15,000.00
	5	Fire Department needs study.	\$25,000.00
	6	Fire Department HVAC controls upgrade.	\$15,000.00
	7	Street & Sewer interior remodel and exterior addition.	\$234,500.00
	8	Interior remodel of entire Annex building.	\$987,000.00
SUB-TOTAL			\$4,194,000.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE			\$6,200,912.88
RECOMMENDATIONS			
	1	Replace City Hall existing ballasted roof, parapet walls and roof drains.	\$85,130.00
	2	Tuckpoint City Hall brick, stone and mortar.	\$95,000.00
	3	Install new guardrail and interior finishes for City Hall stair enclosure.	\$28,000.00
	4	Upgrade City Hall security system.	\$45,000.00
	5	Replace City Hall windows.	\$78,000.00
SUB-TOTAL			\$331,130.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE			\$529,278.19

POTENTIAL COSTS



BRAINERD
MINNESOTA

City of Brainerd, Minnesota

City Hall Annex Building Facility Report



June 18, 2018

WSN No. 280B0406.000

Brainerd City Hall Annex – Architectural Evaluation

Existing Conditions and Recommendations:

Overall the current state of the Brainerd City Hall Annex building is in poor condition. This building was built in 1914 and there was an addition constructed on the east side of the original structure that is currently vacant and the roof is being utilized as a second exit from the upper level. The reliance on the roof for a second exit is questionable and not recommended due to the months out of the year that the roof is covered in snow and ice. The exterior windows, structural integrity of the upper level floor joists and mechanical systems dominate the issues that need to be addressed. There have been some improvements made within the last year, that include new carpet and paint for the walls within the DMV Exam Station on the main level, however the remaining spaces within the building need significant repair. Please refer to the following items that were identified during our on-site walkthrough:

Item 1) Exterior Brick and Mortar, Stucco Deterioration: The brick and mortar towards the top of the building needs to be addressed. There are indications of missing mortar and spalling that present water and air infiltration issues for the building envelope. The exterior stucco finish for the single level east addition needs to be repaired. Also, there is a concrete block vestibule that should be removed. The roof for this structure has deteriorated beyond repair and the vestibule currently serves no purpose.

Recommendation: Deteriorating and missing mortar need to be replaced, and these areas need to “repointed” or “tuckpointed” to ensure that the exterior envelope is air and water tight. Prior to any restoration work commencing, the building will need to be washed to remove the dirt and debris that has accumulated on the building over time. Although this building is not registered on the Registry of Historic Places, we recommend that this work be performed by an accredited historic restoration construction company that will make the appropriate corrections to the building and ensure that the new materials will match the historic materials to provide a consistent look. The existing stucco should be repaired using similar materials with a texture and color that matches the existing finish, which includes the area where the existing vestibule will be removed.

Priority: Medium

Item 1) Photos:





Item 2) West Entrance: The west entrance is not an accessible entrance. The exterior door swings out onto a surface that is sloped to provide a solid surface from the interior of the building to the exterior sidewalk. The 2015 Minnesota Accessibility Code, Section 406.7, specifies that a landing shall be provided at the tops of curb ramps which shall have a length of 36" minimum. The American with Disabilities Act (ADA) is a civil rights issue, not a building code issue and should be a high priority of any building that serves the general public and employees.

Recommendation: A code-compliant ramp and landing should be poured out of concrete to provide an accessible entrance to this building if it serves the public.

Priority: High

Item 2) Photos:



Item 3) EPDM Roof Repair: The existing roof is an EPDM roof, which is a roof system that has a layer of ethylene propylene diene monomer (EPDM). The annex building as well as the covered parking building roofs were reroofed in 2005. Although there are indications of where water was infiltrating on the upper level, the city should plan on reroofing these two buildings when the roof system has met the anticipated life expectancy in 15 years.

Recommendation: The existing ballasted roof will need to be replaced due to remaining life of the existing roof. During the installation of a new ballasted roof, it is also recommended to install new prefinished metal coping that will be installed over EPDM that extends up the face of the parapet wall.

Priority: Low

Item 3) Photos:

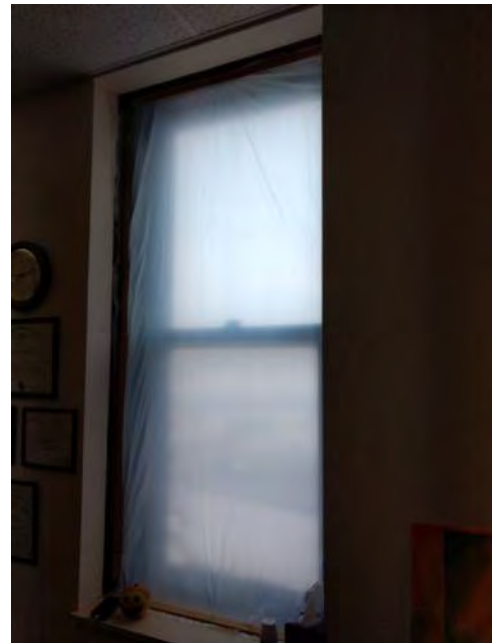
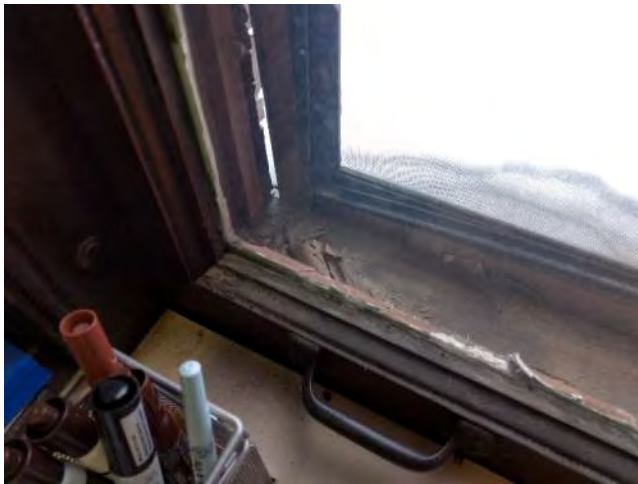


Item 4) Exterior Wood Windows: The existing wood exterior windows need to be replaced due to deterioration that has occurred over the years. The existing wood windows are operable; however, they no longer function and in many instances, do not close. This allows air and water to infiltrate into the existing space and creates an interior environment that is not easily maintained from an HVAC standpoint.

Recommendation: The existing wood windows could be restored, or repaired, however the associated costs with this would exceed the benefits a new energy efficient aluminum window. We recommend removing the old window, install framing that will provide adequate support for a new aluminum window and associated wood trim to case these windows for a clean and finished look on the interior of the space.

Priority: High

Item 4) Photos:



Item 5) Lower Level Mechanical/Electrical/Elevator Equipment Room & Elevator Operation: There is a space located in the lower level of this building that contains mechanical, electrical, elevator equipment and storage of miscellaneous items. The location of an elevator equipment room is typically located in a dedicated, and 1-rated room, that is separate from all other HVAC and electrical systems. The current location of the elevator equipment could be enclosed with the addition of a 1-hour rated wall and access could be provided with a 1-hour rated door. This room should not be utilized for anything other than housing the mechanical, electrical and elevator equipment. Currently, this space is utilized for the storage of voting equipment on wood shelving that is not adequate to support the weight of the equipment.

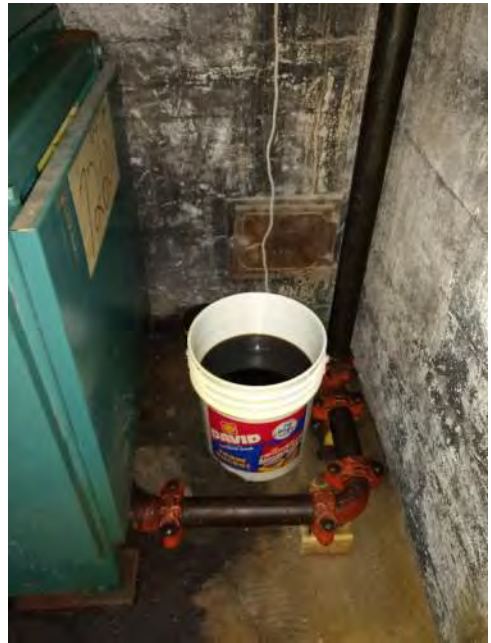
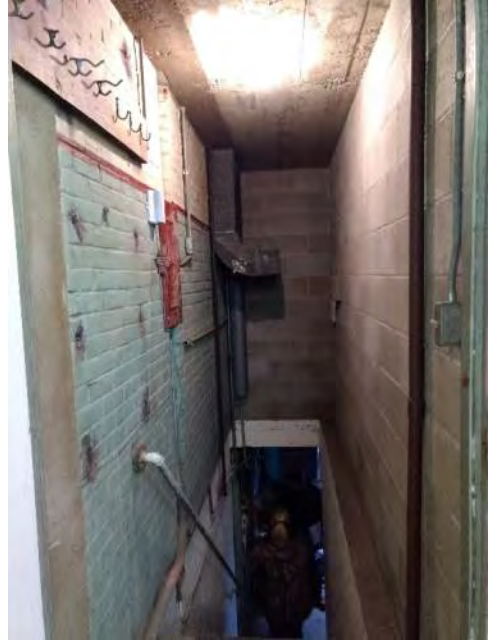
The existing elevator provides an accessible route to the second floor of the building. Although the elevator is operational, the elevator car does not align with the second floor. When the car comes to a rest, or stops at the second floor, the elevator floor is lower than the second floor level by 1 to 2 inches. The elevator equipment is located in the lower level mechanical/electrical space. There are indications of hydraulic oil leaking from the hydraulic piping, and should be addressed.

Recommendation: An elevator company will need to adjust the elevator car for the elevator car to stop at the same level as the second floor to allow for a barrier free, or accessible, access. Install a 1-hour rated wall assembly and door that will provide a 1-hour separation from the adjacent mechanical and electrical systems. Remove all items stored in this space and store them in another space immediately.

Priority: High

Item 4) Photos:



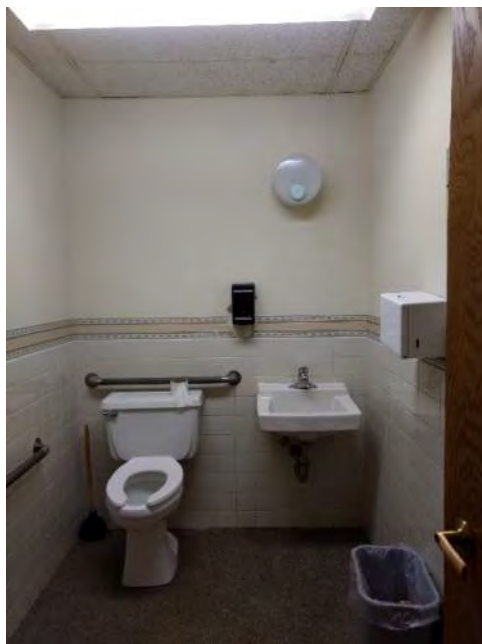


Item 6) Non-Accessible Restrooms: The existing restrooms located on the main floor and upper floor are not accessible. The current size of the restrooms do not provide the required clearance and grab bars in the correct location.

Recommendation: All restrooms will need to be reconfigured to provide the adequate clearance and installation of grab bars as defined by The 2015 Minnesota Accessibility Code. This reconfiguration would require a significant remodel and would impact the overall layout of the interior spaces of the building. The American with Disabilities Act (ADA) is a civil rights issue, not a building code issue and should be a high priority of any building that serves the general public and employees.

Priority: High

Item 6) Photos:



Item 7) Guardrails: The existing stair guardrail and handrails do not comply with current code in that the openings within the wood spindles are too large as well as the height of the guardrail is less than the required 42" minimum in height. This is a safety concern for the height especially, due to the existing configuration for anyone that has access to the second floor. IBC Section 1013.3 requires that the height of the guardrail shall not be less than 42" in height. IBC Section 1013.4 requires openings within a guardrail not allow the passage of sphere of 4".

Recommendation: Remove existing guardrails and install code compliant guardrails.

Priority: High

Item 7) Photos:



Item 8) Interior Floor Finishes: The existing carpet and vinyl floor finishes are showing indications of foot traffic throughout the building. The majority of the finishes that are in need of replacement are located on the second floor. The main floor finishes have been replaced in the DMV Exam Station, and the east addition is currently not being used, other than for storage.

Recommendation: Remove existing carpet and replace with new carpet tiles that can be easily replaced if necessary.

Priority: Medium

Item 8) Photos:



Item 9) Interior Gypsum Board Repair and Painting: Throughout the building, there are walls and ceilings that have damaged gypsum board and need to be repainted. The damage has occurred throughout the years through foot traffic as well as roof leaks.

Recommendation: Repair all walls and ceiling gypsum board and repaint these areas from corner to corner, or along an entire surface to ensure that there is a consistent finished wall or ceiling surface with the same paint sheen.

Priority: Medium

Item 9) Photos:



Item 10) Covered Parking Building: There are indications of water infiltration along the intersection of the city hall building and covered parking building in the southwest corner. The solution was to install foam insulation to infill the gap between the two buildings.

Recommendation: Install backer rod and sealant on the interior and exterior side and a sealant to ensure that air and water cannot infiltrate the interior of the space.

Priority: Low

Item 10) Photos:



Brainerd City Hall Annex – Structural Evaluation

Existing Conditions and Recommendations:

There were no structural concerns noted at this facility.

Brainerd City Hall Annex – Mechanical Evaluation

Existing Conditions and Recommendations

The HVAC system serving Brainerd City Hall Annex consists of two furnaces with AC coils. One furnace is new as of the 2017-2018 heating season, the other is from 1989 and was not working. It is scheduled to be replaced. Both furnaces are 80% efficient. The exhaust flue on the new furnace is piped incorrectly by having a male end inserted into the female end and caulked to seal the gases. Condensing units were not accessible at the time of walk-through, but the staff did not have complaints for the furnaces ability to provide cool air. The staff did mention however that the conference room gets “hot” during meetings. There is no outdoor air ventilation to either furnace which is required by MN Mechanical Code. The ductwork is not insulated per MN Mechanical Code. Ductwork and registers seem to be good shape. The registers look new.

The plumbing system serves the restrooms and breakroom adequately with good water pressure and good drainage. The restrooms have tank type water closets and a flush valve urinal in the men’s room. The fixtures are in good shape but may need standard maintenance in the years to come (cartridges, gaskets, etc.) There is a new electric hot water heater (11/26/17). The water lines are not insulated throughout the building and the Lavatories do not have piping safety covers on the trap and supplies. The flow of the drinking fountain in the first-floor corridor shall be reduced so water does not shoot over the bowl.

Item 1) New 80% Furnace Exhaust Flue: The exhaust flue on the new furnace is piped incorrectly by having a male end inserted into the female end and caulked to seal the gases.

Recommendation: The exhaust flue shall be piped in the correct fashion. When the caulking fails, there may be CO exhaust that will be sent into the space.

Priority: High.

Item 1) Photos:



Item 2) Replace Existing 80% Furnace: The older furnace is from 1989, was not working, and is scheduled to be replaced. Air condition condensing unit is assumed to be of the same age and should be replaced with a high efficiency model. Analysis should be done to figure out if the tonnage should be increased. Air conditioning coil should be replaced.

Recommendation: Replace old 80% furnace with a high efficiency furnace (92+%). Air condition condensing unit and evaporator coil is assumed to be of the same age and should be replaced with a high efficiency model. Analysis should be done to figure out if the tonnage must be increased.

Priority: High

Item 2) Photos:



Item 3) Second-floor Conference Room temperature: Staff mentioned the conference room gets “hot” during meetings. This is a typical complaint heard when buildings have a single zone furnace, serving multiple areas with different exposures. The conference room has multiple windows and a glass entry door which makes the room cold in the winter and hot in the summer. The furnace seems to “keep up” in the winter, but struggles in the summer.

Recommendation: Two options:

- 1) Train the staff to Pre-cool the area prior to meetings by setting the thermostat down to 65°F (+/-) for a few hours (or as needed).
- 2) Add a small ductless Air Conditioning unit to the conference room.

Priority: Medium

Item 3) Photos:

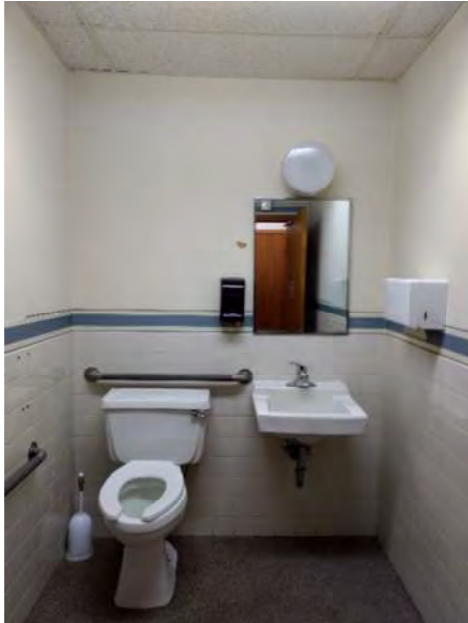


Item 4) Piping Safety Covers for Fixtures and Corridor drinking fountain: The Lavatories have exposed trap drains and supply lines. They shall be covered to address ADA requirements. The drinking fountain has too high of pressure/flow and spills onto floor when in use.

Recommendation: Install piping safety covers on exposed piping for lavatories. Adjust drinking fountain supply or install flow restrictor.

Priority: Low

Item 4) Photos:



Item 5) Demo plumbing fixtures in back storage room: The Annex once housed a small commercial kitchen area with a 3-compartment sink and hand sink.

Recommendation: Remove 3-compartment sink, drain piping, cap and abandon plumbing to recapture some extra storage space.

Priority: Medium

Item 5) Photo:



Brainerd City Hall Annex – Electrical Evaluation

Electrical Summary

The electrical systems in the building appear to be in good overall condition except where specifically noted in the Electrical Support Information.

Power Distribution:

The building is served from an overhead service with metering on building and pole mounted transformers in the alley. The service is a 200 Amp, 208Y/120 VAC 3-phase service. The Main Panelboard is located in storage room at back of the building with a 100 Amp, 208Y/120 VAC single phase subpanel mounted adjacent to main Panel. Electrical panels are both Full and could be close to overloading.

Lighting:

Exterior wall mounted lighting is a combination of CFL, Incandescent, and HID. Lighting in the building is mainly fluorescent lighting provided by various types of fixtures with T12 and CFL bulbs. There are also some Keyless type fixtures with incandescent bulbs Exit and Emergency lighting is adequate for the building and the fixtures have battery back-up. There is not any occupancy controlled lighting in the building. Lighting in Parking Garage is not adequate with the amount of fixtures that is there.

Communications:

Communication System for the facility is a traditional telephone switch system.

Fire Alarm System:

The building has a Pull Station and Bell fire alarm system that is in unknown working condition and covers parts of the facility.

Security and Safety:

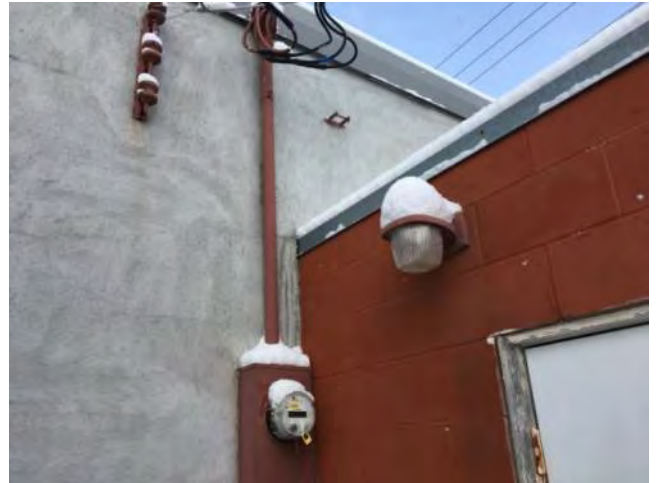
N/A

Long Term Updates: Overall

- Retro Fit HID lighting to LED for energy savings
- Retro Fit Fluorescent T12 lighting to LED for energy savings
- Add Occupancy/ Vacancy Sensors to achieve energy savings and to meet 2015 MN Building Energy Code

Electrical Service upgrade for more circuit spaces (currently panels are full)

Power Feeding Building



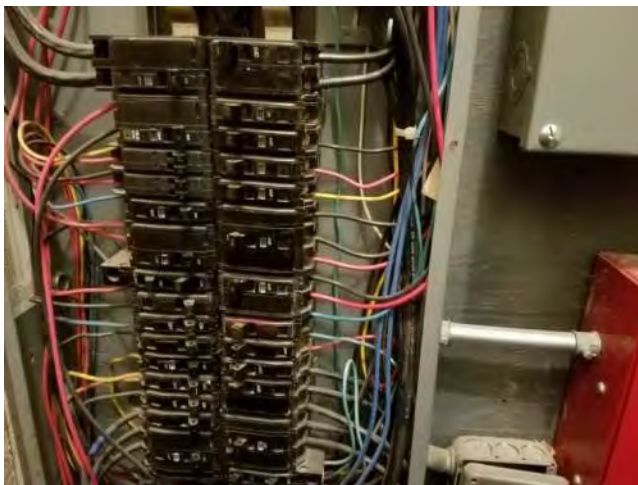
Fire Alarm System



HID Light



Panel Cover not installed



Disconnect not labeled



2 Prong Outlet (Not GFI Protected)

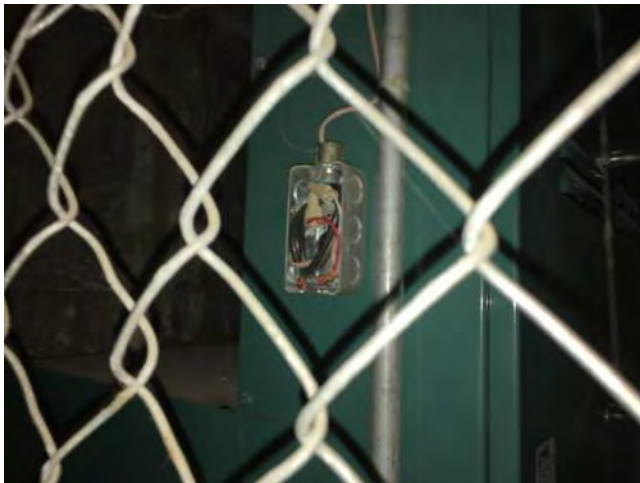


Reverse Polarity Outlet



Missing Boxes and Covers





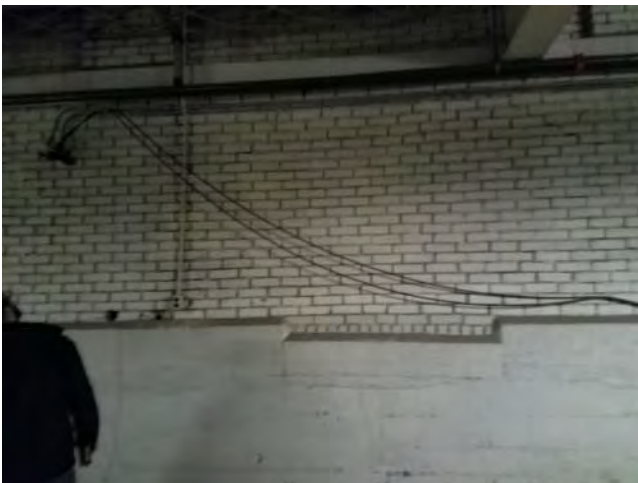
Parking Garage needs more light



Old Cloth Covered Cables Need to be removed

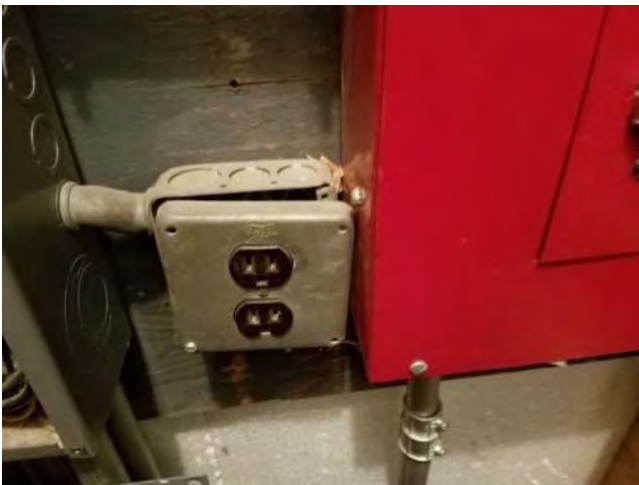


Antenna Cables run thru Garage Needs to be Strapped and rerouted





Outlet Next to Panel missing a Screw



Conduit and Boxes are not Weather Proof



Trim needs replacing broken and discolored



Outlet not GFI protected near Sink



Outlet By sink Not GFI protected and Disposal needs repair



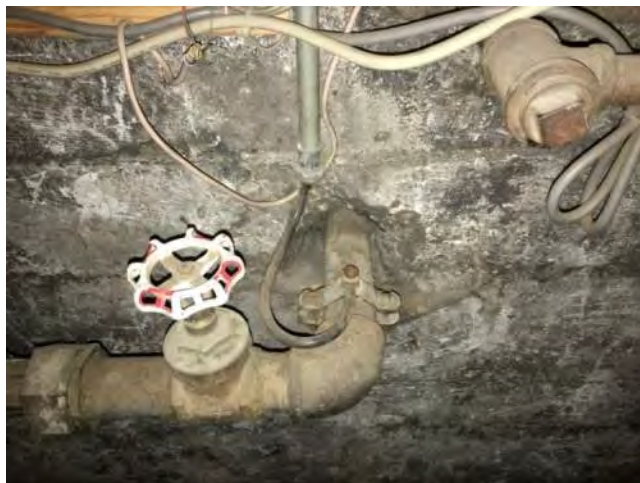
Box needs to be reattached



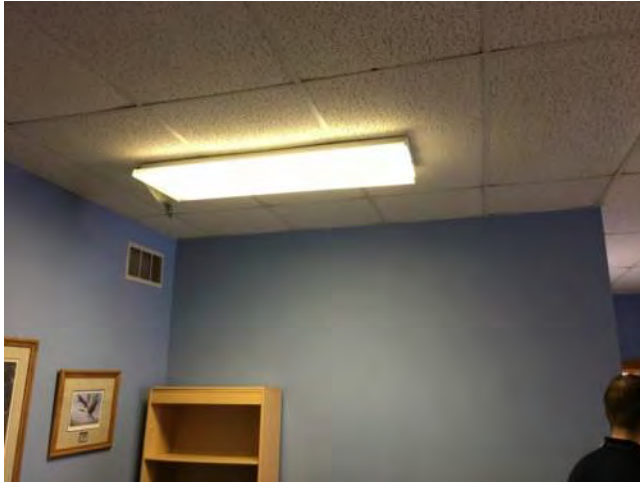
Outlets need to be added to eliminate cords



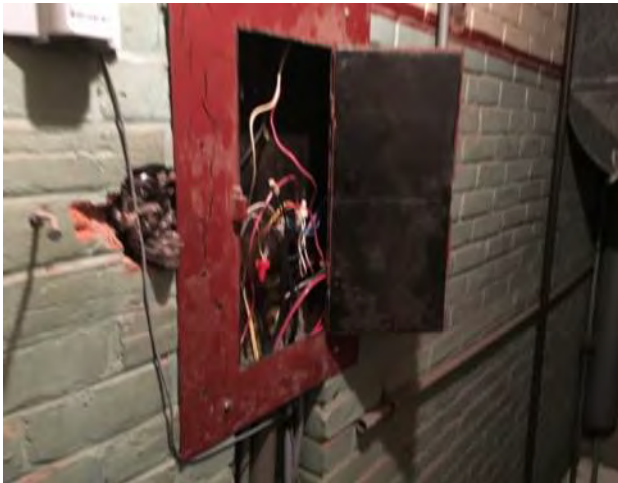
Missing bonding bushings



One end of Fixture is falling off and the other is missing



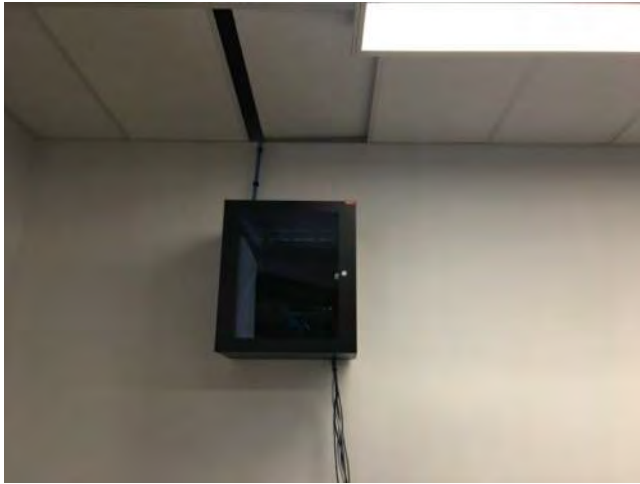
J-Box has multiple items in need of repair



Raceway needs to be attached to the wall



Cable Management and Raceways for Low Voltage cables





FACILITIES ASSESSMENT FOR THE CITY OF BRAINERD
City Hall Annex Estimated Budgetary Cost Summary (Amended 1/15/2025 JD)



BRAINERD
MINNESOTA



DISCIPLINE	ITEM	DESCRIPTION	ESTIMATED BUDGETARY COST	LOW	PRIORITY MEDIUM	HIGH
CIVIL	1		\$0.00			
	2		\$0.00			
	SUB-TOTAL		\$0.00	\$0.00	\$0.00	\$0.00
ARCHITECTURAL	1	Exterior Brick and Mortar, Stucco Deterioration	\$36,540.00			\$36,540.00
	2	West Entrance	\$1,800.00			\$1,800.00
	2	Ballasted-Roof Repair	\$106,128.00	\$106,128.00		
	4	Exterior Wood Windows	\$22,500.00			\$22,500.00
	5	Lower Level Mechanical/Electrical/Elevator Equipment Room & Elevator Operation	\$18,500.00			\$18,500.00
	6	Non-Accessible Restrooms	\$30,000.00			\$30,000.00
	7	Guardrails	\$5,500.00			\$5,500.00
	8	Interior Floor Finishes	\$18,000.00		\$18,000.00	
	9	Interior Gypsum Board Repair and Painting	\$17,500.00		\$17,500.00	
	10	Covered Parking Building	\$1,500.00			\$1,500.00
	SUB-TOTAL		\$151,840.00	\$0.00	\$35,500.00	\$116,340.00
STRUCTURAL	1	Second Floor Joists	\$25,000.00			\$25,000.00
	SUB-TOTAL		\$25,000.00	\$0.00	\$0.00	\$25,000.00
MECHANICAL	1	Furnace Exhaust Flue	\$2,500.00			\$2,500.00
	2	New 92+% Furnace, AC Coil, and Cond. Unit	\$8,000.00			\$8,000.00
	3	Add Ductless split-system cooling unit to conference room.	\$4,000.00		\$4,000.00	
	4	Add piping safety covers to lavatories	\$500.00	\$500.00		
	5	Demo existing fixtures in back storage area	\$1,000.00		\$1,000.00	
	SUB-TOTAL		\$16,000.00	\$500.00	\$5,000.00	\$10,500.00
ELECTRICAL	1	Electrical Items	\$5,000.00			\$5,000.00
	2	Parking Garage Lighting	\$6,000.00			\$6,000.00
	3	Low Voltage Clean Up	\$500.00		\$500.00	
	4	LED Lighting Update	\$10,000.00		\$10,000.00	
	5	Electrical Service Upgrade	\$2,000.00		\$2,000.00	
	SUB-TOTAL		\$23,500.00	\$0.00	\$12,500.00	\$11,000.00
SUB-TOTAL			\$216,340.00	\$500.00	\$53,000.00	\$162,840.00
CONTINGENCY			20%	\$43,268.00	\$10,600.00	\$32,568.00
SUB-TOTAL			\$259,608.00	\$600.00	\$63,600.00	\$195,408.00
GENERAL CONTRACTOR/CONSTRUCTION MANAGER			20%	\$51,922.00	\$12,720.00	\$39,081.60
SUB-TOTAL			\$311,530.00	\$720.00	\$76,320.00	\$234,489.60
A/E DESIGN			11%	\$34,269.00	\$8,395.20	\$25,793.86
SUB-TOTAL			\$345,799.00	\$800.00	\$76,320.00	\$234,489.60
INFLATION			20%	\$69,160.00	\$8,395.20	\$25,793.86
TOTAL			\$414,959.00	\$960.00	\$84,715.20	\$260,283.46



City Council Agenda Request

MEETING DATE: January 21, 2025

TITLE OF ITEM: Final Reading Proposed Ordinance 1578 - Lot Standards and Building Design Standards

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: James Kramvik, Community Development Director

DEPARTMENT: Community Development

PRESENTER: James Kramvik, Community Development Director

ESTIMATED TIME (MIN): 5 min

SUMMARY OF ISSUE:

At the June 20th Planning Commission meeting, the Commission directed staff to begin reviewing Section 515-4 General Building Development and Design Standards, District Lot Standards, and consider mixed-use development in the Commercial Corridor District. The new Zoning Code was adopted July 18th of 2022 and since adoption, staff have encountered instances that the new code has worked well and other instances that potentially hindered development. The purpose of this review is to ease the burden of development while creating stronger language to ensure new construction conforms with existing neighborhoods.

Highlights of the proposed ordinance include the following:

- Adjust lot sizes and lot frontage requirements in the CN-1, CN-2, TN-1, TN-2 Zoning Districts.
- In the TN-1 and TN-2 Zoning Districts, if the garage is front loaded, it must be in line or setback behind the façade of principal structure.
- In the CN-1 and CN-2 Zoning Districts, if the garage is front loaded, it must extend no further than 2' beyond the façade into the front yard or side yard (corner).
- Increased façade standards for 1–4-unit buildings.
- Single-family homes should only allow standing seam metal roofs and accessory structures under 200 SQFT may have metal roofs with exposed fasteners.
- Allowing larger accessory structures in the General Industrial Zoning District.
- Allow 85% metal siding on facades in the General Industrial Zoning District.
- Permit duplex dwellings in the Rural Living 2 Zoning District.
- Permit accessory dwelling units on rental properties.
- The conversion of a single-family home into a multi-family home requires a CUP.
- Create more visual interest in multi-family homes.
- Allow mixed-use development in the Commercial Corridor District, similar to the Mainstreet District which prohibits ground floor residential units.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

At the January 6th City Council meeting, the Council directed staff to bring Proposed Ordinance 1578 back to the January 21st City Council meeting to conduct the second reading and consider the ordinance.

The Planning Commission conducted the public hearing at their regularly scheduled December 18th, 2024, meeting and unanimously recommended approval of the proposed ordinance. No one from the public spoke at the public hearing.

The proposed ordinance allows for mixed-use development in the Commercial Corridor (CC) District which may have an impact on collection of future SAC and WAC charges. The City Council approved the Central Business District Incentive Policy which forgives SAC and WAC in certain areas of Brainerd. The policy includes commercial properties along Washington Street, which reside in the CC District. If approved, a new mixed-use building in the CC District could have a substantial SAC and WAC charge forgiven. Staff are in favor of mixed-use development in the CC District and the incentive policy to forgive SAC and WAC in order to entice development in this area of Brainerd.

RECOMMENDED ACTION/MOTION:

1. Conduct the final reading of Proposed Ordinance 1578 and dispense with the actual reading.

Note: A vote to dispense with the actual reading of the ordinance must be unanimous

2. Approve Proposed Ordinance 1578.

3. Adopt Resolution for Summary Publication of Ordinance 1578.

FINANCIAL IMPACT: N/A

**ORDINANCE
NO. 1578**

AN ORDINANCE AMENDING SECTIONS 515-2-4 RURAL LIVING ZONING DISTRICTS, 515-2-6 CONTEMPORARY NEIGHBORHOOD 1, 515-2-7 CONTEMPORARY NEIGHBORHOOD 2, 515-2-8 TRADITIONAL NEIGHBORHOOD 1, 515-2-9 TRADITIONAL NEIGHBORHOOD 2, 515-2-14 COMMERCIAL CORRIDOR, 515-2-16 GENERAL INDUSTRIAL, AND 515-4 GENERAL BUILDING, DEVELOPMENT AND DESIGN STANDARDS OF THE ZONING CODE AND CITY CODE ARTICLE III RENTAL DWELLING LICENSES – SECTION 425.3002.

WHEREAS, a public hearing was held by the Planning Commission as required by the Zoning Code, on December 18, 2024.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Brainerd, Minnesota, as follows:

SECTION ONE: The purpose of this ordinance is to promote higher density dwelling units within the City while emphasizing the physical characteristics of buildings, including their height, setbacks, facade design, and relationship to the street and existing neighborhoods.

SECTION TWO: RL-1 and RL-2 Dimensional Standards – Density, Lot Size, Coverage and Height Standards - Table 515-2-4.1 is hereby amended as indicated, with the following added language underlined and deleted language struck out:

Coverage and Height Standards		
	Principal structure height/accessory (maximum) See Section [515-4-3]	35'
	Accessory structure height (maximum)	Up to 35' but may not exceed height of principal structure

SECTION THREE: Figure 515-2-6.1. CN-1 Density and Lot Dimensional Standards Diagram shall be amended to reflect changes in this Section. CN-1 Dimensional Standards – Density, Lot Size, Coverage and Height Standards - Table 515-2-6.1 is hereby amended as indicated, with the following added language underlined and deleted language struck out:

Lot Dimensions		
A	Lot Size (range) Density (range)	10,000 SF – 21,780 SF (21,780+ SF requires CUP) 3 – 5 DU/AC
C	Lot Frontage on All Roads (range)	75'-70'-90' <u>100' (100'+ requires CUP)</u>
Other Standards		
K	Garage	Must be setback behind façade of principal structure a minimum of 5' <u>If front loaded, must</u>

		<u>extend no further than 2' beyond the façade into the front yard or side yard (corner).</u>
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SECTION FOUR: Figure 515-2-7.1. CN-2 Density and Lot Dimensional Standards Diagram shall be amended to reflect changes in this Section. CN-2 Zoning District Dimensional Standards – Density, Lot Size, Coverage and Height Standards - Table 515-2-7.1 is hereby amended as indicated, with the following added language underlined and deleted language struck out:

Lot Dimensions		
A	Lot Size (range) Density (range)	Up to 15,000 SF <u>5,000 SF – 15,000 SF (15,000+ SF requires CUP)</u> 4 – 12 DU/AC
C	Lot Frontage on All Roads (range)	65' – 80' maximum <u>50' – 80' (80'+ requires CUP)</u>
Principal Building & Attached Accessory Building Standards		
E	Side Yard Setback (minimum)	10'–5' <u>20'</u> corner
Other Standards		
K	Garage	Must be setback behind façade of principal structure a minimum of 5' <u>If front loaded, must extend no further than 2' beyond the façade into the front yard or side yard (corner).</u>

SECTION FIVE: Figure 515-2-8.1. TN-1 Density and Lot Dimensional Standards Diagram shall be amended to reflect changes in this Section. TN-1 Dimensional Standards – Density, Lot Size, Coverage and Height Standards - Table 515-2-8.1 is hereby amended as indicated, with the following added language underlined and deleted language struck out:

Lot Dimensions		
A	Lot Size (range) Density (range)	5,000–7,500 <u>11,250 SF (11,250+ SF requires CUP)</u> 4 – 9 DU/AC
C	Lot Frontage on All Roads (range)	50'–60 <u>75' (75'+ requires CUP)</u>
Other Standards		
K	Garage	If front loaded, must be <u>in line or</u> setback behind façade of principal structure. a minimum of 5'

SECTION SIX: Figure 515-2-9.1. TN-2 Density and Lot Dimensional Standards Diagram shall be amended to reflect changes in this Section. TN-2 Dimensional Standards – Density, Lot Size, Coverage and Height Standards - Table 515-2-9.1 is hereby amended as indicated, with the following added language underlined and deleted language struck out:

Lot Dimensions		
A	Lot Size (minimum) Density (range)	4,000 – 25,000 <u>SF (25,000+ SF requires CUP)</u> 9 – 20 DU/AC (20+ DU/AC requires CUP)

C	Lot Frontage on All Roads (minimum)	45'
Other Standards		
K	Garage	If front loaded, must be <u>in line or</u> setback behind façade of principal structure, a minimum of 5'

SECTION SEVEN: CC Zoning District Dimensional Standards – Density, Lot Size, Coverage and Height Standards - Table 515-2-14.1 is hereby amended as indicated, with the following deleted language struck out:

Coverage , Glazing, and Height Standards		
	Principal Façade Glazing, Avenue (minimum)	65%
	Secondary Façade Glazing, Washington (minimum)	50%

SECTION EIGHT: General Industrial Dimensional Standards – Density, Lot Size, Coverage and Height Standards – Table 515-2-16.1 is hereby amended as indicated, with the following added language underlined and deleted language struck out:

Accessory Building Standards	
Size (maximum)	Not to exceed 30 <u>100</u> % of gross floor area

SECTION NINE: Building Design Standards – Section 515-4-2.A Single-Family Detached Residential Structure Standards is hereby amended as indicated, with the following added language underlined and deleted language struck out:

A. Single-Family Detached Residential Structure Standards.

1. All single-family detached dwellings in the Rural Living, Garden Living, Contemporary Neighborhood and Traditional Neighborhood Base Zoning Districts shall meet the following design criteria:

~~c. Building orientation on lots shall match the predominant orientation of other buildings along the block front. Building primary entrance shall be orientated towards a public street.~~

g. Front façade shall incorporate two design elements for one story structures and three design elements for two story structures. The following design elements may be used in any combination to satisfy the requirements:

- i. porch (enclosed or non-enclosed)
- ii. covered entry
- iii. window shutters
- iv. alternative siding or color patterns

v. brick/ stone

vi. other design elements may be approved by the Zoning Administrator such as a chimney, roof design and angles, window patterns, dormers, corbels, etc...

h. Metal roofs are allowed provided they are constructed with standing seams and concealed fasteners.

SECTION TEN: Building Design Standards – Section 515-4-2.B Attached Single-Family Residential Structures is hereby amended as indicated, with the following added language underlined and deleted language struck out:

B. Attached Single-Family Residential Structures (duplex, triplex, fourplex).

2. Attached single-family dwelling units shall have a minimum finished habitable floor area of ~~five~~-hundred (500~~400~~) square feet.

4. Any conversion of an existing single-family detached residential structure into a duplex, triplex or fourplex shall meet the lot and dimensional requirements of the Base Zoning District for the total number of units. Such conversion shall also comply with the following standards:

a. All conversions shall require a conditional use permit and comply with all standards of the Base Zoning District. ~~be subject to a Sketch Plan review, which shall be reviewed and approved by the Zoning Administrator. If the proposed conversion does not comply with any standards of the Base Zoning District the conversion shall be denied.~~

5. ~~Building Materials.~~ Attached single-family dwelling units shall be designed to create visual interest through a variety of materials, colors, textures, installation direction or other characteristics ~~that create articulation either between units or floors.~~ The exterior of the principal structure must be finished with materials that are typical of single-family construction. All edges, fasteners, and other structural elements must be finished and/or covered.

a. Building common entrance or unit entrances shall be orientated towards a public street.

b. Front façade shall incorporate two design elements for one story structures and three design elements for two story structures. The following design elements may be used in any combination to satisfy the requirements:

i. porch (enclosed or non-enclosed)

ii. covered entry

iii. window shutters

iv. alternative siding or color patterns

v. brick/ stone

vi. other design elements may be approved by the Zoning Administrator such as a chimney, roof design and angles, window patterns, dormers, corbels, etc...

SECTION ELEVEN: Building Design Standards – Section 515-4-2.C Multi-family attached dwelling units is hereby amended as indicated, with the following added language underlined:

- C. Multi-family attached dwelling units (5 dwelling units or more): All multi-family buildings constructed within the City shall conform to the following:

2. Exterior Building Materials. Multi-family dwelling units shall be designed to create visual interest through a variety of materials, colors, textures, installation direction, structural elements such as balconies, porches, and wall patterns, or other characteristics that create articulation either between units or floors.

SECTION TWELVE: Building Design Standards – Section 515-4-2.D Commercial Use Design Construction Standards is hereby amended as indicated, with the following added language underlined:

- D. Commercial Use Design Construction Standards. All buildings constructed within TN-2, TN-3, CC, TC, ME, PSP, and GC Zoning Districts shall conform to the following:

4. Exterior Building Materials – For all business and commercial districts.

a. New buildings constructed in the CC, TN-2, TN-3, ME, GC, PSP, and TC Zoning Districts should be consistent with the character of surrounding structures. Typical and permitted materials include: brick, dimensioned stone, or their replicas, rock face block, decorative concrete panels, stone, stucco, wood, glass, or Exterior Finish Installation (EFIS). Material such as metal panels, window trim, flashing, accent features and the like that make up the exterior of a building shall not exceed twenty-five (25) percent unless allowed upon approval of a Conditional Use Permit.

i. Metal siding with exposed fasteners shall be prohibited.

6. Principal Façade Glazing. The following standards shall apply in the MS, TC, and CC Zoning District

a. A minimum of 75 percent of the front facade between two and eight feet above the sidewalk must be comprised of transparent, non-reflective windows into the commercial space. A minimum of 25 percent of the windows shall have views directly into and out of the ground floor occupied space.

SECTION THIRTEEN: Building Design Standards – Section 515-4-2.E Industrial Use Design Construction Standards is hereby amended as indicated, with the following added language underlined and deleted language struck out:

- E. Industrial Use Design Construction Standards. All buildings constructed within the General Industrial Zoning Districts shall conform to the following:

2. Exterior Building Materials.

a. New buildings constructed in the GI Zoning District should be constructed using durable and lasting materials. Permitted typical materials include: brick, dimensioned stone, rock faced block, decorative concrete panels, architectural concrete block, cast in place concrete, stone, wood,

glass, EFIS, or metal panels. Metal panels shall not encompass more than an average of ~~fifty-eighty-five~~ (5085) percent of street side building elevations combined.

b. Any structure in the Industrial District ~~within three hundred (300) feet of adjacent to~~ Business T.H. 371, T.H. 210, T.H. 25, T.H. 18, Oak Street, or County Road 3 shall comply with the Commercial Exterior Building Material Standards established in the preceding Subsection [D].

SECTION FOURTEEN: Accessory Buildings, Uses and Equipment – Section 515-4-6.C Design Standards is hereby amended as indicated, with the following added language underlined and deleted language struck out:

Design Standards. No plastic, canvas or vinyl tarps shall be used in the construction of any accessory buildings. All buildings over 200 square feet shall designed to be compatible with the Principal Structure. ~~Metal roofs are allowed provided they are constructed with standing seams and concealed or exposed fasteners.~~ All buildings that are 200 square feet or less may include a variety of building materials, may be metal sided, may be metal roofed, but shall have a pitched roof.

SECTION FIFTEEN: Accessory Buildings, Uses and Equipment – Section 515-4-6.E Industrial Accessory Building Use is hereby amended as indicated, with the following added language underlined and deleted language struck out:

E. Industrial Accessory Building Use.

1. Industrial accessory buildings shall not exceed ~~thirty-one hundred~~ (30100) percent of the gross floor space of the principal building and shall comply with the standards established in the Base Zoning District

SECTION SIXTEEN: Appendix A: Table of Uses.– Section 515-3 Allowed Uses is hereby amended as indicated, with the following added language underlined:

Zoning District	Section Reference	RL-1	RL-2	CC
Residential Uses				
<u>Single Family Attached Dwelling Unit (2 Units)</u>	<u>515-4-2</u>		<u>P</u>	
Mixed-Use Building, including residential uses not on main floor				<u>C</u>

SECTION SEVENTEEN: City Code Article III Rental Dwelling Licenses – Section 425.3002.e Applicability and Exceptions hereby amended as indicated, with the following added language underlined and deleted language struck out:

425.3002 Applicability and Exceptions

(e) Accessory Dwelling Units permitted by the Zoning Administrator shall only be licensed as rental dwellings if ~~the primary structure is owner occupied~~ and the accessory dwelling unit complies with all other conditions of this ordinance and those set forth in Sections 400 and 515 of the City Code.

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

Adopted this _____ day of _____, 2025

MIKE O'DAY
President of the Council

Approved this _____ day of _____, 2025

DAVE BADEAUX
Mayor

ATTEST: _____
NICHOLAS W. BROYLES
City Administrator

Published: One Time – _____

NOTICE OF HEARING

Notice is hereby given that the City of Brainerd Planning Commission will be conducting a public hearing to consider a proposed ordinance amending Section 515-4-2 (Building Design Standards) of the Brainerd Zoning Code relating to building orientation, façade standards, single-family home conversion, industrial accessory structure size, and roofing standards. In addition, the proposed ordinance will allow rental properties to construct accessory dwelling units, allow mixed-use development in the Commercial Corridor District, permit duplexes in the Rural Living 2 District, and amend the Dimensional Standards of the Rural Living 1&2, Contemporary Neighborhood 1&2, Traditional Neighborhood 1&2, Commercial Corridor, and General Industrial Zoning Districts. A full copy of the proposed ordinance is available at City Hall in the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, December 18th, 2024 in the Brainerd City Hall Council Chambers, 501 Laurel Street.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2307.

Dated this 3rd day of December, 2024



James Kramvik
Community Development Director

Publication Date: December 7th, 2024

R E S O L U T I O N
NO. xx:25

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 February 21st, 2025, the City Council adopted Ordinance No. 1578 amending Sections 515-2-4 RURAL LIVING ZONING DISTRICTS, 515-2-6 CONTEMPORARY NEIGHBORHOOD 1, 515-2-7 CONTEMPORARY NEIGHBORHOOD 2, 515-2-8 TRADITIONAL NEIGHBORHOOD 1, 515-2-9 TRADITIONAL NEIGHBORHOOD 2, 515-2-14 COMMERCIAL CORRIDOR, 515-2-16 GENERAL INDUSTRIAL, AND 515-4 GENERAL BUILDING, DEVELOPMENT AND DESIGN STANDARDS OF THE ZONING CODE AND CITY CODE ARTICLE III RENTAL DWELLING LICENSES – SECTION 425.3002.

WHEREAS, Ordinance No. 1578 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. 1578 and approves the following summary for publication:

SUMMARY PUBLICATION OF ORDINANCE 1578

AN ORDINANCE AMENDING SECTIONS 515-2-4 RURAL LIVING ZONING DISTRICTS, 515-2-6 CONTEMPORARY NEIGHBORHOOD 1, 515-2-7 CONTEMPORARY NEIGHBORHOOD 2, 515-2-8 TRADITIONAL NEIGHBORHOOD 1, 515-2-9 TRADITIONAL NEIGHBORHOOD 2, 515-2-14 COMMERCIAL CORRIDOR, 515-2-16 GENERAL INDUSTRIAL, AND 515-4 GENERAL BUILDING, DEVELOPMENT AND DESIGN STANDARDS OF THE ZONING CODE AND CITY CODE ARTICLE III RENTAL DWELLING LICENSES – SECTION 425.3002.

Highlights of Ordinance 1578 include the following:

- 1) Adjust lot sizes and lot frontage requirements in the CN-1, CN-2, TN-1, TN-2 Zoning Districts.
- 2) In the TN-1 and TN-2 Zoning Districts, if the garage is front loaded, it must be in line or setback behind the façade of principal structure.
- 3) In the CN-1 and CN-2 Zoning Districts, if the garage is front loaded, it must extend no further than 2' beyond the façade into the front yard or side yard (corner).

- 4) Increased façade standards for 1–4-unit buildings.
- 5) Single-family homes allow standing seam metal roofs and accessory structures under 200 SQFT may have metal roofs with exposed fasteners.
- 6) Allowing larger accessory structures in the General Industrial Zoning District.
- 7) Allow 85% metal siding on facades in the General Industrial Zoning District.
- 8) Permit duplex dwellings in the Rural Living 2 Zoning District.
- 9) Permit accessory dwelling units on rental properties.
- 10) The conversion of a single-family home into a multi-family home requires a CUP.
- 11) Create more visual interest in multi-family homes.
- 12) Allow mixed-use development in the Commercial Corridor District, similar to the Mainstreet District which prohibits ground floor residential units.

Adopted this __ day of _____ 2025

MIKE O'DAY
President of the Council

Approved this __ day of _____ 2025

DAVE BADEAUX
Mayor

ATTEST: _____
NICHOLAS W. BROYLES
City Administrator



City Council Agenda Request

MEETING DATE: January 21, 2025

TITLE OF ITEM: Ratify Hiring Rebecca Ridlon for Business Office Support Specialist

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Chris Evans, Public Utilities
Director, Kris Schubert, Human Resources Director

DEPARTMENT: HR

PRESENTER: Kris Schubert, Human Resources
Director

ESTIMATED TIME (MIN): 2 minutes

SUMMARY OF ISSUE: We received nine applications for the Business Office Support Specialist position. Staff invited seven applicants to interview and made an offer to Rebecca Ridlon. Rebecca will start with us on January 28, 2025, at Step 3 of the 2025 Business Office Support Specialist wage grid (\$25.64 per hour).

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: Ratify the hiring of Rebecca Ridlon for the Business Office Support Specialist position effective January 28, 2025; further, that she be placed on Step 3 of the Business Office Support Specialist wage grid (\$25.64 per hour).

FINANCIAL IMPACT: This position was included in the 2025 budget.



City Council Agenda Request

MEETING DATE: January 21, 2025

TITLE OF ITEM: Ratify the Promotion of Jake Sipper to Street Maintenance III

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Mike Habighorst, Public Works
Director, Kris Schubert, Human Resources Director

DEPARTMENT: HR

PRESENTER: Kris Schubert, Human Resources
Director

ESTIMATED TIME (MIN): 2 minutes

SUMMARY OF ISSUE: On January 6th, the City Council authorized Staff to begin an internal hiring process to backfill the Maintenance III - Street & Sewer Division position. Staff recommends promoting Jake Sipper to the Maintenance III position effective January 22, 2025. Pursuant to the Employee Policy Manual, Jake should be placed on Step 1 of the 2025 Maintenance III wage grid (\$32.20 per hour) for this promotion.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: With Jake's promotion, Staff is requesting authorization to start the hiring process to backfill the Maintenance I - Street & Sewer Division position. Attached you will find the redlined Maintenance I job description as well as a final for approval.

RECOMMENDED ACTION/MOTION:

Motion to:

1. Approve the promotion of Jake Sipper to the Maintenance III - Street and Sewer Division position effective January 22, 2025, at Step 1 (\$32.20 per hour);
2. Approve the updated Maintenance I - Street & Sewer Division job description as presented; and
3. Authorize Staff to begin the hiring process to backfill the Maintenance I position.

FINANCIAL IMPACT: This position was included in the 2025 budget.



Maintenance I – Street & Sewer ~~Division~~Department

Department: Public Works ~~-Street and Sewer Department~~

FLSA Status: Non-Exempt

General Definition of Work

Performs semi-skilled work and operates a variety of equipment and tools in the construction, operation, repair, maintenance, and replacement of the City's street, storm, and sanitary drainage facilities and systems. -Performs other related duties as required or apparent. -Performs work under the immediate supervision of the Street Foreman.

Qualification Requirements

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

Essential Functions

- Performs a variety of maintenance activities on streets and sewers such as hauling asphalt and other materials; spreading and dumping materials; patching streets; assisting in striping streets and sign work; assists with rodding, flushing, and televising sewers including driving and operating the Vactor truck; cleaning catch basins; painting crosswalks and curbs; operating the woodchipper and other related work as assigned.
- Removes and hauls snow, cuts and trims trees and brush, and mows grass.
- Operates, maintains, and repairs a variety of tools and equipment such as mowers, tillers, sprayers, spreaders, trucks, chain saws, hand tools, and other equipment.
- Works with and assists other personnel in installing pipe, repairing sewer lines and manholes, and repairing storm sewers.
- Operates a jackhammer to remove concrete, curbs, gutters, and sidewalks.
- May periodically operate heavy equipment such as front-end loaders and dump trucks to haul material, plow snow, and salt/sand streets.
- Responds to sewer backups and/or operational emergencies including after workhours as needed.
- Maintains street ~~division~~Department buildings and shop areas; may perform some welding, cement work, carpentry, painting, and plumbing on City buildings, fixtures, and/or equipment as needed.
- Performs preventative maintenance and minor repairs on Street ~~division~~Department vehicles and equipment.
- Must be willing to work flexible hours and weekends as needed.
- Performs other duties as assigned or when necessary.

Knowledge, Skills, and Abilities

- Working knowledge of the principals of the repair and maintenance of tools, equipment, and small engines.
- Knowledge of the methods, tools, materials, and equipment utilized in the area of assignment.

- Considerable skill in the safe operation of motor vehicles and equipment.

Maintenance I - Street & Sewer Divisionepartment

Page 2

Knowledge, Skills and Abilities (Cont.)

- Knowledge of the work hazards and applicable safety precautions associated in the area of work assigned to comply with City and OSHA standards.
- Working skill in building maintenance, welding, carpentry, plumbing, and painting.
- Ability to read and interpret documents such as safety rules, operating and maintenance instructions, procedure manuals, and policies.
- Working ability to establish and maintain effective working relationships with others and communicate effectively with City staff and the public.
- Working ability to operate heavy and light equipment to maintain and repair streets, haul material, remove snow, clean streets, mow grass, and apply salt and sand to City streets.
- Working ability to listen and speak effectively and follow oral and written instructions.

Education/Experience/Special Requirements

- High school diploma or GED.
- Must have at least one year of maintenance or construction experience in either the street or sewer field.
- Valid Minnesota Class "B" Commercial Driver's license with tanker endorsement or ability to obtain within 6 months of employment.
- Complete and maintain OSHA required training.

The following are desirable qualifications:

- Additional experience operating equipment in a street and/or sewer maintenance operation.
- Graduation from a Technical/Community College training program in a related field.

Physical Requirements

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

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

Last revised: JanuaryAugust 163, 20252



Maintenance I – Street & Sewer Division

Department: Public Works

FLSA Status: Non-Exempt

General Definition of Work

Performs semi-skilled work and operates a variety of equipment and tools in the construction, operation, repair, maintenance, and replacement of the City's street, storm, and sanitary drainage facilities and systems. Performs other related duties as required or apparent. Performs work under the immediate supervision of the Street Foreman.

Qualification Requirements

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

Essential Functions

- Performs a variety of maintenance activities on streets and sewers such as hauling asphalt and other materials; spreading and dumping materials; patching streets; assisting in striping streets and sign work; assists with rodding, flushing, and televising sewers including driving and operating the Vactor truck; cleaning catch basins; painting crosswalks and curbs; operating the woodchipper and other related work as assigned.
- Removes and hauls snow, cuts and trims trees and brush, and mows grass.
- Operates, maintains, and repairs a variety of tools and equipment such as mowers, tillers, sprayers, spreaders, trucks, chain saws, hand tools, and other equipment.
- Works with and assists other personnel in installing pipe, repairing sewer lines and manholes, and repairing storm sewers.
- Operates a jackhammer to remove concrete, curbs, gutters, and sidewalks.
- May periodically operate heavy equipment such as front-end loaders and dump trucks to haul material, plow snow, and salt/sand streets.
- Responds to sewer backups and/or operational emergencies including after workhours as needed.
- Maintains street division buildings and shop areas; may perform some welding, cement work, carpentry, painting, and plumbing on City buildings, fixtures, and/or equipment as needed.
- Performs preventative maintenance and minor repairs on Street division vehicles and equipment.
- Must be willing to work flexible hours and weekends as needed.
- Performs other duties as assigned or when necessary.

Knowledge, Skills, and Abilities

- Working knowledge of the principals of the repair and maintenance of tools, equipment, and small engines.
- Knowledge of the methods, tools, materials, and equipment utilized in the area of assignment.
- Considerable skill in the safe operation of motor vehicles and equipment.

Knowledge, Skills and Abilities (Cont.)

- Knowledge of the work hazards and applicable safety precautions associated in the area of work assigned to comply with City and OSHA standards.
- Working skill in building maintenance, welding, carpentry, plumbing, and painting.
- Ability to read and interpret documents such as safety rules, operating and maintenance instructions, procedure manuals, and policies.
- Working ability to establish and maintain effective working relationships with others and communicate effectively with City staff and the public.
- Working ability to operate heavy and light equipment to maintain and repair streets, haul material, remove snow, clean streets, mow grass, and apply salt and sand to City streets.
- Working ability to listen and speak effectively and follow oral and written instructions.

Education/Experience/Special Requirements

- High school diploma or GED.
- Must have at least one year of maintenance or construction experience in either the street or sewer field.
- Valid Minnesota Class "B" Commercial Driver's license with tanker endorsement or ability to obtain within 6 months of employment.
- Complete and maintain OSHA required training.

The following are desirable qualifications:

- Additional experience operating equipment in a street and/or sewer maintenance operation.
- Graduation from a Technical/Community College training program in a related field.

Physical Requirements

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

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

Last revised: January 16, 2025



City Council Agenda Request

MEETING DATE: January 21, 2025

TITLE OF ITEM: Ratify the Reclassification of Shawn Strong to Technology Director

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert, Human Resources
Director, Nick Broyles, City Administrator

DEPARTMENT: HR

PRESENTER: Kris Schubert, Human Resources
Director

ESTIMATED TIME (MIN): 2 Minutes

SUMMARY OF ISSUE: On December 19, 2024, the City Council approved Integration of one Technology Department for both the City-side and the Public Utilities Department. An internal job posting process was conducted and two individuals applied and were interviewed for the position. Staff recommends to reclassify Shawn Strong to the Technology Director position effective January 22, 2025, at Step 6 (\$62.06 per hour).

Staff is discussing a proposed Department Org Chart and sample Job Descriptions. The items are not quite ready for presentation to the Council as we are working through some operational and legal questions. Staff is planning to present a Department Org Chart and job descriptions for Council consideration at its February 3, 2025, meeting.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Article 7 (Salary Administration Plan) of the Employee Policy Manual states that promoted or reclassified employees will generally start at the lowest step that is at least 3% more than the employee received in his or her previous position with the City. Mr. Strong is currently on Step 5 and the 3% adjustment moves him to Step 6.

RECOMMENDED ACTION/MOTION: Motion to approve the reclassification of Shawn Strong to the Technology Director position effective January 22, 2025, at Step 6 (\$62.06 per hour).

FINANCIAL IMPACT: This reclassification will result in an additional cost of approximately \$4,500 for 2025 for the increased duties and responsibilities.



City Council Agenda Request

MEETING DATE: January 21, 2025

TITLE OF ITEM: Consider Approval of the Revised Employee Policy Manual

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert, Human Resources
Director

DEPARTMENT: HR

PRESENTER: Kris Schubert, Human Resources
Director

ESTIMATED TIME (MIN): 5 Minutes

SUMMARY OF ISSUE: Several employment law changes were approved during the 2024 MN Legislative Session. Staff has reviewed and modified our Employee Policy Manual (EPM) to incorporate those changes as well as some policy changes that the Council has enacted this past year. Below is a listing of the main changes:

- Earned Sick and Safe Time – included 2024 law changes with language as recommended by the LMC. This also impacted our Family and Medical Leave policy.
- Pregnancy and Parental Leave - included 2024 law changes with language recommended by the LMC.
- Political Activity - included 2024 law changes with language recommended by the LMC.
- Clarified that a Work Group will be formed when hiring the Public Utilities Director since we now only have one Department Head in the Public Utilities Department.
- Floating Holidays – clarified that new hires receive one floating holiday upon hire.
- References to Municipal Utility Managers was changed to Division Managers (this change was already approved by Council and needed to be incorporated into the EPM).
- Clarified that in order to be eligible for backpay, employees must be currently employed with the City at the time of backpay distribution.
- Added that when a change of reporting officer occurs, that supervisor needs to complete applicable performance reviews before their last working day.
- Minor updates to the Technology Policy section.
- Updated Exhibit A to reflect our 2025 Health Insurance Plans. Also, since all of our current Department Heads and Supervisors were hired or promoted after May 1, 2010, the health insurance provision for those hired before that date has been removed.

A redlined version is also attached to easily see the proposed changes. Please note that the Ratwik firm has reviewed this redlined version.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Another 2024 law change is that employers cannot ask "applicants" about their current wage in order to make a job offer. The applicant can offer the information; however, the potential new employer cannot request it. Ratwik Staff have recently clarified that since our internal promotions language in the Employee Policy Manual does not request any external wage information, we can continue to utilize that practice. We will need to follow the new law for new hires.

RECOMMENDED ACTION/MOTION: Motion to approve the updated Employee Policy Manual as presented.

FINANCIAL IMPACT: n/a

Adopted: ~~January 2, 2024~~

Employee Policy Manual

City of Brainerd

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ARTICLE 1. PURPOSE

Section 1.01 Policy Statement

The City Council of the City of Brainerd ("City") deems it advisable to establish a policy governing the relationship between the employees and the City, and to provide procedures for its administration. In the formation of this policy, the Council recognized that the City is a political subdivision of the State of Minnesota and the Employee Policy Manual must conform to applicable law. Within this framework, the Council can establish governing principles upon which a progressive, comprehensive and efficient program of employee relations may be based.

Section 1.02 General

The purpose of this manual is to help you to better understand the policies and procedures which affect and guide your employment with the City of Brainerd. These policies are not and cannot be construed as contract terms, a guarantee of continued employment, or terms and conditions of employment. This manual replaces, revokes, and supersedes any previous personnel policies, interpretations, and practices. This manual is only valid until amended or replaced by the City Council.

This manual is not intended to cover all circumstances that might arise. Employees should become thoroughly familiar with the provisions of this manual within ten (10) business days of their receipt of this manual. Except as modified by an individual contract or a collective bargaining agreement, all employment with the City is "at-will" employment, meaning that such employment may be terminated by the employee or the City at any time, for any legal reason or no reason at all.

Section 1.03 Amendment to Policy

The City reserves the right to modify, revoke, suspend, or change the language of this personnel policy handbook or any individual policy or policies, in whole or in part, at any time, with or without notice, at the City Council's sole discretion.

Section 1.04 Equal Opportunity and Affirmative Action

The City of Brainerd is an Equal Opportunity Employer. The City will comply with all applicable laws governing equal employment opportunity and affirmative action. This policy extends to all applicants and employees and to all aspects of the employment relationship including, but not limited to, recruiting, hiring, promotion, transfer, and compensation.

Specifically, the City of Brainerd will provide equal employment and advancement opportunity on the basis of merit within the context of its unique business environment and without regard to race (including traits associated with race, including, but not limited to hair texture and hair styles such as braids, locs, and twists), creed, color, religion, age, sex, marital status, national origin, sexual orientation (including gender identity and expression), disability, status with regard to public assistance, or any other characteristic protected by state or federal law.

The Human Resource Director is the designated Equal Employment Opportunity/Affirmative Action Coordinator who has been charged with ensuring that the City of Brainerd's EEO/AA policies are carried out.

If any employee, or applicant for employment, believes he/she has been discriminated against, please contact the Human Resource Director at 501 Laurel Street, Brainerd, MN 56401 or call (218) 828-2307.

ARTICLE 2. SCOPE OF POLICY

Section 2.01 Personnel Covered

This manual generally applies to all City employees, including probationary employees, appointed officials, and elected officials, except to the extent that this manual conflicts with applicable law or collective bargaining agreements. Certain provisions of this manual may be inapplicable to the following individuals:

- A. All elected officials;
- B. Members of City boards, commissions and committees;
- C. Volunteer personnel and emergency employees;
- D. Consultants and/or contracted personnel.

Section 2.02 Employees Covered by Labor Contracts

All provisions of this policy apply to employees covered by collective bargaining agreements, except when such provisions are in conflict with collective bargaining agreement provisions, in which case, such provisions of the collective bargaining agreement shall control.

ARTICLE 3. INTERPRETATION

The purpose of this manual is to provide a basis for the safe, orderly, and disciplined employment environment. This policy is intended to promote knowledge of what is expected of personnel generally, which should result in a greater degree of self-assurance in all positions. In relationships between positions, it should be each City

employee's individual aim to build mutual respect and confidence which is essential to local government service.

To the extent that any federal, state, or local law, ordinance, rule, or regulation conflicts with any policy or policies herein, the applicable law, ordinance, rule, or regulation shall control. To the extent that any federal, state, or local law, ordinance, rule, or regulation imposes stricter requirements on an area governed by these policies, the applicable law, ordinance, rule, or regulation shall control.

Additional information or clarification as to each ARTICLE of this personnel policy may be obtained from your supervisor, department head or the Human Resources Department. This manual is only a start in our communication network because the City maintains a continuous process of communicating policies and benefits to all staff members. The text of this manual, however, takes precedence over and controls any inconsistent communication from any City employee or elected official.

This manual summarizes the various policies and benefits currently provided by the City. Nothing contained in this personnel policy or in any other City document, and nothing said or done by a City employee, is, or can be construed as an employment contract between the City and an employee, as a guarantee of continued employment, or terms and conditions of employment. The City and the employee both have the right to terminate the employment relationship at any time, for any legal reason or no reason at all. Except as modified by an individual contract or a collective bargaining agreement, all employment with the City is "at-will" employment.

ARTICLE 4. IMPLEMENTATION OF THIS POLICY

It is the responsibility of all Department Heads and Supervisors to ensure implementation of this policy. Failure of any employee to perform in a manner consistent with this policy, State or federal Law will be grounds for discipline, up to and including immediate termination.

The City Administrator is hereby given authority for the administration of the policies contained in this manual, as directed by the City Council.

ARTICLE 5. GENERAL INFORMATION

Section 5.01 Data Practices Advisory

In accordance with the Minnesota Government Data Practices Act ("MGDPA"), the City is required to inform employees of their rights as they pertain to any private information that the City collects from them. During the course of City employment, an employee will likely be asked to provide information which is classified by state law as either private or

confidential. Private data is information which generally cannot be given to the public but can be given to the subject of the data. Confidential data is information which generally cannot be given to either the public or the subject of the data. Much of the data the City has about individual employees, however, is classified as public according to Minnesota Statutes, ARTICLE 13.43, Sections 2 and 3 (as amended). Consistent with the relevant provisions of the MGDPA, all public data is available for inspection and copying by members of the public, with or without the employee's consent.

Information about employees requested by the City may be used for the following purposes: (1) to process payroll, including accounting for wages and fringe benefits and to justify any reimbursed expenses; (2) enroll in benefit programs and pension plans; (3) evaluate the employee's job performance, eligibility and abilities; (4) distinguish the employee from other applicants and employees and identify the employee in the correct personnel file; (5) determine the employee's eligibility for employment or promotion, and make employment decisions about the employee's performance; (6) contact the employee or other significant persons in case of an emergency; (7) compile equal opportunity and any affirmative action reports required by applicable law; (8) make decisions regarding the employee's eligibility for sick leave, family and medical leave, parenting leave, and other available leave; (9) make decisions regarding the employee's eligibility for workplace accommodations, including accommodations for disabilities; (10) comply with workers compensation requirements in the event of an injury; and (11) provide information during workplace investigations. Such information may also be used and disclosed for other purposes consistent with applicable law. The information provided by the employee may be used in performance evaluations, determinations regarding merit pay, applications for different employment positions, and other matters which involve a review of the employee's personnel file and past performance.

Unless the employee is told otherwise, the employee is required to provide this information. If the employee refuses to supply the information, the employee may face disciplinary action. Any information which the employee is required to provide cannot be used against the employee in a criminal proceeding. Even if the employee is not required to provide information, it is generally to the employee's best interest to provide it. Without the requested information, the City may not be able to determine the employee's eligibility for employment opportunities, compute wages, or grant the employee other benefits. The employee's refusal to provide information during an employment investigation may also necessitate that the investigation be completed without his or her input.

Federal law permits government agencies to require individuals to provide their social security number for the administration of any tax. Please be aware that when an employee is asked to give his or her social security number on revenue forms, this collection is mandated by law. This information will be shared with the Minnesota Department of Revenue, the Internal Revenue Services, and security tax programs. In most other cases, the disclosure of an employee's social security number is voluntary.

Any information an employee is asked to provide may be shared with individuals within the City whose job duties reasonably require access, as well as individuals outside of the City whose duties require access, such as insurance vendors, consultants, attorneys, and retirement plan employees. Information may also be shared with other agencies authorized by law to receive specific data.

If litigation arises, some or all information may be provided in documents filed with the court which are available to any member of the public. If it is reasonably necessary to discuss the information at an open City Council meeting, some or all data may be available to members of the public. To the extent that some or all of the information is part of the basis for a final decision on disciplinary action, that information may become public, as provided in Minnesota Statutes, ARTICLE 13.43 (as amended).

Section 5.02 Conduct as a City Employee

A. Scope of Policy

It is the policy of the City of Brainerd to maintain a respectful work and public service environment free from violence, discrimination, and offensive or degrading remarks or conduct. Preserving a respectful environment in which to work is the shared responsibility of both management and employees. Inappropriate conduct or communication can interfere with an individual's employment or use of public services, or create an intimidating, hostile or offensive work environment. Any employee found to have acted in violation of this policy shall be subject to appropriate disciplinary action, which may include dismissal from employment.

This policy governs the conduct of all City employees, including; union, non-union, supervisory, non-supervisory, managerial, full-time, part-time and temporary employees; and members of City boards and commissions. This policy is also applicable to City elected officials.

In addition, employees are also expected to comply with ARTICLE 26 of this Manual, which prohibits harassment and inappropriate conduct.

B. Definitions of Prohibited Behaviors

Violent behavior includes the use or threat of physical force, harassment, or intimidation, or abuse of power or authority when the impact is to control others by causing pain, fear or hurt.

Discriminatory behavior includes inappropriate remarks about or conduct related to an individual's race (including traits associated with race, including, but not limited to hair texture and hair styles such as braids, locs, and twists), color, creed, religion, national origin, disability, sex, marital status, age, sexual orientation (including gender identify and expression), status with regard to public assistance, or any other characteristic protected by state or federal law, including behavior specifically prohibited by ARTICLE 26 of these policies.

Offensive behavior may include, but is not limited to, such work-related actions as rudeness, exclusionary behavior, creating or displaying graphics depicting co-workers or customers inappropriately, angry outbursts, inappropriate joking, vulgar obscenities, name calling, disrespectful language, or the intentional filing of an unfounded complaint under this policy.

C. Expected Conduct of City Employees

1. City Employee Conduct in General

Employees of the City shall conduct themselves as professional representatives of the City at all times while on duty or on the employer's premises, and that employees will represent the City in such a manner as to reflect most favorably on the City. Conduct unbecoming a City employee shall include any conduct that tends to bring the City into disrepute or reflects discredit on the person as an employee of the City, or that which tends to impair the functioning of an employee, a department, or the City.

Your conduct as a City employee is an extremely important part of your job. You are a representative of our City, and as such, the way you perform your job and your neat and clean appearance reflects upon our entire organization. Your willingness to assist people, to courteously and accurately respond to their questions or complaints, and to refer them to the proper source when you are unable to solve their problems, are all important facets of your position with the City and impact upon each member of our staff.

2. Conduct in Dealing with the Public

a. Expected Public Interaction.

While representing the City, employees shall be professional and courteous to all members of the public and City customers. They shall be tactful in the performance of their duties, control their tempers and exercise the utmost patience and discretion. They shall not engage in argumentative discussions, even in the face of extreme provocation. They shall not use coarse, violent, profane or insolent language or gestures, and shall not express any prejudice concerning race (including traits associated with race, including, but not limited to hair texture and hair styles such as braids, locs, and twists), creed, color,

religion, age, sex, marital status, national origin, sexual orientation (including gender identity and expression), disability, status with regard to public assistance, or any other characteristic protected by state or federal law, or other personal characteristics.

b. Interaction with an Abusive Customer.

In the event a member of the public or City customer becomes abusive on the phone or in person, employees should refrain from escalating the situation and if possible, employ tactics to defuse the situation, e.g. lower the voice, ask the person to sit down. If the situation doesn't improve, the employee can refer the person to a supervisor or request that a police officer be called to the scene. Employees are not required to continue telephone or in-person conversations in which the caller uses profanity or threats. In those situations, the employee should refer the call to a supervisor or inform the caller, as courteously as possible, that the employee is hanging up and will talk with the caller after the caller has calmed down.

c. Media Requests

Requests for data must be directed to the designated responsible authority. Requests for information outside of the scope of an individual's job duties must be routed to the appropriate department head.

Any employee who identifies a mistake in a communication by the City should bring the error to the City Administrator. Regardless of whether the communication is in the employee's official City role or in a personal capacity, employees must comply with all laws related to data privacy, trademark, copyright, software use, and other laws governing the employee's communication.

Except for routine events and basic information readily available to the public (e.g., dates and locations of City Council meetings or City-sponsored events), all requests for interviews or information from the media must be routed through the City Administrator. No employee is authorized to speak on behalf of the City without prior authorization from the City Administrator or his/her designee. Media requests include anything intended to be published or viewable to others in some form such as television, radio, newspapers, newsletters, social media postings, and websites.

When responding to media requests, employees should follow these steps:

1. If the request is for routine or public information (such as a meeting time or agenda), provide the information and notify the City Administrator of the request.
2. If the request is regarding information about city personnel, potential litigation, controversial issues, an opinion on a city matter, or if an employee is unsure if the request is a "routine" question, forward the request to the City Administrator. An appropriate response may be, "I'm sorry, I don't have the full information regarding that issue. Let me take some basic information and submit your request to the

appropriate person, who will get back to you as soon as he/she can.” Then ask the media representative’s name, questions, deadline, and contact information.

All news releases concerning City personnel will be the responsibility of the City Administrator, or designee.

When/if the City Administrator authorizes a staff person to communicate on behalf of the City in interviews, publications, news releases, on social media sites, and related communications, employees must:

- Identify themselves as representing the City. Account names on social media sites must be clearly connected to the City and approved by the City Administrator.
- Be respectful, professional, and truthful when providing information. In most cases, only factual information (not opinions or editorial comments) should be provided: For example, the employee could state that, “The City finished street cleaning on 16 streets in the northwest corner of the City this past week” instead of “The City is doing a great job with street cleaning this year!” Corrections must be issued when needed.
- Generally, not include personal opinions in official city statements. One exception is communications related to promoting a city service. For example, an employee could post the following on the City’s Facebook page: “My family visited Gregory Park this weekend and really enjoyed the new band shelter.” Employees who have been approved to use social media sites on behalf of the City should review the City’s Social Media Policy, separate from this policy manual, and seek assistance from the City Administrator on this topic.
- Notify the City Administrator if they will be using their personal technology (cell phones, home computer, cameras, etc.) for City business. Employees should be aware that data transmitted or stored may be subject to the Minnesota Government Data Practices Act.

d. Personal Communications and Use of Social Media

It is important for employees to remember that the personal communications of employees may reflect on the City, especially if employees are commenting on City business or commenting on issues that implicate their City employment. As City representatives, employees share in the responsibility of earning and preserving the public’s trust in the City. An employee’s own personal communications, such as on social media, can have a significant impact on the public’s belief that all city staff will carry out city functions faithfully and impartially and without regard to factors such as race (including traits associated with race, including, but not limited to hair texture and hair styles such as braids, locs, and twists), creed, color, religion, age, sex, marital status, national origin, sexual orientation (including gender identity and expression), disability,

status with regard to public assistance, or any other characteristic protected by state or federal law.

Nonpersonal communications (performed within one's job duties) to members of the public must be professional at all times. The following guidelines apply to personal communications, including various forms such as social media (Facebook; X, formerly known as Twitter; blogs; YouTube; etc.), letters to the editor of newspapers, and personal endorsements:

- Do not share any private or confidential information you have access to as a result of your city position.
- Any personal communications made on a matter of public concern must not disrupt the efficiency of the City's operation, including by negatively affecting morale. Put another way, such public comments must not undermine any city department's ability to effectively serve the public. Disruptive personal communications can include liking or republishing (sharing/retweeting) a social media post of another individual or entity. The City can act on the personal communication that violates this policy without waiting for the actual disruption.
- Remember what you write or post cannot easily be undone. It may also be spread to larger audience than you intended. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information or photos you would not want your boss or other employees to read, or you would be embarrassed to see in the newspaper. Keep in mind harassment, threats of violence, discrimination, or retaliation concerning a co-worker or between co-workers that would not be permissible in the workplace is not permissible online, even if it is done after hours, from home and on home computers.
- While representing the City or working on behalf of the City, regardless of the location or event at which the work is taking place, all employees are expected to be fair, courteous, and respectful to supervisors, co-workers, citizens, customers, and other persons associated with the City. Avoid using statements, photographs, video or audio that reasonably may be viewed as malicious, obscene, threatening or intimidating, disparaging, or might constitute harassment. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of sex, race (including traits associated with race, including, but not limited to hair texture and hair styles such as braids, locs, and twists), national origin, age, color, creed, religion, disability, marital status, familial status, veteran status, sexual orientation, gender identity, or gender expression, status with regard to public assistance or membership or activity in a local human rights commission.
- If you publish something related to city business and there is liable to be confusion whether you are speaking on behalf of the City, it would be best to identify yourself and use a disclaimer such as, "These are my own opinions and do not represent those of the City of Brainerd."
- City resources, working time, or official city positions cannot be used for personal profit or business interests, or to participate in personal political activity. Some examples: a building inspector is not permitted to use the city's logo, email, or

working time to promote his/her side business as a plumber; a parks employee should not access a park after hours for personal purposes even though he or she may have a key; a clerk, during work hours at City Hall, should not campaign for a friend who is running for City Council.

- Personal social media account name or email names should not be tied to the City (e.g., (Brainerd Cop).

3. Conduct Between Employees

a. Expectations of Cooperation and Respect

Employees shall cooperate with and be courteous to co-workers at all levels. While everyone is entitled to their feelings, they are not entitled to act on their feelings inappropriately in the workplace. Employees shall control their tempers and refrain from behaviors that are hostile, offensive, intimidating, degrading, or exploitative. Inappropriate displays include, but are not limited to: slamming doors, pounding tables, kicking furniture, unwanted physical contact of any nature, making threats, berating or belittling others, speaking in raised voices, using coarse, violent or profane language or gestures, refusing to speak or respond when spoken to, and refusing to provide assistance when requested.

Employees shall treat each other with respect. They shall refrain from making remarks about or using nicknames for other employees that are disparaging or based on a personal characteristic; producing cartoons or other graphics displaying other employees in an unfavorable light; communicating threatening or disparaging remarks via any medium (voice, e-mail, notes, etc.); engaging in unwanted horseplay or practical jokes; failing to relay written, verbal or telephone messages; unwanted, unwarranted physical contact of any nature, including “roughhousing” such as punching in the arm, pinching, arm twisting, etc., and other, similar unwanted conduct.

b. Workplace Violence

The City is committed to creating and maintaining a workplace that is free from violence. Employees are strictly prohibited from engaging in any threatening or violent behavior while on City premises, while operating vehicles for work related reasons, while engaged in City business off premises, while at any City sponsored activity, or while otherwise representing the City.

Specific examples of conduct that may be considered threats or acts of violence under this policy include, but are not limited to, the following:

- Threatening physical or aggressive conduct directed toward another individual.
- Threatening an individual or his/ her family, friends, associates, or property with physical harm.

- The intentional destruction or threat of destruction of City property or another's property.
- Harassing or threatening phone calls, letters, or e-mails.
- Surveillance or stalking.
- Veiled threats of physical harm or similar intimidation.

Employees have a responsibility to help keep the municipal buildings safe and free of violence. Employees should inform their supervisor of any workplace situations that violate this policy, even if the threat is presented as "only a joke". Supervisors are responsible for taking immediate steps to avoid workplace violence from occurring and subsequently report such information to City Administration. Any employee who engages in threatening behavior or acts of violence will be subject to disciplinary action up to and including termination.

For purposes of this policy, the term "workplace violence" does not include actions by law enforcement officers taken in the course of their employment with the City and consistent with applicable law and City policy regarding use of force and law enforcement activities.

D. Reporting Inappropriate Workplace Behavior

Any employee who feels he or she is being subjected to behaviors in violation of this Policy and any employee who witnesses or becomes aware of such conduct, should take the following steps:

1. If possible, politely but firmly tell the person who is behaving inappropriately that you are uncomfortable with or offended by the behavior and ask them to stop.
2. Document in writing for personal reference that describes the inappropriate behavior, the date the inappropriate behavior occurred, how it made you feel, what you did, how the offending party responded, and the names and titles of any witnesses.
3. If confronting the offending party is not practical or possible, or if the person refuses to discontinue the inappropriate behavior, the employee should, adhering to the chain of command, contact someone on the list below verbally or in writing:
 - a. The employee's immediate supervisor
 - b. The employee's department head
 - c. The Human Resource Director
 - d. The City Administrator

Reports of conduct by the Human Resource Director or the City Administrator may be made to the Mayor or the Personnel Committee of the City Council.

When making a report, the complaining party should be prepared to provide the following information:

1. The complainant's name, department and position title.
2. The name, department, and position title of the offending party, if known.
3. The specific facts of the allegedly inappropriate behavior, how long it has allegedly gone on, any employment action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) that was supposedly taken against the employee who is filing the complaint.
4. Names of witnesses, if any, to the allegedly inappropriate behavior.
5. Whether the complainant has previously reported the allegedly inappropriate behavior and, if so, to whom.

E. Investigating Complaints of Inappropriate Conduct

The Human Resource Director, the City Administrator, or designee of the City Administrator or Human Resources Director, shall investigate complaints of inappropriate workplace conduct.

The determination of whether inappropriate workplace conduct has occurred will be made on a case-by-case basis. Disciplinary action will also be determined on a case-by-case basis in accordance with these policies, applicable policies of the Police and Fire Departments, and applicable collective bargaining agreements.

Employees who are found to have filed bad faith complaints of inappropriate workplace conduct may be subject to disciplinary action as described in the preceding paragraph.

F. Consequences of Engaging in Inappropriate Workplace Conduct

Employees who are found to engage in inappropriate workplace conduct may be subject to disciplinary action, up to and including immediate termination, subject only to applicable law, the provisions of these policies, applicable policies of the Police and Fire Departments, and applicable collective bargaining agreements.

Supervisors are required to deal swiftly and vigorously with employees who treat others disrespectfully. Any supervisor who condones or allows inappropriate workplace conduct or fails or refuses to respond appropriately to complaints of inappropriate workplace conduct, may be subject to disciplinary action as described in the preceding paragraph, whether or not the supervisor actually engaged in inappropriate workplace conduct.

G. Retaliation for Complaints of Inappropriate Workplace Conduct

All employees are prohibited from retaliating or threatening to retaliate against anyone who complains of inappropriate workplace conduct. Any employee found to engage in retaliatory actions is subject to discipline, up to and including immediate termination, subject only to applicable law, the provisions of these policies, applicable policies of the Police and Fire Departments, and applicable collective bargaining agreements.

H. Relationship of Code of Conduct to Harassment Policy.

This policy supplements and does not replace the City's policies prohibiting discrimination, harassment in the workplace, and workplace violence.

Section 5.03 Gifts and Endorsements

No employee shall directly or indirectly solicit, receive, or agree to receive any compensation, "tip," gift, reward, gratuity, payment of expense, or promise of future employment or other future benefit from any source except the City, for any matter or proceeding connected with or related to the duties of the employee. Notwithstanding the above rule, employees may only accept gifts that are specifically allowed by State statute.

Employees and elected officials qualifying as "local officials" pursuant to M.S. 471.895 (as amended) must comply with the terms of that statute.

Section 5.04 Solicitations

The City does not allow outside solicitations to take place on City time or property. If you are asked to purchase goods, contribute funds, etc. while on City premises, please notify your supervisor immediately.

Section 5.05 Conflicts of Interest

No City employee shall engage in any act which is in conflict, or creates an appearance of impropriety or conflict, with the performance of official duties. When an employee believes the potential for a conflict of interest exists, it is the employee's responsibility to avoid the situation. Employees must notify their supervisor if a conflict of interest or perception of a conflict-of-interest situation exists or may exist. Employees who knowingly fail to avoid or disclose a potential, perceived or actual conflict of interest situation are subject to disciplinary action in addition to any criminal penalty that may be involved. An employee shall be deemed to have a conflict if the employee:

- A. Has any financial interest in any sale to the City of any goods or services;
- B. Engages in conduct that violates Section 5.03 (Gifts and Endorsements) of this ARTICLE;

- C. Participates in his/her capacity as a City employee in the issuing of a purchase order or contract in which he/she has a private financial interest, direct or indirect, or performs in regard to such contract some function requiring the exercise of discretion on behalf of the City; or
- D. Engages in, accepts employment from, or renders services for private interests for any compensation or consideration having monetary value when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in performance of official duties, or give the appearance of the above.

An employee should not make a unilateral decision if there is any doubt about his/her private employment. The City Administrator or Human Resource Director should be consulted.

No employee shall, directly or indirectly, give or receive, or agree to give or receive any compensation, gift, reward, commission or gratuity from any source except the City for any matter directly connected with or related to his official services as such employee with this City except as provided in Section 5.05, subpart B above.

- E. Discloses or uses without authorization from the City Administrator private, confidential, or other non-public information to further the employee's private interest, or accepts outside employment or involvement in a business activity that will require the employee to disclose or use such information.
- F. Has a financial interest or personal interest in any legislation or decision coming before the City Council and participates in discussion with or gives an official opinion to the City Council unless the employee discloses on the record of the Council the nature and extent of such interest.

Section 5.06 Outside Employment

Employees may not engage in outside employment which might in any way hinder their objective and impartial performance of their public duties, be incompatible with their City employment, or impair their efficiency on the job. Individuals employed by the City of Brainerd must regard the City as their primary employment responsibility. All outside employment is to be reported to the employee's Department Head. If a potential conflict exists based on this policy or any other consideration, the Department Head will consult with the City Administrator and Finance Director. Any city employee accepting employment in an outside position that is determined by the City Administrator to be in conflict with the employee's city job will be required to resign from the outside employment or may be subject to discipline up to and including termination.

Outside work shall be regarded as secondary to regular City employment and shall not interfere with the availability of employees for regularly scheduled work, emergency, or on-call duties. The City's Workers Compensation insurance does not cover any individual injured in the course of outside employment.

Section 5.07 Incompatible Activities

As a City employee, you have a responsibility to uphold a high standard of honesty and integrity.

You may not engage in any activities which are inconsistent, incompatible or in conflict with the duties of your position. These incompatible activities include activities such as using your position or City resources for personal gain or advantage, accepting money or gifts for performing your duties as a City employee, or engaging in activities which impair your attendance or efficiency in the performance of your duties. If an employee has any question as to whether an activity is "incompatible" with his or her work for the City, the employee must ask his or her department head or, if the employee is a department head, the City Administrator for clarification.

Section 5.08 Use of City Vehicles, Facilities and Equipment

No employee of the City shall request, use, or permit the use of City-owned vehicles, clothing, equipment, materials, or other property for: unauthorized personal convenience, for profit, for private use, or as part of secondary employment, or any other use not in the interest of the City, except as provided by law. Use of such City property is to be restricted to such services as are available to the City generally and for the conduct of official City business.

Employees are responsible for appropriate use of time, telephones, cellular telephones, computers, printers, paper, pens, stationery, facsimile machines, and pages. They are expected to adhere to the highest ethical standards when conducting City business and to follow these policies.

Management personnel are responsible for ensuring the appropriate use of all City property, including e-mail and internet access through training, supervising, coaching and taking disciplinary action, when necessary.

Employees who are required to take a City vehicle or equipment home due to the nature of their work for the City, shall do so only with the approval of the City Administrator and in accordance with IRS reporting requirements, and applicable law. City vehicles shall be allowed to leave the City limits (or service area for Fire Department, Police, and BPU vehicles) only while on official City business.

City employees shall have no expectation of privacy in any property or equipment of the City, including, but not limited to, offices, cubicles, desks, files, vehicles, filing cabinets, voice mail, text messages on City paid cellular telephones, PDAs, computers, laptops, mass storage devices, e-mails, electronic media or devices of any kind, or any other type of equipment, property, or space provided by the City. Except when accessed by the police department for law enforcement purposes, any such property or equipment may be accessed, monitored, or searched by the City at any time, for any purpose, with or without notice to the employee, and with or without reasonable suspicion.

Staff members shall operate City vehicles in a careful and prudent manner and shall obey all state and federal laws and all City orders pertaining to such operation. Staff members shall set a proper example for others when operating City vehicles.

This policy applies to all employees who drive a vehicle on City business at least once per month, whether driving a City-owned vehicle or their own personal vehicle. It also applies to employees who drive less frequently but whose ability to drive is essential to their job due to the emergency nature of the job. The City expects all employees who are required to drive as part of their job to drive safely and legally while on City business and to maintain a good driving record.

To the extent allowed by law, the HR Department will examine driving records once per year for all employees who are covered by this policy to determine compliance with this policy. Employees who lose their driver's license or receive restrictions on their license are required to notify their Department Head and the HR Director or their designee on the first workday after any temporary, pending or permanent action is taken on their license, and in any event before operating a City vehicle, and to keep their Department Head and HR Director informed of any changes thereafter. The City will determine appropriate action on a case-by-case basis.

The City Council approved the following policy regarding vehicle use. The intent of this policy is to ensure appropriate use of City vehicles and rolling stock by City employees while working on City business or as a representative of the City and to ensure a clear understanding thereof.

- A. To the extent feasible, City employees should use a City-owned vehicle when traveling for City work, including conferences, seminars, and meetings that the employee is attending in his or her role as a City employee.
- B. Conferences, schools, seminars and meetings: For purposes of this policy it is intended that training opportunities during the regular work shift within a 90-mile distance of the work location is considered an acceptable work-related activity in as much as the vehicle will be returned to the work site either during or shortly after the completion of the shift.

- C. Out-of-town and overnight conferences and schools: To the extent feasible, employees should use an available City-owned vehicle when traveling to overnight conferences, schools, and events. For travel which has a duration of more than one workday in length, the employee may utilize a non-fleet vehicle, if a City-owned vehicle is not available, the use for which will be compensated at the approved rate. Alternatively, upon prior approval of the City Administrator or designee, the employee can utilize an available vehicle if not needed by other staff during the applicable timeframe.
- D. Lunch hours and authorized breaks: For purposes of this policy when an employee is scheduled to work at a site other than their normal reporting location, and for Police Officers on duty, use of a City vehicle for travel within one mile of the City limits for the purpose of lunch and other authorized breaks shall not be considered personal use.
- E. Overnight use: It is the intent of this policy that all municipal vehicles will have returned to their designated work location by the end of the work shift unless prior authorization has been received from the employee's Department Head.
- F. Personal use: Personal use of City vehicles by City employees or elected officials is prohibited without the express written consent of the City Administrator.

Section 5.09 Possession and Use of Dangerous Weapons.

All employees, except sworn employees of the Police Department, are prohibited from carrying or possessing firearms and/or dangerous weapons other than firearms while acting in the course and scope of employment for the City. The possession or carrying of a firearm or dangerous weapon by employees other than sworn Police Officers is prohibited while working on City property or while working in any location on behalf of the City. This includes but is not limited to:

1. Driving on City business;
2. Riding as a passenger in a car or any other type of transit on City business;
3. Working on the City's property, including City Hall or any other City-owned work site;
4. Working off site on behalf of the City;
5. Performing emergency or on-call work after normal business hours and on weekends;
6. Working at private residences and at businesses on behalf of the City;
7. Attending training or conferences on behalf of the City.

Possession or use of a dangerous weapon is prohibited on City property, in City vehicles, or in any personal vehicle, which is being used for City business. This includes employees with valid permits to carry firearms.

For the purposes of this policy, “dangerous weapons” are defined to include all legal or illegal firearms, switchblade knives, or any other object that has been modified to serve as a weapon or that has the primary purpose of serving as a weapon.

- Exceptions to the dangerous weapons prohibition are as follows: Employees legally in possession of a firearm for which the employee holds a valid permit, if required, and said firearm is secured within an attended personal vehicle or concealed from view within a locked unattended personal vehicle while that person is working on City property, to the extent required by Minnesota Statutes, section 624.714 (as amended), or other applicable law.
- Possession or use of a dangerous weapon necessary for the performance of duties by sworn Police Department employees.

In addition, the City prohibits the discharge of firearms on City property, except as necessary for the performance of duties by sworn Police Department employees. Any employee in violation of this policy will be subject to disciplinary action, up to and including discharge.

This policy is administered and enforced by the Human Resources Department. Anyone with questions or concerns specific to this policy should contact the Human Resource Director.

ARTICLE 6. APPOINTMENTS AND PROMOTION

Section 6.01 Appointment Procedure

It is the intent of the City of Brainerd to recruit and select qualified candidates for available positions, as it deems necessary. The City is committed to recruitment and selection practices that are based on merit. The recruitment and selection processes will be conducted to ensure an open and competitive process. The City Administrator or a designee will oversee the hiring process for positions within the City. Human Resources staff are responsible for managing the recruitment and selection process including, but not limited to, obtaining authorization to hire, evaluating job descriptions, preparing vacancy announcements, scoring applications, conducting interviews, facilitating background checks, scheduling various assessments and medical examinations, scheduling interviews, and making and withdrawing job offers. While the hiring process may be coordinated by staff, the City Council is responsible for the final hiring decision and must approve all hires to city employment.

The selection process will be a cooperative effort between the City Administrator, HR Director and the hiring supervisor, subject to final hiring approval of the City Council. Any, all, or none of the candidates may be interviewed, as determined by the City at its sole discretion.

When hiring the Public Utilities Director, the City Council will establish a Work Group to oversee the hiring process and up to two representatives from the BPU Commission Personnel Committee will be included in said Work Group.

The process for hiring seasonal and temporary employees may be delegated to the appropriate supervisor with each hire subject to final City Council approval. Except where prohibited by law, seasonal and temporary employees may be terminated by the supervisor at any time, subject to City Council approval.

Every appointment to municipal service shall be recommended by the City Administrator or designee to the Personnel and Finance Committee and approved by the City Council. When required by law or by the City Administrator, merit and fitness shall be ascertained by written, oral or other examinations designed to evaluate the ability of the candidate to discharge the position for which the examination is held.

For an existing position that becomes vacant and new positions approved as part of the budget, the City Administrator or designee shall inform the City Council of the vacancy to receive the City Council's authorization to begin recruitment and, when complete, to bring a hiring recommendation to the City Council for authorization to hire. Furthermore, when a position has already received approval from the City Council and an offer is made to a candidate who then declines, the Human Resource Director and the department head may use their judgment in reviewing the list of applicants or re-advertising for the same position.

The City Council may, from time to time, provide staff with hiring perimeters. To the extent that the City Council does so, and if said perimeters are followed, the Council may ratify the hiring of an individual after a conditional job offer has been given and the successful completion of pre-employment screening process has been completed.

Unless otherwise required by law or applicable collective bargaining agreement, in no event shall the hiring or continued employment of any person be considered a contractual relationship between the employee and the City. Further, unless otherwise provided, such relationship shall be defined as employment "at-will," which allows either party to dissolve the relationship at any time, for any legal reason or no reason at all. When required by law or requested by the applicable Department Head, merit and fitness shall be ascertained by written, oral or other examinations designed to evaluate the ability of the candidate to discharge the position for which the examination is held.

Section 6.02 Physical Examination and Background Checks

To the extent authorized or required by law, the City reserves the right to require applicants to complete a pre-employment physical examination by a physician designated by the City as part of the hiring process. Likewise, to the extent authorized by law, the City reserves the right to require employees to complete physical examinations related to their ability to complete the essential functions of their positions. The cost of any such examination shall be paid by the City.

To the extent required or authorized by law, the City reserves the right to require applicants to submit to a background check, including a criminal history background check, as part of the hiring process. Likewise, to the extent authorized by law, the City reserves the right to require internal applicants for promotional positions to submit to a background check, including a criminal history background check, as part of the recruitment and appointment process.

Section 6.03 Promotion from Within

To the extent practical, notice of all new job openings or vacancies shall be posted for at least three (3) working days in an appropriate place. Any employee desiring to apply for such job opening shall do so via the designated application process. If a person other than the Human Resource Director is designated in the job posting, the designated individual shall provide the application to the Human Resource Director within one (1) working day of receipt of the application. The internal recruitment process in no way prohibits the City from seeking and hiring qualified applicants through an external recruitment process. Except as required by the provisions of a collective bargaining agreement, the City reserves the right to recruit external candidates with or without conducting an internal recruitment process and has no obligation to select an internal candidate over an external candidate.

Section 6.04 Acting Department Head Policy

The following provisions shall be followed for appointment of Acting Department Heads:

- A. An employee who is designated to act as a Department Head shall be compensated at the rate of pay of the lowest step on the wage grid for the Department Head position that would represent an increase in pay for the employee of at least 3%.
- B. An employee may be appointed to the position of Acting Department Head upon recommendation of the City Administrator through the Personnel and Finance Committee and final approval of the City Council.

- C. Subject to the provisions of any applicable collective bargaining agreement, upon appointment of a Department Head, the City may return the employee who was Acting Department Head to the position and rate of pay he or she held prior to appointment as Acting Department Head, unless the Acting Department Head is appointed to the Department Head position.
- D. It is understood that the employee appointed as Acting Department Head is receiving additional compensation as per the terms of this policy and that no additional compensation will be made if or when the employee returns to his/her previous position regardless if this policy is amended at any point in the future.
- E. Nothing in this policy provides, or can be construed as providing, any employee with the right to be selected as Acting Department Head or Department Head. Nothing within this policy alters, or can be construed as altering, the "at-will" nature of employment of Acting Department Heads.

ARTICLE 7. SALARY ADMINISTRATION PLAN

Non-union supervisory employees, Division Managers and Department Heads shall be compensated in accordance with wage resolutions adopted by the City Council.

New employees will generally start at Step 1. Promoted and/or reclassified employees will generally start at the lowest step that is at least 3% more than the employee received in his or her previous position with the City; further, wage step placement appeals will not be considered from promoted and/or reclassified employees for a higher step placement. The City retains the sole discretion to start an employee at a higher step depending on qualifications and needs of the City. Employees shall have no right under this policy to file a grievance or appeal to the City Council regarding their initial placement on the pay table or initial placement following a promotion or reclassification.

Performance evaluations shall be based on job descriptions and result-oriented performance standards. Performance evaluations are intended to assist the employee in reaching maximum potential, enhance services provided by the City, and provide for periodic, formal review by the employee's supervisor and Department Head. The performance evaluation system shall be conducted in the following way:

- A. It shall be the responsibility of each Department Head to provide periodic written evaluations of subordinate employees, on at least an annual basis. This once-a-year annual evaluation shall coincide with the determination of the appropriateness of granting a merit (step) increase in accordance with this policy, if the employee is eligible.

- B. It shall be the responsibility of the City Administrator to provide periodic written evaluations of Department Heads on at least an annual basis. This once-a-year annual evaluation shall coincide with the determination of the appropriateness of granting a merit (step) increase in accordance with this policy, if the employee is eligible. The City Administrator will request feedback from all City-appointed boards that the Department Head is the primary staff liaison to while preparing for said review. The board feedback will be received via a form provided by the Human Resources Department.
- C. It shall be the responsibility of the City Council to provide periodic written evaluations of the City Administrator, on at least an annual basis. This once-a-year annual evaluation shall coincide with the determination of the appropriateness of granting a merit (step) increase in accordance with this policy, if the employee is eligible.
- D. When there will be a change of the reporting officer for an employee as noted in Items A or B above, the outgoing reporting officer must complete a performance review for all applicable employees before their last working day.

The decision to provide a merit (step) increase shall be the determination, at the discretion of the Department Head, City Administrator, or City Council as applicable. Pay steps through step 6 are based on satisfactory performance.

In order to advance to Step 7 on an applicable wage grid approved by the City Council, an employee must be on Step 6 and obtain two “achieves expectations” and one “exceeds expectations” on their annual performance evaluation for their currently-held position in any given three-year cycle beginning January 1, 2019. In order to advance to Step 8, an employee must be on Step 7 and obtain another “exceeds expectations” with two prior “achieves expectations” on their annual performance evaluation for their currently-held position in any given three-year cycle.

Step increases for employees hired before August 1, 2022, will become effective on January 1 of each year following the employee’s performance review. For employees hired, reclassified or promoted on or after August 1, 2022, any step increase will become effective on their position anniversary date. Progression through the pay steps will be accomplished by an annual review of employee performance, as described above.

Denial or delay of a step increment shall be subject to the grievance procedures described in these policies.

ARTICLE 8. PROBATIONARY PERIOD

Section 8.01 Duration and Purpose

Subject to the provisions of an applicable collective bargaining agreement and applicable law, all new, rehired, promoted, or reassigned employees shall serve a twelve (12) month probationary period upon assuming their new positions. This period shall be used to observe the employee's work habits and ability to perform the work that they are required to do. Department Heads shall file with the City Administrator a written summary of the probationary period and include a recommendation for continued employment of the employee.

An employee serving his/her initial probationary period may be disciplined at the sole discretion of the City Administrator, up to and including dismissal. An employee so disciplined, including dismissal, will not have any grievance rights.

Section 8.02 Extension

An employee's probationary period may be extended for an additional period of time not to exceed six (6) months upon recommendation from the City Administrator or Department Head and at the sole discretion of the Human Resource Director.

Section 8.03 Termination

The City Council, upon recommendation of the Personnel and Finance Committee, may terminate with or without cause a probationary employee anytime during the probationary period.

Section 8.04 Completion

At the end of the probationary period, the Department Head will recommend that the City Administrator take one (1) of the following actions:

- 1) Extension of Probation;
- 2) Regular Employment; or
- 3) Termination.

If the recommendation is for termination, the City Administrator will take the recommendation to the Personnel and Finance Committee for consideration, before receiving final approval from the City Council.

An employee's completion of the probationary period does not guarantee future employment or create a "for cause" termination standard. All employees, including employees who have successfully completed a probationary period, are "at will" employees. Nothing in this personnel policy provides, is intended to provide, or should

be construed as providing additional rights to employees who complete the probationary period.

Section 8.05 Vacation and Sick Leave

During a new or rehired employee's probationary period, vacation leave and Sick Leave/ESST shall be earned. Employees may use vacation leave after the first six months of their probationary period, subject to approval by the employee's supervisor. Sick Leave/ESST may be taken during the probationary period not to exceed the sick leave time earned.

ARTICLE 9. HOURS OF WORK

Section 9.01 Work Schedule

Due to the necessity of providing service twenty-four hours per day, seven days per week, it is a reasonable condition of employment to require that employees work a regular schedule of hours as established by the City. Regular schedules shall not be construed as excluding shift rotation and emergency work schedules based on public necessity as determined by the City.

The following are descriptions of the work schedules for the types of employees utilized by the City of Brainerd.

- A. Subject to the terms of any applicable collective bargaining agreement, regular full-time and probationary full-time employees, included in the annual budget, normally have a work schedule of forty (40) hours per week, (five (5) days per week, eight (8) hours per day). The City reserves the right to set employees' schedules and hours of work as required to deliver City services.
- B. Regular part-time and probationary part-time employees have a work schedule that is less than forty (40) hours per week. Employees who work less than thirty (30) hours per week shall not be eligible for fringe benefits, except as required by law. Employees who work thirty (30) hours per week or more shall be eligible for the following fringe benefits on a pro-rata basis:

Holidays - As established in ARTICLE 15 of this manual.

Vacation - As established in ARTICLE 16 of this manual.

Sick Leave/ESST - As established in ARTICLE 17, Section 17.06 of this manual.

Employees who work thirty (30) hours per week or more shall be eligible to participate in the City's group health insurance, cafeteria plan and life and long-

term disability ("LTD") insurance provided that the participation of such employees is allowed by the insurance carrier/plan eligibility rules.

The employer's contribution for health insurance and life and LTD insurance for eligible participating employees shall be determined on a pro-rata basis.

- C. Temporary or seasonal employees may work a flexible schedule for a period not exceeding 185 consecutive calendar days in each year of employment, or such other amount of time as determined by the City Administrator or designee. Full-time students under the age of 23 may also work a flexible schedule as allowed by law. Employees who are temporary, seasonal, and/or full-time students are not eligible for fringe benefits.

Employees should be made aware of their work schedules by a method suitable for the various city departments. Any changes in work schedules usually will be made known to employees affected ahead of time when the schedules take effect, except in the case of emergencies.

Section 9.02 Time Sheets

Each employee of the City shall complete an accurate time sheet following the proper procedure and timeline. Time sheets shall cover a two (2) week (fourteen (14) day) period except Paid on-call Firefighters whose timesheet will cover a full calendar month. Time sheets shall be completed by each employee and shall show all hours worked and the department the work is to be charged to. All overtime, if applicable, shall be approved by the Department Head. Reporting false information on a time sheet may be cause for disciplinary action up to and including immediate termination.

Section 9.03 Supervisory Employees

The City Administrator, Department Heads, Division Managers and non-union supervisory employees who are exempt from the overtime and minimum wage provisions of the Fair Labor Standards Act may be allowed to maintain limited flexibility in their work schedule from the normal workday to the extent that job performance and service responsibilities of the City to the public remains satisfactory and at the approval of the employee's supervisor. This limited flexibility means that, if a Department Head, Municipal Utility Division Manager or non-union supervisor is absent for four or more hours in any normal workday, appropriate leave must be utilized to account for the absence.

The regular work week for all regular employees, including Department Heads, Division Managers and non-union supervisors consists of five workdays. Even though Department Heads, Division Managers and non-union supervisors may be required to work additional hours for night meetings, City functions and duties, etc., the employee

must report to work all five days per week, even if the actual hours worked exceeds 40 hours prior to the fifth day. If an employee does not report to work for an entire day in a work week, the timesheet must show which type of appropriate leave is being taken (e.g., eight hours of vacation time).

If a Department Head, Municipal Utility Division Manager or non-union supervisor needs to work a full day on a weekend or holiday, he or she may make a request to the Department Head (for Division Managers or non-union supervisors), City Administrator (for Department Heads), to have this workday switched to allow for a day off on another day. This request must be approved by the Department Head or City Administrator as appropriate, before the employee switches his or her work schedule.

Section 9.04 Adverse Weather Conditions

City facilities will generally be open during adverse weather. Due to individual circumstances, each employee will have to evaluate the weather and road conditions in deciding to report to work (or leave early). An employee may be allowed to work from home with prior approval by their supervisor; allowed to use accrued vacation time or compensatory time, or with supervisor approval; or may modify their work schedule if allowed without incurring overtime per the applicable union contract or make other reasonable schedule adjustments.

Sworn police officers, firefighters, utility and public works maintenance employees will generally be required to report to work regardless of conditions.

Decisions to cancel departmental programs (special events, recreation programs, etc.) will be made by the respective supervisor or the City Administrator.

ARTICLE 10. OVERTIME HOURS

Section 10.01 General

Overtime pay for employees will be in conformance with State and federal law, including Minnesota Statutes, section 177.25 (as amended) and the Federal Fair Labor Standards Act, 29 United States Code, section 201 et seq., ("FLSA") as amended, and all applicable State and federal rules and regulations implementing section 177.25 and/or the FLSA.

- A. For purposes of computing overtime for employees, other than BPU employees, work weeks shall begin at 12:00 a.m. on Sunday. For purposes of computing overtime for BPU employees, work weeks shall begin at 12:00 a.m. on Monday.

- B. Hours worked by non-exempt, non-union employees in excess of forty (40) per week shall be compensated at one and one-half (1 ½) times their hourly wage rate unless a different rate is established by an employment contract.
- C. Holiday hours actually worked are calculated as time worked in the computation of overtime pay.
- D. For the purposes of computing overtime compensation, overtime hours worked shall not be pyramided, compounded, or paid twice for the same hours worked.
- E. No employee may work overtime without the prior approval of his or her Department Head, or designee.
- F. Exempt, non-union employees shall not be eligible for overtime compensation or compensatory time, except as provided in Section 10.04 of this Policy.

Section 10.02 Payment

Department Heads are responsible to schedule the work in their departments to minimize overtime. Overtime shall be inputted in 1/4 hour (fifteen minute) increments.

Section 10.03 Compensatory Time

Upon request, non-exempt, non-union employees will be allowed to earn compensatory time in lieu of receiving overtime compensation. In no event, shall accrued compensatory time off exceed the limitations provided in the FLSA. Once an employee has reached maximum accrual, compensation for additional hours must be paid in cash, rather than accrued as compensatory time off.

Compensatory time shall be determined at the rate of one and one-half (1½) hours off for every hour of overtime worked, or at a higher rate, if the employee receives a higher rate of pay for the overtime hour(s) in question in accordance with the terms of a collective bargaining agreement or other employment contract. Compensatory time off will be granted in not less than one-quarter hour units.

The City reserves the right to pay out any compensatory time off in excess of 80 hours, as it deems necessary. Accrued compensatory time off may be used with prior approval from the employee's Department Head, which shall be granted unless use of compensatory time off would unduly disrupt the operations of the City.

Upon separation from the City's employment, employees shall be paid for their accrued, but unused compensatory time off in accordance with the FLSA and other applicable law.

Section 10.04 Overtime for Exempt Employees

Notwithstanding the above, exempt employees may receive overtime compensation to the extent provided in an intergovernmental agreement or other contract between the City and another entity, if the contract requires the other entity to pay the cost of overtime hours.

ARTICLE 11. PERSONNEL/PAYROLL

Section 11.01 Personnel Records

An employee must notify the Department Head and the Human Resource Director in case of a change in address, telephone number, marital status, or number of dependents. If at any time an employee's address or telephone number is changed and the change is not reported, it may be difficult or impossible to complete delivery of messages, notices, or other information which should be received. Incomplete information creates problems with payroll deductions and fringe benefits, such as medical coverage. Accordingly, the failure to provide such information may impact the City's ability to provide pay and/or benefits to City employees.

Section 11.02 PERA (NOTE: See PERA's Website: www.mnpera.org to verify contribution rates)

Almost all city employees in the State of Minnesota are covered by a public pension system known as the PERA. Both the City and employees contribute to PERA. For specific information regarding annual contribution rates, contact the Human Resource Director. Vesting time varies depending on your membership eligibility date and the pension is portable among public employers throughout the state. Being vested means you qualify for benefits at the minimum allowable age.

In normal situations, employees and employers both contribute a percentage of the employee's gross salary to PERA. However, Minnesota law provides that some income received by an employee are not eligible for PERA contributions. Employees should contact the Human Resource Director with specific questions regarding PERA contributions.

Section 11.03 FICA

All full-time, part-time, temporary and/or seasonal employees are mandatory members of Federal Insurance Contribution Act (commonly known as Social Security). The City is required to deduct certain amounts from such employees' gross salary. Certain employees may be exempt from this deduction. Employee should contact the Human Resource Director with specific questions regarding FICA deductions.

Section 11.04 Medicare

All full-time, part-time, temporary and/or seasonal employees have a mandatory deduction for Medicare tax taken from their paychecks. Employee should contact the Human Resource Director with specific questions regarding Medicare deductions.

Section 11.05 MN Deferred Compensation

The City is a member of the Minnesota Deferred Compensation Plan. An employee may, at their option, defer any part of income, to a maximum amount set by law, of gross salary. The City does not contribute any monetary amount to the MN Deferred Compensation Plan unless required by the provision of collective bargaining agreement.

ARTICLE 12. SEPARATION FROM EMPLOYMENT

Section 12.01 General Statement

Separation from employment is an inevitable part of personnel activity within any organization, and there are many reasons for separation. The reasons for separation include: (1) resignation; (2) discharge (in accordance with ARTICLE 28 of these policies); (3) layoff; and (4) retirement (in accordance with ARTICLE 13 of these policies).

An employee leaving the City, for any reason, must turn in his/her identification badge and card, tools, shop coats, keys, books, and other City equipment no later than the last day of work. The employee is expected to go through an exit interview with the Human Resource Director on his/her last day of work. This interview is important for both the City and the employee. Through this interview, information may be provided which can lead to the causes of turnover, absenteeism, poor communication, etc. Oftentimes problems are discovered which appeared non-existent previously. It can be an effective means for gaining insight into potential personnel problems.

Section 12.02 Resignation

As at-will employees, all City employees may resign at any time, for any reason. In order to be considered "in good standing" at the time of resignation, an employee must file with employee's department head, at least 14 days before leaving, a written resignation stating the effective date of the resignation. Department Heads, Division Managers and non-union supervisors wishing to resign "in good standing" should give the City as much advance notice as possible, but must provide at least 30 days' notice. Failure to comply with this 14-day or 30-day notice procedure may be considered cause for denying the employee future employment by the City and denying termination benefits. Unauthorized absence from work for a period of three working days may be considered by the City Administrator as a resignation "not in good standing" and without benefits.

Section 12.03 Layoffs

After at least two weeks' notice to the employee, the City Administrator may lay off any employee when such action is necessary because of shortage of work or funds, the abolition of a position, or changes in organization. If it should become necessary to reduce the City work force, the City may give consideration to the employees' on-the-job performance, abilities, job knowledge and the potential for other jobs within the City.

Section 12.04 Final Pay Following Termination of Employment

Subject to applicable law, employees who terminate employment with the City shall receive their final pay settlement a maximum of two weeks from the date of resignation, coinciding with the next normal payday. To be eligible for backpay, employees must be currently employed with the City at the time of backpay distribution.

ARTICLE 13. RETIREMENT AND SEVERANCE PAY

Section 13.01 Procedure

Regular employees who retire voluntarily in good standing, as defined in the previous Article and are eligible to immediately begin receiving monthly retirement benefits under the provisions of PERA as of the date of his or her retirement, shall be granted severance pay based on the following conditions and rates:

Section 13.02 Conditions

- A. Retirement - voluntary and in good standing, as defined in ARTICLE 12.
- B. Voluntary retirement or termination of employment in good standing, as defined in ARTICLE 12, due to health reasons, service-connected injury, or illness.

Section 13.03 Rates

All regular employees, regardless of the date of hire, shall be entitled to 100 percent of their unused Sick Leave/ESST as severance pay, with a maximum of nine hundred sixty (960) hours, upon retirement in good standing, as defined in ARTICLE 12, or if they become disabled and must terminate their employment, with written proof by a physician. In the event of death, severance pay shall be paid to the beneficiary. Pay for unused Sick Leave/ESST shall be based on existing annual wage as described in Exhibit C or applicable union contract.

ARTICLE 14. MEAL AND COFFEE BREAKS

All hourly employees shall receive one (1) fifteen (15) minute rest period during each four (4) consecutive hours of work. Rest periods are part of the paid work shift. An employee shall not be compensated additional wages or time off for not taking a scheduled rest period. Employees are expected to use these breaks as intended and will not be permitted to adjust work start time, end time, or meal time, including any standard meal time designated by a specific Department—or accrue compensatory time—by saving these breaks. Breaks should be scheduled so as to not interfere with work requirements.

In general, City employees working a scheduled full-time shift are entitled to a one (1) hour uncompensated meal period. Meal periods shall be scheduled by the department head or supervisor. Employees will not be permitted to adjust work start time or accrue compensatory time by skipping or shortening meal breaks.

ARTICLE 15. HOLIDAYS

The following holidays, or days observed as such, shall be considered paid holidays for all regular employees:

- New Year's Day
- Martin Luther King, Jr. Day
- Presidents' Day
- Memorial Day
- Veterans' Day
- Juneteenth
- Independence Day
- Labor Day
- Thanksgiving Day
- Friday after Thanksgiving Day
- Christmas Day
- One "Floating" holiday

When an official holiday recognized in this policy falls on a Saturday, the preceding Friday shall be declared a holiday for employees whose normal work schedule is Monday through Friday. When an official holiday recognized in this policy falls on a Sunday, the following Monday shall be declared a holiday for employees whose normal work schedule is Monday through Friday.

If a recognized holiday falls during an eligible employee's paid absence (e.g., vacation, sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

Union employees shall be compensated for holiday time according to the terms and conditions of their collective bargaining agreement.

Requests for floating holidays shall require three (3) days' written notice to the Department Head. Such requirement may be waived when absence of the employee will not unduly affect the functioning of the department.

Employees will be accredited their floating holiday on January 1st of each year or upon date of hire and may use it at any time during the year.

Floating holidays must be taken in one (1) day (or eight (8) hour) increments. Floating holidays are not carried over year-to-year and must be used in the calendar year that they are received. Floating holidays not used by December 31 of the calendar year they were received are forfeited.

ARTICLE 16. REGULAR VACATION

Section 16.01 General Vacation Rules

A. When Taken

Vacation leave may be taken after written approval by the Department Head or designee. Vacation leave will be granted in not less than one-quarter hour units. Probationary employees' use of vacation leave is subject to ARTICLE 8 of these policies.

B. Length of Service

Length of service for the purpose of determining vacation accrual is calculated from the date of hire with the City. If an employee returns to work at the City after a break in service, the employee's length of service will be calculated from the date of rehire.

C. Scheduling Vacation

Department Heads are responsible for approving the scheduling of vacation leaves for employees under their supervision, and approval is not automatic.

1. Consideration shall be given to seasonal demands and departmental staffing needs before granting any vacation leave requests.
2. Subject to the needs of the Department, preference in scheduling shall be based on the order in which vacation requests are received and/or seniority of employees.

D. Monetary Consideration in Lieu of Vacation

Vacation pay shall be reflected on the paycheck issued for the pay period in which the vacation is taken. No vacation shall be paid in lieu of taking time off, except as authorized under the City's Cafeteria Plan.

E. Accrual of Vacation

Employees may accumulate vacation time equal to a maximum of 240 hours. Vacation accrual will cease if an employee is off of the City's payroll system for any reason whatsoever, except as required by law.

F. Vacation Payout

Employees who leave the employment of the City in good standing, as defined in ARTICLE 12 of these policies, by retirement or resignation will receive pay for 100 percent of unused accrued vacation. An employee shall not be considered to be "in good standing" if the employee resigns or retires following allegations of misconduct pending investigation, as determined by the City Council in its sole discretion.

G. Vacation leave that qualifies as ESST

Vacation leave that qualifies as ESST is not intended to be used for absences related to personal illness or injury or any of the eligible uses outlined in the Earned Sick and Safe Time policy. However, should an employee use vacation leave for one of the eligible uses outlined in Article 17, Section 17.06, with respect to that particular absence only, the Earned Sick and Safe Time policy will apply.

All full-time employees, except the City Administrator, Department Heads and Division Managers, shall earn vacation at the rate of: 6.67 hours per full month worked during the employee's first five years of employment. Thereafter, employees shall earn paid vacation as follows:

After completion of:

5 years of service - 10.00 hours per month
10 years of service - 10.67 hours per month
11 years of service - 11.33 hours per month
12 years of service - 12.00 hours per month
13 years of service - 12.67 hours per month
14 years of service - 13.33 hours per month
15 years of service - 14.00 hours per month
16 years of service - 14.67 hours per month
17 years of service - 15.33 hours per month
18 years of service - 16.00 hours per month
19 years of service - 16.67 hours per month
20 years of service - 17.33 hours per month
21 years of service - 18.00 hours per month
22 years of service - 18.67 hours per month
23 years of service - 19.33 hours per month
24 years of service - 20.00 hours per month

City Administrator, Department Heads and Division Managers shall earn vacation at the rate of:

Ten (10) hours per full month worked during the first year of employment. Thereafter, employees shall earn paid vacation as follows:

After completion of:

- 1 year of service – 10.67 hours per month
- 2 years of service – 11.33 hours per month
- 3 years of service – 12.00 hours per month
- 4 years of service – 12.67 hours per month
- 5 years of service – 13.33 hours per month
- 6 years of service – 14.00 hours per month
- 7 years of service – 14.67 hours per month
- 8 years of service – 15.33 hours per month
- 9 years of service – 16.00 hours per month
- 10 years of service – 16.67 hours per month
- 11 years of service – 17.33 hours per month
- 12 years of service – 18.00 hours per month
- 13 years of service – 18.67 hours per month
- 14 years of service – 19.33 hours per month
- 15 years of service – 20.00 hours per month

ARTICLE 17. EMPLOYEE LEAVES

Section 17.01 Jury Duty

Any employee who is required to serve as a juror shall be granted a leave of absence with pay while serving in such capacity. Employees will be required to turn over any compensation they receive for jury duty, minus mileage reimbursement, to the City in order to receive their regular wages for the period. An employee cannot receive more than the employee's normal take-home pay as a result of any employer pay supplemented to Jury Duty pay. Jury duty pay must be remitted to the City. When employees are excused from jury duty during their regular working hours, they are expected to return to work if practicable. If a holiday occurs during jury duty, the employee shall be paid for the holiday.

Employees excused or released from jury duty during their regular working hours will report to their regular work duties as soon as reasonably possible or will take accrued vacation or compensatory time to make up the difference.

Insurance benefits will remain in effect for the full term of jury duty leave. Employees must continue to make employee contributions for any insurance that requires payment on their part.

Vacation time and sick time shall continue to accrue during the period of leave. Benefits will continue to accrue as though the employee were actively at work.

Section 17.02 Military Leave

Employees shall be entitled to leave without pay for military service, including training in the National Guard, consistent with the Uniformed Services Employment and Re-employment Rights Act of 1994 ("USERRA") (as amended) and Minnesota law, including, but not limited to, Minnesota Statutes, chapter 192 (as amended).

Section 17.03 Leave for Service in Organizations

The City Council with the recommendation of the City Administrator and Personnel and Finance Committee, may grant a leave of absence without pay for reasonable periods not to exceed one (1) year to any regular employee for the purpose of serving in an elected or appointed position, other than as a paid employee, in a professional organization or a governmental commission or committee, provided such leave will not reduce the quality or level of service to the public.

No vacation leave, Sick Leave/ESST, holiday leave or compensatory time off benefits shall be used or accrued during a leave of absence and the City will not contribute to insurance premiums.

Section 17.04 Pregnancy and Parenting Leave

All employees are entitled to take an unpaid leave of absence under the Pregnancy and Parenting Leave Act of Minnesota. Female employees for prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions as well as a biological or adoptive parent in conjunction with the birth or adoption of a child, are eligible for up to 12 weeks of unpaid leave. Any paid or unpaid leave taken for prenatal care medical appointments will not count toward the 12-week leave. Additionally, leave under this section must begin within twelve months of the birth or adoption of the child. In the case where the child must remain in the hospital longer than the mother, the leave must begin within 12 months after the child leaves the hospital. Employees should provide reasonable notice, which is at least 30 days. If the leave must be taken in less than three days, the employee should give as much notice as practicable.

Employees are required to use accrued vacation leave during Parenting Leave, and employees may choose, but are not required, to use any accrued Earned Sick and Safe

Time. If the employee has any FMLA eligibility remaining at the time this leave commences, this leave will run concurrently with any FMLA leave available. The employee is entitled to return to work in the same position and at the same rate of pay the employee was receiving prior to commencement of the leave.

Group insurance coverage, including any employer contributions toward the benefits, will continue while the employee is on leave pursuant to the Pregnancy and Parenting Leave Act, provided the employee continues to pay any employee share of the cost of the benefits.

The City will inform employees of their parental leave rights at the time of hire and when an employee makes an inquiry about or requests parental leave.

The City shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting parental leave rights or remedies.

Section 17.05 Funeral Leave

All regular full-time employees shall be permitted paid funeral leave not to exceed 24 hours, if necessary, for the death of an immediate family member (employee's spouse, child, step-child, father, mother, brother, sister, father-in-law, mother-in-law) and one (1) working day, if necessary, for the death of an employee's grandparent. Funeral leave for other relatives may be granted at the discretion of the Human Resource Director. Up to twenty-four (24) additional hours of Sick Leave/ESST may be used as additional funeral leave at the discretion of the City Administrator. For purposes of this policy, the term "working day," means a regularly scheduled shift, excluding any time that an employee would be considered "on call" unless the employee actually would have been called to perform duties during that period.

Section 17.06 Sick Leave/Earned Sick and Safe Time (ESST) Leave

"Earned Sick and Safe Time" ("ESST") is paid time off for eligible uses outlined in this policy as required by Minnesota's Earned Sick and Safe Time law, including but not limited to an employee's mental or physical illness, injury, or other health condition. Employees will earn ESST as prescribed in this policy, provided that all employees will earn at least one hour of ESST for every 30 hours worked by an employee, up to a maximum of 48 hours of ESST per year. The base rate of ESST is the same hourly rate an employee earns from employment with the city. This specific leave applies to all employees (including temporary and part-time employees) anticipated to perform work for at least 80 hours in a year for the city.

The following positions are not eligible for leave under this policy:

1. Volunteer firefighter or Paid on-call Firefighter;
2. Elected officials or a person who is appointed to fill a vacancy in an elected office.

(a) Earned Sick and Safe Time Use

The leave may be used as it is accrued in the same increment of time for which employees are paid (*as long as the amount is not more than four hours*) for the following circumstances:

- An employee's own:
 - o Mental or physical illness, injury or other health condition
 - o Need for medical diagnosis, care or treatment, of a mental or physical illness injury or health condition
 - o Need for preventive medical or health care, or
 - o Need to make arrangements for or attend funeral services or a memorial, or address financial or legal matters that arise after the death of a family member
- Care of a family member:
 - o With mental or physical illness, injury or other health condition
 - o Who needs medical diagnosis, care or treatment of a mental or physical illness, injury or other health condition, or
 - o Who needs preventative medical or health care
- Absence due to domestic abuse, sexual assault or stalking of the employee or employee's family member provided the absence is to:
 - o Seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking
 - o Obtain services from a victim services organization
 - o Obtain psychological or other counseling
 - o Seek relocation or take steps to secure an existing home due to domestic abuse, sexual assault or stalking
 - o Seek legal advice or take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic abuse, sexual assault, or stalking
- Closure of the employee's place of business due to weather or other public emergency or an employee's need to care for a family member whose school or place of care has been closed due to weather or other public emergency
- The employee's inability to work or telework because the employee is prohibited from working by the city due to health concerns related to the potential transmission of a communicable illness related to a public emergency, or seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, a communicable disease related to a public emergency and the employee has been exposed to a communicable disease or the city has requested a test or diagnosis.

- When it has been determined by health authorities or a health care professional that the presence of the employee or family member in the community would jeopardize the health of others because of the exposure of the employee or family member of the employee to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

(b) For Earned Sick and Safe Time purposes, family member includes an employee's:

1. Spouse or registered domestic partner
2. Child, foster child, adult child, legal ward, child for whom the employee is legal guardian, or child to whom the employee stands or stood in loco parentis
3. Sibling, step sibling or foster sibling
4. Biological, adoptive or foster parent, stepparent or a person who stood in loco parentis when the employee was a minor child
5. Grandchild, foster grandchild or step grandchild
6. Grandparent or step grandparent
7. A child of a sibling of the employee
8. A sibling of the parent of the employee or
9. A child-in-law or sibling-in-law
10. Any of the above family members of a spouse or registered domestic partner
11. Any other individual related by blood or whose close association with the employee is the equivalent of a family relationship
12. Up to one individual annually designated by the employee

(c) Advance Notice for use of Earned Sick and Safe Time

With respect to ESST accrued on or after January 1, 2024, if the need for the leave is foreseeable, the city requires seven days' advance notice. However, if the need is unforeseeable, employees must provide notice of the need for ESST as soon as practicable. When an employee uses ESST for more than three consecutive scheduled work days, the city may require appropriate supporting documentation (such as medical documentation supporting medical leave, court records or related documentation to support safety leave). However, if the employee or employee's family member did not receive services from a health care professional, or if documentation cannot be obtained from a health care professional in a reasonable time or without added expense, then reasonable documentation may include a written statement from the employee indicating that the employee is using, or used, ESST for a qualifying purpose. The city will not require an employee to disclose details related to domestic abuse, sexual assault, or stalking or the details of the employee's or the employee's family member's medical condition. In accordance with state law, the city will not require an employee using ESST to find a replacement worker to cover the hours the employee will be absent.

(d) Accrual and Carry Over of Earned Sick and Safe Time

All eligible part-time and temporary City employees shall earn Sick Leave/ESST at the rate of one (1) hour per thirty (30) hours worked as required by the Earned Sick and Safe Time (ESST) Law and City Policy. Except to the extent provided in an applicable collective bargaining agreement, full-time employees will earn a combination of Sick Leave/ESST to equal (8 hours) of leave per month. Sick Leave/ESST will be granted in not less than one-quarter hour units. Sick leave/ESST accumulation shall be a combined maximum of 120 days (960) hours.

(e) Retaliation prohibited

The city shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting Earned Sick and Safe Time rights, requesting an Earned Sick and Safe Time absence, or pursuing remedies. Further, use of Earned Sick and Safe Time will not be factored into any attendance point system the city may use. Additionally, it is unlawful to report or threaten to report a person or a family member's immigration status for exercising a right under Earned Sick and Safe Time.

(f) Benefits and return to work protections

During an employee's use of Earned Sick and Safe Time absence, an employee will continue to receive the city's employer insurance contribution as if they were working, and the employee will be responsible for any share of their insurance premiums.

An employee returning from time off using accrued Earned Sick and Safe Time is entitled to return to their city employment at the same rate of pay received when their leave began, plus any automatic pay adjustments that may have occurred during the employee's time off. Seniority during Earned Sick and Safe Time absences will continue to accrue as if the employee has been continually employed.

When there is a separation from employment with the city and the employee is rehired again within 180 days of separation, previously accrued Earned Sick and Safe Time that had not been used will be reinstated. An employee is entitled to use and accrue Earned Sick and Safe Time at the commencement of reemployment.

Except as may be required by law, Sick Leave/ESST accrual will cease if an employee is off of the City's payroll system for any reason whatsoever.

In case of disability caused by sickness or injury and covered by Workers Compensation, the City will pay to the employee only such sums, as together with Workers Compensation payments, will equal their base pay but never for a longer period than their accumulated Sick Leave/ESST and vacation leave. The time deducted from the employee's accumulated vacation and then Sick Leave/ESST if elected, until exhausted, shall be the difference between the employee's normal gross pay and the payment received by the employee for workers compensation.

The employer may designate ESST time used for an FMLA qualifying event as Family and Medical Leave and may request a certification of a health care provider. For the use of ESST for domestic abuse, sexual assault, stalking, or other qualifying reasons, the employer may request verification consistent with the requirements of Minn. Stat. § 181.447 Subd. 3.

Please refer to Exhibit D to view the required ESST notice.

Section 17.07 Extended Medical Leave

When medically necessary, and upon receipt of a medical certificate from an employee's treating physician, the City Administrator may approve a request for a medical leave extension of up to 90 days due to the employee's serious medical condition or to care for a spouse, parent or child who has suffered a serious medical condition.

Before using unpaid leave under this ARTICLE, the employee must use all paid leave. Leave granted pursuant to this Section may run concurrently with leave under the Family and Medical Leave Act ("FMLA").

Employees will not earn or accumulate benefits or other compensation while on unpaid leave, except as required by law. A medical certificate attesting to the employee's fitness for duty shall be required prior to any employee returning to work from medical leave. Also, the City may require that the employee submit to an examination by a medical provider selected by the City to determine whether the employee is able to perform the essential functions of his or her job, with or without reasonable accommodation.

The Human Resource Director may consult with a physician or other expert to determine reasonable accommodations for any employee who is a "qualified disabled" employee under the Americans with Disabilities Act. If a fitness for duty certification is required, the City may deny reinstatement until it is provided.

Section 17.08 Personal Leave

Upon written request of an employee, the City Council may grant an employee a leave of absence without pay for a period of up to 90 consecutive calendar days, at its sole discretion.

Employees will not earn or accumulate leave, benefits, or other compensation while on unpaid leave except as required by law.

Section 17.09 School Leave

To the extent required by law, employees may take up to a total of sixteen (16) hours per twelve (12) month period of unpaid leave to attend school conferences and school-related activities related to the employee's child, provided the conferences or other school-related activities cannot be scheduled during non-work hours. Employees taking leave for this purpose may, but are not required to, substitute vacation or compensatory time for any part of this unpaid leave.

Section 17.10 Family & Medical Leave

ELIGIBILITY

To qualify to take FMLA leave under this policy, an employee must meet all the following conditions:

- Have worked for the City for 12 months (or 52 weeks) prior to the date the leave is to commence. The 12 months or 52 weeks need not have been consecutive; however, the City will not consider any service 7 years prior to the employee's most recent hire date.
- Have worked at least 1,250 hours during the 12-month period prior to the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act ("FLSA") determine the number of hours worked by an employee.

TYPES OF LEAVE COVERED BY FMLA

Leave will be granted to all eligible employees for any of the following reasons:

- The birth of a child, including prenatal care, or placement of a child with the employee for adoption or foster care;
- To care for a spouse, child, or parent who has a serious health condition;
- Due to a serious health condition that makes the employee unable to perform the essential functions of the position;
- A covered military member's active duty or call to duty or to care for a covered military member (Military Caregiver and Qualified Exigency Leave) (described below).

DEFINITIONS

- "Spouse" does not include domestic partners or common-law spouses.
- "Caring for" a covered family member includes psychological as well as physical care. It also includes acquiring care and sharing care duties. An eligible "child," with some exceptions, is under 18 years of age.
- An eligible "parent" includes a biological parent or a person who stood in the place of a parent.
- "Serious Health Condition" means an illness, injury, impairment, or physical or mental condition that involves one of the following:
 - o Hospital Care: Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;

- o Pregnancy: Any period of incapacity due to pregnancy, prenatal medical care or childbirth;
- o Absence Plus Treatment: A period of incapacity of more than three consecutive calendar days that also involves continuing treatment by or under the supervision of a health care provider.
- o Chronic Conditions Requiring Treatments: An incapacity from a chronic condition which requires periodic visits for treatment by a health care provider, continues over an extended period of time, and may cause episodic rather than a continuing period of incapacity;
- o Permanent/Long-Term Conditions Requiring Supervision
- o Multiple Treatments: Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider.

LENGTH AND AMOUNT OF LEAVE

The length of FMLA leave is not to exceed twelve (12) weeks in any twelve (12) month period. The leave year is calculated based on a rolling backward basis. The entitlement to FMLA leave for the birth or placement of a child for adoption expires twelve (12) months after the birth or placement of that child.

HOW LEAVE MAY BE TAKEN

FMLA leave may be taken for 12 (or less) consecutive weeks, may be used intermittently (a day periodically when needed), or may be used to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks.

Intermittent leave may be taken when medically necessary for the employee's serious health condition or to care for a seriously ill family member. Intermittent leave must be documented in the medical certification form as medically necessary. If an employee is taking intermittent leave or leave on a reduced schedule for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as to not disrupt the City's business. In instances when intermittent or reduced schedule leave for the employee or employee's family member is foreseeable or is for planned medical treatment, including recovery from a serious health condition, the City may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule. Intermittent/reduced scheduled leave may be taken to care for a newborn or newly placed adopted or foster care child only with the City's approval.

PROCEDURE FOR REQUESTING LEAVE AND NOTICE

All employees requesting FMLA leave must provide written or verbal notice of the need for the leave to the HR Director.

When the need for the leave is foreseeable, the employee must give verbal or written notice to his/her supervisor at least thirty (30) days prior to the date on which leave is

to begin. If thirty (30) days' notice cannot be given, the employee is required to give as much notice as practicable, including following required call-in procedures. The City requires an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

CERTIFICATION AND DOCUMENTATION REQUIREMENTS

For leave due to an employee's serious health condition or that of an employee's family member, the City will require the completion of a Medical Certification form by the attending physician or practitioner. The form must be submitted by the employee to the City Administrator within fifteen (15) calendar days after leave is requested. If the form is not submitted in a timely fashion, the employee must provide a reasonable explanation for the delay. Failure to provide medical certification may result in a denial or delay of the leave.

When leave is due to an employee's own serious health condition, a fitness for duty certification (FFD) will be required before an employee can return to work. Failure to timely provide such certification may eliminate or delay an employee's right to reinstatement under the FMLA.

If an employee is using intermittent leave and reasonable safety concerns exist regarding the employee's ability to perform his or her duties, a FFD certificate may be required as frequently as every 30 days during periods when the employee has used intermittent leave.

Recertification of leave may be required if the employee requests an extension of the original length approved by the City or if the circumstances regarding the leave have changed. Recertification may also be required if there is a question as to the validity of the certification or if the employee is unable to return to work due to the serious health condition.

SECOND AND THIRD MEDICAL OPINIONS

The City may require an employee obtain a second opinion from a provider which the City selects. If necessary to resolve a conflict between the original certification and the second opinion, the City may require the opinion of a third doctor. This third opinion will be considered final. An employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

ANNUAL MEDICAL CERTIFICATION AND RECERTIFICATION

Where the employee's need for leave due to the employee's own serious health condition lasts beyond a single leave year, the City will require employees to provide a new medical certification in each subsequent leave year.

REINSTATEMENT

Employees returning from Family and Medical Leave will be reinstated in the same position or a position equivalent in pay, benefits, and other terms and conditions of employment. An employee on FMLA leave has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period.

GROUP HEALTH INSURANCE AND OTHER BENEFITS, CONCURRENT LEAVE AND SUBSTITUTION OF PAID LEAVE

An employee granted leave under this policy will continue to be covered under the City's group health and dental insurance plan under the same conditions and at the same level of City contribution as would have been provided had the employee been continuously employed during the leave period. The employee will be required to continue payment of the employee portion of group insurance coverage while on leave. Arrangements for payment of the employee's portion of premiums must be made by the employee with the City.

If there are changes in the City's contribution levels while the employee is on leave, those changes will take place as if the employee were still on the job.

Rights to additional continued benefits will depend on whether leave is paid or unpaid. Any paid disability leave benefits (Short Term Disability or Long Term Disability), sick leave, Paid Time Off (PTO) or compensatory time off available to employees for a covered reason (an employee's serious health condition or a covered family member's serious health condition, including worker's compensation leave and Minnesota State Parenting Leave) will run concurrently with FMLA.

FAILURE TO RETURN TO WORK AFTER FMLA

Under certain circumstances, if the employee does not return to work at the end of the FMLA leave for at least 30 calendar days, the City may require the employee to repay the portion of the monthly cost paid by the City for group health plan benefits. The City may also require the employee to repay any amounts the City paid on the employee's behalf to maintain benefits other than group health plan benefits.

If an employee does not return to work following 12 weeks of FMLA leave, the employee may be subject to COBRA continuation. If the employee fails to pay the City a portion of the premiums for which he or she is responsible during the FMLA leave and the employee fails to return to work, coverage may end. Loss of coverage for failure to pay premiums is not a qualifying event for purposes of continuation coverage under COBRA. If the employee does not return from the FMLA leave and coverage ended sometime during the FMLA leave due to lack of payment, there is no COBRA election available. For COBRA to apply, the employee must have been covered on the day before the qualifying event. In this situation, the qualifying event would occur at the time the employee did not return from the leave.

ACTIVITIES PROHIBITED DURING FMLA

While on leave, an employee may not engage in activities (including employment) which have the same or similar requirements and essential functions of an employee's current position. While on leave, an employee may not engage in any activity that conflicts with the best interests of the City. Such conduct will result in disciplinary action up to and including termination of employment.

UNPAID MEDICAL LEAVE OF ABSENCE

If an employee is ineligible for FMLA leave or has exhausted available FMLA leave benefits, it is the policy of the City to consider an employee's request for a medical or personal leave of absence. The amount of medical leave available to each employee will be determined on a case-by-case basis depending on the position held, staffing requirements, the reasons for the leave, and the anticipated return-to-work date. Employees who take unpaid medical leave are not guaranteed to return to the same position held prior to taking leave.

Employees seeking a medical leave of absence will be required to present medical documentation to support the need for the leave, on-going documentation to support the need for continued leave, and documentation to support a return to work.

During Unpaid Medical Leave, employees will be expected to keep in regular contact with human resources. When you anticipate your return to work, please notify human resources of your expected return date at least one week before the end of your leave. Employees on an Unpaid Medical Leave of Absence may be subject to COBRA notice and continuation benefits and will be solely responsible for payment of the entire COBRA. Failure to keep in touch with management during your leave, failure to advise management of your availability to return to work, or failure to return to work following leave will be considered a voluntary resignation of your employment.

FMLA – QUALIFIED EXIGENCY AND MILITARY CAREGIVER LEAVE

Qualified Exigency

Eligible employees (described above) whose spouse, son, daughter, or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: (1) short-notice deployment; (2) military events and activities; (3) childcare and school activities; (3) financial and legal arrangements; (5) counseling; (6) rest and recuperation; (7) post-deployment activities; (8) parental care; or (9) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

Military Caregiver Leave

An employee eligible for FMLA leave (described above) who is the spouse, son, daughter, parent, or next of kin of a covered servicemember may take up to 26 weeks in a single 12-month period to care for that servicemember.

The family member must be a current member of the Armed Forces (including a member of the National Guard or Reserves), who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy, or otherwise is on outpatient status or on the temporary disability retired list. Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserves, or members on the permanent disability retired list.

DEFINITIONS

- A “son or daughter of a covered servicemember” means the covered servicemember’s biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age.
- A “parent of a covered servicemember” means a covered servicemember’s biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents “in law.”
- The “next of kin of a covered servicemember” is the nearest blood relative, other than the covered servicemember’s spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember’s next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember’s only next of kin.
- “Covered active duty” means:
- “Covered active duty” for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country.
- “Covered active duty” for members of the reserve components of the Armed Forces (members of the U.S. National Guard and Reserves) means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation as defined in section 101(a)(13)(B) of Title 10 of the United States Code.
- “Covered servicemember” means:
 - o An Armed Forces member (including the National Guard or Reserves) undergoing medical treatment, recuperation, or therapy or otherwise in outpatient status or on the temporary disability retired list, for a serious injury or illness”; or
 - o A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.
- “Serious injury or illness” means:
 - o In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was

- aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and
- o In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered servicemember, means a qualifying (as defined by the Secretary of Labor) injury or illness incurred by a covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank or rating.

AMOUNT OF LEAVE – QUALIFIED EXIGENCY

An eligible employee can take up to 12 weeks of leave for a qualified exigency.

AMOUNT OF LEAVE – MILITARY CAREGIVER

An eligible employee taking military caregiver leave is entitled to 26 workweeks of leave during a “single 12-month period.” The “single 12-month period” begins on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends 12 months after that date. Leave taken for any FMLA reason counts towards the 26-week entitlement. If an employee does not take all 26 workweeks of leave to care for a covered servicemember during this “single 12-month period,” the remaining part of the 26 workweeks of leave entitlement to care for the covered servicemember is forfeited. 29 C.F.R. § 825.127(e)(1) (2017).

CERTIFICATION OF QUALIFYING EXIGENCY FOR MILITARY FAMILY LEAVE

The City will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave.

CERTIFICATION FOR SERIOUS INJURY OR ILLNESS OF COVERED SERVICEMEMBER FOR MILITARY FAMILY LEAVE

The City will require certification for the serious injury or illness of the covered servicemember. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Servicemember. All other provisions of the FMLA policy, including Use of Paid Leave, Employee Status and Benefits During Leave, Procedure for Requesting Leave, and Benefits During Leave and Reinstatement, are outlined above in the FMLA policy.

EFFECT ON PENSION

Employees should contact the MN Public Employees Retirement Association (“PERA”) for information about how FMLA leave may affect their retirement benefits.

TRAINING

Employees who have missed training sessions while on FMLA leave will be given a reasonable opportunity to make them up upon returning to work.

Section 17.11 Department Head Absenteeism Notification

Except in the event of an emergency that prevents such notice, Department Heads shall notify the City Administrator prior to any absence from the office.

Section 17.12 Catastrophic Leave Bank

POLICY STATEMENT

The City of Brainerd recognizes that occasions arise when employees may have exhausted their vacation leave, sick leave and compensatory time, due to a non-work related injury or prolonged illness that has not yet qualified for long-term disability insurance benefits. It is the intent of this policy to provide an opportunity for City employees to voluntarily donate vacation leave hours to an emergency medical leave bank for use by other City employees who demonstrate a catastrophic medical emergency. The program is voluntary in nature and does not guarantee any resulting benefit to any employee in need nor does it require participation of any employee. This policy applies to employees of bargaining units upon agreement of their exclusive representative.

Eligibility

All non-probationary City employees, including members of collective bargaining units whose exclusive representatives have agreed to this policy, are eligible to participate in this Catastrophic Medical Leave Sharing Bank ("CMLSB"). Donation to the bank is entirely voluntary.

Definitions

- A. "Catastrophic Medical Emergency" is a major life-threatening disease or illness or non-work related major injury involving a prolonged absence from work. Per the dictionary, a catastrophe is a momentous tragic event ranging from extreme misfortune to utter overthrow or ruin.

Examples may include: heart attack, stroke, organ transplant, cancer or major non-work-related injury.

The medical emergency must result in the incapacitation of the employee, spouse, or child/stepchild for a minimum of 80 consecutive work hours (subsequent intermittent absences involving the same illness or condition shall also qualify) which requires the employee to take time off from work and creates a financial hardship because all of the employee's paid leave has been exhausted.

"Catastrophic medical emergency" is specifically not defined as all "serious health conditions" as defined under the FMLA.

- B. "Verification of catastrophic illness or injury" shall consist of a physician's statement verifying that:
 - 1. The employee is suffering from a major life-threatening disease, illness or non-work related major injury requiring a prolonged absence from work; or
 - 2. That the employee must be present to care for the employee's spouse, child or stepchild who is suffering from a major life-threatening disease or illness or major injury; and
 - 3. A brief description of the nature of the illness or injury and the anticipated duration of the incapacity.
 - 4. The Verification of catastrophic illness or injury shall be in addition to the FMLA certification of health care provider.
- C. "Donor" is an employee who donates vacation leave to the Emergency Medical Leave Sharing Bank.
- D. "Applicant" or "Recipient" is a non-probationary City employee who has applied for or received leave from the CMLSB.
- E. "Committee" as referenced in this policy shall consist of the City Administrator, Human Resource Director, and the Chair of the Personnel and Finance Committee.

Catastrophic Medical Leave Sharing Bank BENEFITS AND LIMITATIONS

- A. The applicant must have exhausted all of the employee's own accrued vacation, sick leave, and compensatory time in order to receive any Catastrophic Medical Leave ("CML").
- B. The applicant may apply for CML while still in paid status, but no sooner than 80 hours before the exhaustion of all of the applicant's paid leave or CML.
- C. An applicant may be eligible to receive up to a maximum of 160 hours of CML per request, which shall be placed in the recipient's sick leave bank as needed per pay period in increments of no more than 80 hours at a time. Additional requests for CML may be submitted upon the anticipated exhaustion of the initial hours and medical verification of continued need, but the total CML granted to one recipient in relation to one medical emergency shall not exceed 480 hours. Part-time employees shall be eligible to receive CML on a pro-rata basis.

- D. Recipients of CML must use the leave only for the Catastrophic Medical Emergency. Any CML which is not used for the medical emergency shall be returned to the bank and cannot be retained by the recipient.
- E. An applicant shall be required to apply for FMLA leave in conjunction with the application for CML. Catastrophic Medical Leave time will run concurrently with any applicable FMLA leave.
- F. The recipient shall be in a paid status when using CML for the purpose of receiving benefits. When a pay period includes a holiday, a participant using CML shall receive holiday pay provided they are in a pay status the last regular shift prior to, and the first regular shift following the holiday.
- G. A recipient's CML pay will continue to be taxed in accordance with state and federal law, and all authorized deductions will continue to be deducted from the participant's paycheck, provided sufficient wages are available.
- H. All time donated to the pool shall be converted to a dollar amount based upon the donor's hourly rate of pay. All CML shall be used at the recipient's rate of pay.
- I. Leave from the CML may not be used for illness or disability which qualifies the participant for Worker's Compensation, long-term disability, PERA disability or Social Security benefits.
- J. An applicant shall be required to apply for long-term disability and PERA disability, as applicable, for the employee's own medical condition which results in the employee's absence from work for more than 90 calendar days, whether before or after the employee has exhausted his/her own paid leave. The recipient applicant shall provide verification of such application.
- K. Leave donated to the CML Bank shall remain in the bank from year to year and shall be available to eligible employees. Donation of leave to the CML Bank is irrevocable.

Application Process

- A. Applicants shall be required to complete a form setting forth their request for CML, the reason, number of hours requested and the anticipated duration of the medical emergency. A new request form shall accompany each subsequent request. The CML Request form will be turned into the Human Resource Director prior to the start of the leave if possible. Requests will be reviewed by the Committee.
- B. The Applicant shall sign a waiver of liability in connection with the CML request and any subsequent request. The applicant shall provide a "verification of catastrophic illness or injury" with the request form or within (10) calendar days of the request. In the event that the Verification is not

submitted in a timely manner, the CML request may be considered by the Committee but no leave will be disbursed to the applicant until the verification is received and reviewed by the committee.

- C. Applicants who are denied CML or whose withdrawal is not renewed or is terminated may, within fifteen (15) calendar days of denial, appeal the denial, non-renewal or termination by providing new or additional information to the Committee and completing a supplemental application and waiver. The final decision will be reported to the applicant, in writing, within ten (10) working days of the decision. This decision of the Committee is final. Such final authority is not subject to the grievance procedure or litigation and the applicant shall specifically waive any rights to review by any of these options.
- D. All requests for CML, verifications of catastrophic illness or injury and other documentation related to an applicant's medical condition or that of the applicant's family member shall be kept confidential and shall only be disclosed as necessary to administer request for withdrawal.
- E. If the CML bank does not have sufficient hours to fund a withdrawal request, the City is under no obligation to pay the applicant any funds. If a withdrawal request is denied in whole or in part because of insufficient dollars to fund the request, the applicant shall be notified in writing of the reason for the denial.

DONATION PROCESS

- A. A regular full or part time employee may donate vacation leave to the Catastrophic Medical Leave Sharing Bank twice annually, which shall occur with the first pay period in December or June. In the event that the CML Bank becomes depleted, the City Council may, in its sole discretion, authorize a third open window period for donation to the Bank.
- B. Donors are required to have a minimum of 80 hours of vacation leave available to them in their accrued vacation leave bank after a donation is made.
- C. Donation to the CML bank is irrevocable.

TENNESSEN WARNING

Information provided pursuant to the Catastrophic Leave Donation Policy is classified as personnel data pursuant to Minnesota Statutes, Section 13.43, as amended. You are not legally required to participate in the program and are therefore not required to provide any information. If you choose to participate in this voluntary program, you will be required to provide the information set forth above in order to donate or receive donated leave.

The requested and required information regarding leave donation requests, including medical information and the basis for leave donation requests will be disclosed to those individuals whose work assignments reasonably require access, including committee members, insurance vendors, consultants and attorneys. The information may also be used to make decisions regarding your eligibility for extended sick leave, family and medical leave, and other leaves; your eligibility for workplace accommodations, including accommodations for disabilities; and other benefits. The information may also be shared with other agencies authorized by law to receive specific data, including but not limited to: Civil/human rights; Worker's Compensation; Unemployment Compensation; and Labor Contracts.

Information regarding the value of donated leave as taxable income will be reported to the Minnesota Department of Revenue, the Internal Revenue Services and security tax programs.

17.13 Bone Marrow/Organ Donation Leave

Employees working an average of 20 or more hours per week may take paid leave, not to exceed 40 hours, unless agreed to by the city, to undergo medical procedures to donate bone marrow or an organ. The 40 hours is over and above the amount of accrued time the employee has earned.

The city may require a physician's verification of the purpose and length of the leave requested to donate bone marrow or an organ. If there is a medical determination that the employee does not qualify as a bone marrow or organ donor, the paid leave of absence granted to the employee prior to that medical determination is not forfeited.

An employer shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting bone marrow or organ donation leave rights or remedies.

17.14 Elections/Voting

An employee selected to serve as an election judge pursuant to Minnesota law, will be allowed time off with pay for purposes of serving as an election judge, provided the employee gives the City at least twenty days written notice, including a certification from the appointing authority stating the hourly compensation to be paid the employee for service as an election judge and the hours during which the employee will serve. The City may reduce the wages of an employee serving as an election judge by the amount paid to the election judge by the appointing authority during the time the employee was absent from the place of employment. The city reserves the right to restrict the number of employees absent from work for the purpose of serving as an election judge to no more than 20 percent of the total work force at any single worksite.

Every employee eligible to vote may be absent from work during a regularly scheduled election, or during the period allowed for voting in person before election day, for the time necessary to appear at the employee's polling place, cast a ballot, and return to work on the day of that election. Employees wanting to take advantage of such leave are required to coordinate with the Department Head to avoid coverage issues.

17.15 Reasonable Work Time for Nursing Mothers

Minnesota's Nursing Mothers, Lactating Employees, and Pregnancy Accommodations law (Minn. Stat. §181.939, as amended) gives pregnant and lactating employees certain legal rights and remedies. The City will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's child, in accordance with and to the extent required by applicable law. The break time may run concurrently with rest and meal periods already provided to the employee.

The City will provide a clean, private and secure room (other than a bathroom) as close as possible to the employee's work area, that is shielded from view and free from intrusion from coworkers and the public and includes access to an electrical outlet, where the nursing mother can express milk in private.

The City shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting nursing rights or remedies.

Please refer to Exhibit E to view the required Reasonable Work Time for Nursing Mothers notice.

ARTICLE 18. EMPLOYEE INSURANCE

Section 18.01 Medical Insurance

The City provides a medical coverage insurance plan for eligible employees as described in the Summary Plan Description.

The insurance coverage takes effect the first day of the month coinciding with or immediately following the employee's date of hire, except as required by applicable law, including, but not limited to, the Affordable Care Act. The City provides contributions to health insurance premiums as approved annually by the City Council.

The City will contribute towards the health insurance premiums of employees and elected officials as described in Exhibit A to this Policy Manual. Information regarding health insurance benefits will be provided by the Human Resource Director for new employees and periodically thereafter. Any further questions pertaining to insurance coverage shall be directed to the Human Resource Director or designee.

Section 18.02 Life and LTD Insurance

The City provides a term life insurance policy for all eligible employees, as described in Exhibit B and the applicable Summary Plan Description. The plan takes effect the first day of the calendar month coinciding with or immediately following completion of six months of employment. The amount of life insurance coverage provided is described in an applicable collective bargaining agreement or determined by the City Council. For elected officials, Department Heads, Division Managers, and non-union Supervisors, the City will provide life insurance in the face amount described in Exhibit B.

The terms of the long-term disability coverage, including the formula used to calculate the benefit and the waiting period before an employee may receive long-term disability benefits will be established by the City, as described in Exhibit B to this Policy Manual.

Section 18.03 Workers Compensation

All employees are required to report any job-related illnesses or injuries to their supervisor immediately (no matter how minor). If a supervisor is not available and the nature of injury or illness requires immediate treatment, the employee is to go to the nearest available medical facility for treatment and, as soon as possible, notify his/her supervisor of the action taken. In the case of a serious emergency, 911 should be called.

If the injury is not of an emergency nature, but requires medical attention, the employee will report it to their supervisor and make arrangements for a medical appointment.

Workers' compensation benefits and procedures to return to work will be applied according to applicable state and federal laws.

Pursuant to Minnesota State law, the officials of the City elected or appointed for a regular term of office or appointed to complete the unexpired portion of a regular term are included in the coverage of the Minnesota Workers' Compensation Act.

ARTICLE 19. HEALTH CARE SAVINGS PLAN

The City Administrator, Department Heads, Division Managers and Non-Union Supervisors are eligible to participate in the Minnesota Health Care Savings Plan ("HCSP"). This plan is pursuant to the Minnesota Statutes, section 352.98 (as amended). Details regarding employees' participation in the Minnesota Health Care Savings Plan are included in Exhibit C. Employees should direct any questions about participation in this plan to the Human Resource Director.

ARTICLE 20. CAFETERIA PLAN

The City of Brainerd offers its employees a cafeteria plan. The plan allows employees to pay for health insurance premiums, and medical and/or dependent care expenses on a

before-tax basis.

The flexible spending program is divided into three (3) separate accounts, which are summarized below:

A. Insurance Premiums Deducted from Paychecks: The amount of premium which is deducted per pay period for health insurance coverage per settled wage/benefits negotiations. Some voluntary insurance deductions may also be eligible.

B. Medical Expenses: Out-of-pocket medical, dental & vision expenses not covered by insurance.

C. Dependent/Childcare Expenses: Dependent care expenses for the care of a child under age 13 and/or a dependent regardless of age who requires care due to an inability to care for himself or herself.

The law limits the maximum contributions that employees can make to their flexible spending account and the specific expenses that can be paid out of such accounts. Employees should contact the Human Resources office for additional details.

Further information on the City's Cafeteria Plan may be obtained from the Human Resource Director.

ARTICLE 21. EDUCATION, TRAINING AND DEVELOPMENT

The City Council has determined that it is in the best interest of the City of Brainerd to support continuing education, training, and development of staff members in order that they may carry out their duties in the most efficient and productive manner possible.

To further this policy the City Council does authorize payment for education, training and/or staff development directly related to an employee's current position in order to increase his/her efficiency and productivity in that position in accordance with the following criteria and procedure.

Section 21.01 Education

The City may reimburse a regular employee for tuition expenses and course fees under certain circumstances. There shall be no reimbursement for mileage/parking expense. Qualifying tests (SAT, ACT, GRE, CLEP, etc.), required books, student activity fees, and material costs will not be reimbursed. Courses for which the employee receives another source of funding, such as a grant or scholarship, will not be eligible for reimbursement.

1. Pre-Approval. Prior to starting a class or classes, and in any event no later than August 1 of each year, the employee must obtain written approval from the employee's Department Head and the City Administrator or BPU Commission (for BPU employees only) that the class, certificate, or degree is

job related and that the request would benefit the City. Specifically, the courses must be from an accredited institution and directly related to the employee's current assignment or has the potential for promotional opportunities for the employee. The Department Head must verify that the Department budget will cover this expense before recommending approval to the City Administrator or BPU Commission. Each approval shall be limited to a single course or academic term. Enrollment in a multiple-year course of study, or approval of reimbursement for any portion of such a course of study does not guarantee that funding will be available in subsequent years or that the City will approve any future course of study, even if related to one that was approved in the past. An employee who is requesting reimbursement for education expenses must have been a regular employee of the City for at least one year before the scheduled course is scheduled to begin.

2. Satisfactory Completion. The employee shall provide the Department Head with proof of satisfactory completion with a grade of "B" or better of any course requested for reimbursement, prior to reimbursement.
3. Employees seeking reimbursement must present a paid fee statement and grade transcript in order to receive reimbursement.
4. Reimbursement for classes taken at private institutions shall not exceed the tuition charged by the Minnesota State University system.
5. Time Off. If class is during the regular workday, an employee must take that time as compensatory time, vacation time, or leave of absence without pay, or the employee can request a flexible scheduling arrangement, subject to approval by the Department Head and City Administrator or BPU Commission (for BPU employees only). Classes or course work taken by the employee must not disrupt or interfere with the normal Departmental operations. Completion of preparatory work and homework are not permitted during scheduled work hours.
6. Continued Employment. The employee must remain with the City of Brainerd following completion of the course for which the City provided reimbursement pursuant to this policy, or else return to the City the expense amount(s) reimbursed pursuant to this policy. If the employee voluntarily terminates employment with the City after receiving education reimbursement pursuant to this policy, the employee must repay the reimbursed tuition immediately according to the following schedule:
 - Up to 1 year after receiving reimbursement – 100% of the tuition reimbursement
 - 1 year but less than 2 years after receiving reimbursement – 66% of tuition reimbursement
 - 2 years but less than 3 years after receiving reimbursement – 33% of

tuition reimbursement

- 3 years or longer after receiving reimbursement – 0% of tuition reimbursement
7. Funding Procedure. Subject to paragraph 4, above, the City will reimburse its employees for tuition expenses up to a maximum of \$1,500 per calendar year with a total lifetime maximum of \$6,000. All reimbursements shall be subject to applicable IRS regulations. The scope, terms and conditions of this reimbursement shall be defined and interpreted by the City Administrator or BPU Commission (for BPU employees only). Reimbursement is further limited based on availability of budgeted funds. Reimbursements are on a first come, first served basis and shall not exceed the department budget. In the event a department receives reimbursement requests that exceed its budget allocation for education reimbursement, the Department Head and City Administrator (or BPU Commission, for BPU employees only) shall have the discretion to apportion the available funds, including the discretion to refuse reimbursement.
 8. The Human Resource Director will develop and maintain forms for requesting approval of class eligibility prior to registration and forms requesting reimbursement after successful completion of classes.

Section 21.02 Training and Development

1. The City will pay for job-related, position specific training approved by the Department Head and City Administrator or BPU Commission (for BPU employees only) and deemed necessary to effectively complete the requirements of the position, provided there is adequate funding in the budget appropriation for training, as determined by the Department Head in consultation with the City Administrator or BPU Commission (for BPU employees only).
2. Subject to Paragraph 1 of this ARTICLE, the City will pay for, or reimburse employees for, any and all training required by the City, including training required to attain or maintain job-related certification. Payment of training and/or conference expenses must not exceed \$1,500 per employee per fiscal year, excluding travel and subsistence costs. Exceptions must receive approval by the City Administrator or BPU Commission for BPU employees.
3. Attendance at training or conferences out of state is generally approved only if the training or conference is not available locally. All requests for out-of-state travel and/or national conferences that are applicable to their current position are reviewed for approval/disapproval by the City Administrator or BPU Commission for BPU employees.
4. The Department Heads will maintain records on all employee training done at

City expense.

5. The procedure for payment for training and development is as follows:

- a. A request for payment of fees and course materials must be approved by the City Administrator or BPU Department Head (for BPU employees only), or designee. Such approval will only be granted when it can be demonstrated that the training directly relates to the employee's present position and that it will potentially enable the employee to perform his/her duties in a more efficient and productive manner.
- b. All course materials paid for by the City are the property of the City of Brainerd and shall be brought to the Department Head of the appropriate Department upon completion of the training.

For purposes of this policy, training and development will include seminars, workshops, and training sessions designed to provide specific applications to an employee's present position. Such training must be approved by the Department Head or the City Administrator.

The City Administrator may grant a leave of absence with or without pay to an employee for the purpose of attending schools, meetings, conferences, and other functions which are a benefit to the City of Brainerd, if, in the City Administrator's judgment such leave will not cause disruption of service.

All training and education opportunities described in this policy are subject to the availability of funds and the budgets of individual departments as well as the City's overall budget.

Section 21.03 Commercial Driver's License Training

The City may disburse tuition payments on behalf of an employee who is required to hold a Commercial Driver's License ("CDL") for CDL training from an approved CDL training provider. These disbursements shall be regulated by the below requirements. Training for which the employee receives another source of funding, such as a grant or scholarship, will not be eligible for disbursement.

1. Pre-Approval. Prior to starting a CDL training from an approved CDL training provider, and in any event no later than 30 days before said training shall occur, the employee must obtain written approval from the employee's Department Head and the City Administrator that the CDL training is job related, that the training is with an approved CDL training provider, and that the request would benefit the City. Specifically, the training must satisfy training requirements for entry-level drivers under 49 C.F.R. §§ 380.600 – 380.609, including Behind-the-Wheel training curricula. The training must be related to the employee's current assignment or has the potential for promotional opportunities for the employee. The Department Head must verify that the Department budget will cover this

expense before recommending approval to the City Administrator. Each approval shall be limited to a single CDL training program. Enrollment in a multiple-year program, or approval of disbursement for any portion of such training does not guarantee that funding will be available in subsequent years or that the City will approve any future program, even if related to one that was approved in the past. An employee who is requesting disbursement for CDL training must have been a regular employee of the City for at least 30 days before the scheduled course is scheduled to begin.

2. **Payment.** After approval of the course or program for which a tuition disbursement is sought, the City agrees to directly pay the approved CDL training provider, on behalf of the employee. Payment to the CDL training provider will be based on budgeted funds available for the current fiscal year and the number of employees with identical tuition disbursement agreements. The City will pay the training provider per training program as long as the invoice is submitted within the enrollment date determined by the CDL training provider. The City will only make payments to the CDL training providers towards the tuition for the CDL training for which tuition disbursement is sought. The City shall not be obligated to pay any amount towards non-tuition expenses, such as fees and expenses for books, technology fees, or other non-tuition amounts.
3. **Disbursement Agreement.** The employee must enroll in and complete the pre-approved CDL training and incur tuition expenses during their enrollment in order for funds to be disbursed under this Agreement. The City is not obligated to pay any amount under this Agreement, and any such obligation shall cease, if the employee does not complete the training, receives a failing grade, attends a non-approved CDL training provider, attends CDL training for which approval has not been received, resigns or abandons their employment with the City, or is terminated from their employment.
4. **Work Hours.** Pay for attending training shall follow IRS training requirements or the applicable collective bargaining agreement, whichever is greater. Employees shall have the opportunity to utilize comp time in lieu of overtime for said work hours. The CDL program must not disrupt or interfere with the normal Departmental operations.
5. **Repayment Obligation.**
 - a. The employee shall repay, within twelve months of the disbursement of the amount, any amount disbursed for tuition for any course or program:
 - i. for which the employee does not complete the course work;
 - ii. in which the employee receives an incomplete or failing grade;
 - iii. that is from an unaccredited institution;
 - iv. that has not been approved by the City; or
 - v. that is not required for licensure.

- b. Continued Employment. The employee must remain with the City of Brainerd following completion of the CDL training for which the City provided disbursement pursuant to this policy, or else return to the City the expense amount(s) disbursed pursuant to this policy. If the employee voluntarily terminates employment with the City after receiving disbursement pursuant to this policy, the employee must repay the disbursed tuition immediately according to the following schedule:
 - i. Up to 1 year after receiving disbursement – 100% of the tuition disbursement
 - ii. 1 year but less than 2 years after receiving disbursement – 66% of tuition disbursement
 - iii. 2 years but less than 3 years after receiving disbursement – 33% of tuition disbursement
 - iv. 3 years or longer after receiving disbursement – 0% of tuition disbursement
 - c. If the employee fails to repay any obligation owed hereunder within the time frame for repayment set forth herein, the City shall be permitted to collect any unpaid amounts, in any manner permitted by law. The employee shall be liable for any and all costs, including reasonable attorneys' fees, incurred by the City in instituting any action to recover the amount due.
 - d. The employee understands and agrees to these repayment obligations.
_____ (Initialed by employee)
6. Funding Procedure. Subject to paragraph 5, above, and approval by the City Administrator, the City will disburse tuition for employees for approved training expenses that have been approved by the City Administrator. All disbursements shall be subject to applicable IRS regulations. The scope, terms and conditions of disbursement shall be defined and interpreted by the City Administrator. Disbursement is further limited based on availability of budgeted funds. Disbursements are on a first come, first served basis and shall not exceed the department budget. In the event a department receives disbursement requests that exceed its budget allocation for education disbursement, the Department Head and City Administrator shall have the discretion to apportion the available funds, including the discretion to refuse disbursement.
7. The Human Resource Director will develop and maintain forms for requesting approval of class eligibility prior to registration and forms requesting disbursement.

ARTICLE 22. EMPLOYMENT RELATED REIMBUREMENTS

Section 22.01 Travel & Meal Reimbursement

If employees are required to travel outside of the area in the performance of their job duties, they will receive reimbursement of expenses for meals, lodging and necessary expenses incurred, consistent with this Policy.

Travel Approval

Each Department Head is responsible for ensuring that employee travel is approved only if such travel is for City business and is consistent with City policy. Department Heads are responsible for approving all travel requests within their respective departments and must ensure that departmental budget dollars are sufficient to cover requested travel prior to approving. Requests for travel by Department Heads must have prior approval by the City Administrator. The following approvals are needed prior to employee travel:

- 1) **Same Day with Overnight Travel** – Department Head approval is required.
- 2) **Out of State, More Than 300 Miles From Brainerd** – All out-of-state travel exceeding a 300-mile radius from Brainerd must be approved within the annual budget process which is approved by the City Council and BPU Commission. All employees must receive prior approval from their Department Head. Unless otherwise approved by the City Council or BPU Commission, an employee is only eligible to travel out-of-state more than 300 miles from Brainerd on City business once every other year.
- 3) **Out of State, Less Than 300 Miles From Brainerd** – All out-of-state travel within a 300-mile radius of Brainerd must be approved by the Department Head or City Administrator and does not require City Council or BPU Commission approval.

Such authorization must be received by the employee prior to incurring the actual expenses and shall be subject to the availability of funds and the terms of this Policy.

Reimbursable Expenses

1) Transportation

Several means of transportation exist and each travel request shall consider the least-costly method. For the majority of travel requests, a City vehicle provides the least cost to the City and shall be considered before any other means. Vehicles from other departments may be available and shall be a consideration. Unless otherwise authorized by the Department Head or City Administrator, all City-related transportation must be by City vehicle.

- a) **City Vehicle** – All direct expenses, other than personal expenses, incurred with regard to the use of a City vehicle will be reimbursed, including fuel, oil, and maintenance/repair expenses. Only City employees are authorized and insured to drive a city-owned vehicle. The use of a City vehicle is otherwise subject to the City's policies.
- b) **Personal Vehicle** – When a City vehicle is not available, a personal vehicle may be authorized for use. Mileage for use of personal vehicle

when traveling to or from a training or work location other than the employee's regular work location is reimbursed at the rate established by the Internal Revenue Service, based on a statement from the employee as to number of miles traveled. All mileage must be computed from the employee's regular work location, or from home, if the employee's home is closer to the destination. For purposes of this policy, the term "regular work location" means the work location from which the employee departs for the regular performance of official duties.

- c) **Airplane/Other** – travel by any means other than by City-owned vehicle or personal vehicle must be approved by the City Administrator, regardless of whether the travel is in-state or out-of-state and regardless of the distance of the travel from the City of Brainerd. Reimbursement for travel by bus, airline train, taxi service, car service, rental car, or other mode of consumer transit will be at the actual rate charged (which must be the lowest rate available for the mode transportation in question). No payment will be made without a receipt accompanying the voucher.
- d) **Other related costs** – Reasonable parking fees, car rental, and fares for rail, bus, taxis and shuttles are all subject to reimbursement if related to City business. Taxis and shuttles reimbursement may include a maximum gratuity of 20%. Gratuities in excess of 20% will not be reimbursed by the City. A standard model sedan shall be used when renting a car unless unusual circumstances dictate otherwise.

2) **Lodging**

The City will reimburse the reasonable cost of lodging for training, seminars or conventions of two or more days generally if the event site is **outside a 50-mile radius** of Brainerd. All lodging expenses will be paid based upon receipt from the motel or hotel. The City will reimburse for lodging at the lowest rate for a single occupancy room. All hotels or motels must be approved by the City Administrator or applicable BPU Department Head (or designee) prior to booking.

An increase in lodging rate due to family members staying is not reimbursable. The employee will be reimbursed only the cost of a single occupancy room. All lodging reimbursements are subject to a maximum amount determined by the City Council and identified in the City's expense reimbursement form.

Lodging reimbursement will not be approved for lodging in the event the traveling employee could arrive at the destination on time by leaving Brainerd by 6:30 AM nor will reimbursement be approved if the employee could return to Brainerd by 9:00 PM. No reimbursement for lodging or time will be approved in the event the traveling employee elects to drive a personal vehicle in lieu of City recommended air travel. Entertainment expenses incurred will not be reimbursed, such as in-room movies, mini-bar and optional entertainment-type events including golf, gambling etc. that may be provided at conferences.

3) **Meals**

The City will reimburse the cost of job-related meals if an employee's travel is

outside of the Brainerd/Baxter area or if a business meeting is held during typical meal hours. The following guidelines are in place for eligibility of reimbursement for a meal:

Breakfast: The employee is in travel status before 6:00 AM
Lunch: The employee is in travel status between the entire time of 11:00 AM and 1:00 PM
Dinner: The employee is in travel status until 8:00 PM

- a) Meetings scheduled and held during typical meal hours do not automatically necessitate that a meal will be provided at City expense. *The departmental issued credit card shall not be used to pay for meals.*
- b) The maximum amounts per meal and per day attached to the expense reimbursement form apply to the meal, non-alcoholic beverage, sales tax and gratuity.
- c) Gratuities paid by the employee over 20% will not be reimbursed.
- d) Payments for meals cannot be combined in any fashion in order to reimburse an employee for a meal costing more than the maximum amount listed per specific meal. For example, an employee cannot decline a breakfast and/or lunch reimbursement to justify reimbursement of a \$60 dinner.
- e) Meals included as part of a conference, convention, or similar program will be paid in full, whether those meals are included in any registration or tuition fees or presented as a separate charge, and regardless of whether the cost exceeds the established maximum. All such expenses must be approved in advance by the applicable Department Head prior to registration. The Department Head will notify the City Administrator upon approval of any such expenses. Employees are expected to take advantage of meals provided by the conference or seminar. The City will not reimburse an employee for a purchased meal when a meal was provided by the event.
- f) If more than one employee is present at a job-related meal, one employee may pay for the entire meal cost of all employees. The reimbursement request shall clearly identify each employee present for the meal and each employee for whom the employee purchased a meal.
- g) When family members are present for a meal and the employee is claiming reimbursement for his/her meal, a separate detailed receipt for the employee's meal shall be requested. The City shall not reimburse the employee for the cost of any family member(s)' meal.

4) Registration or Membership Cost

The City will reimburse the costs for registration, training and membership incurred to attend approved conferences, seminars and training sessions. A check request or credit card receipt shall be submitted to the City's accounts payable department prior to the event for payment of this type of cost, in addition to obtaining the other approvals required by this Policy. The request shall

include the necessary documentation evidencing the amount payable. A departmental credit card may also be used for payment based upon receipt of all necessary travel approvals prior to making payment. Departments shall strive to utilize any early registration discounts, when available.

5) Non-Reimbursable Meal and Travel Costs

- a. Alcoholic beverages – whether consumed by an employee or a non-employee
- b. Gratuities exceeding 20%
- c. Snacks and other food/beverages outside of the daily meal reimbursements
- d. Meals or events for spouses or family members traveling with an employee
- e. Meals when an event provides for a meal
- f. Private automobile expenses, including gas, oil, repairs
- g. Traffic citations or fines
- h. Travel between an employee's home and work facility
- i. Entertainment expenses
- j. In-room movies, mini-bar or other hotel services not required for City business
- k. Optional entertainment events unless included as part of the overall conference registration fee (e.g. optional golf, sporting events, concerts, and other performances)
- l. Personal losses incurred while on City business
- m. Other costs that are not directly related to City business, as determined by the City Administrator

City Representation

Employees shall be aware at all times that they are representing the City while traveling out-of-town for official City business. Employees given the opportunity to be away from their regular work site are expected to perform in a similar manner as if they were still at work, including following all applicable City policies as if they were at their regular work site. An employee's conduct during a work-related trip or while otherwise representing the City will be treated as if it occurred during regular working hours and at the regular work site. At no times shall alcoholic beverages be consumed by any person(s) driving or riding in a City vehicle.

Section 22.02 Prescription and Non-Prescription Safety Glasses

The City will pay the cost of prescription safety glasses for employees required by OSHA regulations to wear same in performing their work functions, up to a maximum of the base cost as stated in the City's agreement with a local vision provider(s). The employee is responsible for all other costs associated with obtaining the prescription, including eye examination.

The City will provide non-prescription safety glasses for employees required by OSHA

regulations to wear same in performing their work functions.

Section 22.03 Safety Boot Policy

The City will pay annually up to 50% of the cost for safety boots for employees required by OSHA regulations to wear same in performing their work functions.

Section 22.04 Damage to Personal Items

An employee's personal items, such as watches and prescription eyewear, which are damaged or destroyed during the course of his/her work shall be reimbursed by the City for the value of the item damaged or the cost of the repair, if possible, up to \$450 per employee in a three (3) year timeframe. In order to receive such reimbursement, the employee must submit a detailed statement describing the item, how it was damaged, whether the employee believes it to be reparable, how the employee determined the value of the item, and any estimated costs of repair.

Section 22.05 Cold Weather Outerwear

Some employees may be required to work outdoors in cold weather for extended periods of time. The City will furnish each such employee one set of insulated cold weather outerwear at a frequency of no greater than once every 36 months, unless damaged beyond repair, as determined at the discretion of the Department Head. The cold weather outerwear will consist of three pieces – a coat, a vest, and a bib overall, and will be insulated brown duck canvas or ANSI, with a City of Brainerd insignia (or BPU insignia, as appropriate) on the coat. The employee will be responsible to keep his or her cold weather outerwear clean and in good repair at all times. The cold weather outerwear shall be kept at work at all times, except for the purpose of cleaning and/or repair to the outerwear.

Section 22.06 Personal Cell Phone Stipend

Employees whose work requires the use of a cell phone and who have been designated to receive a cell phone stipend by the City Council, or designee in their sole discretion will receive a monthly stipend in the amount determined by the City Administrator. At this time, no additional employees will be granted permission for this benefit. Employees receiving a stipend are responsible for:

- A. Providing proof of purchase/lease of cell service, and other documents prescribed by the City to activate and maintain stipend payments, at intervals to be determined by the City Administrator;
- B. Purchase, replacement, repair, or service or operational questions of the phone will be the responsibility of the employee and at the employee's sole expense;

- C. Using a secure password, PIN, or gesture to prevent unauthorized access;
- D. Procuring and maintaining cellular service from a reliable carrier who provides service in the City service area;
- E. Limiting personal use of the cell phone during work hours so as not to interfere with City business or the performance of the employee's job;
- F. Agreeing that their cell phone may be physically or remotely accessed, tracked, modified, or wiped based on City security needs.

The cell phone stipend is intended to cover approximate costs of the employee's cell phone expenses related to work duties. Initial purchase of the cell phone, accessory equipment, and activation fees will be the responsibility of the employee, as will maintenance, insurance, and repair costs (if any). The employee will pay any and all costs exceeding the amount of the cell phone stipend. No stipend will be paid when an employee is in an unpaid leave status for more than 30 days or duties change in such a manner which no longer justifies the payment.

In addition, the City is subject to the Minnesota Government Data Practices Act ("MGDPA") and other laws governing the collection, storage, use, and disclosure of data. All files and documents, including personal e-mails, text messages, and social media messages created, received, collected, maintained, or generated on an employee's personal cellular device by virtue of his or her position with the City are subject to those laws.

Section 22.07 Approval of Expenses

Employees shall submit an expense reimbursement claim no later than **60 days** from the date the expense was paid or incurred. Requests for reimbursement must be accompanied by a signed Employee Expense Reimbursement Form, as updated from time-to-time by the City. As discussed in this Policy, detailed, itemized receipts and other information shall be submitted with the claim for reimbursement, depending on the type of expense.

The City shall annually and periodically provide an updated Employee Expense Reimbursement Form. This form shall be used for all reimbursement requests related to approved travel or work-related expenses paid by an employee.

- 1) **Detailed Receipts** – each item submitted for City reimbursement must be supported by an itemized receipt indicating a reasonable explanation for the expense. All receipts shall be attached to each reimbursement request.
 - a. Meals will be reimbursed based on a detailed itemized receipt. When a credit card is used to purchase the meal, both an itemized receipt and a credit card charge slip indicating the tip amount shall be submitted.

- b. Receipts for parking and taxis may not be available and may be submitted for reimbursement without a receipt.
 - c. Mileage reimbursement for the use of a personal vehicle shall detail not only the mileage but also the location traveled and the business reason for travel.
 - d. Proper departmental expense codes shall be used for each line item.
 - e. Unsupported expenses will not be reimbursed. If an employee is unable to get a detailed receipt or the receipt is lost, a signed statement by the employee detailing the purchased item, the business reason for the expense and certifying that the claim is accurate must be submitted and approved by the Department Head. A copy of the employee's credit card statement may also be provided to help support the dollar amount being reimbursed.
- 2) Employees shall submit an employee expense reimbursement form with all necessary supporting documentation to the appropriate Department Head or designee for review.
 - 3) The expense form will be routed through the Accounts Payable process for payment and approval. Any issues will be communicated back to the employee for correction/clarification.
 - 4) The Finance department will make necessary corrections to reimbursement requests for mathematical errors, gratuities in excess of 20%, to remove any alcoholic beverages and other changes that may be necessary to comply with this policy.
 - 5) Reimbursement will be made with the next City Council check register, or payroll if the meal reimbursement is taxable.

Signing an expense voucher or request for reimbursement certifies the truth and correctness of the expense incurred. Knowingly submitting a false or inaccurate expense voucher, receipt, request for reimbursement, or other record may result in discipline, up to and including termination.

ARTICLE 23. DRUG-FREE WORKPLACE/ALCOHOL ABUSE POLICIES

Section 23.01 Drug-Free Workplace/Alcohol Abuse

It is the policy of the City to provide a drug-free environment. The City's goal is to establish and maintain a healthy and efficient workforce free from the effects of drug and alcohol abuse in compliance with the requirements of the federal Drug-Free Workplace Act of 1988 (as amended) and other applicable law. This requires employees abstain from using alcoholic beverages, cannabis, mood-altering drugs, and drugs that adversely impact performance, prior to the start of their workday, during the work period, during lunch and other work breaks. Any violation of this policy shall result in disciplinary action, up to and including discharge.

- A. The use of alcohol, cannabis, or the illegal use of drugs by an employee on duty can result in a dangerous work environment by negatively affecting job performance and the ability to function safely at work.
- B. The unlawful manufacture, distribution, transfer, possession, or use of drugs while on duty is strictly prohibited. Any such use may justify immediate discharge regardless of job performance. This provision does not apply to possession of drugs by sworn Police Department employees necessitated by their official job duties.
- C. Intoxication, possession, and unauthorized use of alcohol or cannabis while on duty is also prohibited and may justify immediate dismissal regardless of job performance. This provision does not apply to possession of alcohol or cannabis by sworn Police Department employees necessitated by their official job duties.
- D. Tolerance may be shown to an employee expressing a desire and willingness to receive treatment for their drug or alcohol use.
- E. Human Resources will provide any employee, upon request, information regarding alcohol abuse and drug dependency as well as information on available treatment programs.
- F. Confidentiality will be maintained, to the extent permitted by the Minnesota Government Data Practices Act and other applicable laws.
- G. It is the responsibility of the employee to correct his or her unsatisfactory behavior or job performance resulting from drug, cannabis or alcohol use.
- H. The Human Resource Director must be notified by the employee no later than five (5) calendar days following any criminal drug statute or alcohol related conviction for a violation occurring in the workplace or any arrest or conviction of any criminal drug or alcohol offense.
- I. Violations of this policy may constitute cause for discipline, up to and including discharge. Each situation will be evaluated on a case-by-case basis depending on the severity and circumstances involved.

The City recognizes drug and alcohol abuse as potential health, safety and security problems. Employees needing help in dealing with drug and alcohol problems are encouraged to make use of the medical resources available through their health insurance plans.

Section 23.02 Drug & Alcohol Testing

The City has adopted Drug, Alcohol, and Cannabis Testing Policies, separate from the Employee Policy Manual, covering employees required to hold a commercial driver's license (CDL) or a non-commercial driver's license (non-CDL) to perform their job duties and other employees. All employees are required to sign a document that states that they have received a copy of the policy. Each employee must review the document and abide by its provisions. Copies can be obtained from the City Administrator's office and the Human Resource Director's office.

Section 23.03 Drug-Free Awareness Program

To assist employees in understanding the perils of drug and alcohol abuse, the City has established a Drug-Free Awareness Program. This drug and alcohol policy constitutes the City's drug-free awareness program and fulfills the notification requirements of the federal Drug-Free Workplace Act of 1988 (as amended). The City will use this program as an ongoing educational effort to prevent and eliminate drug and alcohol abuse that may affect the workplace. The program will inform employees of the dangers of drug and alcohol abuse, explain the City's Drug and Alcohol Policy and the sanctions imposed for its violation, and highlight any treatment, counseling, and rehabilitation referral services that may be available to employees in the City. Nothing set forth in this policy is intended to conflict with state law.

An employee convicted of a criminal drug offense committed in the course of employment will be subject to appropriate disciplinary action and/or required to complete successfully an appropriate rehabilitation program at the employee's own expense unless provided to the employee through insurance coverage. The City, in its sole discretion, shall determine what disciplinary action is appropriate.

Section 23.04 Tobacco Use

A. PURPOSE

The City has established this policy regulating tobacco use in City-owned buildings and vehicles:

1. To comply with the Minnesota Clean Air act.
2. To respond to the increasing evidence that tobacco use creates a danger to the health of persons who use tobacco as well as persons who are present in a smoke-filled environment.
3. To promote a safe and healthy environment for staff and citizens and to set an example to the community in limiting tobacco use.

B. STATEMENT OF POLICY

1. All City-owned buildings and vehicles shall be tobacco-free which includes smoking, as defined by Minnesota Statutes, section 144.413, as amended, the use of tobacco products and electronic cigarettes, as defined in Minnesota Statutes, section 609.685, as amended. Park shelters are exempt from this policy to the extent provided by applicable law.
2. Tobacco use is prohibited within all City-owned buildings, this includes employee workstations, employee break areas, reception areas, storage areas, hallways, meeting rooms and all other areas inside buildings not specifically mentioned herein.
3. Within City-owned vehicles, smoking and other tobacco use is prohibited by any and all occupants.
4. All individuals on City premises share in the responsibility for adhering to and enforcing this policy. The responsibility for compliance is shared by employees, Supervisors, and the general public.
5. Employees hosting visitors are expected to inform them of the City's tobacco free policy.
6. Information on approved smoking cessation programs is available to City staff by the Human Resource Director.
7. Complaints of violation of the policy should be directed to the Department Head responsible for the particular work area or facility involved in the complaint. The Department Head shall be responsible for notifying the violator of the pertinent portions of this policy. Failure to comply with the policy may result in discipline, up to and including immediate termination, if the violation is committed by an employee, or may result in the individual being asked to leave the City's premises, if the violation is committed by a member of the public.

ARTICLE 24. EMPLOYEE SAFETY MANUAL

The City has adopted an Employee Safety Manual, separate from the Employee Policy Manual. All employees are required to sign a document that states that they have received a copy of the manual. Each employee must review the manual and abide by its provisions. Copies can be obtained from the City Administrator's office or the Human Resource Director's office.

ARTICLE 25. POLITICAL ACTIVITY

City employees have the right to express their views and to pursue legitimate involvement in the political system outside of work time. Any employee who becomes a candidate for federal, state or municipal elective office, or assumes a federal, state, or municipal elective office, is expected to properly fulfill their normal duties during such candidacy and while holding such office and may be disciplined for failure to do so. An employee holding such office will be permitted time off from regular employment to attend meetings required by reason of the public office. Such time off may be without pay, by using appropriate paid leave, or made up with other hours, as agreed between the employee and the department director.

Any employee whose principal employment in the city is in connection with an activity which is funded in whole or in part by the United States or a federal agency is also subject to the restrictions and penalties of the Federal Hatch Act (5 U.S.C. § 1501-1508). Political activity should not impair objectivity or the perception of objectivity in carrying out city work.

City employees cannot use their official authority or influence through their employment with the city to compel a person to apply for membership in or become a member of a political organization, or to compel a person to pay or promise to pay a political contribution, or to compel a person to take part in political activity. While at work, city employees must be politically neutral in the performance of their job duties and cannot engage in political activity while at work, on city property, or by using city resources (such as city branded clothing or uniforms, photos, ID badges, nametags, or using the city's email system or technology). Furthermore, employees should not use their city job title in conjunction with any political work or endorsements.

ARTICLE 26. HARASSMENT

It is the policy of the City that harassment and inappropriate conduct of employees is prohibited. The City seeks to promote a professional work environment where employees can perform their jobs free from abuse by others. This policy applies to all of the City's employees while performing their duties as employees within or outside the workplace. For purposes of this policy, employees include all individuals who are hired, elected, appointed, or contracted to provide services to the City.

Harassment is unwarranted and unwanted verbal or nonverbal conduct which threatens, intimidates, or insults another person, where such conduct has the purpose or effect of creating an offensive, intimidating, or degrading environment, or interferes with or adversely affects a person's work performance based on race (including traits associated with race, including, but not limited to hair texture and hair styles such as braids, locs, and twists), creed, color, religion, age, sex, marital status, national origin, sexual orientation (including gender identity and expression), disability, status with regard to public assistance, or any other characteristic protected by state or federal law.

Harassment does not include the conduct or actions of Supervisors intended to provide employee discipline, such as deficiency notices, performance evaluations, oral warnings, reprimands or other supervisory actions intended to promote productive performance.

A. STATEMENT OF POLICY

It is the policy of the City that harassment will not be tolerated. All employees are prohibited from engaging in the harassment of any other employee or other person in the course of or in connection with employment. The desired standard of employee behavior is one of cooperation and respect for each other, despite any differences. Employees have a right to a workplace free of verbal and/or physical harassment.

B. SEXUAL HARASSMENT

1. Definition

For purpose of this policy, sexual harassment is defined as physical or verbal conduct relating to an individual's gender or directed at an individual because of gender, unwelcome sexual advances, request for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual or gender-related nature when:

- a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or continuing employment or a basis for employment decisions affect that individual; or
- b. submission to or rejection of that conduct or communication by an individual is used as a factor in any employment decisions affecting the individual or decision related to the individual's access to public services or public accommodations affecting said individual; or
- c. that conduct or communication has the purpose or effect of substantially interfering with an individual's employment, public service, or public accommodation, or of creating an intimidating, hostile or offensive employment environment.

A single act or communication may constitute sexual harassment.

2. Examples of Conduct that can Constitute Unlawful Sexual Harassment

Examples of sexual harassment include, but are not limited to, the following:

- a. Unwelcome subtle or overt pressure for sexual activity.
- b. Repeated, unwelcome suggestions regarding, or invitations to, social engagements or work-related social events.
- c. Verbal abuse or innuendo of a sexual nature.
- d. Unwelcome physical contact such as touching, hugging, patting,

- pinching, pawing, poking, or slapping.
- e. Any unwelcome sexual or sexually motivated touching.
- f. Comments of a sexual nature about an individual's body or sexual terms used to describe an individual.
- g. Display or distribution of sexually suggestive or sexually explicit objects or pictures, including cartoons, articles, pictures, and other graphics which have a sexual conduct and which are not necessary for work.
- h. Jokes or remarks of a sexual nature to, or in the presence of, people who may find them offensive.
- i. Prolonged staring or leering at a person.
- j. Use of suggestive facial expressions, gestures of a sexual nature, or sexually suggestive or insulting sounds.
- k. Any demand for sexual favors accompanied by an implied or overt threat concerning an individual's employment status or promises of preferential treatment or other indication, express or implied, that an employee's job security, assignment, opportunities for advancement, or other terms or conditions of employment may depend on the granting of sexual favors to any other employee, supervisor, elected official, or manager.
- l. Any action relating to an employee's job status, which is taken as a direct result of the granting or refusal of social or sexual favors.
- m. The deliberate or careless creation of an atmosphere of sexual harassment or intimidation.
- n. Indecent exposure.
- o. Other physical or verbal conduct directed at another because of sex or gender.

Normal, courteous, mutually respectful, pleasant, non-coercive interactions between people that are acceptable to both parties are not considered to be sexual harassment.

C. OTHER PROTECTED CLASS HARASSMENT

Other protected class harassment is offensive conduct or communication based on an individual's race (including traits associated with race, including, but not limited to hair texture and hair styles such as braids, locs, and twists), color, creed, religion, national origin, sexual orientation (including gender identity or expression), disability, age, marital status, familial status, status with regard to public assistance, or any other characteristic protected by state or federal law when:

1. Submission to such unwelcome conduct or communication is made either explicitly or implicitly as a term or condition of obtaining or retaining employment or access to public services or accommodations;
2. Submission or rejection of such unwelcome conduct or communication by an individual is used as a factor for any employment decision or decision related to the individual's access to public services or public accommodations affecting said individual; or

3. Such unwelcome conduct or communication has the purpose or effect of substantially interfering with any person's employment, public services or public accommodation, or creating an intimidating, hostile, or offensive work environment.

D. Department Head/Supervisory Responsibilities

Department Heads and Supervisors are responsible for maintaining a work environment free of sexual harassment and other protected class harassment. It is their responsibility to ensure that all employees comply with the City's Policy. Department Heads and Supervisors must respond promptly and appropriately to both allegations and confirmed reports of harassment.

In the absence of a complaint, Supervisors and Department Heads observing conduct that may constitute prohibited harassment in the workplace are responsible for calling such behavior and this policy to the attention of the participants at the time of the observance. A written summary of the discussion shall immediately be forwarded to the City Administrator.

Supervisors and Department Heads receiving complaints or reports of alleged inappropriate conduct shall immediately forward a report to the City Administrator prior to taking any action on the complaint. The City Administrator or designee will make the determination as to whether, and to what extent, an investigation is warranted, who will investigate, and what methods will be used in the investigation.

Failure of a supervisory employee to immediately forward reports of observances or complaints to the City Administrator shall be grounds for disciplinary action, up to and including termination of employment.

E. Employee Responsibilities

All City employees are expected to treat all other employees and the public with respect and to comply with this policy. Any employee found to have violated this policy will be subject to appropriate disciplinary action, up to and including discharge from employment.

F. Complaint Procedure

Any employee who believes he or she is being subjected to sexual harassment or other protected class harassment in any form, or any employee with knowledge or belief of conduct on the part of another employee or other individual which may constitute a violation of this policy, is required to report the alleged conduct immediately to a Supervisor, the Department Head, or the City Administrator. While the City encourages written reports of the alleged conduct, verbal reports will be accepted. The individual receiving the report should be prepared to supply the following information:

1. Date, time and location of incident
2. Identification of the offender(s)
3. A detailed description of the incident
4. Any materials in the complaining employee's possession related to the incident (e.g. cartoons, articles, pictures)
5. Identification of any potential witnesses to the incident

Additionally, at the time of the incident, if you are the employee being subjected to the inappropriate behavior and feel comfortable in doing so, you may, but are not required to, courteously, but firmly, tell the individual(s) engaging in the inappropriate behavior to stop the behavior because the behavior makes you feel intimidated, offended or uncomfortable. Include a summary of this discussion in your report to the Supervisor or City Administrator.

Any Department Head or other supervisory employee who receives a formal or informal, oral or written report of harassment shall inform the City Administrator immediately without screening or investigating the report, unless the City Administrator is involved or has a conflict of interest, in which case the report shall be made to the Mayor pursuant to the reporting procedures. Failure of any supervisory employee of the City to forward such a report to the appropriate party shall be grounds for discipline.

By the authority of the City Council, the City Administrator, upon receipt of a report or complaint of sexual harassment or other protected class harassment, shall undertake or authorize an investigation. The investigation may be conducted by City Officials or by a third party designated by the City.

The City may take immediate steps, at its discretion, to protect the complainant and other employees or members of the public pending completion of the investigation.

The investigation methodology will be determined by the investigator depending on the specifics of each complaint. Investigations typically include, at a minimum, interviews with the reporting employee, the complaining employee (if different from the reporting employee) and alleged offender(s). The investigation methodology may additionally include additional interviews, document review and other methods deemed pertinent by the investigator.

G. Confidentiality

Records maintained pursuant to this policy are subject to the Minnesota Government Data Practices Act, the Minnesota Records Retention Act, and other applicable laws. Subject to those laws, every effort shall be made to respect the privacy of the parties to a complaint, without compromising the thoroughness of the investigation.

H. No Reprisal for Filing Complaint of Harassment

The City will not tolerate acts of retaliation against employees who have made a good faith report of suspected violations of this policy or any person who assists in the investigation of such a complaint regardless of the outcome of such investigation. The City will discipline or take other appropriate action against any employee who engages in acts of retaliation toward these individuals. For purposes of this policy, retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

I. Disciplinary Procedure

1. An employee who violates this policy will be subject to disciplinary action up to and including discharge.
2. Any employee who prevents or attempts to prevent an individual from reporting a suspected violation of this policy or who interferes in any way with the investigation of such a report will be subject to disciplinary action, up to and including discharge.
3. Any employee who retaliates or discriminates against an individual who reports a suspected violation of this policy or assists in the investigation of such a report will be subject to disciplinary action, up to and including discharge.
4. Supervisor, managers, or Department Heads who become aware of violations of this policy in their department, even in the absence of a formal complaint, shall take appropriate disciplinary action, in consultation with the City Administrator.
5. Any non-employee found to have violated this policy may be removed from the City property or other appropriate action may be taken.

The Data Practices Act may allow individuals who are not directly involved with the complaint to access records related to the complaint in certain circumstances.

ARTICLE 27. GRIEVANCES

It is the policy of the City insofar as possible to prevent the occurrence of grievances and to deal promptly with those which occur. For purposes of this policy, a grievance is defined as a dispute or disagreement as to the interpretation or application of the City's personnel policies.

Employees shall have the right to present grievances either individually or as a group. Grievances shall be presented to the City Administrator in writing, within five (5) calendar days of the occurrence of the alleged grievance.

The City Administrator shall respond to an employee's grievance within fourteen (14) calendar days after receiving the alleged grievance. The decision of the City Administrator is final, except that when the City Administrator is directly involved in the grievance, appeal may be made to the Personnel and Finance Committee for final decision within fourteen (14) calendar days of the City Administrator's decision. In such an appeal, the Personnel and Finance Committee's decision is final. In the event that the City Administrator does not respond to the grievance within fourteen (14) calendar days of receipt, the grievance shall be considered denied for purposes of the appeal time period discussed above.

In compliance with federal or state law, an employee may also grieve any alleged unsafe act or practice, adverse working conditions, violation of civil rights, and alleged hazardous materials management.

Concerns that employees have should not go directly to individual members of the City Council. The City Council acts as a body and not as individuals. Likewise, individual Council members giving direction to staff without the knowledge of the City Administrator is inappropriate. Again, the City Council gives its direction, as a policy making body, to the staff through the Administrator.

ARTICLE 28. DISCIPLINE AND DISCHARGE

Section 28.01 At-Will Employment

City employees shall be subject to disciplinary action for failing to fulfill their duties and responsibilities, including failure to observe proper workplace conduct adopted by the City Council. It is the policy of the City to administer disciplinary penalties without discrimination. Except for probationary employees and as expressly described in this Policy, employees may use the grievance procedure as per the personnel policy with respect to any disciplinary action. To the extent feasible, the supervisor or department head shall gather relevant information before reporting the incident to the Human Resource Director. At the direction of the Human Resource Director, the supervisor or department head may gather additional relevant information and investigate any allegation on which disciplinary action might be based before any disciplinary action is taken.

Nothing in this Policy shall be interpreted as altering the City employees' status as "at-will" employees or creating any type of "just cause" standard for discipline or termination. When determining whether to impose discipline, including termination, the City may consider all relevant factors, including, but not limited to, the seriousness and frequency of misconduct, and the employee's discipline history.

Grounds for discipline and discharge will include, but is not limited to the following:

- A. Incompetence, ineffectiveness, or inefficiency in the performance of duties;
- B. Criminal conduct which would constitute a felony, gross misdemeanor, or misdemeanor except as limited by Minnesota Statutes, Chapter 364 (as amended);
- C. Violation of any City policy, procedures, work rule, regulation or City ordinance, including the provisions of this manual and any safety and/or health policies and procedures;
- D. Being under the influence of alcohol, cannabis, drugs, or controlled substances while performing duties for the City, while on City premises, or while acting as a representative of the City off premises;
- E. Discourteous, hostile, insulting, abusive, or inflammatory conduct toward the public, a fellow employee or fellow employees, a supervisor or supervisors, a member of the City Council or members of the City Council, or a member of any City commission, or members of any City commission;
- F. Theft, misuse, carelessness and/or negligence in the handling or control of City property or property entrusted to the employee by the City, including allowing unauthorized persons to ride in City vehicles, or the unauthorized appropriation of City property for the employee's own use;
- G. Inducing or attempting to induce a person, officer or employee of the City to commit an unlawful act or to act in violation of any City policy, procedure, regulation, ordinance, or workplace directive or order;
- H. Dishonesty in the performance of duties;
- I. Sleeping during work hours;
- J. Willful misconduct or insubordination;
- K. Acceptance of a gift under circumstances from which it could be inferred that the giver expected or hoped for preferred or favorable treatment in conduct of City business and/or acceptance of a gift in violation of applicable law or City policy;
- L. Unapproved use of paid work time and/or equipment in outside employment or for personal benefit;
- M. Falsely stating or falsely making claims of injury or illness;
- N. Gambling while on duty, on City property, or using City equipment or resources;
- O. Inability to perform the essential functions of the employee's job, whether due to

physical or mental impairment, or otherwise;

- P. Any possession, sale, distribution, possession, or unauthorized use of alcohol, cannabis, or controlled substances, during working hours and/or while representing the City;
- Q. Unexcused absence from work;
- R. Tardiness in reporting to work;
- S. Improper reproductions or misuse of copyrighted materials;
- T. Theft of City property or personal belongings of others;
- U. Abuse of official position with the City to achieve personal, political, or financial gain;
- V. False or inaccurate claims for reimbursement of expenses;
- W. Disorderly, abusive, or indecent conduct that causes disruption of the work environment, including fighting;
- X. Unauthorized possession of weapons on City property;
- Y. Allowing unauthorized visitors into unauthorized City offices and locations;
- Z. Unauthorized disclosure of private, confidential, or nonpublic data;
- AA. Failure or refusal to comply with City or department regulations, policies, or procedures; and
- BB. Any other conduct which, in the discretion of the City, constitutes a breach of the standards of behavior which it should reasonably expect of its employees.

Employment at the City may be terminated at the will of either the employee or the City, at any time, and for any legal reason or no reason.

Section 28.02 Procedures

- A. Discipline may be in one or more of the following forms, although **the City of Brainerd reserves the right to take any disciplinary action at any time:**
 - 1. oral reprimand;
 - 2. written reprimand;

3. suspension;
 4. demotion; or
 5. discharge.
- B. Suspension, demotion and discharge will be in written form and will state the reasons for such action.
- C. Reprimands, notice of suspension, and notice of discharge are to become part of an employee's personnel file. The employee will receive a copy of any reprimands and/or notices.
- D. Employees receiving a written reprimand, suspension, demotion, or discharge shall be given a copy of the discipline document and sign the original, acknowledging that he or she has received the written reprimand, suspension, demotion, or discharge. The signature of the employee does not necessarily indicate that he or she agrees with the disciplinary action. If the employee refuses to sign the original written reprimand, suspension, demotion, or discharge, such refusal will be noted on the discipline document. All written discipline will be placed in the employee's personnel file.
- E. Consistent with applicable law, employees may examine their own individual personnel files at reasonable times under the direct supervision of the City Administrator or designee.

Section 28.03 Supervisory Authority

- A. Oral and Written Reprimands. Department Heads have the authority to impose oral and written reprimands without prior approval of the City Administrator. The Department Head must maintain a record of each verbal reprimand. A verbal reprimand may not be appealed or submitted through the grievance process.
- B. Suspension. The City Administrator may suspend an employee.
- C. Demotion and Discharge. An employee may be demoted or discharged by recommendation of the City Administrator and final determination by the City Council.

Section 28.04 Right of Appeal

An employee may appeal an oral or written reprimand verbally or in writing to the City Administrator within five (5) work days after disciplinary action has been imposed. The City Administrator will make the final determination and will inform the employee in writing regarding the decision made.

An employee may appeal a suspension without pay, or recommendation for demotion or discharge to the City Council by requesting, in writing, that a hearing be conducted for that purpose. Such request must be made by the employee to the City Administrator within five (5) days after disciplinary action has been imposed. At its sole discretion, the City Council may hold the hearing at its next regularly scheduled meeting or any date within thirty (30) days of such meeting. The City Council has the sole discretion to conduct the hearing or to appoint a subcommittee to conduct the hearing. If the City Council appoints a subcommittee, the subcommittee shall make its recommendation to the City Council at the next regularly scheduled meeting of the City Council following the hearing. The decision of the City Council will be final.

If the appeal is upheld by the City Council, the employee shall receive all payments, benefits and service accrual which the employee would have earned during the period of suspension without pay, demotion or discharge and be reinstated to the position.

For purposes of the Minnesota Government Data Practices Act, the initial disciplinary decision constitutes the final disposition of a disciplinary matter, unless the employee files a timely appeal with the City Council. In such cases, the City Council's decision constitutes the final disposition.

The procedures described in this Section are employees' exclusive remedy for challenging a disciplinary action using these Personnel Policies. The grievance procedure described in Article 27 is not applicable to disciplinary decisions.

ARTICLE 29. ACCIDENT PROCEDURES

As a City employee, it is important that you are aware of certain procedures to be followed if you are injured on the job or involved in an accident while operating City equipment. These procedures have been established to protect your interests as an employee, as well as protect the City.

Employees shall comply with all federal and state laws and rules concerning vehicles and their safe operation. Safety devices, such as seat belts, lights, horns, etc., shall be utilized.

Compliance with speed limits, safe driving procedures, and proper licensing requirements will be enforced by the City.

Employees are responsible for performing routine checks (i.e., tire pressure, oil, turn signals, lights) before operating a City-owned vehicle.

If you are involved in an accident while operating any City-owned vehicle or piece of equipment, or while engaged in City business with any hired or privately-owned vehicle:

- A. Notify the police and/or emergency medical services, as appropriate, by dialing 911, and your supervisor IMMEDIATELY.
- B. Request that all parties and property concerned remain at the scene of the accident, if possible, until a law enforcement representative has released them.
- C. Obtain identifying data from the driver of the other vehicle (i.e. name, address and insurance company).
- D. Secure names and addresses of injured persons and any witnesses to the accident.
- E. Employee responsibility is to refrain from making statements regarding the accident with anyone other than the investigating law enforcement representative, appropriate City officials, and representatives of his or her own insurance company, if the employee's privately-owned vehicle is involved. Statements made to investigating authorities should be confined to factual observations. A copy of all police reports and any statements attached thereto will be forwarded to City Administration or designee within one day of receipt by the employee(s) involved in the accident.
- F. Employees shall refrain from admitting fault or liability and must gather all applicable loss data, witnesses, injured parties, passenger names, vehicle and driver's license numbers.

Employees who sustain personal injury or illness in any work-related accident are REQUIRED to report the injury to their supervisor immediately (no matter how minor). Once your supervisor has been notified of an accident, he/she will inform you of the steps to be taken to properly report and record the occurrence. Your supervisor may also direct you to proper medical attention where necessary. If it is necessary for you to complete an "Employee Incident" form, it should immediately be completed and returned to your supervisor. If it is necessary for you to miss work because of a work-related accident, it is your responsibility to keep your supervisor Informed of the date you are able to return to work. In most instances, your treating physician will provide you with that information during your initial visit.

Please remember that following these simple procedures not only ensures accurate record keeping of accidents and personal injuries as required by law, but also protects your interests as an employee. For your own protection, be sure to report any accidents and injuries you may have, no matter how small.

Employees using a City-owned vehicle may be held liable for accidents in which he or

she is involved. Employees will be personally responsible for paying any citation or other criminal sanction received while operating a City-owned vehicle.

ARTICLE 30. STATEMENT OF POLICIES AND PROCEDURES FOR PAYMENT AND/OR REIMBURSEMENT OF COSTS AND ATTORNEY'S FEES FOR MUNICIPAL OFFICERS AND EMPLOYEES

The City may reimburse its employees or officers for costs and reasonable attorney's fees incurred by an employee or officer, to the extent permitted by Minnesota Statutes, section 465.76.

ARTICLE 31. TECHNOLOGY USE

General Information

This policy serves to protect the security and integrity of the City of Brainerd's electronic communication and information systems by educating employees about appropriate and safe use of available technology resources. All employees are responsible for reading and following information that may be distributed from time-to-time about appropriate precautions to protect City systems.

City-owned computers, cellular telephones, mass storage devices, and related equipment used by City employees are property of the City. Except when accessed by the police department for law enforcement purposes, the City specifically reserves the right to audit, monitor, and inspect, without notice, without the user's consent, and for any reason or no reason, employees' use of its computers and related equipment and all data, emails, files, settings, or any other aspect of a City-owned computer or related system, including personal information created or maintained by an employee. An audit may result in the removal of hardware and/or software not compliant with this policy, revocation of permission to use the City's computers and/or related equipment, employee discipline, up to and including immediate termination, and/or criminal charges, depending on the nature of the violation.

All City owned equipment, including, but not limited to, computers, laptops, telephones, mobile devices, field electronics, mass storage devices, e-mails, voice mail, text messages on City paid cellular telephones, or any other type of equipment provided are City property. Except when accessed by the police department for law enforcement purposes, any such property or equipment may be accessed by the City at any time, for any purpose, with or without notice to the employee, and with or without reasonable suspicion. City employees and other users shall have no expectation of privacy in any property or equipment of the City.

In addition, the City is subject to the Minnesota Government Data Practices Act ("MGDPA") and other laws governing the collection, storage, use, and disclosure of data. All files and documents, including personal messages and internet logs, created,

received, collected, maintained, or generated by City employees or using the City's computer and/or related equipment are subject to those laws. In accordance with applicable law, such files and documents may be disclosed in certain circumstances without the permission of the employee or user.

Users should notify IT staff upon learning of violations of this policy. Violation of this policy may result in the removal of hardware and/or software not compliant with this policy, revocation of permission to use the City's computers and/or related equipment, employee discipline, up to and including immediate termination, and/or criminal charges, depending on the nature of the violation. All violations will be addressed consistent with the City's Personnel Policies or applicable union contract.

Data Privacy and Retention

All data stored on computers, related equipment, and media owned, leased or rented by the City is considered to be owned by the City and is subject to the MGDPA, which governs its use and dissemination. All city owned equipment and Information Technology Systems, including e-mail, are City property and subject to inspection by the City at any time, without notice, and for any reason or no reason at all. The City Administrator or Human Resource Director should be contacted with questions regarding the classification of public and private data.

Data Ownership: All information developed or introduced to a City computer or related equipment by a user in conjunction with employment with the City is the property of the City.

Data Storage: All City data must be saved to a network drive on a City server or City provided resource.

Data Deletion: Users are responsible for deleting outdated files that are no longer needed for compliance with the City Records Retention Schedule; this includes data files and email messages that do not need to be retained in accordance with the City's Records Retention Schedule. The City Administrator should be contacted with questions regarding the City Records Retention Schedule.

Data Back-up: The IT department backs up most data stored on network servers or cloud storage. Workstation hard drives or any other devices are not backed up and are subject to failure and may result in permanent data loss.

Personal Use

The City offers employees the privilege of limited personal use of City-owned computers

and related equipment. Personal use is allowed under the following guidelines and only during break times or before/after normal paid working hours:

- Only City employees may use City-owned equipment. Family members or friends of City employees are not allowed to use City equipment or technology resources.
- Employees shall not connect personal peripheral tools or equipment (such as cell phones, USB drives, flash drives/cards, disks, digital cameras, or printers) to City-owned systems, without prior approval from IT staff. If permission to connect these tools/peripherals is granted, the employee must follow provided directions for protecting the City's computer network.
- Personal files should not be stored on City computer equipment. This also applies to personal media files, including but not limited to personal documents, images, audio and video files. IT staff may delete these types of files if found on City-owned equipment. Exceptions would be recordings for which the City has created, owns, purchased, or has a license.
- City equipment or technology, including City-issued email accounts, shall not be used for: illegal activities, personal business interests, for-profit ventures, political activities, outside employment, public office or employment which is incompatible with City employment, wagering, betting, or selling chances, annoying or harassing other individuals, fund-raising except for City-approved activities, religious activities, pornographic, obscene, or indecent images or content, forwarding junk email, advertisements, or chain emails, or other uses deemed by City management to be inconsistent with City activities. If any employee has a question as to whether a use is appropriate, that employee must contact the City Administrator or applicable Department Head for permission before engaging in the conduct in question.
- The City reserves the right to monitor end user activity. Software and/or hardware may be used to monitor, filter, block, or limit internet activity. The City may inspect any data or information stored on its equipment or network, even if the information is personal to the employee.

Hardware

In general, the City will provide the hardware required for an employee to perform their job duties. Requests for new or different equipment should be made to the Department Head, who may consult with IT staff.

Unapproved hardware, including cameras, mobile devices, printers, external storage

devices, and any other peripherals that have not been specifically approved by the City may compromise the integrity of the City's computer system and are prohibited. IT staff may, without notice, remove any unauthorized equipment attached to the City's computer system or network.

The City may supply mobile devices, including computers to employees to work offsite as approved by the City Administrator. A business need will be required for each mobile device deployment and must be approved by the Department Head. In general, mobile devices will only be issued to employees who: regularly use their device offsite; require a device for access to special software or systems; have a documented business need for a device; and/or require the use of a device while traveling.

Employees are responsible for the proper use and care of City-owned computer equipment. City employees are expected to provide reasonable security to all City-owned computers and related equipment. This includes ensuring that passwords comply with this policy. Removable media must be kept in a secured area. Non-public, private, and/or confidential data must not be displayed in such a manner that unauthorized personnel or others can view or access it. All City-owned computers and related equipment must be secured while off City premises. For instance, employees must not leave computer equipment in an unlocked vehicle or unattended at any offsite facility. Computer equipment must not be exposed to extreme temperature or humidity.

Software

In general, the City will provide the software required for an employee to perform their job duties. Requests for new or different software should be made the Department Head, who may consult with IT staff.

Unapproved software or downloads (free or purchased), games, screen savers, toolbars, clipart, music/audio, and movie/video clips, that have not been specifically approved by the City may compromise the integrity of the City's computer system and are prohibited.

Employees shall not download or install any software (free or purchased) or addons (such as toolbars or clipart) on any City computer or related device without the prior approval of the IT staff. The only exceptions to this policy are updates to software previously approved by IT such as anti-virus, anti-malware, etc. IT staff may, without notice, remove any unauthorized programs or software, downloads, or other files on any City computer, related equipment, network, or electronic resource.

Electronic Mail

The City provides most employees with an email account for work-related use. Minimal personal use of the City email system by employees is allowed, provided it does not interfere with an employee's work and is consistent with all City policies. Using the City's email to participate in any kind of personal listservs or mailing list is prohibited.

Employee emails, including those that are personal in nature, may be considered "public" data for both e-discovery and information requests and may not be protected by privacy laws. Personal e-mail transmitted through or saved on the City's e-mail system, computers, network, or other technological resources, may also be monitored as directed by the City Administrator and without notice to the employee.

In addition, employees must adhere to these email guidelines:

- Do not open email attachments or links from an unknown sender. Review sender's email address, date/time, subject line, and name and file type of attachments to verify legitimacy/relevance. Delete junk or "spam" email without opening. Do not respond to unknown senders.
- Never transmit an email that you would not want your supervisor, other employees, members, city officials, or the media to read or publish (e.g., avoid gossip, personal information, profanity, etc.).
- Use caution or avoid corresponding by email on confidential communications (e.g., letters of reprimand, correspondence with attorneys, medical information).
- Do not use harassing language (including sexually harassing language) or any other remarks, including insensitive language or derogatory, offensive, or insulting comments or jokes.
- Employees' email use must otherwise comply with all applicable provisions of this policy, all other applicable City policies, and all applicable laws.

Electronic Calendars

A shared calendar environment is provided as part of the City's email software program. All employees are encouraged to keep their electronic calendar up-to-date and may grant relevant staff the ability to view their calendar. All employees are encouraged to utilize the out-of-office automatic replies for known absences.

Phone/Voicemail

Voicemail that constitutes an official record of City business must be kept in accordance with all records retention requirements for the department and should be copied to the network for storage. All other voicemails should be deleted from the voicemail system (and email system) when no longer needed. Voicemail may be considered “public” data or otherwise subject to disclosure in accordance with the MGDPA. Employees should contact IT staff with any questions about voicemail storage and/or deletion.

Presence/Instant Messaging

Employees who are provided with the City’s presence / instant messaging (IM) software should remain logged in when working and may utilize it for communications between City staff. Instant messaging may be considered “public” data, or otherwise subject to disclosure in accordance with the MGDPA and must be kept in accordance with the City’s records retention requirements if they constitute an official record of City business. Employees are not allowed to download or install any unapproved messaging software on City devices.

Intranet (Sharepoint)

Employees should keep the City’s Intranet (Sharepoint) as their web browser home page and are encouraged to utilize the documents, announcements, links, and calendars to remain informed and share information with other staff.

Storing and Transferring Files

If you are unsure whether an email or other file is a government record for purposes of records retention laws or whether it is considered protected or private data under the MGDPA or other law, you must check with the City Administrator or applicable BPU Department Head (for BPU employees only) before deleting or releasing the information or file in question. If you are unsure how to create an appropriate file structure for saving and storing electronic information, contact IT staff.

Employees must adhere to these guidelines when transferring and storing electronic files:

- All electronic files should be stored on network drives or approved web or cloud-based storage locations. IT staff will not back up documents stored on local computer hard drives and hold no responsibility for recovery of documents on local computer hard drives should they fail. Subject to the provisions of this policy, files may be temporarily stored on a mobile device when an employee is offsite; however, the files should be copied to an

approved storage location when possible.

- Electronic files created on an employee's personal device or computer must not be transferred to the City's network. City-related files should not be created or stored on an employee's personal device or computer.
- All removable storage media (e.g., CDs, flash or USB drive, or other storage media) must be verified to be virus-free utilizing an IT approved process before being connected to City equipment.
- Email that constitutes an official record of City business must be kept in accordance with all records retention requirements for the department and should be copied to the network or other approved location for storage.
- Email that is simple correspondence and not an official record of City business should be deleted when no longer needed.
- Electronic files or emails that contain nonpublic, private, or confidential data should be stored in a location on the City's network that is properly secured.

Any files containing nonpublic, private, or confidential data should not be stored anywhere other than the City's network or other approved location. Employees must obtain the prior approval of the Department Head before taking any file containing nonpublic, private, or confidential data offsite.

Personal Devices

Employees with prior approval may choose to use their own equipment to read or compose email or other City data as governed in this policy. Employees understand that by connecting their personal equipment to the City's email system, their personal devices could be searched during an e-discovery or other court-ordered scenarios and agree to grant access to their personal devices should such a situation arise.

Passwords

Employees are responsible for maintaining computer/network passwords and must adhere to these guidelines:

- Passwords must meet minimum complexity requirements designated by IT staff. Employees must change passwords when prompted or as scheduled by IT Staff.
- Multi-factor authentication methods should be used when available for

web/cloud-based applications. Multi-factor authentication is an additional layer of security beyond just a username/password and generally requires a code or acknowledgement on a physical device or a code sent by a separate means of communication.

- Passwords should not be shared with anyone including other staff. If it is necessary to access an employee's computer when they are absent, contact your supervisor; IT staff will not provide access to staff accounts without prior approval.
- Passwords should not be stored in any location on or near the computer or stored electronically such as in a cell phone or other mobile device unless properly secured.

Computers and other devices should not be left unattended while a user is logged in- either lock the computer when away (Win+L or Ctrl+Alt+Del) or use a timed screen saver that will require a password to unlock upon return.

Network Access

Non-City-owned computer equipment used in City buildings should only use the public wireless connection to the Internet. Under no circumstances should any non-City-owned equipment be connected to the City's computer network wirelessly or via a network cable.

Exceptions may be granted by IT staff.

Personal computer equipment may not be connected to the City's network without prior approval of the IT staff. Personal equipment may be subject to password requirements or other electronic security measures as determined by IT staff.

Staff shall not attempt to circumvent or disable firewalls, anti-virus/anti-malware software, software updates and patches, network/computer security settings, or any other measures put in place to protect the network. If access to necessary resources is obstructed, notify supervisor and/or IT staff to explore options.

Remote Access to the Network

Examples of remote access include, but are not limited to: Virtual Private Network (VPN), TeamViewer, and Windows Remote Desktop connections. While remotely connected to City computer resources, all aspects of this Technology Use Policy will apply, including the following:

- Telework opportunities and remote access to the City's network requires a

job specific reason and/or a request from a supervisor to the City Administrator. Remote access privileges may be revoked at any time by an employee's supervisor, Department Head, the City Administrator or IT staff.

- If remote access is from a non-City-owned computer, updated security software (anti-virus and anti-malware) must be installed and operational, and all critical operating system updates must be installed prior to connecting. Failure to comply could result in the termination of remote access privileges.
- Remote access/assistance from third parties is not allowed without prior approval from IT staff. When remote access/assistance from a third party is granted, their activities must be monitored by City Staff.
- Recreational use of remote connections to the City's network is strictly forbidden. An example of this would be a family member utilizing a City's cellular data connection to access the internet.
- Private or confidential data should not be transmitted over an unsecured wireless connection. Wireless connections that are not secure could pose a security risk if used to transmit passwords or private data. Unsecure wireless connections may include cellular networks and wireless access points unless proper security protocols are in place.

Security Compromise

If a virus or malware is suspected on any City device, IT staff must be notified immediately. Any other indications of computer or network security compromise must be reported to IT staff immediately.

Internet

The internet is available to employees for research, education, and communication directly related to the mission, charter, and tasks of the City. Users must honor copyright laws regarding protected commercial software and intellectual property. Users accessing the internet through the City's computers and related equipment should minimize unnecessary network traffic that might interfere with the ability of others to make effective use of this shared network resource. Users are also responsible for adhering to City standards when browsing the internet. Failure to adhere to City standards puts the City and the individual at risk of legal or financial liabilities, potential embarrassment, and other consequences, including immediate termination of employment and other disciplinary actions. The following considerations apply to all uses of the Internet:

- Information found on the Internet and used for City work must be verified to be accurate and factually correct.
- Approved web browsers include Microsoft Edge, Mozilla Firefox, Apple Safari, and Google Chrome. Usage of other browsers requires prior authorization from IT staff.
- Browsing history including cookies, passwords, and temporary files should be cleared from web browsers frequently or set to automatic delete.
- Limited personal use of the Internet is permitted. Employees may not at any time access inappropriate sites. Some examples of inappropriate sites include but are not limited to adult entertainment, sexually explicit material, or material advocating intolerance of other people, races, or religions. If you are unsure whether a site may include inappropriate information, you should not visit it.
- City data should not be stored in any web or cloud-based application that has not been provided or approved by IT staff.
- If an employee's use of the internet is compromising the integrity of the City's network, IT staff may temporarily restrict that employee's access to the internet. If IT staff does restrict access, they will notify the employee and the employee's supervisor as soon as possible, and work with the employee and supervisor to rectify the situation.
- Social media use on City owned computers should be limited to maintaining the City's social media presence. Personal use of social media on City owned computers is discouraged.
- Peer-to-peer software/applications are not permitted.
- All staff internet use must comply with all applicable provisions of this policy, all other applicable City policies, and all applicable law.

The City may monitor or restrict any employee's use of the internet without prior notice, as deemed appropriate by the employee's supervisor, the City Administrator, or IT staff.

Personal Social Networking on City-Owned Devices

Employees should not use City-owned devices to post to personal sites, including social networking sites. Employees' personal use of City-owned devices should be minimal and must not interfere with their work duties. All personal social networking and other personal use of the City-owned devices must comply with the terms of this policy.

Personal Social Networking While Off Duty and the City's Responsibility

The City of Brainerd has a duty to protect the reputation of the organization and its employees as well as guard against any liability and potential legal risk regardless of when and where social networking activity occurs. An employee's own personal communications, such as on social media, can have a significant impact on the public's belief that all city staff will carry out city functions faithfully and impartially and without regard to factors such as race (including traits associated with race, including, but not limited to hair texture and hair styles such as braids, locs, and twists), creed, color, religion, age, sex, marital status, national origin, sexual orientation (including gender identity and expression), disability, status with regard to public assistance, or any other characteristic protected by state or federal law. Nonpersonal communications (performed within one's job duties) to members of the public must be professional at all times. With this in mind, employees must use social media (Facebook, X (Twitter), blogs, YouTube, etc.) in a manner that follows the following guidelines:

- Individuals should exercise caution and good judgment when social networking.
- Individuals shall not represent that they are speaking or acting on behalf of the City or presenting any interests of the City.
- Individuals are not permitted to display the City of Brainerd logo on any part of their online profiles.
- Individuals never have the right to post non-public, private, or confidential data, such as information related to co-workers personnel data, medical information, or claims or lawsuits against the City, without obtaining the express written consent of the data subject and/or City Administrator as appropriate.
- Individuals who use personal social media accounts are not immune from the law. In general, all users of social networking should be aware that the content of these social networking sites can be subpoenaed and used in criminal and civil trials.
- Individuals need to be aware that they have no reasonable expectation of privacy when social networking and use of personal social media accounts are subject to all pertinent City policies, as well as local, state and federal laws.
- The City of Brainerd expects its employees to be fair, courteous, and respectful to supervisors, co-workers, citizens, customers, and other

persons associated with the city. Avoid using statements, photographs, video or audio that reasonably may be viewed as malicious, obscene, threatening or intimidating, disparaging, or might constitute harassment. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race (including traits associated with race, including, but not limited to hair texture and hair styles such as braids, locs, and twists), creed, color, religion, age, sex, marital status, national origin, sexual orientation (including gender identity and expression), disability, status with regard to public assistance, or any other characteristic protected by state or federal law.

- City resources, working time, or official city positions cannot be used for personal profit or business interests, or to participate in personal political activity. Some examples: a building inspector could not use the city's logo, email, or working time to promote his/her side business as a plumber; a parks employee should not access a park after hours even though he or she may have a key; a clerk, while working at City Hall, should not campaign for a friend who is running for City Council.
- Personal social media account name or email names should not be tied to the city (e.g., Brainerd Cop).
- Any personal communications made on a matter of public concern must not disrupt the efficiency of the city's operation, including by negatively affecting morale. Put another way, such public comments must not undermine any city department's ability to effectively serve the public. Disruptive personal communications can include liking or republishing (sharing/retweeting) a social media post of another individual or entity. The City can act on the personal communication that violates this policy without waiting for the actual disruption.

ARTICLE 32. SOCIAL MEDIA POLICY

The City has adopted a Social Media Policy, separate from the Employee Policy Manual. The Social Media Policy describes the rules and procedures for the administration of City social media accounts. Copies can be obtained from the Human Resources Department.

ARTICLE 33. TELECOMMUTING/REMOTE WORK POLICY

The City has adopted a Telecommuting/Remote Work Policy, separate from the Employee Policy Manual. The Telecommuting/Remote Work Policy describes the situations in which qualifying employees may be allowed to work from home and the conditions on any opportunity to work from home afforded to any employee. Copies can be obtained from the Human Resources Department.

ARTICLE 34. QUESTIONS OR CONCERNS

All employees are required to be familiar with, and abide by, the terms of these policies. Department Heads and the Human Resource Director are ready to answer questions, or to further explain and obtain information about any phase of this manual which is not clear. All employees should feel free to ask questions of their Department Head, the Human Resource Director, and the City Administrator.

Reviewed and adopted by the City Council

Date:

ACKNOWLEDGMENT

I acknowledge that I have received a copy of the City of Brainerd Personnel Policy. I understand that this document contains important information regarding the City's general personnel policies and my privileges and obligations as an employee. I will familiarize myself with the personnel policy and I understand that I am governed by its contents. I further understand that the personnel policy is not an employment contract and that the City may change, rescind or add to any policies, benefits, or practices at its sole discretion with or without prior notice.

Employee Signature

Date

Employee Printed Name

Department

EXHIBIT A

HEALTHCARE INSURANCE PREMIUM CONTRIBUTIONS

- CITY ADMINISTRATOR, DEPARTMENT HEADS, AND SUPERVISORS:

The following premium splits and Employer HSA contributions will be effective for our 2025 High Deductible Health Plan Smart Plan options:

Smart Plan #1 - \$1,650	<u>2025</u>
<u>% of Contribution to Monthly Premium</u>	
<u>Employer</u>	
Single	95%
Family	80%
<u>Employee</u>	
Single	5%
Family	20%
HSA Annual Contribution	
<u>Employer</u>	
Single	\$1,000
Family	\$1,500

Smart Plan #3 - \$3,300	<u>2025</u>
<u>% of Contribution to Monthly Premium</u>	
<u>Employer</u>	
Single	95%
Family	80%
<u>Employee</u>	
Single	5%
Family	20%
HSA Annual Contribution	
<u>Employer</u>	
Single	\$2,000
Family	\$2,500

Smart Plan #7 - \$6,300 **2025****% of Contribution to Monthly Premium****Employer**

Single	97%
Family	85%

Employee

Single	3%
Family	15%

HSA Annual Contribution**Employer**

Single	\$2,250
Family	\$2,750

Smart Plan #8 - \$8,300 **2025****% of Contribution to Monthly Premium****Employer**

Single	100%
Family	90%

Employee

Single	0%
Family	10%

HSA Annual Contribution**Employer**

Single	\$2,500
Family	\$3,000

All plans are automatically indexed annually.

- All additional employer HSA contributions amounts noted above will be pro-rated based on a monthly contribution.
- The City will provide an Opt-Out Option for eligible employees in lieu of the city's health insurance for 2024. If the eligible employee elects the Opt-Out payment for 2024, the monthly Opt-out taxable payment will be \$400 per month.
- The base City health insurance plan for union contract comparison is Smart Plan No. 3 (\$3,300 High Deductible Health Insurance Plan for 2025).

ELECTED OFFICIALS/BRAINERD PUBLIC UTILITIES (BPU) COMMISSIONERS:

- o Health insurance options for this group includes the following City contributions for the City-sponsored base health insurance plan (Smart Plan No. 3 - \$3,300 Deductible Plan for 2025):
 - 100% of the premium if single health coverage is elected.
 - 80% of the premium if family health coverage is elected.
- If a member of this group elects a different health plan, the individual will pay the premium difference based on the premium split for the base plan as set forth in the previous bullet.
- o If someone is covered by a different group plan and is eligible to receive the City's Opt-Out payment, individuals in this group can elect to receive \$250 per month as taxable income in lieu of the health insurance benefit.

The City's contribution for all other employees is set in the applicable collective bargaining agreement and/or Council resolutions.

The City provides insurance coverage for former City employees including retirees on a self-pay basis pursuant to state law. Please refer to your Group Insurance Plan booklet for a complete description of benefits.

EXHIBIT B

LONG-TERM DISABILITY COVERAGE AND LIFE INSURANCE

- I. **Long-Term Disability Coverage.** Should an employee become disabled as a result of a non-occupational injury or illness, the City will provide long-term disability coverage to cover 50% of your gross monthly income to a maximum of \$7,084 per month. This plan takes effect the 1st day of the month coincident with or next following six months of continuous employment.
- II. **Face Amount of Life Insurance for Certain Employees and Elected Officials.** Consistent with the Policy Manual, the City will provide life insurance coverage to elected officials, Department Heads, Division Managers, and non-union supervisors in the following amounts: Mayor, City Council and Public Utilities Commission \$50,000; City Administrator, Department Heads and Division Managers \$100,000; Non-union supervisors \$50,000.

Employees should review the applicable Summary Plan Descriptions for additional details for said policies.

EXHIBIT C

MINNESOTA HEALTH CARE SAVINGS PLAN CONTRIBUTIONS

All funds collected by the City on behalf of the employee for purposes of contributing to the Minnesota Health Care Savings Plan will be deposited into the employee's individual health care savings plan account as follows:

1. City Administrator, Department Heads and Division Managers:
 - a) Employees eligible for severance pay as outlined in ARTICLE 13 of the City Employee Policy Manual will contribute 100% of their severance pay into the Plan.
 - b) Employees with 0 to 4 years of service will contribute 1% of gross pay each payroll period.
Employees with 5 to 9 years of service will contribute 1.5% of gross pay each payroll period.
Employees with 10 to 14 years of service will contribute 2% of gross pay each payroll period.
Employees with 15 to 19 years of service will contribute 3% of gross pay each payroll period.
Employees with 20 or more years of service will contribute 5% of gross pay each payroll period.
 - c) 50% of sick leave and ESST accrual over 960 hours, will on a calendar year basis, be paid by the Employer into the employee's health care savings plan. It is understood that any sick leave used throughout the year will be deducted from the 960-hour balance and that the employee must then earn back to the 960 hours before any hours are accumulated for purposes of the Health Care Savings Plan contribution.
 - d) 100% of accumulated vacation at retirement will be paid into the Plan.
2. Non-Contract Supervisors:
 - a) Employees eligible for severance pay as outlined in ARTICLE 13 of the City Employee Policy Manual and have 25 years or more of service, will contribute 100% of their severance pay into the Plan.
 - b) Employees with 0 to 10 years of service will contribute 1% of gross

pay each payroll period.

Employees with 10 to 15 years of service will contribute 2% of gross pay each payroll period.

Employees with 15 – 20 years of service will contribute 3% of gross pay each payroll period.

Employees with 20 - 25 years of service will contribute 4% of gross pay each payroll period.

Employees with 25+ years of service will contribute 5% of gross pay each payroll period.

- c) 50% of sick leave and ESST accrual over 960 hours, will on a calendar year basis, be paid by the Employer into the employee's post-employment health care savings plan. It is understood that any sick leave used throughout the year will be deducted from the 960-hour balance and that the employee must then earn back to the 960 hours before any hours are accumulated for purposes of the Post Employment Health Care Plan contribution.
- d) 100% of accumulated vacation at retirement will be paid into the Plan.

EXHIBIT D

Earned Sick and Safe Time Employee Notice

Employees in Minnesota are entitled to earned sick and safe time, a form of paid leave. Employees must accrue at least one hour of earned sick and safe time for every 30 hours they work, up to at least 48 hours in a year. A year for purposes of the employee's earned sick and safe time accrual is a calendar year.

At the end of each pay period, employers must provide employees with the number of earned sick and safe time hours used by the employee during the pay period and available for future use. Earned sick and safe time must be paid at the same base rate employees earn from employment. Employees are not required to seek or find a replacement for their shift to use earned sick and safe time. They may use earned sick and safe time for all or part of a shift, depending on their need.

Earned sick and safe time can be used for:

- an employee's mental or physical illness, treatment or preventive care;
- the mental or physical illness, treatment or preventive care of an employee's family member;
- absence due to domestic abuse, sexual assault or stalking of an employee or their family member;
- closure of an employee's workplace due to weather or public emergency or closure of their family member's school or care facility due to weather or public emergency; and
- when determined by a health authority or health care professional that an employee or their family member is at risk of infecting others with a communicable disease.
- to make arrangements for or attend funeral services or a memorial or address financial or legal matters that arise after the death of a family member.

Notifying employer, documentation

An employer can require their employees to provide up to seven days of advance notice when possible (for example, when an employee has a medical appointment scheduled in advance) before using sick and safe time. An employer can also require their employees to provide certain documentation regarding the reason for their use of earned sick and safe time if they use it for more than three consecutive scheduled days.

If an employee plans to use earned sick and safe time for an appointment, preventive care or another permissible reason they know of in advance, inform your supervisor by phone or email as far in advance as possible, preferably at least seven (7)

calendar days in advance., In situations where an employee cannot provide advance notice, the employee should contact their supervisor as soon as they know they will be unable to work.

Retaliation, right to file complaint

It is against the law for an employer to retaliate, or to take negative action, against an employee for using or requesting earned sick and safe time or otherwise exercising their earned sick and safe time rights under the law. If an employee believes they have been retaliated against or improperly denied earned sick and safe time, they can file a complaint with the Minnesota Department of Labor and Industry. They can also file a civil action in court for earned sick and safe time violations.

For more information

Contact the Minnesota Department of Labor and Industry's Labor Standards Division at 651-284-5075 or esst.dli@state.mn.us or visit the department's earned sick and safe time webpage at <http://www.sickleave.mn.gov/>.

EXHIBIT E

Nursing Mothers, Lactating Employees, and Pregnancy Accommodations employee notice

Minnesota's Nursing Mothers, Lactating Employees, and Pregnancy Accommodations law (Minnesota Statutes § 181.939) gives pregnant and lactating employees certain legal rights.

Pregnant employees have the right to request and receive reasonable accommodations, which may include, but are not limited to, more frequent or longer breaks, seating, limits to heavy lifting, temporary transfer to another position, temporary leave of absence or modification in work schedule or tasks. An employer cannot require an employee to take a leave or accept an accommodation.

Lactating employees have the right to reasonable paid break times to express milk at work unless they are expressing milk during a break that is not usually paid, such as a meal break. Employers should provide a clean, private and secure room that is not a bathroom near the work area that includes access to an electrical outlet for employees to express milk.

It is against the law for an employer to retaliate, or to take negative action, against a pregnant or lactating employee for exercising their rights under this law.

Employees who believe their rights have been violated under this law can contact the Minnesota Department of Labor and Industry's Labor Standards Division at dli.laborstandards@state.mn.us or 651-284-5075 for help. Employees also have the right to file a civil lawsuit for relief. For more information about this law, visit dli.mn.gov/newparents.

Adopted: ~~January 2, 2024~~

Employee Policy Manual

City of Brainerd

Commented [KS1]: This date will be corrected to reflect when approved by the City Council.

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Commented [KS2]: This will be updated when the EPM is finalized.

ARTICLE 1. PURPOSE

Section 1.01 Policy Statement

The City Council of the City of Brainerd ("City") deems it advisable to establish a policy governing the relationship between the employees and the City, and to provide procedures for its administration. In the formation of this policy, the Council recognized that the City is a political subdivision of the State of Minnesota and the Employee Policy Manual must conform to applicable law. Within this framework, the Council can establish governing principles upon which a progressive, comprehensive and efficient program of employee relations may be based.

Section 1.02 General

The purpose of this manual is to help you to better understand the policies and procedures which affect and guide your employment with the City of Brainerd. These policies are not and cannot be construed as contract terms, a guarantee of continued employment, or terms and conditions of employment. This manual replaces, revokes, and supersedes any previous personnel policies, interpretations, and practices. This manual is only valid until amended or replaced by the City Council.

This manual is not intended to cover all circumstances that might arise. Employees should become thoroughly familiar with the provisions of this manual within ten (10) business days of their receipt of this manual. Except as modified by an individual contract or a collective bargaining agreement, all employment with the City is "at-will" employment, meaning that such employment may be terminated by the employee or the City at any time, for any legal reason or no reason at all.

Section 1.03 Amendment to Policy

The City reserves the right to modify, revoke, suspend, or change the language of this personnel policy handbook or any individual policy or policies, in whole or in part, at any time, with or without notice, at the City Council's sole discretion.

Section 1.04 Equal Opportunity and Affirmative Action

The City of Brainerd is an Equal Opportunity Employer. The City will comply with all applicable laws governing equal employment opportunity and affirmative action. This policy extends to all applicants and employees and to all aspects of the employment relationship including, but not limited to, recruiting, hiring, promotion, transfer, and compensation.

Specifically, the City of Brainerd will provide equal employment and advancement opportunity on the basis of merit within the context of its unique business environment and without regard to race (including traits associated with race, including, but not limited to hair texture and hair styles such as braids, locs, and twists), creed, color, religion, age, sex, marital status, national origin, sexual orientation (including gender identity and expression), disability, status with regard to public assistance, or any other characteristic protected by state or federal law.

The Human Resource Director is the designated Equal Employment Opportunity/Affirmative Action Coordinator who has been charged with ensuring that the City of Brainerd's EEO/AA policies are carried out.

If any employee, or applicant for employment, believes he/she has been discriminated against, please contact the Human Resource Director at 501 Laurel Street, Brainerd, MN 56401 or call (218) 828-2307.

ARTICLE 2. SCOPE OF POLICY

Section 2.01 Personnel Covered

This manual generally applies to all City employees, including probationary employees, appointed officials, and elected officials, except to the extent that this manual conflicts with applicable law or collective bargaining agreements. Certain provisions of this manual may be inapplicable to the following individuals:

- A. All elected officials;
- B. Members of City boards, commissions and committees;
- C. Volunteer personnel and emergency employees;
- D. Consultants and/or contracted personnel.

Section 2.02 Employees Covered by Labor Contracts

All provisions of this policy apply to employees covered by collective bargaining agreements, except when such provisions are in conflict with collective bargaining agreement provisions, in which case, such provisions of the collective bargaining agreement shall control.

ARTICLE 3. INTERPRETATION

The purpose of this manual is to provide a basis for the safe, orderly, and disciplined employment environment. This policy is intended to promote knowledge of what is expected of personnel generally, which should result in a greater degree of self-assurance in all positions. In relationships between positions, it should be each City

employee's individual aim to build mutual respect and confidence which is essential to local government service.

To the extent that any federal, state, or local law, ordinance, rule, or regulation conflicts with any policy or policies herein, the applicable law, ordinance, rule, or regulation shall control. To the extent that any federal, state, or local law, ordinance, rule, or regulation imposes stricter requirements on an area governed by these policies, the applicable law, ordinance, rule, or regulation shall control.

Additional information or clarification as to each ARTICLE of this personnel policy may be obtained from your supervisor, department head or the Human Resources Department. This manual is only a start in our communication network because the City maintains a continuous process of communicating policies and benefits to all staff members. The text of this manual, however, takes precedence over and controls any inconsistent communication from any City employee or elected official.

This manual summarizes the various policies and benefits currently provided by the City. Nothing contained in this personnel policy or in any other City document, and nothing said or done by a City employee, is, or can be construed as an employment contract between the City and an employee, as a guarantee of continued employment, or terms and conditions of employment. The City and the employee both have the right to terminate the employment relationship at any time, for any legal reason or no reason at all. Except as modified by an individual contract or a collective bargaining agreement, all employment with the City is "at-will" employment.

ARTICLE 4. IMPLEMENTATION OF THIS POLICY

It is the responsibility of all Department Heads and Supervisors to ensure implementation of this policy. Failure of any employee to perform in a manner consistent with this policy, State or federal Law will be grounds for discipline, up to and including immediate termination.

The City Administrator is hereby given authority for the administration of the policies contained in this manual, as directed by the City Council.

ARTICLE 5. GENERAL INFORMATION

Section 5.01 Data Practices Advisory

In accordance with the Minnesota Government Data Practices Act ("MGDPA"), the City is required to inform employees of their rights as they pertain to any private information that the City collects from them. During the course of City employment, an employee will likely be asked to provide information which is classified by state law as either private or

confidential. Private data is information which generally cannot be given to the public but can be given to the subject of the data. Confidential data is information which generally cannot be given to either the public or the subject of the data. Much of the data the City has about individual employees, however, is classified as public according to Minnesota Statutes, ARTICLE 13.43, Sections 2 and 3 (as amended). Consistent with the relevant provisions of the MGDPA, all public data is available for inspection and copying by members of the public, with or without the employee's consent.

Information about employees requested by the City may be used for the following purposes: (1) to process payroll, including accounting for wages and fringe benefits and to justify any reimbursed expenses; (2) enroll in benefit programs and pension plans; (3) evaluate the employee's job performance, eligibility and abilities; (4) distinguish the employee from other applicants and employees and identify the employee in the correct personnel file; (5) determine the employee's eligibility for employment or promotion, and make employment decisions about the employee's performance; (6) contact the employee or other significant persons in case of an emergency; (7) compile equal opportunity and any affirmative action reports required by applicable law; (8) make decisions regarding the employee's eligibility for sick leave, family and medical leave, parenting leave, and other available leave; (9) make decisions regarding the employee's eligibility for workplace accommodations, including accommodations for disabilities; (10) comply with workers compensation requirements in the event of an injury; and (11) provide information during workplace investigations. Such information may also be used and disclosed for other purposes consistent with applicable law. The information provided by the employee may be used in performance evaluations, determinations regarding merit pay, applications for different employment positions, and other matters which involve a review of the employee's personnel file and past performance.

Unless the employee is told otherwise, the employee is required to provide this information. If the employee refuses to supply the information, the employee may face disciplinary action. Any information which the employee is required to provide cannot be used against the employee in a criminal proceeding. Even if the employee is not required to provide information, it is generally to the employee's best interest to provide it. Without the requested information, the City may not be able to determine the employee's eligibility for employment opportunities, compute wages, or grant the employee other benefits. The employee's refusal to provide information during an employment investigation may also necessitate that the investigation be completed without his or her input.

Federal law permits government agencies to require individuals to provide their social security number for the administration of any tax. Please be aware that when an employee is asked to give his or her social security number on revenue forms, this collection is mandated by law. This information will be shared with the Minnesota Department of Revenue, the Internal Revenue Services, and security tax programs. In most other cases, the disclosure of an employee's social security number is voluntary.

Any information an employee is asked to provide may be shared with individuals within the City whose job duties reasonably require access, as well as individuals outside of the City whose duties require access, such as insurance vendors, consultants, attorneys, and retirement plan employees. Information may also be shared with other agencies authorized by law to receive specific data.

If litigation arises, some or all information may be provided in documents filed with the court which are available to any member of the public. If it is reasonably necessary to discuss the information at an open City Council meeting, some or all data may be available to members of the public. To the extent that some or all of the information is part of the basis for a final decision on disciplinary action, that information may become public, as provided in Minnesota Statutes, ARTICLE 13.43 (as amended).

Section 5.02 Conduct as a City Employee

A. Scope of Policy

It is the policy of the City of Brainerd to maintain a respectful work and public service environment free from violence, discrimination, and offensive or degrading remarks or conduct. Preserving a respectful environment in which to work is the shared responsibility of both management and employees. Inappropriate conduct or communication can interfere with an individual's employment or use of public services, or create an intimidating, hostile or offensive work environment. Any employee found to have acted in violation of this policy shall be subject to appropriate disciplinary action, which may include dismissal from employment.

This policy governs the conduct of all City employees, including; union, non-union, supervisory, non-supervisory, managerial, full-time, part-time and temporary employees; and members of City boards and commissions. This policy is also applicable to City elected officials.

In addition, employees are also expected to comply with ARTICLE 26 of this Manual, which prohibits harassment and inappropriate conduct.

B. Definitions of Prohibited Behaviors

Violent behavior includes the use or threat of physical force, harassment, or intimidation, or abuse of power or authority when the impact is to control others by causing pain, fear or hurt.

Discriminatory behavior includes inappropriate remarks about or conduct related to an individual's race (including traits associated with race, including, but not limited to hair texture and hair styles such as braids, locs, and twists), color, creed, religion, national origin, disability, sex, marital status, age, sexual orientation (including gender identify and expression), status with regard to public assistance, or any other characteristic protected by state or federal law, including behavior specifically prohibited by ARTICLE 26 of these policies.

Offensive behavior may include, but is not limited to, such work-related actions as rudeness, exclusionary behavior, creating or displaying graphics depicting co-workers or customers inappropriately, angry outbursts, inappropriate joking, vulgar obscenities, name calling, disrespectful language, or the intentional filing of an unfounded complaint under this policy.

C. Expected Conduct of City Employees

1. City Employee Conduct in General

Employees of the City shall conduct themselves as professional representatives of the City at all times while on duty or on the employer's premises, and that employees will represent the City in such a manner as to reflect most favorably on the City. Conduct unbecoming a City employee shall include any conduct that tends to bring the City into disrepute or reflects discredit on the person as an employee of the City, or that which tends to impair the functioning of an employee, a department, or the City.

Your conduct as a City employee is an extremely important part of your job. You are a representative of our City, and as such, the way you perform your job and your neat and clean appearance reflects upon our entire organization. Your willingness to assist people, to courteously and accurately respond to their questions or complaints, and to refer them to the proper source when you are unable to solve their problems, are all important facets of your position with the City and impact upon each member of our staff.

2. Conduct in Dealing with the Public

a. Expected Public Interaction.

While representing the City, employees shall be professional and courteous to all members of the public and City customers. They shall be tactful in the performance of their duties, control their tempers and exercise the utmost patience and discretion. They shall not engage in argumentative discussions, even in the face of extreme provocation. They shall not use coarse, violent, profane or insolent language or gestures, and shall not express any prejudice concerning race (including traits associated with race, including, but not limited to hair texture and hair styles such as braids, locs, and twists), creed, color,

religion, age, sex, marital status, national origin, sexual orientation (including gender identity and expression), disability, status with regard to public assistance, or any other characteristic protected by state or federal law, or other personal characteristics.

b. Interaction with an Abusive Customer.

In the event a member of the public or City customer becomes abusive on the phone or in person, employees should refrain from escalating the situation and if possible, employ tactics to defuse the situation, e.g. lower the voice, ask the person to sit down. If the situation doesn't improve, the employee can refer the person to a supervisor or request that a police officer be called to the scene. Employees are not required to continue telephone or in-person conversations in which the caller uses profanity or threats. In those situations, the employee should refer the call to a supervisor or inform the caller, as courteously as possible, that the employee is hanging up and will talk with the caller after the caller has calmed down.

c. Media Requests

Requests for data must be directed to the designated responsible authority. Requests for information outside of the scope of an individual's job duties must be routed to the appropriate department head.

Any employee who identifies a mistake in a communication by the City should bring the error to the City Administrator. Regardless of whether the communication is in the employee's official City role or in a personal capacity, employees must comply with all laws related to data privacy, trademark, copyright, software use, and other laws governing the employee's communication.

Except for routine events and basic information readily available to the public (e.g., dates and locations of City Council meetings or City-sponsored events), all requests for interviews or information from the media must be routed through the City Administrator. No employee is authorized to speak on behalf of the City without prior authorization from the City Administrator or his/her designee. Media requests include anything intended to be published or viewable to others in some form such as television, radio, newspapers, newsletters, social media postings, and websites.

When responding to media requests, employees should follow these steps:

1. If the request is for routine or public information (such as a meeting time or agenda), provide the information and notify the City Administrator of the request.
2. If the request is regarding information about city personnel, potential litigation, controversial issues, an opinion on a city matter, or if an employee is unsure if the request is a "routine" question, forward the request to the City Administrator. An appropriate response may be, "I'm sorry, I don't have the full information regarding that issue. Let me take some basic information and submit your request to the

appropriate person, who will get back to you as soon as he/she can.” Then ask the media representative’s name, questions, deadline, and contact information.

All news releases concerning City personnel will be the responsibility of the City Administrator, or designee.

When/if the City Administrator authorizes a staff person to communicate on behalf of the City in interviews, publications, news releases, on social media sites, and related communications, employees must:

- Identify themselves as representing the City. Account names on social media sites must be clearly connected to the City and approved by the City Administrator.
- Be respectful, professional, and truthful when providing information. In most cases, only factual information (not opinions or editorial comments) should be provided: For example, the employee could state that, “The City finished street cleaning on 16 streets in the northwest corner of the City this past week” instead of “The City is doing a great job with street cleaning this year!” Corrections must be issued when needed.
- Generally, not include personal opinions in official city statements. One exception is communications related to promoting a city service. For example, an employee could post the following on the City’s Facebook page: “My family visited Gregory Park this weekend and really enjoyed the new band shelter.” Employees who have been approved to use social media sites on behalf of the City should review the City’s Social Media Policy, separate from this policy manual, and seek assistance from the City Administrator on this topic.
- Notify the City Administrator if they will be using their personal technology (cell phones, home computer, cameras, etc.) for City business. Employees should be aware that data transmitted or stored may be subject to the Minnesota Government Data Practices Act.

d. Personal Communications and Use of Social Media

It is important for employees to remember that the personal communications of employees may reflect on the City, especially if employees are commenting on City business or commenting on issues that implicate their City employment. As City representatives, employees share in the responsibility of earning and preserving the public’s trust in the City. An employee’s own personal communications, such as on social media, can have a significant impact on the public’s belief that all city staff will carry out city functions faithfully and impartially and without regard to factors such as race (including traits associated with race, including, but not limited to hair texture and hair styles such as braids, locs, and twists), creed, color, religion, age, sex, marital status, national origin, sexual orientation (including gender identity and expression), disability,

status with regard to public assistance, or any other characteristic protected by state or federal law.

Nonpersonal communications (performed within one's job duties) to members of the public must be professional at all times. The following guidelines apply to personal communications, including various forms such as social media (Facebook; X, formerly known as Twitter; blogs; YouTube; etc.), letters to the editor of newspapers, and personal endorsements:

- Do not share any private or confidential information you have access to as a result of your city position.
- Any personal communications made on a matter of public concern must not disrupt the efficiency of the City's operation, including by negatively affecting morale. Put another way, such public comments must not undermine any city department's ability to effectively serve the public. Disruptive personal communications can include liking or republishing (sharing/retweeting) a social media post of another individual or entity. The City can act on the personal communication that violates this policy without waiting for the actual disruption.
- Remember what you write or post cannot easily be undone. It may also be spread to larger audience than you intended. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information or photos you would not want your boss or other employees to read, or you would be embarrassed to see in the newspaper. Keep in mind harassment, threats of violence, discrimination, or retaliation concerning a co-worker or between co-workers that would not be permissible in the workplace is not permissible online, even if it is done after hours, from home and on home computers.
- While representing the City or working on behalf of the City, regardless of the location or event at which the work is taking place, all employees are expected to be fair, courteous, and respectful to supervisors, co-workers, citizens, customers, and other persons associated with the City. Avoid using statements, photographs, video or audio that reasonably may be viewed as malicious, obscene, threatening or intimidating, disparaging, or might constitute harassment. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of sex, race (including traits associated with race, including, but not limited to hair texture and hair styles such as braids, locs, and twists), national origin, age, color, creed, religion, disability, marital status, familial status, veteran status, sexual orientation, gender identity, or gender expression, status with regard to public assistance or membership or activity in a local human rights commission.
- If you publish something related to city business and there is liable to be confusion whether you are speaking on behalf of the City, it would be best to identify yourself and use a disclaimer such as, "These are my own opinions and do not represent those of the City of Brainerd."
- City resources, working time, or official city positions cannot be used for personal profit or business interests, or to participate in personal political activity. Some examples: a building inspector is not permitted to use the city's logo, email, or

working time to promote his/her side business as a plumber; a parks employee should not access a park after hours for personal purposes even though he or she may have a key; a clerk, during work hours at City Hall, should not campaign for a friend who is running for City Council.

- Personal social media account name or email names should not be tied to the City (e.g., (Brainerd Cop).

3. Conduct Between Employees

a. Expectations of Cooperation and Respect

Employees shall cooperate with and be courteous to co-workers at all levels. While everyone is entitled to their feelings, they are not entitled to act on their feelings inappropriately in the workplace. Employees shall control their tempers and refrain from behaviors that are hostile, offensive, intimidating, degrading, or exploitative. Inappropriate displays include, but are not limited to: slamming doors, pounding tables, kicking furniture, unwanted physical contact of any nature, making threats, berating or belittling others, speaking in raised voices, using coarse, violent or profane language or gestures, refusing to speak or respond when spoken to, and refusing to provide assistance when requested.

Employees shall treat each other with respect. They shall refrain from making remarks about or using nicknames for other employees that are disparaging or based on a personal characteristic; producing cartoons or other graphics displaying other employees in an unfavorable light; communicating threatening or disparaging remarks via any medium (voice, e-mail, notes, etc.); engaging in unwanted horseplay or practical jokes; failing to relay written, verbal or telephone messages; unwanted, unwarranted physical contact of any nature, including "roughhousing" such as punching in the arm, pinching, arm twisting, etc., and other, similar unwanted conduct.

b. Workplace Violence

The City is committed to creating and maintaining a workplace that is free from violence. Employees are strictly prohibited from engaging in any threatening or violent behavior while on City premises, while operating vehicles for work related reasons, while engaged in City business off premises, while at any City sponsored activity, or while otherwise representing the City.

Specific examples of conduct that may be considered threats or acts of violence under this policy include, but are not limited to, the following:

- Threatening physical or aggressive conduct directed toward another individual.
- Threatening an individual or his/ her family, friends, associates, or property with physical harm.

- The intentional destruction or threat of destruction of City property or another's property.
- Harassing or threatening phone calls, letters, or e-mails.
- Surveillance or stalking.
- Veiled threats of physical harm or similar intimidation.

Employees have a responsibility to help keep the municipal buildings safe and free of violence. Employees should inform their supervisor of any workplace situations that violate this policy, even if the threat is presented as "only a joke". Supervisors are responsible for taking immediate steps to avoid workplace violence from occurring and subsequently report such information to City Administration. Any employee who engages in threatening behavior or acts of violence will be subject to disciplinary action up to and including termination.

For purposes of this policy, the term "workplace violence" does not include actions by law enforcement officers taken in the course of their employment with the City and consistent with applicable law and City policy regarding use of force and law enforcement activities.

D. Reporting Inappropriate Workplace Behavior

Any employee who feels he or she is being subjected to behaviors in violation of this Policy and any employee who witnesses or becomes aware of such conduct, should take the following steps:

1. If possible, politely but firmly tell the person who is behaving inappropriately that you are uncomfortable with or offended by the behavior and ask them to stop.
2. Document in writing for personal reference that describes the inappropriate behavior, the date the inappropriate behavior occurred, how it made you feel, what you did, how the offending party responded, and the names and titles of any witnesses.
3. If confronting the offending party is not practical or possible, or if the person refuses to discontinue the inappropriate behavior, the employee should, adhering to the chain of command, contact someone on the list below verbally or in writing:
 - a. The employee's immediate supervisor
 - b. The employee's department head
 - c. The Human Resource Director
 - d. The City Administrator

Reports of conduct by the Human Resource Director or the City Administrator may be made to the Mayor or the Personnel Committee of the City Council.

When making a report, the complaining party should be prepared to provide the following information:

1. The complainant's name, department and position title.
2. The name, department, and position title of the offending party, if known.
3. The specific facts of the allegedly inappropriate behavior, how long it has allegedly gone on, any employment action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) that was supposedly taken against the employee who is filing the complaint.
4. Names of witnesses, if any, to the allegedly inappropriate behavior.
5. Whether the complainant has previously reported the allegedly inappropriate behavior and, if so, to whom.

E. Investigating Complaints of Inappropriate Conduct

The Human Resource Director, the City Administrator, or designee of the City Administrator or Human Resources Director, shall investigate complaints of inappropriate workplace conduct.

The determination of whether inappropriate workplace conduct has occurred will be made on a case-by-case basis. Disciplinary action will also be determined on a case-by-case basis in accordance with these policies, applicable policies of the Police and Fire Departments, and applicable collective bargaining agreements.

Employees who are found to have filed bad faith complaints of inappropriate workplace conduct may be subject to disciplinary action as described in the preceding paragraph.

F. Consequences of Engaging in Inappropriate Workplace Conduct

Employees who are found to engage in inappropriate workplace conduct may be subject to disciplinary action, up to and including immediate termination, subject only to applicable law, the provisions of these policies, applicable policies of the Police and Fire Departments, and applicable collective bargaining agreements.

Supervisors are required to deal swiftly and vigorously with employees who treat others disrespectfully. Any supervisor who condones or allows inappropriate workplace conduct or fails or refuses to respond appropriately to complaints of inappropriate workplace conduct, may be subject to disciplinary action as described in the preceding paragraph, whether or not the supervisor actually engaged in inappropriate workplace conduct.

G. Retaliation for Complaints of Inappropriate Workplace Conduct

All employees are prohibited from retaliating or threatening to retaliate against anyone who complains of inappropriate workplace conduct. Any employee found to engage in retaliatory actions is subject to discipline, up to and including immediate termination, subject only to applicable law, the provisions of these policies, applicable policies of the Police and Fire Departments, and applicable collective bargaining agreements.

H. Relationship of Code of Conduct to Harassment Policy.

This policy supplements and does not replace the City's policies prohibiting discrimination, harassment in the workplace, and workplace violence.

Section 5.03 Gifts and Endorsements

No employee shall directly or indirectly solicit, receive, or agree to receive any compensation, "tip," gift, reward, gratuity, payment of expense, or promise of future employment or other future benefit from any source except the City, for any matter or proceeding connected with or related to the duties of the employee. Notwithstanding the above rule, employees may only accept gifts that are specifically allowed by State statute.

Employees and elected officials qualifying as "local officials" pursuant to M.S. 471.895 (as amended) must comply with the terms of that statute.

Section 5.04 Solicitations

The City does not allow outside solicitations to take place on City time or property. If you are asked to purchase goods, contribute funds, etc. while on City premises, please notify your supervisor immediately.

Section 5.05 Conflicts of Interest

No City employee shall engage in any act which is in conflict, or creates an appearance of impropriety or conflict, with the performance of official duties. When an employee believes the potential for a conflict of interest exists, it is the employee's responsibility to avoid the situation. Employees must notify their supervisor if a conflict of interest or perception of a conflict-of-interest situation exists or may exist. Employees who knowingly fail to avoid or disclose a potential, perceived or actual conflict of interest situation are subject to disciplinary action in addition to any criminal penalty that may be involved. An employee shall be deemed to have a conflict if the employee:

- A. Has any financial interest in any sale to the City of any goods or services;
- B. Engages in conduct that violates Section 5.03 (Gifts and Endorsements) of this ARTICLE;

- C. Participates in his/her capacity as a City employee in the issuing of a purchase order or contract in which he/she has a private financial interest, direct or indirect, or performs in regard to such contract some function requiring the exercise of discretion on behalf of the City; or
- D. Engages in, accepts employment from, or renders services for private interests for any compensation or consideration having monetary value when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in performance of official duties, or give the appearance of the above.

An employee should not make a unilateral decision if there is any doubt about his/her private employment. The City Administrator or Human Resource Director should be consulted.

No employee shall, directly or indirectly, give or receive, or agree to give or receive any compensation, gift, reward, commission or gratuity from any source except the City for any matter directly connected with or related to his official services as such employee with this City except as provided in Section 5.05, subpart B above.

- E. Discloses or uses without authorization from the City Administrator private, confidential, or other non-public information to further the employee's private interest, or accepts outside employment or involvement in a business activity that will require the employee to disclose or use such information.
- F. Has a financial interest or personal interest in any legislation or decision coming before the City Council and participates in discussion with or gives an official opinion to the City Council unless the employee discloses on the record of the Council the nature and extent of such interest.

Section 5.06 Outside Employment

Employees may not engage in outside employment which might in any way hinder their objective and impartial performance of their public duties, be incompatible with their City employment, or impair their efficiency on the job. Individuals employed by the City of Brainerd must regard the City as their primary employment responsibility. All outside employment is to be reported to the employee's Department Head. If a potential conflict exists based on this policy or any other consideration, the Department Head will consult with the City Administrator and Finance Director. Any city employee accepting employment in an outside position that is determined by the City Administrator to be in conflict with the employee's city job will be required to resign from the outside employment or may be subject to discipline up to and including termination.

Outside work shall be regarded as secondary to regular City employment and shall not interfere with the availability of employees for regularly scheduled work, emergency, or on-call duties. The City's Workers Compensation insurance does not cover any individual injured in the course of outside employment.

Section 5.07 Incompatible Activities

As a City employee, you have a responsibility to uphold a high standard of honesty and integrity.

You may not engage in any activities which are inconsistent, incompatible or in conflict with the duties of your position. These incompatible activities include activities such as using your position or City resources for personal gain or advantage, accepting money or gifts for performing your duties as a City employee, or engaging in activities which impair your attendance or efficiency in the performance of your duties. If an employee has any question as to whether an activity is "incompatible" with his or her work for the City, the employee must ask his or her department head or, if the employee is a department head, the City Administrator for clarification.

Section 5.08 Use of City Vehicles, Facilities and Equipment

No employee of the City shall request, use, or permit the use of City-owned vehicles, clothing, equipment, materials, or other property for: unauthorized personal convenience, for profit, for private use, or as part of secondary employment, or any other use not in the interest of the City, except as provided by law. Use of such City property is to be restricted to such services as are available to the City generally and for the conduct of official City business.

Employees are responsible for appropriate use of time, telephones, cellular telephones, computers, printers, paper, pens, stationery, facsimile machines, and pages. They are expected to adhere to the highest ethical standards when conducting City business and to follow these policies.

Management personnel are responsible for ensuring the appropriate use of all City property, including e-mail and internet access through training, supervising, coaching and taking disciplinary action, when necessary.

Employees who are required to take a City vehicle or equipment home due to the nature of their work for the City, shall do so only with the approval of the City Administrator and in accordance with IRS reporting requirements, and applicable law. City vehicles shall be allowed to leave the City limits (or service area for Fire Department, Police, and BPU vehicles) only while on official City business.

City employees shall have no expectation of privacy in any property or equipment of the City, including, but not limited to, offices, cubicles, desks, files, vehicles, filing cabinets, voice mail, text messages on City paid cellular telephones, PDAs, computers, laptops, mass storage devices, e-mails, electronic media or devices of any kind, or any other type of equipment, property, or space provided by the City. Except when accessed by the police department for law enforcement purposes, any such property or equipment may be accessed, monitored, or searched by the City at any time, for any purpose, with or without notice to the employee, and with or without reasonable suspicion.

Staff members shall operate City vehicles in a careful and prudent manner and shall obey all state and federal laws and all City orders pertaining to such operation. Staff members shall set a proper example for others when operating City vehicles.

This policy applies to all employees who drive a vehicle on City business at least once per month, whether driving a City-owned vehicle or their own personal vehicle. It also applies to employees who drive less frequently but whose ability to drive is essential to their job due to the emergency nature of the job. The City expects all employees who are required to drive as part of their job to drive safely and legally while on City business and to maintain a good driving record.

To the extent allowed by law, the HR Department will examine driving records once per year for all employees who are covered by this policy to determine compliance with this policy. Employees who lose their driver's license or receive restrictions on their license are required to notify their Department Head and the HR Director or their designee on the first workday after any temporary, pending or permanent action is taken on their license, and in any event before operating a City vehicle, and to keep their Department Head and HR Director informed of any changes thereafter. The City will determine appropriate action on a case-by-case basis.

The City Council approved the following policy regarding vehicle use. The intent of this policy is to ensure appropriate use of City vehicles and rolling stock by City employees while working on City business or as a representative of the City and to ensure a clear understanding thereof.

- A. To the extent feasible, City employees should use a City-owned vehicle when traveling for City work, including conferences, seminars, and meetings that the employee is attending in his or her role as a City employee.
- B. Conferences, schools, seminars and meetings: ~~For~~ purposes of this policy it is intended that training opportunities during the regular work shift within a 90-mile distance of the work location is considered an acceptable work-related activity in as much as the vehicle will be returned to the work site either during or shortly after the completion of the shift.

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- C. Out-of-town and overnight conferences and schools: -To the extent feasible, employees should use an available City-owned vehicle when traveling to overnight conferences, schools, and events. For travel which has a duration of more than one workday in length, the employee may utilize a non-fleet vehicle, if a City-owned vehicle is not available, the use for which will be compensated at the approved rate. Alternatively, upon prior approval of the City Administrator or designee, the employee can utilize an available vehicle if not needed by other staff during the applicable timeframe.
- D. Lunch hours and authorized breaks: -For purposes of this policy when an employee is scheduled to work at a site other than their normal reporting location, and for Police Officers on duty, use of a City vehicle for travel within one mile of the City limits for the purpose of lunch and other authorized breaks shall not be considered personal use.
- E. Overnight use: -It is the intent of this policy that all municipal vehicles will have returned to their designated work location by the end of the work shift unless prior authorization has been received from the employee's Department Head.
- F. Personal use: -Personal use of City vehicles by City employees or elected officials is prohibited without the express written consent of the City Administrator.

Section 5.09 Possession and Use of Dangerous Weapons.

All employees, except sworn employees of the Police Department, are prohibited from carrying or possessing firearms and/or dangerous weapons other than firearms while acting in the course and scope of employment for the City. The possession or carrying of a firearm or dangerous weapon by employees other than sworn Police Officers is prohibited while working on City property or while working in any location on behalf of the City. This includes but is not limited to:

1. Driving on City business;
2. Riding as a passenger in a car or any other type of transit on City business;
3. Working on the City's property, including City Hall or any other City-owned work site;
4. Working off site on behalf of the City;
5. Performing emergency or on-call work after normal business hours and on weekends;
6. Working at private residences and at businesses on behalf of the City;
7. Attending training or conferences on behalf of the City.

Possession or use of a dangerous weapon is prohibited on City property, in City vehicles, or in any personal vehicle, which is being used for City business. This includes employees with valid permits to carry firearms.

For the purposes of this policy, “dangerous weapons” are defined to include all legal or illegal firearms, switchblade knives, or any other object that has been modified to serve as a weapon or that has the primary purpose of serving as a weapon.

- Exceptions to the dangerous weapons prohibition are as follows: Employees legally in possession of a firearm for which the employee holds a valid permit, if required, and said firearm is secured within an attended personal vehicle or concealed from view within a locked unattended personal vehicle while that person is working on City property, to the extent required by Minnesota Statutes, section 624.714 (as amended), or other applicable law.
- Possession or use of a dangerous weapon necessary for the performance of duties by sworn Police Department employees.

In addition, the City prohibits the discharge of firearms on City property, except as necessary for the performance of duties by sworn Police Department employees. Any employee in violation of this policy will be subject to disciplinary action, up to and including discharge.

This policy is administered and enforced by the Human Resources Department. Anyone with questions or concerns specific to this policy should contact the Human Resource Director.

ARTICLE 6. APPOINTMENTS AND PROMOTION

Section 6.01 Appointment Procedure

It is the intent of the City of Brainerd to recruit and select qualified candidates for available positions, as it deems necessary. The City is committed to recruitment and selection practices that are based on merit. The recruitment and selection processes will be conducted to ensure an open and competitive process. The City Administrator or a designee will oversee the hiring process for positions within the City. Human Resources staff are responsible for managing the recruitment and selection process including, but not limited to, obtaining authorization to hire, evaluating job descriptions, preparing vacancy announcements, scoring applications, conducting interviews, facilitating background checks, scheduling various assessments and medical examinations, scheduling interviews, and making and withdrawing job offers. While the hiring process may be coordinated by staff, the City Council is responsible for the final hiring decision and must approve all hires to city employment.

The selection process will be a cooperative effort between the City Administrator, HR Director and the hiring supervisor, subject to final hiring approval of the City Council. Any, all, or none of the candidates may be interviewed, as determined by the City at its sole discretion.

When hiring ~~for BPU Department Heads~~ [the Public Utilities Director](#), the City Council will establish a Work Group to oversee the hiring process and up to two representatives from the BPU Commission Personnel Committee will be included in said Work Group.

The process for hiring seasonal and temporary employees may be delegated to the appropriate supervisor with each hire subject to final City Council approval. Except where prohibited by law, seasonal and temporary employees may be terminated by the supervisor at any time, subject to City Council approval.

Every appointment to municipal service shall be recommended by the City Administrator or designee to the Personnel and Finance Committee and approved by the City Council. When required by law or by the City Administrator, merit and fitness shall be ascertained by written, oral or other examinations designed to evaluate the ability of the candidate to discharge the position for which the examination is held.

For an existing position that becomes vacant and new positions approved as part of the budget, the City Administrator or designee shall inform the City Council of the vacancy to receive the City Council's authorization to begin recruitment and, when complete, to bring a hiring recommendation to the City Council for authorization to hire. Furthermore, when a position has already received approval from the City Council and an offer is made to a candidate who then declines, the Human Resource Director and the department head may use their judgment in reviewing the list of applicants or re-advertising for the same position.

The City Council may, from time to time, provide staff with hiring perimeters. To the extent that the City Council does so, and if said perimeters are followed, the Council may ratify the hiring of an individual after a conditional job offer has been given and the successful completion of pre-employment screening process has been completed.

Unless otherwise required by law or applicable collective bargaining agreement, in no event shall the hiring or continued employment of any person be considered a contractual relationship between the employee and the City. Further, unless otherwise provided, such relationship shall be defined as employment "at-will," which allows either party to dissolve the relationship at any time, for any legal reason or no reason at all. When required by law or requested by the applicable Department Head, merit and fitness shall be ascertained by written, oral or other examinations designed to evaluate the ability of the candidate to discharge the position for which the examination is held.

Section 6.02 Physical Examination and Background Checks

To the extent authorized or required by law, the City reserves the right to require applicants to complete a pre-employment physical examination by a physician designated by the City as part of the hiring process. Likewise, to the extent authorized by law, the City reserves the right to require employees to complete physical examinations related to their ability to complete the essential functions of their positions. The cost of any such examination shall be paid by the City.

To the extent required or authorized by law, the City reserves the right to require applicants to submit to a background check, including a criminal history background check, as part of the hiring process. Likewise, to the extent authorized by law, the City reserves the right to require internal applicants for promotional positions to submit to a background check, including a criminal history background check, as part of the recruitment and appointment process.

Section 6.03 Promotion from Within

To the extent practical, notice of all new job openings or vacancies shall be posted for at least three (3) working days in an appropriate place. Any employee desiring to apply for such job opening shall do so via the designated application process. If a person other than the Human Resource Director is designated in the job posting, the designated individual shall provide the application to the Human Resource Director within one (1) working day of receipt of the application. The internal recruitment process in no way prohibits the City from seeking and hiring qualified applicants through an external recruitment process. Except as required by the provisions of a collective bargaining agreement, the City reserves the right to recruit external candidates with or without conducting an internal recruitment process and has no obligation to select an internal candidate over an external candidate.

Section 6.04 Acting Department Head Policy

The following provisions shall be followed for appointment of Acting Department Heads:

- A. An employee who is designated to act as a Department Head shall be compensated at the rate of pay of the lowest step on the wage grid for the Department Head position that would represent an increase in pay for the employee of at least 3%.
- B. An employee may be appointed to the position of Acting Department Head upon recommendation of the City Administrator through the Personnel and Finance Committee and final approval of the City Council.

- C. Subject to the provisions of any applicable collective bargaining agreement, upon appointment of a Department Head, the City may return the employee who was Acting Department Head to the position and rate of pay he or she held prior to appointment as Acting Department Head, unless the Acting Department Head is appointed to the Department Head position.
- D. It is understood that the employee appointed as Acting Department Head is receiving additional compensation as per the terms of this policy and that no additional compensation will be made if or when the employee returns to his/her previous position regardless if this policy is amended at any point in the future.
- E. Nothing in this policy provides, or can be construed as providing, any employee with the right to be selected as Acting Department Head or Department Head. Nothing within this policy alters, or can be construed as altering, the "at-will" nature of employment of Acting Department Heads.

ARTICLE 7. SALARY ADMINISTRATION PLAN

Non-union supervisory employees, ~~Municipal Utility Division Managers~~ [Division Managers](#) and Department Heads shall be compensated in accordance with wage resolutions adopted by the City Council.

New employees will generally start at Step 1. Promoted and/or reclassified employees will generally start at the lowest step that is at least 3% more than the employee received in his or her previous position with the City; further, wage step placement appeals will not be considered from promoted and/or reclassified employees for a higher step placement. The City retains the sole discretion to start an employee at a higher step depending on qualifications and needs of the City. Employees shall have no right under this policy to file a grievance or appeal to the City Council regarding their initial placement on the pay table or initial placement following a promotion or reclassification.

Performance evaluations shall be based on job descriptions and result-oriented performance standards. Performance evaluations are intended to assist the employee in reaching maximum potential, enhance services provided by the City, and provide for periodic, formal review by the employee's supervisor and Department Head. The performance evaluation system shall be conducted in the following way:

- A. It shall be the responsibility of each Department Head to provide periodic written evaluations of subordinate employees, on at least an annual basis. This once-a-year annual evaluation shall coincide with the determination of the appropriateness of granting a merit (step) increase in accordance with this policy, if the employee is eligible.

B. It shall be the responsibility of the City Administrator to provide periodic written evaluations of Department Heads on at least an annual basis. This once-a-year annual evaluation shall coincide with the determination of the appropriateness of granting a merit (step) increase in accordance with this policy, if the employee is eligible. The City Administrator will request feedback from all City-appointed boards that the Department Head is the primary staff liaison to while preparing for said review. The board feedback will be received via a form provided by the Human Resources Department.

C. It shall be the responsibility of the City Council to provide periodic written evaluations of the City Administrator, on at least an annual basis. This once-a-year annual evaluation shall coincide with the determination of the appropriateness of granting a merit (step) increase in accordance with this policy, if the employee is eligible.

~~G.D.~~ When there will be a change of the reporting officer for an employee as noted in Items A or B above, the outgoing reporting officer must complete a performance review for all applicable employees before their last working day.

The decision to provide a merit (step) increase shall be the determination, at the discretion of the Department Head, City Administrator, or City Council as applicable. Pay steps through step 6 are based on satisfactory performance.

In order to advance to Step 7 on an applicable wage grid approved by the City Council, an employee must be on Step 6 and obtain two "achieves expectations" and one "exceeds expectations" on their annual performance evaluation for their currently-held position in any given three-year cycle beginning January 1, 2019. In order to advance to Step 8, an employee must be on Step 7 and obtain another "exceeds expectations" with two prior "achieves expectations" on their annual performance evaluation for their currently-held position in any given three-year cycle.

Step increases for employees hired before August 1, 2022, will become effective on January 1 of each year following the employee's performance review. For employees hired, reclassified or promoted on or after August 1, 2022, any step increase will become effective on their position anniversary date. Progression through the pay steps will be accomplished by an annual review of employee performance, as described above.

Denial or delay of a step increment shall be subject to the grievance procedures described in these policies.

ARTICLE 8. PROBATIONARY PERIOD

Section 8.01 Duration and Purpose

Subject to the provisions of an applicable collective bargaining agreement and applicable law, all new, rehired, promoted, or reassigned employees shall serve a twelve (12) month probationary period upon assuming their new positions. This period shall be used to observe the employee's work habits and ability to perform the work that they are required to do. Department Heads shall file with the City Administrator a written summary of the probationary period and include a recommendation for continued employment of the employee.

An employee serving his/her initial probationary period may be disciplined at the sole discretion of the City Administrator, up to and including dismissal. An employee so disciplined, including dismissal, will not have any grievance rights.

Section 8.02 Extension

An employee's probationary period may be extended for an additional period of time not to exceed six (6) months upon recommendation from the City Administrator or Department Head and at the sole discretion of the Human Resource Director.

Section 8.03 Termination

The City Council, upon recommendation of the Personnel and Finance Committee, may terminate with or without cause a probationary employee anytime during the probationary period.

Section 8.04 Completion

At the end of the probationary period, the Department Head will recommend that the City Administrator take one (1) of the following actions:

- 1) Extension of Probation;
- 2) Regular Employment; or
- 3) Termination.

If the recommendation is for termination, the City Administrator will take the recommendation to the Personnel and Finance Committee for consideration, before receiving final approval from the City Council.

An employee's completion of the probationary period does not guarantee future employment or create a "for cause" termination standard. All employees, including employees who have successfully completed a probationary period, are "at will" employees. Nothing in this personnel policy provides, is intended to provide, or should

be construed as providing additional rights to employees who complete the probationary period.

Section 8.05 Vacation and Sick Leave

During a new or rehired employee's probationary period, vacation leave and [Sick Leave/ESST](#) shall be earned. Employees may use vacation leave after the first six months of their probationary period, subject to approval by the employee's supervisor. Sick leave may be taken during the probationary period not to exceed the [Sick Leave/ESST](#) time earned.

ARTICLE 9. HOURS OF WORK

Section 9.01 Work Schedule

Due to the necessity of providing service twenty-four hours per day, seven days per week, it is a reasonable condition of employment to require that employees work a regular schedule of hours as established by the City. Regular schedules shall not be construed as excluding shift rotation and emergency work schedules based on public necessity as determined by the City.

The following are descriptions of the work schedules for the types of employees utilized by the City of Brainerd.

- A. Subject to the terms of any applicable collective bargaining agreement, regular full-time and probationary full-time employees, included in the annual budget, normally have a work schedule of forty (40) hours per week, (five (5) days per week, eight (8) hours per day). The City reserves the right to set employees' schedules and hours of work as required to deliver City services.
- B. Regular part-time and probationary part-time employees have a work schedule that is less than forty (40) hours per week. Employees who work less than thirty (30) hours per week shall not be eligible for fringe benefits, except as required by law. Employees who work thirty (30) hours per week or more shall be eligible for the following fringe benefits on a pro-rata basis:

Holidays - As established in ARTICLE 15 of this manual.

Vacation - As established in ARTICLE 16 of this manual.

Sick Leave/[ESST](#) - As established in ARTICLE 17, Section 17.06 of this manual.

Employees who work thirty (30) hours per week or more shall be eligible to participate in the City's group health insurance, cafeteria plan and life and long-term disability ("LTD") insurance provided that the participation of such employees is allowed by the insurance carrier/plan eligibility rules.

The employer's contribution for health insurance and life and LTD insurance for eligible participating employees shall be determined on a pro-rata basis.

- C. Temporary or seasonal employees may work a flexible schedule for a period not exceeding 185 consecutive calendar days in each year of employment, or such other amount of time as determined by the City Administrator or designee. Full-time students under the age of 23 may also work a flexible schedule as allowed by law. Employees who are temporary, seasonal, and/or full-time students are not eligible for fringe benefits.

Employees should be made aware of their work schedules by a method suitable for the various city departments. Any changes in work schedules usually will be made known to employees affected ahead of time when the schedules take effect, except in the case of emergencies.

Section 9.02 Time Sheets

Each employee of the City shall complete an accurate time sheet following the proper procedure and timeline. Time sheets shall cover a two (2) week (fourteen (14) day) period except Paid on-call Firefighters whose timesheet will cover a full calendar month. Time sheets shall be completed by each employee and shall show all hours worked and the department the work is to be charged to. All overtime, if applicable, shall be approved by the Department Head. Reporting false information on a time sheet may be cause for disciplinary action up to and including immediate termination.

Section 9.03 Supervisory Employees

The City Administrator, Department Heads, ~~Municipal Utility Division Managers~~[Division Managers](#) and non-union supervisory employees who are exempt from the overtime and minimum wage provisions of the Fair Labor Standards Act may be allowed to maintain limited flexibility in their work schedule from the normal workday to the extent that job performance and service responsibilities of the City to the public remains satisfactory and at the approval of the employee's supervisor. This limited flexibility means that, if a Department Head, Municipal Utility Division Manager or non-union supervisor is absent for four or more hours in any normal workday, appropriate leave must be utilized to account for the absence.

The regular work week for all regular employees, including Department Heads, ~~Municipal Utility Division Managers~~[Division Managers](#) and non-union supervisors consists of five workdays. Even though Department Heads, ~~Municipal Utility Division Managers~~[Division Managers](#) and non-union supervisors may be required to work additional hours for night meetings, City functions and duties, etc., the employee must report to work all five days per week, even if the actual hours worked exceeds 40 hours prior to the fifth day. If an

employee does not report to work for an entire day in a work week, the timesheet must show which type of appropriate leave is being taken (e.g., eight hours of vacation time).

If a Department Head, Municipal Utility Division Manager or non-union supervisor needs to work a full day on a weekend or holiday, he or she may make a request to the Department Head (for ~~Municipal Utility Division Managers~~ [Division Managers](#) or non-union supervisors), City Administrator (for Department Heads), to have this workday switched to allow for a day off on another day. This request must be approved by the Department Head or City Administrator as appropriate, before the employee switches his or her work schedule.

Section 9.04 Adverse Weather Conditions

City facilities will generally be open during adverse weather. Due to individual circumstances, each employee will have to evaluate the weather and road conditions in deciding to report to work (or leave early). An employee may be allowed to work from home with prior approval by their supervisor; allowed to use accrued vacation time or compensatory time, or with supervisor approval; or may modify their work schedule if allowed without incurring overtime per the applicable union contract or make other reasonable schedule adjustments.

Sworn police officers, firefighters, utility and public works maintenance employees will generally be required to report to work regardless of conditions.

Decisions to cancel departmental programs (special events, recreation programs, etc.) will be made by the respective supervisor or the City Administrator.

ARTICLE 10. OVERTIME HOURS

Section 10.01 General

Overtime pay for employees will be in conformance with State and federal law, including Minnesota Statutes, section 177.25 (as amended) and the Federal Fair Labor Standards Act, 29 United States Code, section 201 et seq., ("FLSA") as amended, and all applicable State and federal rules and regulations implementing section 177.25 and/or the FLSA.

- A. For purposes of computing overtime for employees, other than BPU employees, work weeks shall begin at 12:00 a.m. on Sunday. For purposes of computing overtime for BPU employees, work weeks shall begin at 12:00 a.m. on Monday.
- B. Hours worked by non-exempt, non-union employees in excess of forty (40) per week shall be compensated at one and one-half (1 ½) times their hourly wage rate unless a different rate is established by an employment contract.

- C. Holiday hours actually worked are calculated as time worked in the computation of overtime pay.
- D. For the purposes of computing overtime compensation, overtime hours worked shall not be pyramided, compounded, or paid twice for the same hours worked.
- E. No employee may work overtime without the prior approval of his or her Department Head, or designee.
- F. Exempt, non-union employees shall not be eligible for overtime compensation or compensatory time, except as provided in Section 10.04 of this Policy.

Section 10.02 Payment

Department Heads are responsible to schedule the work in their departments to minimize overtime. Overtime shall be inputted in 1/4 hour (fifteen minute) increments.

Section 10.03 Compensatory Time

Upon request, non-exempt, non-union employees will be allowed to earn compensatory time in lieu of receiving overtime compensation. In no event, shall accrued compensatory time off exceed the limitations provided in the FLSA. Once an employee has reached maximum accrual, compensation for additional hours must be paid in cash, rather than accrued as compensatory time off.

Compensatory time shall be determined at the rate of one and one-half (1½) hours off for every hour of overtime worked, or at a higher rate, if the employee receives a higher rate of pay for the overtime hour(s) in question in accordance with the terms of a collective bargaining agreement or other employment contract. Compensatory time off will be granted in not less than one-quarter hour units.

The City reserves the right to pay out any compensatory time off in excess of 80 hours, as it deems necessary. Accrued compensatory time off may be used with prior approval from the employee's Department Head, which shall be granted unless use of compensatory time off would unduly disrupt the operations of the City.

Upon separation from the City's employment, employees shall be paid for their accrued, but unused compensatory time off in accordance with the FLSA and other applicable law.

Section 10.04 Overtime for Exempt Employees

Notwithstanding the above, exempt employees may receive overtime compensation to the extent provided in an intergovernmental agreement or other contract between the City and another entity, if the contract requires the other entity to pay the cost of overtime hours.

ARTICLE 11. PERSONNEL/PAYROLL

Section 11.01 Personnel Records

An employee must notify the Department Head and the Human Resource Director in case of a change in address, telephone number, marital status, or number of dependents. If at any time an employee's address or telephone number is changed and the change is not reported, it may be difficult or impossible to complete delivery of messages, notices, or other information which should be received. Incomplete information creates problems with payroll deductions and fringe benefits, such as medical coverage. Accordingly, the failure to provide such information may impact the City's ability to provide pay and/or benefits to City employees.

Section 11.02 PERA (NOTE: See PERA's Website: www.mnpera.org to verify contribution rates)

Almost all city employees in the State of Minnesota are covered by a public pension system known as the PERA. Both the City and employees contribute to PERA. For specific information regarding annual contribution rates, contact the Human Resource Director. Vesting time varies depending on your membership eligibility date and the pension is portable among public employers throughout the state. Being vested means you qualify for benefits at the minimum allowable age.

In normal situations, employees and employers both contribute a percentage of the employee's gross salary to PERA. However, Minnesota law provides that some income received by an employee are not eligible for PERA contributions. Employees should contact the Human Resource Director with specific questions regarding PERA contributions.

Section 11.03 FICA

All full-time, part-time, temporary and/or seasonal employees are mandatory members of Federal Insurance Contribution Act (commonly known as Social Security). The City is required to deduct certain amounts from such employees' gross salary. Certain employees may be exempt from this deduction. Employee should contact the Human Resource Director with specific questions regarding FICA deductions.

Section 11.04 Medicare

All full-time, part-time, temporary and/or seasonal employees have a mandatory deduction for Medicare tax taken from their paychecks. Employee should contact the Human Resource Director with specific questions regarding Medicare deductions.

Section 11.05 MN Deferred Compensation

The City is a member of the Minnesota Deferred Compensation Plan. An employee may, at their option, defer any part of income, to a maximum amount set by law, of gross salary. The City does not contribute any monetary amount to the MN Deferred Compensation Plan unless required by the provision of collective bargaining agreement.

ARTICLE 12. SEPARATION FROM EMPLOYMENT

Section 12.01 General Statement

Separation from employment is an inevitable part of personnel activity within any organization, and there are many reasons for separation. The reasons for separation include: (1) resignation; (2) discharge (in accordance with ARTICLE 28 of these policies); (3) layoff; and (4) retirement (in accordance with ARTICLE 13 of these policies).

An employee leaving the City, for any reason, must turn in his/her identification badge and card, tools, shop coats, keys, books, and other City equipment no later than the last day of work. The employee is expected to go through an exit interview with the Human Resource Director on his/her last day of work. This interview is important for both the City and the employee. Through this interview, information may be provided which can lead to the causes of turnover, absenteeism, poor communication, etc. Oftentimes problems are discovered which appeared non-existent previously. It can be an effective means for gaining insight into potential personnel problems.

Section 12.02 Resignation

As at-will employees, all City employees may resign at any time, for any reason. In order to be considered "in good standing" at the time of resignation, an employee must file with employee's department head, at least 14 days before leaving, a written resignation stating the effective date of the resignation. Department Heads, [Municipal Utility Division Managers](#) and non-union supervisors wishing to resign "in good standing" should give the City as much advance notice as possible, but must provide at least 30 days' notice. Failure to comply with this 14-day or 30-day notice procedure may be considered cause for denying the employee future employment by the City and denying termination benefits. Unauthorized absence from work for a period of three working days may be considered by the City Administrator as a resignation "not in good standing" and without benefits.

Section 12.03 Layoffs

After at least two weeks' notice to the employee, the City Administrator may lay off any employee when such action is necessary because of shortage of work or funds, the abolition of a position, or changes in organization. If it should become necessary to reduce the City work force, the City may give consideration to the employees' on-the-job performance, abilities, job knowledge and the potential for other jobs within the City.

Section 12.04 Final Pay Following Termination of Employment

Subject to applicable law, employees who terminate employment with the City shall receive their final pay settlement a maximum of two weeks from the date of resignation, coinciding with the next normal payday. To be eligible for backpay, employees must be currently employed with the City at the time of backpay distribution.

ARTICLE 13. RETIREMENT AND SEVERANCE PAY

Section 13.01 Procedure

Regular employees who retire voluntarily in good standing, as defined in the previous Article -as defined above, after giving at least two (2) weeks' notice to the City and are eligible to immediately begin receiving monthly retirement benefits under the provisions of PERA as of the date of his or her retirement, shall be granted severance pay based on the following conditions and rates:

Section 13.02 Conditions

- A. Retirement - voluntary and in good standing, as defined in ARTICLE 12.
- B. Voluntary retirement or termination of employment in good standing, as defined in ARTICLE 12, due to health reasons, service-connected injury, or illness.

Section 13.03 Rates

All regular employees, regardless of the date of hire, shall be entitled to 100 percent of their unused ~~sSick~~ ~~!Leave/-and~~ ESST as severance pay, with a maximum of nine hundred sixty (960) hours, upon retirement in good standing, as defined in ARTICLE 12, or if they become disabled and must terminate their employment, with written proof by a physician. In the event of death, severance pay shall be paid to the beneficiary. Pay for unused ~~sSick~~ ~~!Leave/-and~~ ESST shall be based on existing annual wage as described in Exhibit C or applicable union contract.

ARTICLE 14. MEAL AND COFFEE BREAKS

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All hourly employees shall receive one (1) fifteen (15) minute rest period during each four (4) consecutive hours of work. Rest periods are part of the paid work shift. An employee shall not be compensated additional wages or time off for not taking a scheduled rest period. Employees are expected to use these breaks as intended and will not be permitted to adjust work start time, end time, or meal time, including any standard meal time designated by a specific Department—or accrue compensatory time—by saving these breaks. Breaks should be scheduled so as to not interfere with work requirements.

In general, City employees working a scheduled full-time shift are entitled to a one (1) hour uncompensated meal period. Meal periods shall be scheduled by the department head or supervisor. Employees will not be permitted to adjust work start time or accrue compensatory time by skipping or shortening meal breaks.

ARTICLE 15. HOLIDAYS

The following holidays, or days observed as such, shall be considered paid holidays for all regular employees:

- New Year's Day
- Martin Luther King, Jr. Day
- Presidents' Day
- Memorial Day
- Veterans' Day
- Juneteenth
- Independence Day
- Labor Day
- Thanksgiving Day
- Friday after Thanksgiving Day
- Christmas Day
- One "Floating" holiday

When an official holiday recognized in this policy falls on a Saturday, the preceding Friday shall be declared a holiday for employees whose normal work schedule is Monday through Friday. When an official holiday recognized in this policy falls on a Sunday, the following Monday shall be declared a holiday for employees whose normal work schedule is Monday through Friday.

If a recognized holiday falls during an eligible employee's paid absence (e.g., vacation, sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

Union employees shall be compensated for holiday time according to the terms and conditions of their collective bargaining agreement.

Requests for floating holidays shall require three (3) days' written notice to the Department Head. Such requirement may be waived when absence of the employee will not unduly affect the functioning of the department.

Employees will be accredited their floating holiday on January 1st of each year [or upon date of hire](#) and may use it at any time during the year.

Floating holidays must be taken in one (1) day (or eight (8) hour) increments. Floating holidays are not carried over year-to-year and must be used in the calendar year that they are received. Floating holidays not used by December 31 of the calendar year they were received are forfeited.

ARTICLE 16. REGULAR VACATION

Section 16.01 General Vacation Rules

A. When Taken

Vacation leave may be taken after written approval by the Department Head or designee. Vacation leave will be granted in not less than one-quarter hour units. Probationary employees' use of vacation leave is subject to ARTICLE 8 of these policies.

B. Length of Service

Length of service for the purpose of determining vacation accrual is calculated from the date of hire with the City. If an employee returns to work at the City after a break in service, the employee's length of service will be calculated from the date of rehire.

C. Scheduling Vacation

Department Heads are responsible for approving the scheduling of vacation leaves for employees under their supervision, and approval is not automatic.

1. Consideration shall be given to seasonal demands and departmental staffing needs before granting any vacation leave requests.
2. Subject to the needs of the Department, preference in scheduling shall be based on the order in which vacation requests are received and/or seniority of employees.

D. Monetary Consideration in Lieu of Vacation

Vacation pay shall be reflected on the paycheck issued for the pay period in which the vacation is taken. No vacation shall be paid in lieu of taking time off, except as authorized under the City's Cafeteria Plan.

E. Accrual of Vacation

Employees may accumulate vacation time equal to a maximum of 240 hours. Vacation accrual will cease if an employee is off of the City's payroll system for any reason whatsoever, except as required by law.

F. Vacation Payout

Employees who leave the employment of the City in good standing, as defined in ARTICLE 12 of these policies, by retirement or resignation will receive pay for 100 percent of unused accrued vacation. An employee shall not be considered to be "in good standing" if the employee resigns or retires following allegations of misconduct pending investigation, as determined by the City Council in its sole discretion.

G. Vacation leave is not intended to be used for absences related to personal illness or injury or any of the eligible uses outlined in the Earned Sick and Safe Time policy. However, should an employee use vacation leave for one of the eligible uses outlined in Article 17, Section 17.06, with respect to that particular absence only, the Earned Sick and Safe Time policy will apply.

All full-time employees, except the City Administrator, Department Heads and ~~Municipal Utility~~ Division Managers, shall earn vacation at the rate of: 6.67 hours per full month worked during the employee's first five years of employment. Thereafter, employees shall earn paid vacation as follows:

After completion of:

5 years of service - 10.00 hours per month
10 years of service - 10.67 hours per month
11 years of service - 11.33 hours per month
12 years of service - 12.00 hours per month
13 years of service - 12.67 hours per month
14 years of service - 13.33 hours per month
15 years of service - 14.00 hours per month
16 years of service - 14.67 hours per month
17 years of service - 15.33 hours per month
18 years of service - 16.00 hours per month
19 years of service - 16.67 hours per month
20 years of service - 17.33 hours per month
21 years of service - 18.00 hours per month
22 years of service - 18.67 hours per month
23 years of service - 19.33 hours per month
24 years of service - 20.00 hours per month

City Administrator, Department Heads and ~~Municipal Utility Division Managers~~Division Managers shall earn vacation at the rate of:

Ten (10) hours per full month worked during the first year of employment. Thereafter, employees shall earn paid vacation as follows:

After completion of:

1 year of service – 10.67 hours per month
2 years of service – 11.33 hours per month
3 years of service – 12.00 hours per month
4 years of service – 12.67 hours per month
5 years of service – 13.33 hours per month
6 years of service – 14.00 hours per month
7 years of service – 14.67 hours per month
8 years of service – 15.33 hours per month
9 years of service – 16.00 hours per month
10 years of service – 16.67 hours per month
11 years of service – 17.33 hours per month
12 years of service – 18.00 hours per month
13 years of service – 18.67 hours per month
14 years of service – 19.33 hours per month
15 years of service – 20.00 hours per month

ARTICLE 17. EMPLOYEE LEAVES

Section 17.01 Jury Duty

Any employee who is required to serve as a juror shall be granted a leave of absence with pay while serving in such capacity. Employees will be required to turn over any compensation they receive for jury duty, minus mileage reimbursement, to the City in order to receive their regular wages for the period. An employee cannot receive more than the employee's normal take-home pay as a result of any employer pay supplemented to Jury Duty pay. Jury duty pay must be remitted to the City. When employees are excused from jury duty during their regular working hours, they are expected to return to work if practicable. If a holiday occurs during jury duty, the employee shall be paid for the holiday.

Employees excused or released from jury duty during their regular working hours will report to their regular work duties as soon as reasonably possible or will take accrued vacation or compensatory time to make up the difference.

Insurance benefits will remain in effect for the full term of jury duty leave. Employees must continue to make employee contributions for any insurance that requires payment on their part.

Vacation time and sick time shall continue to accrue during the period of leave. Benefits will continue to accrue as though the employee were actively at work.

Section 17.02 Military Leave

Employees shall be entitled to leave without pay for military service, including training in the National Guard, consistent with the Uniformed Services Employment and Re-employment Rights Act of 1994 ("USERRA") (as amended) and Minnesota law, including, but not limited to, Minnesota Statutes, chapter 192 (as amended).

Section 17.03 Leave for Service in Organizations

The City Council with the recommendation of the City Administrator and Personnel and Finance Committee, may grant a leave of absence without pay for reasonable periods not to exceed one (1) year to any regular employee for the purpose of serving in an elected or appointed position, other than as a paid employee, in a professional organization or a governmental commission or committee, provided such leave will not reduce the quality or level of service to the public.

No vacation leave, ~~s~~Sick ~~L~~Leave/~~ESST~~, holiday leave or compensatory time off benefits shall be used or accrued during a leave of absence and the City will not contribute to insurance premiums.

Section 17.04 Pregnancy and Parenting ~~Parental~~ Leave

~~Parenting Leave, as provided for in Minnesota Statutes, section 181.941, as amended, grants qualifying employees unpaid leave of up to twelve (12) weeks for: (1) a biological or adoptive parent in conjunction with the birth or adoption of a child; or (2) a female employee for prenatal care, or incapacity due to pregnancy, childbirth, or a related health condition. Parental Leave is considered to be taken simultaneously with FMLA leave. If leave is taken due to the birth or adoption of a child, the leave must begin within twelve (12) months of the birth or adoption, unless the child remains in the hospital after the mother has been discharged, in which case the leave must begin within twelve (12) months after the child leaves the hospital.~~

All employees are entitled to take an unpaid leave of absence under the Pregnancy and Parenting Leave Act of Minnesota. Female employees for prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions as well as a biological or adoptive parent in conjunction with the birth or adoption of a child, are eligible for up to 12 weeks of unpaid leave. Any paid or unpaid leave taken for prenatal care medical appointments will not count toward the 12-week leave. Additionally, leave under this section must begin within twelve months of the birth or adoption of the child. In the case where the child must remain in the hospital longer than the mother,

Commented [KS3]: This language is recommended by the LMC as it was modified during the 2024 legislative session.

the leave must begin within 12 months after the child leaves the hospital. Employees should provide reasonable notice, which is at least 30 days. If the leave must be taken in less than three days, the employee should give as much notice as practicable.

Employees are required to use accrued vacation leave during Parenting Leave, and employees may choose, but are not required, to use any accrued Earned Sick and Safe Time. If the employee has any FMLA eligibility remaining at the time this leave commences, this leave will run concurrently with any FMLA leave available. The employee is entitled to return to work in the same position and at the same rate of pay the employee was receiving prior to commencement of the leave.

Group insurance coverage, including any employer contributions toward the benefits, will continue while the employee is on leave pursuant to the Pregnancy and Parenting Leave Act, provided the employee continues to pay any employee share of the cost of the benefits.

The City will inform employees of their parental leave rights at the time of hire and when an employee makes an inquiry about or requests parental leave.

The City shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting parental leave rights or remedies.

Section 17.05 Funeral Leave

All regular full-time employees shall be permitted paid funeral leave not to exceed 24 hours, if necessary, for the death of an immediate family member (employee's spouse, child, step-child, father, mother, brother, sister, father-in-law, mother-in-law) and one (1) working day, if necessary, for the death of an employee's grandparent. Funeral leave for other relatives may be granted at the discretion of the Human Resource Director. Up to twenty-four (24) additional hours of ~~sSick lLeave/ESST~~ may be used as additional funeral leave at the discretion of the City Administrator. For purposes of this policy, the term "working day," means a regularly scheduled shift, excluding any time that an employee would be considered "on call" unless the employee actually would have been called to perform duties during that period.

Section 17.06 Sick Leave/Earned Sick and Safe Time (ESST) Leave

~~All eligible part-time and temporary City employees shall earn sick leave at the rate of one (1) hour per thirty (30) hours worked as required by the Earned Sick and Safe Time~~

~~(ESST) Law and City Policy. Except to the extent provided in an applicable collective bargaining agreement, full time employees shall also earn ESST leave at the rate of at least one (1) hour per thirty (30) hours paid excluding the following pay types: Vacation Sale; Comp Time Payouts; Comp Time Earned (our payroll system can only recognize when comp time is taken/paid); and Vacation, Sick and Comp Time severance payouts. In addition, full time employees will earn a combination of Sick Leave and ESST to equal (8 hours) of leave per month. Sick leave will be granted in not less than one quarter hour units. Sick leave and ESST accumulation shall be a combined maximum of 120 days (960) hours.~~

“Earned Sick and Safe Time” (“ESST”) is paid time off for eligible uses outlined in this policy as required by Minnesota’s Earned Sick and Safe Time law, including but not limited to an employee’s mental or physical illness, injury, or other health condition. Employees will earn ESST as prescribed in this policy, provided that all employees will earn at least one hour of ESST for every 30 hours worked by an employee, up to a maximum of 48 hours of ESST per year. The base rate of ESST is the same hourly rate an employee earns from employment with the city. This specific leave applies to all employees (including temporary and part-time employees) anticipated to perform work for at least 80 hours in a year for the city.

The following positions are not eligible for leave under this policy:

1. Volunteer firefighter or Paid on-call Firefighter;
2. Elected officials or a person who is appointed to fill a vacancy in an elected office.

(a) Earned Sick and Safe Time Use

The leave may be used as it is accrued in the same increment of time for which employees are paid (as long as the amount is not more than four hours) for the following circumstances:

- An employee’s own:
 - Mental or physical illness, injury or other health condition
 - Need for medical diagnosis, care or treatment, of a mental or physical illness injury or health condition
 - Need for preventive medical or health care, or
 - Need to make arrangements for or attend funeral services or a memorial, or address financial or legal matters that arise after the death of a family member
- Care of a family member:
 - With mental or physical illness, injury or other health condition
 - Who needs medical diagnosis, care or treatment of a mental or physical illness, injury or other health condition, or
 - Who needs preventative medical or health care

- Absence due to domestic abuse, sexual assault or stalking of the employee or employee's family member provided the absence is to:
 - Seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking
 - Obtain services from a victim services organization
 - Obtain psychological or other counseling
 - Seek relocation or take steps to secure an existing home due to domestic abuse, sexual assault or stalking
 - Seek legal advice or take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic abuse, sexual assault, or stalking
- Closure of the employee's place of business due to weather or other public emergency or an employee's need to care for a family member whose school or place of care has been closed due to weather or other public emergency
- The employee's inability to work or telework because the employee is prohibited from working by the city due to health concerns related to the potential transmission of a communicable illness related to a public emergency, or seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, a communicable disease related to a public emergency and the employee has been exposed to a communicable disease or the city has requested a test or diagnosis.
- When it has been determined by health authorities or a health care professional that the presence of the employee or family member in the community would jeopardize the health of others because of the exposure of the employee or family member of the employee to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

(b) For Earned Sick and Safe Time purposes, family member includes an employee's:

1. Spouse or registered domestic partner
2. Child, foster child, adult child, legal ward, child for whom the employee is legal guardian, or child to whom the employee stands or stood in loco parentis
3. Sibling, step sibling or foster sibling
4. Biological, adoptive or foster parent, stepparent or a person who stood in loco parentis when the employee was a minor child
5. Grandchild, foster grandchild or step grandchild
6. Grandparent or step grandparent
7. A child of a sibling of the employee
8. A sibling of the parent of the employee or
9. A child-in-law or sibling-in-law
10. Any of the above family members of a spouse or registered domestic partner

11. Any other individual related by blood or whose close association with the employee is the equivalent of a family relationship

12. Up to one individual annually designated by the employee

(c) Advance Notice for use of Earned Sick and Safe Time

With respect to ESST accrued on or after January 1, 2024, if the need for the leave is foreseeable, the city requires seven days' advance notice. However, if the need is unforeseeable, employees must provide notice of the need for ESST as soon as practicable. When an employee uses ESST for more than three consecutive scheduled work days, the city may require appropriate supporting documentation (such as medical documentation supporting medical leave, court records or related documentation to support safety leave). However, if the employee or employee's family member did not receive services from a health care professional, or if documentation cannot be obtained from a health care professional in a reasonable time or without added expense, then reasonable documentation may include a written statement from the employee indicating that the employee is using, or used, ESST for a qualifying purpose. The city will not require an employee to disclose details related to domestic abuse, sexual assault, or stalking or the details of the employee's or the employee's family member's medical condition. In accordance with state law, the city will not require an employee using ESST to find a replacement worker to cover the hours the employee will be absent.

(d) Accrual and Carry Over of Earned Sick and Safe Time

All eligible part-time and temporary City employees shall earn Sick Leave/ESST at the rate of one (1) hour per thirty (30) hours worked as required by the Earned Sick and Safe Time (ESST) Law and City Policy. Except to the extent provided in an applicable collective bargaining agreement, full-time employees will earn a combination of Sick Leave/ESST to equal (8 hours) of leave per month. Sick Leave/ESST will be granted in not less than one-quarter hour units. Sick leave/ESST accumulation shall be a combined maximum of 120 days (960) hours.

(e) Retaliation prohibited

The city shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting Earned Sick and Safe Time rights, requesting an Earned Sick and Safe Time absence, or pursuing remedies. Further, use of Earned Sick and Safe Time will not be factored into any attendance point system the city may use. Additionally, it is unlawful to report or threaten to report a person or a family member's immigration status for exercising a right under Earned Sick and Safe Time.

(f) Benefits and return to work protections

During an employee's use of Earned Sick and Safe Time absence, an employee will continue to receive the city's employer insurance contribution as if they were working, and the employee will be responsible for any share of their insurance premiums.

An employee returning from time off using accrued Earned Sick and Safe Time is entitled to return to their city employment at the same rate of pay received when their leave began, plus any automatic pay adjustments that may have occurred during the employee's time off. Seniority during Earned Sick and Safe Time absences will continue to accrue as if the employee has been continually employed.

When there is a separation from employment with the city and the employee is rehired again within 180 days of separation, previously accrued Earned Sick and Safe Time that had not been used will be reinstated. An employee is entitled to use and accrue Earned Sick and Safe Time at the commencement of reemployment.

~~An employee may use sick leave when the employee is unable to attend work or perform work duties due to illness, injury, the necessity for medical, dental, or chiropractic care, childbirth, or exposure to contagious disease where such exposure may endanger the health of others with whom the employee would come in contact during the course of performing work duties. Employees may also use their accrued sick leave for any other purpose for which the City is required to allow an employee to use sick leave by State or federal law.~~

~~When requesting sick leave for a scheduled or foreseeable absence, employees must notify the supervisor as soon as the employee is aware of the need to utilize sick leave.~~

~~To be eligible for sick leave with pay, an employee shall:~~

- ~~A. Report as soon as possible to the employee's immediate supervisor as described above. If the need for sick is not foreseeable, the employee must notify his/her supervisor as soon as the employee becomes aware of the need for leave. The employee shall identify if the absence is due to the employee's illness or the employee's immediate family, as listed above;~~
- ~~B. Keep the employee's immediate supervisor informed of such employee's need for continued absence; and~~
- ~~C. To the extent allowable by law, for any absence that exceeds three days, upon request by the City Administrator, submit a medical certificate before the employee will be allowed to return to work.~~

Except as may be required by law, Sick Leave/ESST accrual will cease if an employee is off of the City's payroll system for any reason whatsoever.

~~To the extent allowable by law, the City reserves the right to require any employee returning from sick leave to provide a certificate stating that he or she is able to perform the essential functions of his or her position, with or without reasonable accommodation.~~

In case of disability caused by sickness or injury and covered by Workers Compensation, the City will pay to the employee only such sums, as together with Workers Compensation payments, will equal their base pay but never for a longer period than their accumulated ~~Sick Leave/ESST~~ and vacation leave. The time deducted from the employee's accumulated ~~vacation and then Sick Leave/ESST if elected~~, until exhausted ~~and then vacation, until exhausted~~, shall be the difference between the employee's normal gross pay and the payment received by the employee for workers compensation. ~~An employee cannot receive more than the employee's normal take-home pay as a result of any workers compensation payment.~~

~~In such case, to the extent allowable by law, once sick leave is exhausted, the time deducted from accumulated vacation leave shall be in the same amount as the proportion of wages paid by the City bears to the entire base pay of the employee. No Sick Leave/ESST or vacation leave will be paid to employees while actually working for others.~~

~~Section 17.07 Earned Sick and Safe Leave~~

~~A. Designation of Sick Leave as Earned Sick and Safe Time~~

~~Effective January 2024, the first 48 hours of Sick Leave earned each calendar year by current full time employees as well as the first 48 hours of Sick Leave earned by any new hire thereafter shall be designated as Earned Sick and Safe Time (ESST) pursuant to Minn. Stat. § 181.9445 and may be used for any of the purposes of that statute and for those family members set forth therein.~~

~~B. Carryover Year to Year~~

~~An employee may earn and carryover up to a maximum of eighty (80) hours of their unused Earned Safe and Sick Time (ESST) from year to year. Year to year shall be calendar year. The first partial year of employment shall constitute a year for the purposes of this policy.~~

~~C. Earning ESST~~

~~Sick leave/ESST benefits shall only accrue when an employee is in compensated payroll status. Sick leave/ESST benefits shall not be earned by any employee while in a non-pay status.~~

~~For those part time and/or temporary employees not covered by a collective bargaining agreement or other personnel policy granting sick leave, ESST shall accrue at the rate of 1 hour for every 30 hours worked if the employee works 80 hours in the year. Please see the Sick Leave section of the Employee Policy Manual regarding the accrual for full-time employees.~~

~~D. ESST Use~~

~~—ESST may be used for:~~

- ~~1. An employee's own or family member's need for illness, injury, medical or mental health care, or preventative medical or mental health care.~~
- ~~2. Absence due to domestic abuse, sexual assault, or stalking of employee or their family member. The employee may take leave to assist family member to seek medical care for related physical or psychological injury or disability, obtain services from Victim Services organization, obtain counseling, relocate or secure their or to receive legal advice, take legal action or prepare for any related legal proceeding.~~
- ~~3. Closure of the employee's workplace due to weather or a public emergency.~~
- ~~4. Employees need to care for a family member whose school or place of care has been closed due to weather or public emergency.~~
- ~~5. Employee's inability to work or telework because:~~
 - ~~a. The employer prohibits them from working due to potential transmission of illness related to a public emergency.~~
 - ~~b. Seeking or awaiting the results of test or diagnosis of communicable disease related to a public emergency due to exposure or at the employer's request.~~
- ~~6. When a health care professional determines employee should quarantine because of exposure to a communicable disease regardless of if they contracted the disease.~~

~~Sick/ESST leave shall be taken in 15 minute increments.~~

~~E. Definition of Family:~~ ~~For the purpose of using ESST time, an employee's family shall include those individuals identified by Minn. Stat. 181.9445 Subd. 7.~~

~~—The employee's, their spouses, or their registered domestic partner's:~~

- ~~a. Child, Foster Child, Adult Child, Legal Ward or Child In Law~~
- ~~b. Spouse or registered Domestic Partner~~
- ~~c. Sibling, Stepsibling, Foster Sibling~~

- ~~d. Parent, Stepparent, Foster Parent~~
- ~~e. Grandparent, Step Grandparent~~
- ~~f. Grandchild, Step-grandchild, Foster Grand Parent~~
- ~~g. Sibling of parents, Siblings Child~~
- ~~h. Child for whom employee stands in place of parents.~~
- ~~i. Person who stood in place of a parent when the employee was a minor.~~
- ~~j. Any individual related by blood or whose is equivalent of a family relationship.~~
- ~~k. One individual who the employee identifies at the time of hire and thereafter at the time of health insurance open enrollment each year.~~

G. Request for Leave

~~Employees shall request ESST from their supervisor prior to the start of the work day when leave is not foreseeable, or as soon thereafter as possible in an emergency situation. Requests shall be made by direct contact with the supervisor. When leave is foreseeable the employee shall request leave as far in advance as possible, preferably seven (7) calendar days, and shall schedule appointments so as to have the least impact on the business of the employer.~~

H. Verification

~~The employer may request verification of illness, injury, medical care or preventative treatment of the employee or a family member after three days, consistent with the requirements of Minn. Stat. § 181.9447 Subd. 3.~~

~~Upon exhaustion of the accrued ESST time, the employer may require medical verification for sick leave consistent with City policy and practice for the use of sick leave.~~

The employer may designate ESST time used for an FMLA qualifying event as Family and Medical Leave and may request a certification of a health care provider. For the use of ESST for domestic abuse, sexual assault, stalking, or other qualifying reasons, the employer may request verification consistent with the requirements of Minn. Stat. § 181.447 Subd. 3.

Please refer to Exhibit D to view the required ESST notice.

Section 17.0807 Extended Medical Leave

When medically necessary, and upon receipt of a medical certificate from an employee's treating physician, the City Administrator may approve a request for a medical leave

extension of up to 90 days due to the employee's serious medical condition or to care for a spouse, parent or child who has suffered a serious medical condition.

Before using unpaid leave under this ARTICLE, the employee must use all paid leave. Leave granted pursuant to this Section may run concurrently with leave under the Family and Medical Leave Act ("FMLA").

Employees will not earn or accumulate benefits or other compensation while on unpaid leave, except as required by law. A medical certificate attesting to the employee's fitness for duty shall be required prior to any employee returning to work from medical leave. Also, the City may require that the employee submit to an examination by a medical provider selected by the City to determine whether the employee is able to perform the essential functions of his or her job, with or without reasonable accommodation.

The Human Resource Director may consult with a physician or other expert to determine reasonable accommodations for any employee who is a "qualified disabled" employee under the Americans with Disabilities Act. If a fitness for duty certification is required, the City may deny reinstatement until it is provided.

Section 17.0908 Personal Leave

Upon written request of an employee, the City Council may grant an employee a leave of absence without pay for a period of up to 90 consecutive calendar days, at its sole discretion.

Employees will not earn or accumulate leave, benefits, or other compensation while on unpaid leave except as required by law.

Section 17.4009 School Leave

To the extent required by law, employees may take up to a total of sixteen (16) hours per twelve (12) month period of unpaid leave to attend school conferences and school-related activities related to the employee's child, provided the conferences or other school-related activities cannot be scheduled during non-work hours. Employees taking leave for this purpose may, but are not required to, substitute vacation or compensatory time for any part of this unpaid leave.

Section 17.4410 Family & Medical Leave

~~Eligible employees, as determined by the Human Resource Director or designee, may be entitled to take unpaid leave pursuant to the Family and Medical Leave Act ("FMLA") for the purposes described in 29 U.S.C. § 2612 (as amended). All such leave, including the~~

Commented [KS4]: This section has been updated to reflect the LMC recommended FMLA policy.

~~responsibilities of the City and its employees related to such leave, is subject to the conditions prescribed in the FMLA and the Department of Labor's regulations implementing the FMLA.~~

~~A. Restrictions on FMLA Leave~~

~~For additional information regarding FMLA leave, including the circumstances in which such leave may be taken, employees should consult the posted notices. In addition, as permitted by the FMLA, the City places the following restrictions on eligible employees' use of FMLA leave:~~

- ~~1. The City has designated a "rolling" twelve (12) month period for purposes of determining employees' entitlement to FMLA leave. The "rolling" twelve (12) month period is measured backward from the date the employee uses any FMLA leave.~~
- ~~2. Spouses employed by the City are permitted to take a combined total of twelve (12) work weeks of FMLA leave during a single twelve (12) month period if the FMLA is: (1) due to the birth of a son or daughter of the employees; (2) due to the placement of a son or daughter with the employees for adoption or foster care; or (3) in order to care for a parent of the eligible employee.~~
- ~~3. Employees who request leave under this policy based on: (1) their own serious health condition; (2) to care for a parent, spouse, or child's serious health condition; or (3) military caregiver leave, are required to submit a completed medical certification that complies with the requirements of the FMLA. Medical certification forms are available from Human Resources. The City reserves the right to request a second opinion, at the expense of the City, to the extent permitted by the FMLA. If the results of the employee's certification differs from the results of the City's certification, the City may obtain a third opinion at the City's expense. The City also reserves the right to require periodic recertification, to the extent allowed by the FMLA and to contact the certifying medical provider to authenticate or clarify the medical certification in lieu of seeking a second opinion. Separate certification may also be required regarding the nature of the family member's military service and/or the existence of a qualifying exigency, if leave is requested for that purpose.~~
- ~~4. Except in emergency situations, the employee is required to provide written notice of the need to take leave to his or her immediate Supervisor not less than thirty (30) days before the date the leave is scheduled to begin. If the leave is to begin in less than thirty (30) days, the employee shall provide such written notice as soon as practicable.~~

- ~~5. Employees are required to use all accrued sick leave, ESST, vacation leave, and any other accrued paid leave concurrently with leave provided under the FMLA. Employees with both accrued sick and vacation leave are required to use sick leave, ESST, and compensatory time, if any, before using accrued vacation leave. The combined paid and unpaid leave cannot exceed the applicable twelve (12) week or twenty-six (26) week maximum FMLA leave time. FMLA leave may run concurrently with a worker's compensation absence if the on the job injury or illness also qualifies as a serious health condition under the FMLA.~~
- ~~6. Subject to the terms, conditions, and limitations of applicable plans, eligible employees are entitled under the FMLA to the same health insurance benefits provided by the City while on FMLA leave to the same extent as if the employee were not on FMLA leave. Employees who contribute toward their health care coverage must continue to make that contribution while on leave, either through payroll deduction (if using paid leave) or by personal check (if using unpaid leave). If the employee fails to return to work after taking family or medical leave, the City may recover the premiums paid by the City for group health and life insurance unless the serious health condition of the spouse, child, parent or employee continues or for other circumstances beyond the control of the employee.~~
- ~~7. Vacation, sick, and holiday leave will not be earned during a period of unpaid FMLA leave. FMLA leave, whether paid or unpaid, will not constitute a break in service for purposes of computing years of service.~~
- ~~8. The City requires a medical certificate attesting to the employee's fitness for duty prior to the employee being allowed to return to work. The fitness for duty report must be based on the particular health condition(s) for which the leave was approved and must address whether the employee can perform the essential functions of the job. The Human Resource Director or designee may consult with a physician or other expert to determine reasonable accommodations for any employee who is a "qualified disabled" employee under the Americans with Disabilities Act. If a fitness for duty certification is required, the City may deny reinstatement until it is provided.~~
- ~~9. Records of FMLA leave will be kept along with normal personnel records except that any medical record(s) will be maintained separately in accordance with applicable laws.~~

~~- B. Effect on Pension:~~

~~Employees should contact the MN Public Employees Retirement Association (“PERA”) for information about how FMLA leave may affect their retirement benefits.~~

ELIGIBILITY

To qualify to take FMLA leave under this policy, an employee must meet all the following conditions:

- Have worked for the City for 12 months (or 52 weeks) prior to the date the leave is to commence. The 12 months or 52 weeks need not have been consecutive; however, the City will not consider any service 7 years prior to the employee’s most recent hire date.
- Have worked at least 1,250 hours during the 12-month period prior to the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (“FLSA”) determine the number of hours worked by an employee.

TYPES OF LEAVE COVERED BY FMLA

Leave will be granted to all eligible employees for any of the following reasons:

- The birth of a child, including prenatal care, or placement of a child with the employee for adoption or foster care;
- To care for a spouse, child, or parent who has a serious health condition;
- Due to a serious health condition that makes the employee unable to perform the essential functions of the position;
- A covered military member’s active duty or call to duty or to care for a covered military member (Military Caregiver and Qualified Exigency Leave) (described below).

DEFINITIONS

- “Spouse” does not include domestic partners or common-law spouses.
- “Caring for” a covered family member includes psychological as well as physical care. It also includes acquiring care and sharing care duties. An eligible “child,” with some exceptions, is under 18 years of age.
- An eligible “parent” includes a biological parent or a person who stood in the place of a parent.
- “Serious Health Condition” means an illness, injury, impairment, or physical or mental condition that involves one of the following:
 - Hospital Care: Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;
 - Pregnancy: Any period of incapacity due to pregnancy, prenatal medical care or childbirth;
 - Absence Plus Treatment: A period of incapacity of more than three consecutive calendar days that also involves continuing treatment by or under the supervision of a health care provider.

- Chronic Conditions Requiring Treatments: An incapacity from a chronic condition which requires periodic visits for treatment by a health care provider, continues over an extended period of time, and may cause episodic rather than a continuing period of incapacity;
- Permanent/Long-Term Conditions Requiring Supervision
- Multiple Treatments: Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider.

LENGTH AND AMOUNT OF LEAVE

The length of FMLA leave is not to exceed twelve (12) weeks in any twelve (12) month period. The leave year is calculated based on a rolling backward basis. The entitlement to FMLA leave for the birth or placement of a child for adoption expires twelve (12) months after the birth or placement of that child.

HOW LEAVE MAY BE TAKEN

FMLA leave may be taken for 12 (or less) consecutive weeks, may be used intermittently (a day periodically when needed), or may be used to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks.

Intermittent leave may be taken when medically necessary for the employee's serious health condition or to care for a seriously ill family member. Intermittent leave must be documented in the medical certification form as medically necessary.

If an employee is taking intermittent leave or leave on a reduced schedule for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as to not disrupt the City's business.

In instances when intermittent or reduced schedule leave for the employee or employee's family member is foreseeable or is for planned medical treatment, including recovery from a serious health condition, the City may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

Intermittent/reduced scheduled leave may be taken to care for a newborn or newly placed adopted or foster care child only with the City's approval.

PROCEDURE FOR REQUESTING LEAVE AND NOTICE

All employees requesting FMLA leave must provide written or verbal notice of the need for the leave to the HR Director.

When the need for the leave is foreseeable, the employee must give verbal or written notice to his/her supervisor at least thirty (30) days prior to the date on which leave is to begin. If thirty (30) days' notice cannot be given, the employee is required to give as much notice as practicable, including following required call-in procedures. The City requires an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

CERTIFICATION AND DOCUMENTATION REQUIREMENTS

For leave due to an employee's serious health condition or that of an employee's family member, the City will require the completion of a Medical Certification form by the attending physician or practitioner. The form must be submitted by the employee to the City Administrator within fifteen (15) calendar days after leave is requested. If the form is not submitted in a timely fashion, the employee must provide a reasonable explanation for the delay. Failure to provide medical certification may result in a denial or delay of the leave.

When leave is due to an employee's own serious health condition, a fitness for duty certification (FFD) will be required before an employee can return to work. Failure to timely provide such certification may eliminate or delay an employee's right to reinstatement under the FMLA.

If an employee is using intermittent leave and reasonable safety concerns exist regarding the employee's ability to perform his or her duties, a FFD certificate may be required as frequently as every 30 days during periods when the employee has used intermittent leave.

Recertification of leave may be required if the employee requests an extension of the original length approved by the City or if the circumstances regarding the leave have changed. Recertification may also be required if there is a question as to the validity of the certification or if the employee is unable to return to work due to the serious health condition.

SECOND AND THIRD MEDICAL OPINIONS

The City may require an employee obtain a second opinion from a provider which the City selects. If necessary to resolve a conflict between the original certification and the second opinion, the City may require the opinion of a third doctor. This third opinion will be considered final. An employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

ANNUAL MEDICAL CERTIFICATION AND RECERTIFICATION

Where the employee's need for leave due to the employee's own serious health condition lasts beyond a single leave year, the City will require employees to provide a new medical certification in each subsequent leave year.

REINSTATEMENT

Employees returning from Family and Medical Leave will be reinstated in the same position or a position equivalent in pay, benefits, and other terms and conditions of employment. An employee on FMLA leave has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period.

GROUP HEALTH INSURANCE AND OTHER BENEFITS, CONCURRENT LEAVE AND SUBSTITUTION OF PAID LEAVE

An employee granted leave under this policy will continue to be covered under the City's group health and dental insurance plan under the same conditions and at the same level of City contribution as would have been provided had the employee been continuously employed during the leave period. The employee will be required to continue payment of

the employee portion of group insurance coverage while on leave. Arrangements for payment of the employee's portion of premiums must be made by the employee with the City.

If there are changes in the City's contribution levels while the employee is on leave, those changes will take place as if the employee were still on the job.

Rights to additional continued benefits will depend on whether leave is paid or unpaid.

Any paid disability leave benefits (Short Term Disability or Long Term Disability), sick leave, Paid Time Off (PTO) or compensatory time off available to employees for a covered reason (an employee's serious health condition or a covered family member's serious health condition, including worker's compensation leave and Minnesota State Parenting Leave) will run concurrently with FMLA.

FAILURE TO RETURN TO WORK AFTER FMLA

Under certain circumstances, if the employee does not return to work at the end of the FMLA leave for at least 30 calendar days, the City may require the employee to repay the portion of the monthly cost paid by the City for group health plan benefits. The City may also require the employee to repay any amounts the City paid on the employee's behalf to maintain benefits other than group health plan benefits.

If an employee does not return to work following 12 weeks of FMLA leave, the employee may be subject to COBRA continuation.

If the employee fails to pay the City a portion of the premiums for which he or she is responsible during the FMLA leave and the employee fails to return to work, coverage may end. Loss of coverage for failure to pay premiums is not a qualifying event for purposes of continuation coverage under COBRA.

If the employee does not return from the FMLA leave and coverage ended sometime during the FMLA leave due to lack of payment, there is no COBRA election available. For COBRA to apply, the employee must have been covered on the day before the qualifying event. In this situation, the qualifying event would occur at the time the employee did not return from the leave.

ACTIVITIES PROHIBITED DURING FMLA

While on leave, an employee may not engage in activities (including employment) which have the same or similar requirements and essential functions of an employee's current position. While on leave, an employee may not engage in any activity that conflicts with the best interests of the City. Such conduct will result in disciplinary action up to and including termination of employment.

UNPAID MEDICAL LEAVE OF ABSENCE

If an employee is ineligible for FMLA leave or has exhausted available FMLA leave benefits, it is the policy of the City to consider an employee's request for a medical or personal leave of absence. The amount of medical leave available to each employee will be determined on a case-by-case basis depending on the position held, staffing requirements, the reasons for the leave, and the anticipated return-to-work date.

Employees who take unpaid medical leave are not guaranteed to return to the same position held prior to taking leave.

Employees seeking a medical leave of absence will be required to present medical documentation to support the need for the leave, on-going documentation to support the need for continued leave, and documentation to support a return to work.
During Unpaid Medical Leave, employees will be expected to keep in regular contact with human resources. When you anticipate your return to work, please notify human resources of your expected return date at least one week before the end of your leave.
Employees on an Unpaid Medical Leave of Absence may be subject to COBRA notice and continuation benefits and will be solely responsible for payment of the entire COBRA.
Failure to keep in touch with management during your leave, failure to advise management of your availability to return to work, or failure to return to work following leave will be considered a voluntary resignation of your employment.

FMLA – QUALIFIED EXIGENCY AND MILITARY CAREGIVER LEAVE

Qualified Exigency

Eligible employees (described above) whose spouse, son, daughter, or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service.

The qualifying exigency must be one of the following: (1) short-notice deployment; (2) military events and activities; (3) childcare and school activities; (3) financial and legal arrangements; (5) counseling; (6) rest and recuperation; (7) post-deployment activities; (8) parental care; or (9) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

Military Caregiver Leave

An employee eligible for FMLA leave (described above) who is the spouse, son, daughter, parent, or next of kin of a covered servicemember may take up to 26 weeks in a single 12-month period to care for that servicemember.

The family member must be a current member of the Armed Forces (including a member of the National Guard or Reserves), who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy, or otherwise is on outpatient status or on the temporary disability retired list. Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserves, or members on the permanent disability retired list.

DEFINITIONS

- A "son or daughter of a covered servicemember" means the covered servicemember's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age.
- A "parent of a covered servicemember" means a covered servicemember's biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents "in law."
- The "next of kin of a covered servicemember" is the nearest blood relative, other than the covered servicemember's spouse, parent, son, or daughter, in the

following order of priority: blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin.

- · “Covered active duty” means:
- o “Covered active duty” for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country.
- o “Covered active duty” for members of the reserve components of the Armed Forces (members of the U.S. National Guard and Reserves) means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation as defined in section 101(a)(13)(B) of Title 10 of the United States Code.
- · “Covered servicemember” means:
- o An Armed Forces member (including the National Guard or Reserves) undergoing medical treatment, recuperation, or therapy or otherwise in outpatient status or on the temporary disability retired list, for a serious injury or illness”; or
- o A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.
- · “Serious injury or illness” means:
- o In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and
- o In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered servicemember, means a qualifying (as defined by the Secretary of Labor) injury or illness incurred by a covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank or rating.

AMOUNT OF LEAVE – QUALIFIED EXIGENCY

[An eligible employee can take up to 12 weeks of leave for a qualified exigency.](#)

[AMOUNT OF LEAVE – MILITARY CAREGIVER](#)

[An eligible employee taking military caregiver leave is entitled to 26 workweeks of leave during a “single 12-month period.” The “single 12-month period” begins on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends 12 months after that date.](#)

[Leave taken for any FMLA reason counts towards the 26-week entitlement. If an employee does not take all 26 workweeks of leave to care for a covered servicemember during this “single 12-month period,” the remaining part of the 26 workweeks of leave entitlement to care for the covered servicemember is forfeited. 29 C.F.R. § 825.127\(e\)\(1\) \(2017\).](#)

[CERTIFICATION OF QUALIFYING EXIGENCY FOR MILITARY FAMILY LEAVE](#)

[The City will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave.](#)

[CERTIFICATION FOR SERIOUS INJURY OR ILLNESS OF COVERED SERVICEMEMBER FOR MILITARY FAMILY LEAVE](#)

[The City will require certification for the serious injury or illness of the covered servicemember. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Servicemember.](#)

[All other provisions of the FMLA policy, including Use of Paid Leave, Employee Status and Benefits During Leave, Procedure for Requesting Leave, and Benefits During Leave and Reinstatement, are outlined above in the FMLA policy.](#)

[EFFECT ON PENSION](#)

[Employees should contact the MN Public Employees Retirement Association \(“PERA”\) for information about how FMLA leave may affect their retirement benefits.](#)

[-C. Training](#)[TRAINING:](#)

Employees who have missed training sessions while on FMLA leave will be given a reasonable opportunity to make them up upon returning to work.

Section 17.4211 Department Head Absenteeism Notification

Except in the event of an emergency that prevents such notice, Department Heads shall notify the City Administrator prior to any absence from the office.

Section 17.13-12Catastrophic Leave Bank

POLICY STATEMENT

The City of Brainerd recognizes that occasions arise when employees may have exhausted their vacation leave, sick leave and compensatory time, due to a non-work related injury or prolonged illness that has not yet qualified for long-term disability insurance benefits. It is the intent of this policy to provide an opportunity for City employees to voluntarily donate vacation leave hours to an emergency medical leave bank for use by other City employees who demonstrate a catastrophic medical emergency. The program is voluntary in nature and does not guarantee any resulting benefit to any employee in need nor does it require participation of any employee. This policy applies to employees of bargaining units upon agreement of their exclusive representative.

Eligibility

All non-probationary City employees, including members of collective bargaining units whose exclusive representatives have agreed to this policy, are eligible to participate in this Catastrophic Medical Leave Sharing Bank ("CMLSB"). Donation to the bank is entirely voluntary.

Definitions

- A. "Catastrophic Medical Emergency" is a major life-threatening disease or illness or non-work related major injury involving a prolonged absence from work. Per the dictionary, a catastrophe is a momentous tragic event ranging from extreme misfortune to utter overthrow or ruin.

Examples may include: heart attack, stroke, organ transplant, cancer or major non-work-related injury.

The medical emergency must result in the incapacitation of the employee, spouse, or child/stepchild for a minimum of 80 consecutive work hours (subsequent intermittent absences involving the same illness or condition shall also qualify) which requires the employee to take time off from work and creates a financial hardship because all of the employee's paid leave has been exhausted.

"Catastrophic medical emergency" is specifically not defined as all "serious health conditions" as defined under the FMLA.

- B. "Verification of catastrophic illness or injury" shall consist of a physician's statement verifying that:

1. The employee is suffering from a major life-threatening disease, illness or non-work related major injury requiring a prolonged absence from work; or
 2. That the employee must be present to care for the employee's spouse, child or stepchild who is suffering from a major life-threatening disease or illness or major injury; and
 3. A brief description of the nature of the illness or injury and the anticipated duration of the incapacity.
 4. The Verification of catastrophic illness or injury shall be in addition to the FMLA certification of health care provider.
- C. "Donor" is an employee who donates vacation leave to the Emergency Medical Leave Sharing Bank.
- D. "Applicant" or "Recipient" is a non-probationary City employee who has applied for or received leave from the CMLSB.
- E. "Committee" as referenced in this policy shall consist of the City Administrator, Human Resource Director, and the Chair of the Personnel and Finance Committee.

Catastrophic Medical Leave Sharing Bank BENEFITS AND LIMITATIONS

- A. The applicant must have exhausted all of the employee's own accrued vacation, sick leave, and compensatory time in order to receive any Catastrophic Medical Leave ("CML").
- B. The applicant may apply for CML while still in paid status, but no sooner than 80 hours before the exhaustion of all of the applicant's paid leave or CML.
- C. An applicant may be eligible to receive up to a maximum of 160 hours of CML per request, which shall be placed in the recipient's sick leave bank as needed per pay period in increments of no more than 80 hours at a time. Additional requests for CML may be submitted upon the anticipated exhaustion of the initial hours and medical verification of continued need, but the total CML granted to one recipient in relation to one medical emergency shall not exceed 480 hours. Part-time employees shall be eligible to receive CML on a pro-rata basis.
- D. Recipients of CML must use the leave only for the Catastrophic Medical Emergency. Any CML which is not used for the medical emergency shall be returned to the bank and cannot be retained by the recipient.

- E. An applicant shall be required to apply for FMLA leave in conjunction with the application for CML. Catastrophic Medical Leave time will run concurrently with any applicable FMLA leave.
- F. The recipient shall be in a paid status when using CML for the purpose of receiving benefits. When a pay period includes a holiday, a participant using CML shall receive holiday pay provided they are in a pay status the last regular shift prior to, and the first regular shift following the holiday.
- G. A recipient's CML pay will continue to be taxed in accordance with state and federal law, and all authorized deductions will continue to be deducted from the participant's paycheck, provided sufficient wages are available.
- H. All time donated to the pool shall be converted to a dollar amount based upon the donor's hourly rate of pay. All CML shall be used at the recipient's rate of pay.
- I. Leave from the CML may not be used for illness or disability which qualifies the participant for Worker's Compensation, long-term disability, PERA disability or Social Security benefits.
- J. An applicant shall be required to apply for long-term disability and PERA disability, as applicable, for the employee's own medical condition which results in the employee's absence from work for more than 90 calendar days, whether before or after the employee has exhausted his/her own paid leave. The recipient applicant shall provide verification of such application.
- K. Leave donated to the CML Bank shall remain in the bank from year to year and shall be available to eligible employees. Donation of leave to the CML Bank is irrevocable.

Application Process

- A. Applicants shall be required to complete a form setting forth their request for CML, the reason, number of hours requested and the anticipated duration of the medical emergency. A new request form shall accompany each subsequent request. The CML Request form will be turned into the Human Resource Director prior to the start of the leave if possible. Requests will be reviewed by the Committee.
- B. The Applicant shall sign a waiver of liability in connection with the CML request and any subsequent request. The applicant shall provide a "verification of catastrophic illness or injury" with the request form or within (10) calendar days of the request. In the event that the Verification is not submitted in a timely manner, the CML request may be considered by the Committee but no leave will be disbursed to the applicant until the verification is received and reviewed by the committee.

- C. Applicants who are denied CML or whose withdrawal is not renewed or is terminated may, within fifteen (15) calendar days of denial, appeal the denial, non-renewal or termination by providing new or additional information to the Committee and completing a supplemental application and waiver. The final decision will be reported to the applicant, in writing, within ten (10) working days of the decision. This decision of the Committee is final. Such final authority is not subject to the grievance procedure or litigation and the applicant shall specifically waive any rights to review by any of these options.
- D. All requests for CML, verifications of catastrophic illness or injury and other documentation related to an applicant's medical condition or that of the applicant's family member shall be kept confidential and shall only be disclosed as necessary to administer request for withdrawal.
- E. If the CML bank does not have sufficient hours to fund a withdrawal request, the City is under no obligation to pay the applicant any funds. If a withdrawal request is denied in whole or in part because of insufficient dollars to fund the request, the applicant shall be notified in writing of the reason for the denial.

DONATION PROCESS

- A. A regular full or part time employee may donate vacation leave to the Catastrophic Medical Leave Sharing Bank twice annually, which shall occur with the first pay period in December or June. In the event that the CML Bank becomes depleted, the City Council may, in its sole discretion, authorize a third open window period for donation to the Bank.
- B. Donors are required to have a minimum of 80 hours of vacation leave available to them in their accrued vacation leave bank after a donation is made.
- C. Donation to the CML bank is irrevocable.

TENNESSEN WARNING

Information provided pursuant to the Catastrophic Leave Donation Policy is classified as personnel data pursuant to Minnesota Statutes, Section 13.43, as amended. You are not legally required to participate in the program and are therefore not required to provide any information. If you choose to participate in this voluntary program, you will be required to provide the information set forth above in order to donate or receive donated leave.

The requested and required information regarding leave donation requests, including medical information and the basis for leave donation requests will disclosed to those individuals whose work assignments reasonably require access, including committee members, insurance vendors, consultants and attorneys. The information may also be

used to make decisions regarding your eligibility for extended sick leave, family and medical leave, and other leaves; your eligibility for workplace accommodations, including accommodations for disabilities; and other benefits. The information may also be shared with other agencies authorized by law to receive specific data, including but not limited to: Civil/human rights; Worker's Compensation; Unemployment Compensation; and Labor Contracts.

Information regarding the value of donated leave as taxable income will be reported to the Minnesota Department of Revenue, the Internal Revenue Services and security tax programs.

17.4413 Bone Marrow/Organ Donation Leave

Employees working an average of 20 or more hours per week may take paid leave, not to exceed 40 hours, unless agreed to by the city, to undergo medical procedures to donate bone marrow or an organ. The 40 hours is over and above the amount of accrued time the employee has earned.

The city may require a physician's verification of the purpose and length of the leave requested to donate bone marrow or an organ. If there is a medical determination that the employee does not qualify as a bone marrow or organ donor, the paid leave of absence granted to the employee prior to that medical determination is not forfeited.

An employer shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting bone marrow or organ donation leave rights or remedies.

17.4514— Elections/Voting

An employee selected to serve as an election judge pursuant to Minnesota law, will be allowed time off with pay for purposes of serving as an election judge, provided the employee gives the City at least twenty days written notice, including a certification from the appointing authority stating the hourly compensation to be paid the employee for service as an election judge and the hours during which the employee will serve. The City may reduce the wages of an employee serving as an election judge by the amount paid to the election judge by the appointing authority during the time the employee was absent from the place of employment. The city reserves the right to restrict the number of employees absent from work for the purpose of serving as an election judge to no more than 20 percent of the total work force at any single worksite.

Every employee eligible to vote may be absent from work during a regularly scheduled election, or during the period allowed for voting in person before election day, for the time necessary to appear at the employee's polling place, cast a ballot, and return to work on

the day of that election. Employees wanting to take advantage of such leave are required to coordinate with the Department Head to avoid coverage issues.

17.15 Reasonable Work Time for Nursing Mothers

Minnesota's Nursing Mothers, Lactating Employees, and Pregnancy Accommodations law (Minn. Stat. §181.939, as amended) gives pregnant and lactating employees certain legal rights and remedies. The City will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's child, in accordance with and to the extent required by applicable law. The break time may run concurrently with rest and meal periods already provided to the employee.

The City will provide a clean, private and secure room (other than a bathroom) as close as possible to the employee's work area, that is shielded from view and free from intrusion from coworkers and the public and includes access to an electrical outlet, where the nursing mother can express milk in private.

The City shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting nursing rights or remedies.

Please refer to Exhibit E to view the required Reasonable Work Time for Nursing Mothers notice.

ARTICLE 18. EMPLOYEE INSURANCE

Section 18.01 Medical Insurance

The City provides a medical coverage insurance plan for eligible employees as described in the Summary Plan Description.

The insurance coverage takes effect the first day of the month coinciding with or immediately following the employee's date of hire, except as required by applicable law, including, but not limited to, the Affordable Care Act. The City provides contributions to health insurance premiums as approved annually by the City Council.

The City will contribute towards the health insurance premiums of employees and elected officials as described in Exhibit A to this Policy Manual. Information regarding health insurance benefits will be provided by the Human Resource Director for new employees and periodically thereafter. Any further questions pertaining to insurance coverage shall be directed to the Human Resource Director or designee.

Section 18.02 Life and LTD Insurance

The City provides a term life insurance policy for all eligible employees, as described in Exhibit B and the applicable Summary Plan Description. The plan takes effect the first day of the calendar month coinciding with or immediately following completion of six months of employment. The amount of life insurance coverage provided is described in an applicable collective bargaining agreement or determined by the City Council. For elected officials, Department Heads, ~~Municipal Utility Division Managers~~[Division Managers](#), and non-union Supervisors, the City will provide life insurance in the face amount described in Exhibit B.

The terms of the long-term disability coverage, including the formula used to calculate the benefit and the waiting period before an employee may receive long-term disability benefits will be established by the City, as described in Exhibit B to this Policy Manual.

Section 18.03 Workers Compensation

All employees are required to report any job-related illnesses or injuries to their supervisor immediately (no matter how minor). If a supervisor is not available and the nature of injury or illness requires immediate treatment, the employee is to go to the nearest available medical facility for treatment and, as soon as possible, notify his/her supervisor of the action taken. In the case of a serious emergency, 911 should be called.

If the injury is not of an emergency nature, but requires medical attention, the employee will report it to their supervisor and make arrangements for a medical appointment.

Workers' compensation benefits and procedures to return to work will be applied according to applicable state and federal laws.

Pursuant to Minnesota State law, the officials of the City elected or appointed for a regular term of office or appointed to complete the unexpired portion of a regular term are included in the coverage of the Minnesota Workers' Compensation Act.

ARTICLE 19. HEALTH CARE SAVINGS PLAN

The City Administrator, Department Heads, ~~Municipal Utility Division Managers~~[Division Managers](#) and Non-Union Supervisors are eligible to participate in the Minnesota Health Care Savings Plan ("HCSP"). This plan is pursuant to the Minnesota Statutes, section 352.98 (as amended). Details regarding employees' participation in the Minnesota Health Care Savings Plan are included in Exhibit C. Employees should direct any questions about participation in this plan to the Human Resource Director.

ARTICLE 20. CAFETERIA PLAN

The City of Brainerd offers its employees a cafeteria plan. The plan allows employees to pay for health insurance premiums, and medical and/or dependent care expenses on a

before-tax basis.

The flexible spending program is divided into three (3) separate accounts, which are summarized below:

A. Insurance Premiums Deducted from Paychecks: The amount of premium which is deducted per pay period for health insurance coverage per settled wage/benefits negotiations. Some voluntary insurance deductions may also be eligible.

B. Medical Expenses: Out-of-pocket medical, dental & vision expenses not covered by insurance.

C. Dependent/Childcare Expenses: Dependent care expenses for the care of a child under age 13 and/or a dependent regardless of age who requires care due to an inability to care for himself or herself.

The law limits the maximum contributions that employees can make to their flexible spending account and the specific expenses that can be paid out of such accounts. Employees should contact the Human Resources office for additional details.

Further information on the City's Cafeteria Plan may be obtained from the Human Resource Director.

ARTICLE 21. EDUCATION, TRAINING AND DEVELOPMENT

The City Council has determined that it is in the best interest of the City of Brainerd to support continuing education, training, and development of staff members in order that they may carry out their duties in the most efficient and productive manner possible.

To further this policy the City Council does authorize payment for education, training and/or staff development directly related to an employee's current position in order to increase his/her efficiency and productivity in that position in accordance with the following criteria and procedure.

Section 21.01 Education

The City may reimburse a regular employee for tuition expenses and course fees under certain circumstances. There shall be no reimbursement for mileage/parking expense. Qualifying tests (SAT, ACT, GRE, CLEP, etc.), required books, student activity fees, and material costs will not be reimbursed. Courses for which the employee receives another source of funding, such as a grant or scholarship, will not be eligible for reimbursement.

1. Pre-Approval. Prior to starting a class or classes, and in any event no later than August 1 of each year, the employee must obtain written approval from the employee's Department Head and the City Administrator or BPU Commission (for BPU employees only) that the class, certificate, or degree is

job related and that the request would benefit the City. Specifically, the courses must be from an accredited institution and directly related to the employee's current assignment or has the potential for promotional opportunities for the employee. The Department Head must verify that the Department budget will cover this expense before recommending approval to the City Administrator or BPU Commission. Each approval shall be limited to a single course or academic term. Enrollment in a multiple-year course of study, or approval of reimbursement for any portion of such a course of study does not guarantee that funding will be available in subsequent years or that the City will approve any future course of study, even if related to one that was approved in the past. An employee who is requesting reimbursement for education expenses must have been a regular employee of the City for at least one year before the scheduled course is scheduled to begin.

2. Satisfactory Completion. The employee shall provide the Department Head with proof of satisfactory completion with a grade of "B" or better of any course requested for reimbursement, prior to reimbursement.
3. Employees seeking reimbursement must present a paid fee statement and grade transcript in order to receive reimbursement.
4. Reimbursement for classes taken at private institutions shall not exceed the tuition charged by the Minnesota State University system.
5. Time Off. If class is during the regular workday, an employee must take that time as compensatory time, vacation time, or leave of absence without pay, or the employee can request a flexible scheduling arrangement, subject to approval by the Department Head and City Administrator or BPU Commission (for BPU employees only). Classes or course work taken by the employee must not disrupt or interfere with the normal Departmental operations. Completion of preparatory work and homework are not permitted during scheduled work hours.
6. Continued Employment. The employee must remain with the City of Brainerd following completion of the course for which the City provided reimbursement pursuant to this policy, or else return to the City the expense amount(s) reimbursed pursuant to this policy. If the employee voluntarily terminates employment with the City after receiving education reimbursement pursuant to this policy, the employee must repay the reimbursed tuition immediately according to the following schedule:
 - Up to 1 year after receiving reimbursement – 100% of the tuition reimbursement
 - 1 year but less than 2 years after receiving reimbursement – 66% of tuition reimbursement
 - 2 years but less than 3 years after receiving reimbursement – 33% of

- tuition reimbursement
 - 3 years or longer after receiving reimbursement – 0% of tuition reimbursement
- 7. Funding Procedure. Subject to paragraph 4, above, the City will reimburse its employees for tuition expenses up to a maximum of \$1,500 per calendar year with a total lifetime maximum of \$6,000. All reimbursements shall be subject to applicable IRS regulations. The scope, terms and conditions of this reimbursement shall be defined and interpreted by the City Administrator or BPU Commission (for BPU employees only). Reimbursement is further limited based on availability of budgeted funds. Reimbursements are on a first come, first served basis and shall not exceed the department budget. In the event a department receives reimbursement requests that exceed its budget allocation for education reimbursement, the Department Head and City Administrator (or BPU Commission, for BPU employees only) shall have the discretion to apportion the available funds, including the discretion to refuse reimbursement.
- 8. The Human Resource Director will develop and maintain forms for requesting approval of class eligibility prior to registration and forms requesting reimbursement after successful completion of classes.

Section 21.02 Training and Development

1. The City will pay for job-related, position specific training approved by the Department Head and City Administrator or BPU Commission (for BPU employees only) and deemed necessary to effectively complete the requirements of the position, provided there is adequate funding in the budget appropriation for training, as determined by the Department Head in consultation with the City Administrator or BPU Commission (for BPU employees only).
2. Subject to Paragraph 1 of this ARTICLE, the City will pay for, or reimburse employees for, any and all training required by the City, including training required to attain or maintain job-related certification. Payment of training and/or conference expenses must not exceed \$1,500 per employee per fiscal year, excluding travel and subsistence costs. Exceptions must receive approval by the City Administrator or BPU Commission for BPU employees.
3. Attendance at training or conferences out of state is generally approved only if the training or conference is not available locally. All requests for out-of-state travel and/or national conferences that are applicable to their current position are reviewed for approval/disapproval by the City Administrator or BPU Commission for BPU employees.
4. The Department Heads will maintain records on all employee training done at

City expense.

5. The procedure for payment for training and development is as follows:

- a. A request for payment of fees and course materials must be approved by the City Administrator or BPU Department Head (for BPU employees only), or designee. Such approval will only be granted when it can be demonstrated that the training directly relates to the employee's present position and that it will potentially enable the employee to perform his/her duties in a more efficient and productive manner.
- b. All course materials paid for by the City are the property of the City of Brainerd and shall be brought to the Department Head of the appropriate Department upon completion of the training.

For purposes of this policy, training and development will include seminars, workshops, and training sessions designed to provide specific applications to an employee's present position. Such training must be approved by the Department Head or the City Administrator.

The City Administrator may grant a leave of absence with or without pay to an employee for the purpose of attending schools, meetings, conferences, and other functions which are a benefit to the City of Brainerd, if, in the City Administrator's judgment such leave will not cause disruption of service.

All training and education opportunities described in this policy are subject to the availability of funds and the budgets of individual departments as well as the City's overall budget.

Section 21.03 Commercial Driver's License Training

The City may disburse tuition payments on behalf of an employee who is required to hold a Commercial Driver's License ("CDL") for CDL training from an approved CDL training provider. These disbursements shall be regulated by the below requirements. Training for which the employee receives another source of funding, such as a grant or scholarship, will not be eligible for disbursement.

1. Pre-Approval. Prior to starting a CDL training from an approved CDL training provider, and in any event no later than 30 days before said training shall occur, the employee must obtain written approval from the employee's Department Head and the City Administrator that the CDL training is job related, that the training is with an approved CDL training provider, and that the request would benefit the City. Specifically, the training must satisfy training requirements for entry-level drivers under 49 C.F.R. §§ 380.600 – 380.609, including Behind-the-Wheel training curricula. The training must be related to the employee's current assignment or has the potential for promotional opportunities for the employee. The Department Head must verify that the Department budget will cover this

expense before recommending approval to the City Administrator. Each approval shall be limited to a single CDL training program. Enrollment in a multiple-year program, or approval of disbursement for any portion of such training does not guarantee that funding will be available in subsequent years or that the City will approve any future program, even if related to one that was approved in the past. An employee who is requesting disbursement for CDL training must have been a regular employee of the City for at least 30 days before the scheduled course is scheduled to begin.

2. **Payment.** After approval of the course or program for which a tuition disbursement is sought, the City agrees to directly pay the approved CDL training provider, on behalf of the employee. Payment to the CDL training provider will be based on budgeted funds available for the current fiscal year and the number of employees with identical tuition disbursement agreements. The City will pay the training provider per training program as long as the invoice is submitted within the enrollment date determined by the CDL training provider. The City will only make payments to the CDL training providers towards the tuition for the CDL training for which tuition disbursement is sought. The City shall not be obligated to pay any amount towards non-tuition expenses, such as fees and expenses for books, technology fees, or other non-tuition amounts.
3. **Disbursement Agreement.** The employee must enroll in and complete the pre-approved CDL training and incur tuition expenses during their enrollment in order for funds to be disbursed under this Agreement. The City is not obligated to pay any amount under this Agreement, and any such obligation shall cease, if the employee does not complete the training, receives a failing grade, attends a non-approved CDL training provider, attends CDL training for which approval has not been received, resigns or abandons their employment with the City, or is terminated from their employment.
4. **Work Hours.** Pay for attending training shall follow IRS training requirements or the applicable collective bargaining agreement, whichever is greater. Employees shall have the opportunity to utilize comp time in lieu of overtime for said work hours. The CDL program must not disrupt or interfere with the normal Departmental operations.
5. **Repayment Obligation.**
 - a. The employee shall repay, within twelve months of the disbursement of the amount, any amount disbursed for tuition for any course or program:
 - i. for which the employee does not complete the course work;
 - ii. in which the employee receives an incomplete or failing grade;
 - iii. that is from an unaccredited institution;
 - iv. that has not been approved by the City; or
 - v. that is not required for licensure.

- b. Continued Employment. The employee must remain with the City of Brainerd following completion of the CDL training for which the City provided disbursement pursuant to this policy, or else return to the City the expense amount(s) disbursed pursuant to this policy. If the employee voluntarily terminates employment with the City after receiving disbursement pursuant to this policy, the employee must repay the disbursed tuition immediately according to the following schedule:
 - i. Up to 1 year after receiving disbursement – 100% of the tuition disbursement
 - ii. 1 year but less than 2 years after receiving disbursement – 66% of tuition disbursement
 - iii. 2 years but less than 3 years after receiving disbursement – 33% of tuition disbursement
 - iv. 3 years or longer after receiving disbursement – 0% of tuition disbursement
 - c. If the employee fails to repay any obligation owed hereunder within the time frame for repayment set forth herein, the City shall be permitted to collect any unpaid amounts, in any manner permitted by law. The employee shall be liable for any and all costs, including reasonable attorneys' fees, incurred by the City in instituting any action to recover the amount due.
 - d. The employee understands and agrees to these repayment obligations.
_____ (Initialed by employee)
6. Funding Procedure. Subject to paragraph 5, above, and approval by the City Administrator, the City will disburse tuition for employees for approved training expenses that have been approved by the City Administrator. All disbursements shall be subject to applicable IRS regulations. The scope, terms and conditions of disbursement shall be defined and interpreted by the City Administrator. Disbursement is further limited based on availability of budgeted funds. Disbursements are on a first come, first served basis and shall not exceed the department budget. In the event a department receives disbursement requests that exceed its budget allocation for education disbursement, the Department Head and City Administrator shall have the discretion to apportion the available funds, including the discretion to refuse disbursement.
7. The Human Resource Director will develop and maintain forms for requesting approval of class eligibility prior to registration and forms requesting disbursement.

ARTICLE 22. EMPLOYMENT RELATED REIMBURSEMENTS

Section 22.01 Travel & Meal Reimbursement

If employees are required to travel outside of the area in the performance of their job duties, they will receive reimbursement of expenses for meals, lodging and necessary expenses incurred, consistent with this Policy.

Travel Approval

Each Department Head is responsible for ensuring that employee travel is approved only if such travel is for City business and is consistent with City policy. Department Heads are responsible for approving all travel requests within their respective departments and must ensure that departmental budget dollars are sufficient to cover requested travel prior to approving. Requests for travel by Department Heads must have prior approval by the City Administrator. The following approvals are needed prior to employee travel:

- 1) **Same Day with Overnight Travel** – Department Head approval is required.
- 2) **Out of State, More Than 300 Miles From Brainerd** – All out-of-state travel exceeding a 300-mile radius from Brainerd must be approved within the annual budget process which is approved by the City Council and BPU Commission. All employees must receive prior approval from their Department Head. Unless otherwise approved by the City Council or BPU Commission, an employee is only eligible to travel out-of-state more than 300 miles from Brainerd on City business once every other year.
- 3) **Out of State, Less Than 300 Miles From Brainerd** – All out-of-state travel within a 300-mile radius of Brainerd must be approved by the Department Head or City Administrator and does not require City Council or BPU Commission approval.

Such authorization must be received by the employee prior to incurring the actual expenses and shall be subject to the availability of funds and the terms of this Policy.

Reimbursable Expenses

1) Transportation

Several means of transportation exist and each travel request shall consider the least-costly method. For the majority of travel requests, a City vehicle provides the least cost to the City and shall be considered before any other means. Vehicles from other departments may be available and shall be a consideration. Unless otherwise authorized by the Department Head or City Administrator, all City-related transportation must be by City vehicle.

- a) **City Vehicle** – All direct expenses, other than personal expenses, incurred with regard to the use of a City vehicle will be reimbursed, including fuel, oil, and maintenance/repair expenses. Only City employees are authorized and insured to drive a city-owned vehicle. The use of a City vehicle is otherwise subject to the City's policies.
- b) **Personal Vehicle** – When a City vehicle is not available, a personal vehicle may be authorized for use. Mileage for use of personal vehicle when traveling to or from a training or work location other than the employee's regular work location is reimbursed at the rate established by the Internal Revenue Service, based on a statement from the employee as to number of miles traveled. All mileage must be computed from the

employee's regular work location, or from home, if the employee's home is closer to the destination. For purposes of this policy, the term "regular work location" means the work location from which the employee departs for the regular performance of official duties.

- c) **Airplane/Other** – travel by any means other than by City-owned vehicle or personal vehicle must be approved by the City Administrator, regardless of whether the travel is in-state or out-of-state and regardless of the distance of the travel from the City of Brainerd. Reimbursement for travel by bus, airline train, taxi service, car service, rental car, or other mode of consumer transit will be at the actual rate charged (which must be the lowest rate available for the mode transportation in question). No payment will be made without a receipt accompanying the voucher.
- d) **Other related costs** – Reasonable parking fees, car rental, and fares for rail, bus, taxis and shuttles are all subject to reimbursement if related to City business. Taxis and shuttles reimbursement may include a maximum gratuity of 20%. Gratuities in excess of 20% will not be reimbursed by the City. A standard model sedan shall be used when renting a car unless unusual circumstances dictate otherwise.

2) **Lodging**

The City will reimburse the reasonable cost of lodging for training, seminars or conventions of two or more days generally if the event site is **outside a 50-mile radius** of Brainerd. All lodging expenses will be paid based upon receipt from the motel or hotel. The City will reimburse for lodging at the lowest rate for a single occupancy room. All hotels or motels must be approved by the City Administrator or applicable BPU Department Head (or designee) prior to booking.

An increase in lodging rate due to family members staying is not reimbursable. The employee will be reimbursed only the cost of a single occupancy room. All lodging reimbursements are subject to a maximum amount determined by the City Council and identified in the City's expense reimbursement form.

Lodging reimbursement will not be approved for lodging in the event the traveling employee could arrive at the destination on time by leaving Brainerd by 6:30 AM nor will reimbursement be approved if the employee could return to Brainerd by 9:00 PM. No reimbursement for lodging or time will be approved in the event the traveling employee elects to drive a personal vehicle in lieu of City recommended air travel. Entertainment expenses incurred will not be reimbursed, such as in-room movies, mini-bar and optional entertainment-type events including golf, gambling etc. that may be provided at conferences.

3) **Meals**

The City will reimburse the cost of job-related meals if an employee's travel is outside of the Brainerd/Baxter area or if a business meeting is held during typical meal hours. The following guidelines are in place for eligibility of reimbursement for a meal:

Breakfast: The employee is in travel status before 6:00 AM
Lunch: The employee is in travel status between the entire time of 11:00 AM and 1:00 PM
Dinner: The employee is in travel status until 8:00 PM

- a) Meetings scheduled and held during typical meal hours do not automatically necessitate that a meal will be provided at City expense. *The departmental issued credit card shall not be used to pay for meals.*
- b) The maximum amounts per meal and per day attached to the expense reimbursement form apply to the meal, non-alcoholic beverage, sales tax and gratuity.
- c) Gratuities paid by the employee over 20% will not be reimbursed.
- d) Payments for meals cannot be combined in any fashion in order to reimburse an employee for a meal costing more than the maximum amount listed per specific meal. For example, an employee cannot decline a breakfast and/or lunch reimbursement to justify reimbursement of a \$60 dinner.
- e) Meals included as part of a conference, convention, or similar program will be paid in full, whether those meals are included in any registration or tuition fees or presented as a separate charge, and regardless of whether the cost exceeds the established maximum. All such expenses must be approved in advance by the applicable Department Head prior to registration. The Department Head will notify the City Administrator upon approval of any such expenses. Employees are expected to take advantage of meals provided by the conference or seminar. The City will not reimburse an employee for a purchased meal when a meal was provided by the event.
- f) If more than one employee is present at a job-related meal, one employee may pay for the entire meal cost of all employees. The reimbursement request shall clearly identify each employee present for the meal and each employee for whom the employee purchased a meal.
- g) When family members are present for a meal and the employee is claiming reimbursement for his/her meal, a separate detailed receipt for the employee's meal shall be requested. The City shall not reimburse the employee for the cost of any family member(s)' meal.

4) Registration or Membership Cost

The City will reimburse the costs for registration, training and membership incurred to attend approved conferences, seminars and training sessions. A check request or credit card receipt shall be submitted to the City's accounts payable department prior to the event for payment of this type of cost, in addition to obtaining the other approvals required by this Policy. The request shall include the necessary documentation evidencing the amount payable. A departmental credit card may also be used for payment based upon receipt of all necessary travel approvals prior to making payment. Departments shall

strive to utilize any early registration discounts, when available.

5) Non-Reimbursable Meal and Travel Costs

- a. Alcoholic beverages – whether consumed by an employee or a non-employee
- b. Gratuities exceeding 20%
- c. Snacks and other food/beverages outside of the daily meal reimbursements
- d. Meals or events for spouses or family members traveling with an employee
- e. Meals when an event provides for a meal
- f. Private automobile expenses, including gas, oil, repairs
- g. Traffic citations or fines
- h. Travel between an employee's home and work facility
- i. Entertainment expenses
- j. In-room movies, mini-bar or other hotel services not required for City business
- k. Optional entertainment events unless included as part of the overall conference registration fee (e.g. optional golf, sporting events, concerts, and other performances)
- l. Personal losses incurred while on City business
- m. Other costs that are not directly related to City business, as determined by the City Administrator

City Representation

Employees shall be aware at all times that they are representing the City while traveling out-of-town for official City business. Employees given the opportunity to be away from their regular work site are expected to perform in a similar manner as if they were still at work, including following all applicable City policies as if they were at their regular work site. An employee's conduct during a work-related trip or while otherwise representing the City will be treated as if it occurred during regular working hours and at the regular work site. At no times shall alcoholic beverages be consumed by any person(s) driving or riding in a City vehicle.

Section 22.02 Prescription and Non-Prescription Safety Glasses

The City will pay the cost of prescription safety glasses for employees required by OSHA regulations to wear same in performing their work functions, up to a maximum of the base cost as stated in the City's agreement with a local vision provider(s). The employee is responsible for all other costs associated with obtaining the prescription, including eye examination.

The City will provide non-prescription safety glasses for employees required by OSHA regulations to wear same in performing their work functions.

Section 22.03 Safety Boot Policy

The City will pay annually up to 50% of the cost for safety boots for employees required by OSHA regulations to wear same in performing their work functions.

Section 22.04 Damage to Personal Items

An employee's personal items, such as watches and prescription eyewear, which are damaged or destroyed during the course of his/her work shall be reimbursed by the City for the value of the item damaged or the cost of the repair, if possible, up to \$450 per employee in a three (3) year timeframe. In order to receive such reimbursement, the employee must submit a detailed statement describing the item, how it was damaged, whether the employee believes it to be reparable, how the employee determined the value of the item, and any estimated costs of repair.

Section 22.05 Cold Weather Outerwear

Some employees may be required to work outdoors in cold weather for extended periods of time. The City will furnish each such employee one set of insulated cold weather outerwear at a frequency of no greater than once every 36 months, unless damaged beyond repair, as determined at the discretion of the Department Head. The cold weather outerwear will consist of three pieces – a coat, a vest, and a bib overall, and will be insulated brown duck canvas or ANSI, with a City of Brainerd insignia (or BPU insignia, as appropriate) on the coat. The employee will be responsible to keep his or her cold weather outerwear clean and in good repair at all times. The cold weather outerwear shall be kept at work at all times, except for the purpose of cleaning and/or repair to the outerwear.

Section 22.06 Personal Cell Phone Stipend

Employees whose work requires the use of a cell phone and who have been designated to receive a cell phone stipend by the City Council, or designee in their sole discretion will receive a monthly stipend in the amount determined by the City Administrator. At this time, no additional employees will be granted permission for this benefit. Employees receiving a stipend are responsible for:

- A. Providing proof of purchase/lease of cell service, and other documents prescribed by the City to activate and maintain stipend payments, at intervals to be determined by the City Administrator;

- B. Purchase, replacement, repair, or service or operational questions of the phone will be the responsibility of the employee and at the employee's sole expense;
- C. Using a secure password, PIN, or gesture to prevent unauthorized access;
- D. Procuring and maintaining cellular service from a reliable carrier who provides service in the City service area;
- E. Limiting personal use of the cell phone during work hours so as not to interfere with City business or the performance of the employee's job;
- F. Agreeing that their cell phone may be physically or remotely accessed, tracked, modified, or wiped based on City security needs.

The cell phone stipend is intended to cover approximate costs of the employee's cell phone expenses related to work duties. Initial purchase of the cell phone, accessory equipment, and activation fees will be the responsibility of the employee, as will maintenance, insurance, and repair costs (if any). The employee will pay any and all costs exceeding the amount of the cell phone stipend. No stipend will be paid when an employee is in an unpaid leave status for more than 30 days or duties change in such a manner which no longer justifies the payment.

In addition, the City is subject to the Minnesota Government Data Practices Act ("MGDPA") and other laws governing the collection, storage, use, and disclosure of data. All files and documents, including personal e-mails, text messages, and social media messages created, received, collected, maintained, or generated on an employee's personal cellular device by virtue of his or her position with the City are subject to those laws.

Section 22.07 Approval of Expenses

Employees shall submit an expense reimbursement claim no later than **60 days** from the date the expense was paid or incurred. Requests for reimbursement must be accompanied by a signed Employee Expense Reimbursement Form, as updated from time-to-time by the City. As discussed in this Policy, detailed, itemized receipts and other information shall be submitted with the claim for reimbursement, depending on the type of expense.

The City shall annually and periodically provide an updated Employee Expense Reimbursement Form. This form shall be used for all reimbursement requests related to approved travel or work-related expenses paid by an employee.

- 1) **Detailed Receipts** – each item submitted for City reimbursement must be supported by an itemized receipt indicating a reasonable explanation for the expense. All receipts shall be attached to each reimbursement request.
 - a. Meals will be reimbursed based on a detailed itemized receipt. When a

- credit card is used to purchase the meal, both an itemized receipt and a credit card charge slip indicating the tip amount shall be submitted.
- b. Receipts for parking and taxis may not be available and may be submitted for reimbursement without a receipt.
 - c. Mileage reimbursement for the use of a personal vehicle shall detail not only the mileage but also the location traveled and the business reason for travel.
 - d. Proper departmental expense codes shall be used for each line item.
 - e. Unsupported expenses will not be reimbursed. If an employee is unable to get a detailed receipt or the receipt is lost, a signed statement by the employee detailing the purchased item, the business reason for the expense and certifying that the claim is accurate must be submitted and approved by the Department Head. A copy of the employee's credit card statement may also be provided to help support the dollar amount being reimbursed.
- 2) Employees shall submit an employee expense reimbursement form with all necessary supporting documentation to the appropriate Department Head or designee for review.
 - 3) The expense form will be routed through the Accounts Payable process for payment and approval. Any issues will be communicated back to the employee for correction/clarification.
 - 4) The Finance department will make necessary corrections to reimbursement requests for mathematical errors, gratuities in excess of 20%, to remove any alcoholic beverages and other changes that may be necessary to comply with this policy.
 - 5) Reimbursement will be made with the next City Council check register, or payroll if the meal reimbursement is taxable.

Signing an expense voucher or request for reimbursement certifies the truth and correctness of the expense incurred. Knowingly submitting a false or inaccurate expense voucher, receipt, request for reimbursement, or other record may result in discipline, up to and including termination.

ARTICLE 23. DRUG-FREE WORKPLACE/ALCOHOL ABUSE POLICIES

Section 23.01 Drug-Free Workplace/Alcohol Abuse

It is the policy of the City to provide a drug-free environment. The City's goal is to establish and maintain a healthy and efficient workforce free from the effects of drug and alcohol abuse in compliance with the requirements of the federal Drug-Free Workplace Act of 1988 (as amended) and other applicable law. This requires employees abstain from using alcoholic beverages, cannabis, mood-altering drugs, and drugs that adversely impact performance, prior to the start of their workday, during the work period, during lunch and other work breaks. Any violation of this policy shall result in disciplinary action, up to and including discharge.

- A. The use of alcohol, cannabis, or the illegal use of drugs by an employee on duty can result in a dangerous work environment by negatively affecting job performance and the ability to function safely at work.
- B. The unlawful manufacture, distribution, transfer, possession, or use of drugs while on duty is strictly prohibited. Any such use may justify immediate discharge regardless of job performance. This provision does not apply to possession of drugs by sworn Police Department employees necessitated by their official job duties.
- C. Intoxication, possession, and unauthorized use of alcohol or cannabis while on duty is also prohibited and may justify immediate dismissal regardless of job performance. This provision does not apply to possession of alcohol or cannabis by sworn Police Department employees necessitated by their official job duties.
- D. Tolerance may be shown to an employee expressing a desire and willingness to receive treatment for their drug or alcohol use.
- E. Human Resources will provide any employee, upon request, information regarding alcohol abuse and drug dependency as well as information on available treatment programs.
- F. Confidentiality will be maintained, to the extent permitted by the Minnesota Government Data Practices Act and other applicable laws.
- G. It is the responsibility of the employee to correct his or her unsatisfactory behavior or job performance resulting from drug, cannabis or alcohol use.
- H. The Human Resource Director must be notified by the employee no later than five (5) calendar days following any criminal drug statute or alcohol related conviction

for a violation occurring in the workplace or any arrest or conviction of any criminal drug or alcohol offense.

- I. Violations of this policy may constitute cause for discipline, up to and including discharge. Each situation will be evaluated on a case-by-case basis depending on the severity and circumstances involved.

The City recognizes drug and alcohol abuse as potential health, safety and security problems. Employees needing help in dealing with drug and alcohol problems are encouraged to make use of the medical resources available through their health insurance plans.

Section 23.02 Drug & Alcohol Testing

The City has adopted Drug, Alcohol, and Cannabis Testing Policies, separate from the Employee Policy Manual, covering employees required to hold a commercial driver's license (CDL) or a non-commercial driver's license (non-CDL) to perform their job duties and other employees. All employees are required to sign a document that states that they have received a copy of the policy. Each employee must review the document and abide by its provisions. Copies can be obtained from the City Administrator's office and the Human Resource Director's office.

Section 23.03 Drug-Free Awareness Program

To assist employees in understanding the perils of drug and alcohol abuse, the City has established a Drug-Free Awareness Program. This drug and alcohol policy constitutes the City's drug-free awareness program and fulfills the notification requirements of the federal Drug-Free Workplace Act of 1988 (as amended). The City will use this program as an ongoing educational effort to prevent and eliminate drug and alcohol abuse that may affect the workplace. The program will inform employees of the dangers of drug and alcohol abuse, explain the City's Drug and Alcohol Policy and the sanctions imposed for its violation, and highlight any treatment, counseling, and rehabilitation referral services that may be available to employees in the City. Nothing set forth in this policy is intended to conflict with state law.

An employee convicted of a criminal drug offense committed in the course of employment will be subject to appropriate disciplinary action and/or required to complete successfully an appropriate rehabilitation program at the employee's own expense unless provided to the employee through insurance coverage. The City, in its sole discretion, shall determine what disciplinary action is appropriate.

Section 23.04 Tobacco Use

A. PURPOSE

The City has established this policy regulating tobacco use in City-owned buildings and vehicles:

1. To comply with the Minnesota Clean Air act.
2. To respond to the increasing evidence that tobacco use creates a danger to the health of persons who use tobacco as well as persons who are present in a smoke-filled environment.
3. To promote a safe and healthy environment for staff and citizens and to set an example to the community in limiting tobacco use.

B. STATEMENT OF POLICY

1. All City-owned buildings and vehicles shall be tobacco-free which includes smoking, as defined by Minnesota Statutes, section 144.413, as amended, the use of tobacco products and electronic cigarettes, as defined in Minnesota Statutes, section 609.685, as amended. Park shelters are exempt from this policy to the extent provided by applicable law.
2. Tobacco use is prohibited within all City-owned buildings, this includes employee workstations, employee break areas, reception areas, storage areas, hallways, meeting rooms and all other areas inside buildings not specifically mentioned herein.
3. Within City-owned vehicles, smoking and other tobacco use is prohibited by any and all occupants.
4. All individuals on City premises share in the responsibility for adhering to and enforcing this policy. The responsibility for compliance is shared by employees, Supervisors, and the general public.
5. Employees hosting visitors are expected to inform them of the City's tobacco free policy.
6. Information on approved smoking cessation programs is available to City staff by the Human Resource Director.
7. Complaints of violation of the policy should be directed to the Department Head

responsible for the particular work area or facility involved in the complaint. The Department Head shall be responsible for notifying the violator of the pertinent portions of this policy. Failure to comply with the policy may result in discipline, up to and including immediate termination, if the violation is committed by an employee, or may result in the individual being asked to leave the City's premises, if the violation is committed by a member of the public.

ARTICLE 24. EMPLOYEE SAFETY MANUAL

The City has adopted an Employee Safety Manual, separate from the Employee Policy Manual. All employees are required to sign a document that states that they have received a copy of the manual. Each employee must review the manual and abide by its provisions. Copies can be obtained from the City Administrator's office or the Human Resource Director's office.

ARTICLE 25. POLITICAL ACTIVITY

~~City employees have the right to vote as they please, to express their personal opinions on political subjects in their capacity as individuals and retain membership in political parties.~~

~~An employee may be a candidate for partisan or non-partisan public office provided that no employee shall campaign for such office during actual hours of work. City employees' political activity may be subject to state and federal laws including, but not limited to, the federal Hatch Act, the Minnesota Fair Campaign Practices Act, and Minnesota Rules part 9575.0080, and all amendments thereto.~~

~~No employee will be permitted to express any view on any legislative protocol, candidate for office, elected official, or other topic on behalf of the City unless expressly approved to do so by the City Council or designee. Any and all lobbying activities undertaken, or purportedly undertaken, on behalf of the City must be approved in advance by the City Administrator and comply with the City's expectation and direction for such activities.~~

~~The City prohibits employees from participating in political activities on City time, using City resources, or while performing City functions, except as required by law. Employees must not identify themselves as a City employee by either appearance or declaration while expressing personal political opinions.~~

City employees have the right to express their views and to pursue legitimate involvement in the political system outside of work time. Any employee who becomes a candidate for federal, state or municipal elective office, or assumes a federal, state, or municipal elective office, is expected to properly fulfill their normal duties during such candidacy and while holding such office and may be disciplined for failure to do so. An employee

Commented [KS5]: This language is recommended by the LMC due to 2024 legislative changes.

holding such office will be permitted time off from regular employment to attend meetings required by reason of the public office. Such time off may be without pay, by using appropriate paid leave, or made up with other hours, as agreed between the employee and the department director.

Any employee whose principal employment in the city is in connection with an activity which is funded in whole or in part by the United States or a federal agency is also subject to the restrictions and penalties of the Federal Hatch Act (5 U.S.C. § 1501-1508). Political activity should not impair objectivity or the perception of objectivity in carrying out city work.

City employees cannot use their official authority or influence through their employment with the city to compel a person to apply for membership in or become a member of a political organization, or to compel a person to pay or promise to pay a political contribution, or to compel a person to take part in political activity. While at work, city employees must be politically neutral in the performance of their job duties and cannot engage in political activity while at work, on city property, or by using city resources (such as city branded clothing or uniforms, photos, ID badges, nametags, or using the city's email system or technology). Furthermore, employees should not use their city job title in conjunction with any political work or endorsements.

ARTICLE 26. HARASSMENT

It is the policy of the City that harassment and inappropriate conduct of employees is prohibited. The City seeks to promote a professional work environment where employees can perform their jobs free from abuse by others. This policy applies to all of the City's employees while performing their duties as employees within or outside the workplace. For purposes of this policy, employees include all individuals who are hired, elected, appointed, or contracted to provide services to the City.

Harassment is unwarranted and unwanted verbal or nonverbal conduct which threatens, intimidates, or insults another person, where such conduct has the purpose or effect of creating an offensive, intimidating, or degrading environment, or interferes with or adversely affects a person's work performance based on race (including traits associated with race, including, but not limited to hair texture and hair styles such as braids, locs, and twists), creed, color, religion, age, sex, marital status, national origin, sexual orientation (including gender identity and expression), disability, status with regard to public assistance, or any other characteristic protected by state or federal law.

Harassment does not include the conduct or actions of Supervisors intended to provide employee discipline, such as deficiency notices, performance evaluations, oral

warnings, reprimands or other supervisory actions intended to promote productive performance.

A. STATEMENT OF POLICY

It is the policy of the City that harassment will not be tolerated. All employees are prohibited from engaging in the harassment of any other employee or other person in the course of or in connection with employment. The desired standard of employee behavior is one of cooperation and respect for each other, despite any differences. Employees have a right to a workplace free of verbal and/or physical harassment.

B. SEXUAL HARASSMENT

1. Definition

For purpose of this policy, sexual harassment is defined as physical or verbal conduct relating to an individual's gender or directed at an individual because of gender, unwelcome sexual advances, request for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual or gender-related nature when:

- a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or continuing employment or a basis for employment decisions affect that individual; or
- b. submission to or rejection of that conduct or communication by an individual is used as a factor in any employment decisions affecting the individual or decision related to the individual's access to public services or public accommodations affecting said individual; or
- c. that conduct or communication has the purpose or effect of substantially interfering with an individual's employment, public service, or public accommodation, or of creating an intimidating, hostile or offensive employment environment.

A single act or communication may constitute sexual harassment.

2. Examples of Conduct that can Constitute Unlawful Sexual Harassment

Examples of sexual harassment include, but are not limited to, the following:

- a. Unwelcome subtle or overt pressure for sexual activity.
- b. Repeated, unwelcome suggestions regarding, or invitations to, social engagements or work-related social events.
- c. Verbal abuse or innuendo of a sexual nature.
- d. Unwelcome physical contact such as touching, hugging, patting, pinching, pawing, poking, or slapping.
- e. Any unwelcome sexual or sexually motivated touching.

- f. Comments of a sexual nature about an individual's body or sexual terms used to describe an individual.
- g. Display or distribution of sexually suggestive or sexually explicit objects or pictures, including cartoons, articles, pictures, and other graphics which have a sexual conduct and which are not necessary for work.
- h. Jokes or remarks of a sexual nature to, or in the presence of, people who may find them offensive.
- i. Prolonged staring or leering at a person.
- j. Use of suggestive facial expressions, gestures of a sexual nature, or sexually suggestive or insulting sounds.
- k. Any demand for sexual favors accompanied by an implied or overt threat concerning an individual's employment status or promises of preferential treatment or other indication, express or implied, that an employee's job security, assignment, opportunities for advancement, or other terms or conditions of employment may depend on the granting of sexual favors to any other employee, supervisor, elected official, or manager.
- l. Any action relating to an employee's job status, which is taken as a direct result of the granting or refusal of social or sexual favors.
- m. The deliberate or careless creation of an atmosphere of sexual harassment or intimidation.
- n. Indecent exposure.
- o. Other physical or verbal conduct directed at another because of sex or gender.

Normal, courteous, mutually respectful, pleasant, non-coercive interactions between people that are acceptable to both parties are not considered to be sexual harassment.

C. OTHER PROTECTED CLASS HARASSMENT

Other protected class harassment is offensive conduct or communication based on an individual's race (including traits associated with race, including, but not limited to hair texture and hair styles such as braids, locs, and twists), color, creed, religion, national origin, sexual orientation (including gender identity or expression), disability, age, marital status, familial status, status with regard to public assistance, or any other characteristic protected by state or federal law when:

1. Submission to such unwelcome conduct or communication is made either explicitly or implicitly as a term or condition of obtaining or retaining employment or access to public services or accommodations;
2. Submission or rejection of such unwelcome conduct or communication by an individual is used as a factor for any employment decision or decision related to the individual's access to public services or public accommodations affecting said individual; or
3. Such unwelcome conduct or communication has the purpose or effect of

substantially interfering with any person's employment, public services or public accommodation, or creating an intimidating, hostile, or offensive work environment.

D. Department Head/Supervisory Responsibilities

Department Heads and Supervisors are responsible for maintaining a work environment free of sexual harassment and other protected class harassment. It is their responsibility to ensure that all employees comply with the City's Policy. Department Heads and Supervisors must respond promptly and appropriately to both allegations and confirmed reports of harassment.

In the absence of a complaint, Supervisors and Department Heads observing conduct that may constitute prohibited harassment in the workplace are responsible for calling such behavior and this policy to the attention of the participants at the time of the observance. A written summary of the discussion shall immediately be forwarded to the City Administrator.

Supervisors and Department Heads receiving complaints or reports of alleged inappropriate conduct shall immediately forward a report to the City Administrator prior to taking any action on the complaint. The City Administrator or designee will make the determination as to whether, and to what extent, an investigation is warranted, who will investigate, and what methods will be used in the investigation.

Failure of a supervisory employee to immediately forward reports of observances or complaints to the City Administrator shall be grounds for disciplinary action, up to and including termination of employment.

E. Employee Responsibilities

All City employees are expected to treat all other employees and the public with respect and to comply with this policy. Any employee found to have violated this policy will be subject to appropriate disciplinary action, up to and including discharge from employment.

F. Complaint Procedure

Any employee who believes he or she is being subjected to sexual harassment or other protected class harassment in any form, or any employee with knowledge or belief of conduct on the part of another employee or other individual which may constitute a violation of this policy, is required to report the alleged conduct immediately to a Supervisor, the Department Head, or the City Administrator. While the City encourages written reports of the alleged conduct, verbal reports will be accepted. The individual receiving the report should be prepared to supply the following information:

1. Date, time and location of incident
2. Identification of the offender(s)
3. A detailed description of the incident
4. Any materials in the complaining employee's possession related to the incident (e.g. cartoons, articles, pictures)
5. Identification of any potential witnesses to the incident

Additionally, at the time of the incident, if you are the employee being subjected to the inappropriate behavior and feel comfortable in doing so, you may, but are not required to, courteously, but firmly, tell the individual(s) engaging in the inappropriate behavior to stop the behavior because the behavior makes you feel intimidated, offended or uncomfortable. Include a summary of this discussion in your report to the Supervisor or City Administrator.

Any Department Head or other supervisory employee who receives a formal or informal, oral or written report of harassment shall inform the City Administrator immediately without screening or investigating the report, unless the City Administrator is involved or has a conflict of interest, in which case the report shall be made to the Mayor pursuant to the reporting procedures. Failure of any supervisory employee of the City to forward such a report to the appropriate party shall be grounds for discipline.

By the authority of the City Council, the City Administrator, upon receipt of a report or complaint of sexual harassment or other protected class harassment, shall undertake or authorize an investigation. The investigation may be conducted by City Officials or by a third party designated by the City.

The City may take immediate steps, at its discretion, to protect the complainant and other employees or members of the public pending completion of the investigation.

The investigation methodology will be determined by the investigator depending on the specifics of each complaint. Investigations typically include, at a minimum, interviews with the reporting employee, the complaining employee (if different from the reporting employee) and alleged offender(s). The investigation methodology may additionally include additional interviews, document review and other methods deemed pertinent by the investigator.

G. Confidentiality

Records maintained pursuant to this policy are subject to the Minnesota Government Data Practices Act, the Minnesota Records Retention Act, and other applicable laws. Subject to those laws, every effort shall be made to respect the privacy of the parties to a complaint, without compromising the thoroughness of the investigation.

H. No Reprisal for Filing Complaint of Harassment

The City will not tolerate acts of retaliation against employees who have made a good faith report of suspected violations of this policy or any person who assists in the investigation of such a complaint regardless of the outcome of such investigation. The City will discipline or take other appropriate action against any employee who engages in acts of retaliation toward these individuals. For purposes of this policy, retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

I. Disciplinary Procedure

1. An employee who violates this policy will be subject to disciplinary action up to and including discharge.
2. Any employee who prevents or attempts to prevent an individual from reporting a suspected violation of this policy or who interferes in any way with the investigation of such a report will be subject to disciplinary action, up to and including discharge.
3. Any employee who retaliates or discriminates against an individual who reports a suspected violation of this policy or assists in the investigation of such a report will be subject to disciplinary action, up to and including discharge.
4. Supervisor, managers, or Department Heads who become aware of violations of this policy in their department, even in the absence of a formal complaint, shall take appropriate disciplinary action, in consultation with the City Administrator.
5. Any non-employee found to have violated this policy may be removed from the City property or other appropriate action may be taken.

The Data Practices Act may allow individuals who are not directly involved with the complaint to access records related to the complaint in certain circumstances.

ARTICLE 27. GRIEVANCES

It is the policy of the City insofar as possible to prevent the occurrence of grievances and to deal promptly with those which occur. For purposes of this policy, a grievance is defined as a dispute or disagreement as to the interpretation or application of the City's personnel policies.

Employees shall have the right to present grievances either individually or as a group. Grievances shall be presented to the City Administrator in writing, within five (5) calendar days of the occurrence of the alleged grievance.

The City Administrator shall respond to an employee's grievance within fourteen (14) calendar days after receiving the alleged grievance. The decision of the City Administrator is final, except that when the City Administrator is directly involved in the grievance, appeal may be made to the Personnel and Finance Committee for final decision within fourteen (14) calendar days of the City Administrator's decision. In such an appeal, the Personnel and Finance Committee's decision is final. In the event that the City Administrator does not respond to the grievance within fourteen (14) calendar days of receipt, the grievance shall be considered denied for purposes of the appeal time period discussed above.

In compliance with federal or state law, an employee may also grieve any alleged unsafe act or practice, adverse working conditions, violation of civil rights, and alleged hazardous materials management.

Concerns that employees have should not go directly to individual members of the City Council. The City Council acts as a body and not as individuals. Likewise, individual Council members giving direction to staff without the knowledge of the City Administrator is inappropriate. Again, the City Council gives its direction, as a policy making body, to the staff through the Administrator.

ARTICLE 28. DISCIPLINE AND DISCHARGE

Section 28.01 At-Will Employment

City employees shall be subject to disciplinary action for failing to fulfill their duties and responsibilities, including failure to observe proper workplace conduct adopted by the City Council. It is the policy of the City to administer disciplinary penalties without discrimination. Except for probationary employees and as expressly described in this Policy, employees may use the grievance procedure as per the personnel policy with

respect to any disciplinary action. To the extent feasible, the supervisor or department head shall gather relevant information before reporting the incident to the Human Resource Director. At the direction of the Human Resource Director, the supervisor or department head may gather additional relevant information and investigate any allegation on which disciplinary action might be based before any disciplinary action is taken.

Nothing in this Policy shall be interpreted as altering the City employees' status as "at-will" employees or creating any type of "just cause" standard for discipline or termination. When determining whether to impose discipline, including termination, the City may consider all relevant factors, including, but not limited to, the seriousness and frequency of misconduct, and the employee's discipline history.

Grounds for discipline and discharge will include, but is not limited to the following:

- A. Incompetence, ineffectiveness, or inefficiency in the performance of duties;
- B. Criminal conduct which would constitute a felony, gross misdemeanor, or misdemeanor except as limited by Minnesota Statutes, Chapter 364 (as amended);
- C. Violation of any City policy, procedures, work rule, regulation or City ordinance, including the provisions of this manual and any safety and/or health policies and procedures;
- D. Being under the influence of alcohol, cannabis, drugs, or controlled substances while performing duties for the City, while on City premises, or while acting as a representative of the City off premises;
- E. Discourteous, hostile, insulting, abusive, or inflammatory conduct toward the public, a fellow employee or fellow employees, a supervisor or supervisors, a member of the City Council or members of the City Council, or a member of any City commission, or members of any City commission;
- F. Theft, misuse, carelessness and/or negligence in the handling or control of City property or property entrusted to the employee by the City, including allowing unauthorized persons to ride in City vehicles, or the unauthorized appropriation of City property for the employee's own use;
- G. Inducing or attempting to induce a person, officer or employee of the City to commit an unlawful act or to act in violation of any City policy, procedure, regulation, ordinance, or workplace directive or order;
- H. Dishonesty in the performance of duties;

- I. Sleeping during work hours;
- J. Willful misconduct or insubordination;
- K. Acceptance of a gift under circumstances from which it could be inferred that the giver expected or hoped for preferred or favorable treatment in conduct of City business and/or acceptance of a gift in violation of applicable law or City policy;
- L. Unapproved use of paid work time and/or equipment in outside employment or for personal benefit;
- M. Falsely stating or falsely making claims of injury or illness;
- N. Gambling while on duty, on City property, or using City equipment or resources;
- O. Inability to perform the essential functions of the employee's job, whether due to physical or mental impairment, or otherwise;
- P. Any possession, sale, distribution, possession, or unauthorized use of alcohol, cannabis, or controlled substances, during working hours and/or while representing the City;
- Q. Unexcused absence from work;
- R. Tardiness in reporting to work;
- S. Improper reproductions or misuse of copyrighted materials;
- T. Theft of City property or personal belongings of others;
- U. Abuse of official position with the City to achieve personal, political, or financial gain;
- V. False or inaccurate claims for reimbursement of expenses;
- W. Disorderly, abusive, or indecent conduct that causes disruption of the work environment, including fighting;
- X. Unauthorized possession of weapons on City property;
- Y. Allowing unauthorized visitors into unauthorized City offices and locations;
- Z. Unauthorized disclosure of private, confidential, or nonpublic data;
- AA. Failure or refusal to comply with City or department regulations, policies, or

procedures; and

BB. Any other conduct which, in the discretion of the City, constitutes a breach of the standards of behavior which it should reasonably expect of its employees.

Employment at the City may be terminated at the will of either the employee or the City, at any time, and for any legal reason or no reason.

Section 28.02 Procedures

- A. Discipline may be in one or more of the following forms, although **the City of Brainerd reserves the right to take any disciplinary action at any time:**
1. oral reprimand;
 2. written reprimand;
 3. suspension;
 4. demotion; or
 5. discharge.
- B. Suspension, demotion and discharge will be in written form and will state the reasons for such action.
- C. Reprimands, notice of suspension, and notice of discharge are to become part of an employee's personnel file. The employee will receive a copy of any reprimands and/or notices.
- D. Employees receiving a written reprimand, suspension, demotion, or discharge shall be given a copy of the discipline document and sign the original, acknowledging that he or she has received the written reprimand, suspension, demotion, or discharge. The signature of the employee does not necessarily indicate that he or she agrees with the disciplinary action. If the employee refuses to sign the original written reprimand, suspension, demotion, or discharge, such refusal will be noted on the discipline document. All written discipline will be placed in the employee's personnel file.
- E. Consistent with applicable law, employees may examine their own individual personnel files at reasonable times under the direct supervision of the City Administrator or designee.

Section 28.03 Supervisory Authority

- A. Oral and Written Reprimands. Department Heads have the authority to impose oral and written reprimands without prior approval of the City Administrator. The Department Head must maintain a record of each verbal reprimand. A verbal

reprimand may not be appealed or submitted through the grievance process.

B. Suspension. The City Administrator may suspend an employee.

C. Demotion and Discharge. An employee may be demoted or discharged by recommendation of the City Administrator and final determination by the City Council.

Section 28.04 Right of Appeal

An employee may appeal an oral or written reprimand verbally or in writing to the City Administrator within five (5) work days after disciplinary action has been imposed. The City Administrator will make the final determination and will inform the employee in writing regarding the decision made.

An employee may appeal a suspension without pay, or recommendation for demotion or discharge to the City Council by requesting, in writing, that a hearing be conducted for that purpose. Such request must be made by the employee to the City Administrator within five (5) days after disciplinary action has been imposed. At its sole discretion, the City Council may hold the hearing at its next regularly scheduled meeting or any date within thirty (30) days of such meeting. The City Council has the sole discretion to conduct the hearing or to appoint a subcommittee to conduct the hearing. If the City Council appoints a subcommittee, the subcommittee shall make its recommendation to the City Council at the next regularly scheduled meeting of the City Council following the hearing. The decision of the City Council will be final.

If the appeal is upheld by the City Council, the employee shall receive all payments, benefits and service accrual which the employee would have earned during the period of suspension without pay, demotion or discharge and be reinstated to the position.

For purposes of the Minnesota Government Data Practices Act, the initial disciplinary decision constitutes the final disposition of a disciplinary matter, unless the employee files a timely appeal with the City Council. In such cases, the City Council's decision constitutes the final disposition.

The procedures described in this Section are employees' exclusive remedy for challenging a disciplinary action using these Personnel Policies. The grievance procedure described in Article 27 is not applicable to disciplinary decisions.

ARTICLE 29. ACCIDENT PROCEDURES

As a City employee, it is important that you are aware of certain procedures to be followed if you are injured on the job or involved in an accident while operating City equipment. These procedures have been established to protect your interests as an employee, as

well as protect the City.

Employees shall comply with all federal and state laws and rules concerning vehicles and their safe operation. Safety devices, such as seat belts, lights, horns, etc., shall be utilized.

Compliance with speed limits, safe driving procedures, and proper licensing requirements will be enforced by the City.

Employees are responsible for performing routine checks (i.e., tire pressure, oil, turn signals, lights) before operating a City-owned vehicle.

If you are involved in an accident while operating any City-owned vehicle or piece of equipment, or while engaged in City business with any hired or privately-owned vehicle:

- A. Notify the police and/or emergency medical services, as appropriate, by dialing 911, and your supervisor IMMEDIATELY.
- B. Request that all parties and property concerned remain at the scene of the accident, if possible, until a law enforcement representative has released them.
- C. Obtain identifying data from the driver of the other vehicle (i.e. name, address and insurance company).
- D. Secure names and addresses of injured persons and any witnesses to the accident.
- E. Employee responsibility is to refrain from making statements regarding the accident with anyone other than the investigating law enforcement representative, appropriate City officials, and representatives of his or her own insurance company, if the employee's privately-owned vehicle is involved. Statements made to investigating authorities should be confined to factual observations. A copy of all police reports and any statements attached thereto will be forwarded to City Administration or designee within one day of receipt by the employee(s) involved in the accident.
- F. Employees shall refrain from admitting fault or liability and must gather all applicable loss data, witnesses, injured parties, passenger names, vehicle and driver's license numbers.

Employees who sustain personal injury or illness in any work-related accident are **REQUIRED** to report the injury to their supervisor immediately (no matter how minor). Once your supervisor has been notified of an accident, he/she will inform you of the steps to be taken to properly report and record the occurrence. Your supervisor may also direct

you to proper medical attention where necessary. If it is necessary for you to complete an "Employee Incident" form, it should immediately be completed and returned to your supervisor. If it is necessary for you to miss work because of a work-related accident, it is your responsibility to keep your supervisor Informed of the date you are able to return to work. In most instances, your treating physician will provide you with that information during your initial visit.

Please remember that following these simple procedures not only ensures accurate record keeping of accidents and personal injuries as required by law, but also protects your interests as an employee. For your own protection, be sure to report any accidents and injuries you may have, no matter how small.

Employees using a City-owned vehicle may be held liable for accidents in which he or she is involved. Employees will be personally responsible for paying any citation or other criminal sanction received while operating a City-owned vehicle.

ARTICLE 30. STATEMENT OF POLICIES AND PROCEDURES FOR PAYMENT AND/OR REIMBURSEMENT OF COSTS AND ATTORNEY'S FEES FOR MUNICIPAL OFFICERS AND EMPLOYEES

The City may reimburse its employees or officers for costs and reasonable attorney's fees incurred by an employee or officer, to the extent permitted by Minnesota Statutes, section 465.76.

ARTICLE 31. TECHNOLOGY USE

General Information

This policy serves to protect the security and integrity of the City of Brainerd's electronic communication and information systems by educating employees about appropriate and safe use of available technology resources. All employees are responsible for reading and following information that may be distributed from time-to-time about appropriate precautions to protect City systems.

City-owned computers, cellular telephones, mass storage devices, and related equipment used by City employees are property of the City. Except when accessed by the police department for law enforcement purposes, the City specifically reserves the right to audit, monitor, and inspect, without notice, without the user's consent, and for any reason or no reason, employees' use of its computers and related equipment and all data, emails, files, settings, or any other aspect of a City-owned computer or related system, including personal information created or maintained by an employee. An audit may result in the removal of hardware and/or software not compliant with this policy, revocation of permission to use the City's computers and/or related equipment, employee discipline, up to and including immediate termination, and/or criminal charges, depending on the nature of the violation.

All City owned equipment, including, but not limited to, computers, laptops, telephones, mobile devices, field electronics, mass storage devices, e-mails, voice mail, text messages on City paid cellular telephones, or any other type of equipment provided are City property. Except when accessed by the police department for law enforcement purposes, any such property or equipment may be accessed by the City at any time, for any purpose, with or without notice to the employee, and with or without reasonable suspicion. City employees and other users shall have no expectation of privacy in any property or equipment of the City.

In addition, the City is subject to the Minnesota Government Data Practices Act ("MGDPA") and other laws governing the collection, storage, use, and disclosure of data. All files and documents, including personal messages and internet logs, created, received, collected, maintained, or generated by City employees or using the City's computer and/or related equipment are subject to those laws. In accordance with applicable law, such files and documents may be disclosed in certain circumstances without the permission of the employee or user.

Users should notify IT staff upon learning of violations of this policy. Violation of this policy may result in the removal of hardware and/or software not compliant with this policy, revocation of permission to use the City's computers and/or related equipment, employee discipline, up to and including immediate termination, and/or criminal charges, depending on the nature of the violation. All violations will be addressed consistent with the City's Personnel Policies or applicable union contract.

Data Privacy and Retention

All data stored on computers, related equipment, and media owned, leased or rented by the City is considered to be owned by the City and is subject to the MGDPA, which governs its use and dissemination. All city owned equipment and Information Technology Systems, including e-mail, are City property and subject to inspection by the City at any time, without notice, and for any reason or no reason at all. The City Administrator or Human Resource Director should be contacted with questions regarding the classification of public and private data.

Data Ownership: All information developed or introduced to a City computer or related equipment by a user in conjunction with employment with the City is the property of the City.

Data Storage: All City data must be saved to a network drive on a City server or City provided resource.

Data Deletion: Users are responsible for deleting outdated files that are no longer needed for compliance with the City Records Retention Schedule; this includes data files and email messages that do not need to be retained in accordance with the City's Records Retention Schedule. The City Administrator should be contacted with questions regarding the City Records Retention Schedule.

Data Back-up: The IT department backs up most data stored on network servers or cloud storage. Workstation hard drives or any other devices are not backed up and are subject to failure and may result in permanent data loss.

Personal Use

The City offers employees the privilege of limited personal use of City-owned computers and related equipment. Personal use is allowed under the following guidelines and only during break times or before/after normal paid working hours:

- Only City employees may use City-owned equipment. Family members or friends of City employees are not allowed to use City equipment or technology resources.
- Employees shall not connect personal peripheral tools or equipment (such as cell phones, USB drives, flash drives/cards, disks, digital cameras, or printers) to City-owned systems, without prior approval from IT staff. If permission to connect these tools/peripherals is granted, the employee must follow provided directions for protecting the City's computer network.
- Personal files should not be stored on City computer equipment. This also applies to personal media files, including but not limited to personal documents, images, audio and video files. IT staff may delete these types of files if found on City-owned equipment. Exceptions would be recordings for which the City has created, owns, purchased, or has a license.
- City equipment or technology, including City-issued email accounts, shall not be used for: illegal activities, personal business interests, for-profit ventures, political activities, outside employment, public office or employment which is incompatible with City employment, wagering, betting, or selling chances, annoying or harassing other individuals, fund-raising except for City-approved activities, religious activities, pornographic, obscene, or indecent images or content, forwarding junk email, advertisements, or chain emails, or other uses deemed by City management to be inconsistent with City activities. If any employee has a question as to whether a use is appropriate, that employee must contact the City Administrator or applicable Department Head for permission before

engaging in the conduct in question.

- The City reserves the right to monitor end user activity. Software and/or hardware may be used to monitor, filter, block, or limit internet activity. The City may inspect any data or information stored on its equipment or network, even if the information is personal to the employee.

Hardware

In general, the City will provide the hardware required for an employee to perform their job duties. Requests for new or different equipment should be made to the Department Head, who may consult with IT staff.

Unapproved hardware, including cameras, mobile devices, printers, external storage devices, and any other peripherals that have not been specifically approved by the City may compromise the integrity of the City's computer system and are prohibited. IT staff may, without notice, remove any unauthorized equipment attached to the City's computer system or network.

The City ~~will not may~~ supply mobile devices, including computers, ~~based solely on the desire of to~~ employees to work offsite as approved by the City Administrator. A business need will be required for each mobile device deployment and must be approved by the Department Head. In general, mobile devices will only be issued to employees who: regularly use their device offsite; require a device for access to special software or systems; have a documented business need for a device; and/or require the use of a device while traveling.

Employees are responsible for the proper use and care of City-owned computer equipment. City employees are expected to provide reasonable security to all City-owned computers and related equipment. This includes ensuring that passwords comply with this policy. Removable media must be kept in a secured area. Non-public, private, and/or confidential data must not be displayed in such a manner that unauthorized personnel or others can view or access it. All City-owned computers and related equipment must be secured while off City premises. For instance, employees must not leave computer equipment in an unlocked vehicle or unattended at any offsite facility. Computer equipment must not be exposed to extreme temperature or humidity.

Software

In general, the City will provide the software required for an employee to perform their job duties. Requests for new or different software should be made the Department Head, who may consult with IT staff.

Unapproved software or downloads (free or purchased), games, screen savers, toolbars, clipart, music/audio, and movie/video clips, that have not been specifically approved by the City may compromise the integrity of the City's computer system and are prohibited.

Employees shall not download or install any software (free or purchased) or addons (such as toolbars or clipart) on any City computer or related device without the prior approval of the IT staff. The only exceptions to this policy are updates to software previously approved by IT such as anti-virus, anti-malware, etc. IT staff may, without notice, remove any unauthorized programs or software, downloads, or other files on any City computer, related equipment, network, or electronic resource.

Electronic Mail

The City provides most employees with an email account for work-related use. Minimal personal use of the City email system by employees is allowed, provided it does not interfere with an employee's work and is consistent with all City policies. Using the City's email to participate in any kind of personal listservs or mailing list is prohibited.

Employee emails, including those that are personal in nature, may be considered "public" data for both e-discovery and information requests and may not be protected by privacy laws. Personal e-mail transmitted through or saved on the City's e-mail system, computers, network, or other technological resources, may also be monitored as directed by the City Administrator ~~or BPU Commission (for BPU employees only)~~ and without notice to the employee.

In addition, employees must adhere to these email guidelines:

- Do not open email attachments or links from an unknown sender. Review sender's email address, date/time, subject line, and name and file type of attachments to verify legitimacy/relevance. Delete junk or "spam" email without opening. Do not respond to unknown senders.
- Never transmit an email that you would not want your supervisor, other employees, members, city officials, or the media to read or publish (e.g., avoid gossip, personal information, profanity, etc.).
- Use caution or avoid corresponding by email on confidential communications (e.g., letters of reprimand, correspondence with attorneys, medical information).
- Do not use harassing language (including sexually harassing language) or any other remarks, including insensitive language or derogatory, offensive, or insulting comments or jokes.

- Employees' email use must otherwise comply with all applicable provisions of this policy, all other applicable City policies, and all applicable laws.

Electronic Calendars

A shared calendar environment is provided as part of the City's email software program. All employees are encouraged to keep their electronic calendar up-to-date and may grant relevant staff the ability to view their calendar. All employees are encouraged to utilize the out-of-office automatic replies for known absences.

Phone/Voicemail

Voicemail that constitutes an official record of City business must be kept in accordance with all records retention requirements for the department and should be copied to the network for storage. All other voicemails should be deleted from the voicemail system (and email system) when no longer needed. Voicemail may be considered "public" data or otherwise subject to disclosure in accordance with the MGDPA. Employees should contact IT staff with any questions about voicemail storage and/or deletion.

Presence/Instant Messaging

Employees who are provided with the City's presence / instant messaging (IM) software should remain logged in when working and may utilize it for communications between City staff. Instant messaging may be considered "public" data, or otherwise subject to disclosure in accordance with the MGDPA and must be kept in accordance with the City's records retention requirements if they constitute an official record of City business. Employees are not allowed to download or install any unapproved messaging software on City devices.

Intranet (Sharepoint)

Employees should keep the City's Intranet (Sharepoint) as their web browser home page and are encouraged to utilize the documents, announcements, links, and calendars to remain informed and share information with other staff.

Storing and Transferring Files

If you are unsure whether an email or other file is a government record for purposes of records retention laws or whether it is considered protected or private data under the MGDPA or other law, you must check with the City Administrator or applicable BPU Department Head (for BPU employees only) before deleting or releasing the information or file in question. If you are unsure how to create an appropriate file structure for saving

and storing electronic information, contact IT staff.

Employees must adhere to these guidelines when transferring and storing electronic files:

- All electronic files should be stored on network drives or approved web or cloud-based storage locations. IT staff will not back up documents stored on local computer hard drives and hold no responsibility for recovery of documents on local computer hard drives should they fail. Subject to the provisions of this policy, files may be temporarily stored on a mobile device when an employee is offsite; however, the files should be copied to an approved storage location when possible.
- Electronic files created on an employee's personal device or computer must not be transferred to the City's network. City-related files should not be created or stored on an employee's personal device or computer.
- All removable storage media (e.g., CDs, flash or USB drive, or other storage media) must be verified to be virus-free utilizing an IT approved process before being connected to City equipment.
- Email that constitutes an official record of City business must be kept in accordance with all records retention requirements for the department and should be copied to the network or other approved location for storage.
- Email that is simple correspondence and not an official record of City business should be deleted when no longer needed.
- Electronic files or emails that contain nonpublic, private, or confidential data should be stored in a location on the City's network that is properly secured.

Any files containing nonpublic, private, or confidential data should not be stored anywhere other than the City's network or other approved location. Employees must obtain the prior approval of the Department Head before taking any file containing nonpublic, private, or confidential data offsite.

Personal Devices

Employees with prior approval may choose to use their own equipment to read or compose email or other City data as governed in this policy. Employees understand that by connecting their personal equipment to the City's email system, their personal devices could be searched during an e-discovery or other court-ordered scenarios and agree to grant access to their personal devices should such a situation arise.

Passwords

Employees are responsible for maintaining computer/network passwords and must adhere to these guidelines:

- Passwords must meet minimum complexity requirements designated by IT staff. Employees must change passwords when prompted or as scheduled by IT Staff.
- Multi-factor authentication methods should be used when available for web/cloud-based applications. Multi-factor authentication is an additional layer of security beyond just a username/password and generally requires a code or acknowledgement on a physical device or a code sent by a separate means of communication.
- Passwords should not be shared with anyone including other staff. If it is necessary to access an employee's computer when they are absent, contact your supervisor; IT staff will not provide access to staff accounts without prior approval.
- Passwords should not be stored in any location on or near the computer or stored electronically such as in a cell phone or other mobile device unless properly secured.

Computers and other devices should not be left unattended while a user is logged in- either lock the computer when away (Win+L or Ctrl+Alt+Del) or use a timed screen saver that will require a password to unlock upon return.

Network Access

Non-City-owned computer equipment used in City buildings should only use the public wireless connection to the Internet. Under no circumstances should any non-City-owned equipment be connected to the City's computer network wirelessly or via a network cable.

Exceptions may be granted by IT staff.

Personal computer equipment may not be connected to the City's network without prior approval of the IT staff. Personal equipment may be subject to password requirements or other electronic security measures as determined by IT staff.

Staff shall not attempt to circumvent or disable firewalls, anti-virus/anti-malware software, software updates and patches, network/computer security settings, or any other measures put in place to protect the network. If access to necessary resources is

obstructed, notify supervisor and/or IT staff to explore options.

Remote Access to the Network

Examples of remote access include, but are not limited to: Virtual Private Network (VPN), TeamViewer, and Windows Remote Desktop connections. While remotely connected to City computer resources, all aspects of this Technology Use Policy will apply, including the following:

- Telework opportunities and remote access to the City's network requires a job specific reason and/or a request from a supervisor to the City Administrator. Remote access privileges may be revoked at any time by an employee's supervisor, Department Head, the City Administrator or IT staff.
- If remote access is from a non-City-owned computer, updated security software (anti-virus and anti-malware) must be installed and operational, and all critical operating system updates must be installed prior to connecting. Failure to comply could result in the termination of remote access privileges.
- Remote access/assistance from third parties is not allowed without prior approval from IT staff. When remote access/assistance from a third party is granted, their activities must be monitored by City Staff.
- Recreational use of remote connections to the City's network is strictly forbidden. An example of this would be a family member utilizing a City's cellular data connection to access the internet.
- Private or confidential data should not be transmitted over an unsecured wireless connection. Wireless connections that are not secure could pose a security risk if used to transmit passwords or private data. Unsecure wireless connections may include cellular networks and wireless access points unless proper security protocols are in place.

Security Compromise

If a virus or malware is suspected on any City device, IT staff must be notified immediately. Any other indications of computer or network security compromise must be reported to IT staff immediately.

Internet

The internet is available to employees for research, education, and communication directly related to the mission, charter, and tasks of the City. Users must honor copyright laws regarding protected commercial software and intellectual property. Users accessing the internet through the City's computers and related equipment should minimize unnecessary network traffic that might interfere with the ability of others to make effective use of this shared network resource. Users are also responsible for adhering to City standards when browsing the internet. Failure to adhere to City standards puts the City and the individual at risk of legal or financial liabilities, potential embarrassment, and other consequences, including immediate termination of employment and other disciplinary actions. The following considerations apply to all uses of the Internet:

- Information found on the Internet and used for City work must be verified to be accurate and factually correct.
- Approved web browsers include Microsoft Edge, Mozilla Firefox, Apple Safari, and Google Chrome. Usage of other browsers requires prior authorization from IT staff.
- Browsing history including cookies, passwords, and temporary files should be cleared from web browsers frequently or set to automatic delete.
- Limited personal use of the Internet is permitted. Employees may not at any time access inappropriate sites. Some examples of inappropriate sites include but are not limited to adult entertainment, sexually explicit material, or material advocating intolerance of other people, races, or religions. If you are unsure whether a site may include inappropriate information, you should not visit it.
- City data should not be stored in any web or cloud-based application that has not been provided or approved by IT staff.
- If an employee's use of the internet is compromising the integrity of the City's network, IT staff may temporarily restrict that employee's access to the internet. If IT staff does restrict access, they will notify the employee and the employee's supervisor as soon as possible, and work with the employee and supervisor to rectify the situation.
- Social media use on City owned computers should be limited to maintaining the City's social media presence. Personal use of social media on City owned computers is discouraged.
- Peer-to-peer software/applications are not permitted.

- All staff internet use must comply with all applicable provisions of this policy, all other applicable City policies, and all applicable law.

The City may monitor or restrict any employee's use of the internet without prior notice, as deemed appropriate by the employee's supervisor, the City Administrator, or IT staff.

Personal Social Networking on City-Owned Devices

Employees should not use City-owned devices to post to personal sites, including social networking sites. Employees' personal use of City-owned devices should be minimal and must not interfere with their work duties. All personal social networking and other personal use of the City-owned devices must comply with the terms of this policy.

Personal Social Networking While Off Duty and the City's Responsibility

The City of Brainerd has a duty to protect the reputation of the organization and its employees as well as guard against any liability and potential legal risk regardless of when and where social networking activity occurs. An employee's own personal communications, such as on social media, can have a significant impact on the public's belief that all city staff will carry out city functions faithfully and impartially and without regard to factors such as race (including traits associated with race, including, but not limited to hair texture and hair styles such as braids, locs, and twists), creed, color, religion, age, sex, marital status, national origin, sexual orientation (including gender identity and expression), disability, status with regard to public assistance, or any other characteristic protected by state or federal law. Nonpersonal communications (performed within one's job duties) to members of the public must be professional at all times. With this in mind, employees must use social media (Facebook, X (Twitter), blogs, YouTube, etc.) in a manner that follows the following guidelines:

- Individuals should exercise caution and good judgment when social networking.
- Individuals shall not represent that they are speaking or acting on behalf of the City or presenting any interests of the City.
- Individuals are not permitted to display the City of Brainerd logo on any part of their online profiles.
- Individuals never have the right to post non-public, private, or confidential data, such as information related to co-workers personnel data, medical information, or claims or lawsuits against the City, without obtaining the express written consent of the data subject and/or City Administrator as

appropriate.

- Individuals who use personal social media accounts are not immune from the law. In general, all users of social networking should be aware that the content of these social networking sites can be subpoenaed and used in criminal and civil trials.
- Individuals need to be aware that they have no reasonable expectation of privacy when social networking and use of personal social media accounts are subject to all pertinent City policies, as well as local, state and federal laws.
- The City of Brainerd expects its employees to be fair, courteous, and respectful to supervisors, co-workers, citizens, customers, and other persons associated with the city. Avoid using statements, photographs, video or audio that reasonably may be viewed as malicious, obscene, threatening or intimidating, disparaging, or might constitute harassment. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race (including traits associated with race, including, but not limited to hair texture and hair styles such as braids, locs, and twists), creed, color, religion, age, sex, marital status, national origin, sexual orientation (including gender identity and expression), disability, status with regard to public assistance, or any other characteristic protected by state or federal law.
- City resources, working time, or official city positions cannot be used for personal profit or business interests, or to participate in personal political activity. Some examples: a building inspector could not use the city's logo, email, or working time to promote his/her side business as a plumber; a parks employee should not access a park after hours even though he or she may have a key; a clerk, while working at City Hall, should not campaign for a friend who is running for City Council.
- Personal social media account name or email names should not be tied to the city (e.g., Brainerd Cop).
- Any personal communications made on a matter of public concern must not disrupt the efficiency of the city's operation, including by negatively affecting morale. Put another way, such public comments must not undermine any city department's ability to effectively serve the public. Disruptive personal communications can include liking or republishing (sharing/retweeting) a social media post of another individual or entity. The City can act on the personal communication that violates this policy without waiting for the actual disruption.

ARTICLE 32. SOCIAL MEDIA POLICY

The City has adopted a Social Media Policy, separate from the Employee Policy Manual. The Social Media Policy describes the rules and procedures for the administration of City social media accounts. Copies can be obtained from the Human Resources Department.

ARTICLE 33. TELECOMMUTING/REMOTE WORK POLICY

The City has adopted a Telecommuting/Remote Work Policy, separate from the Employee Policy Manual. The Telecommuting/Remote Work Policy describes the situations in which qualifying employees may be allowed to work from home and the conditions on any opportunity to work from home afforded to any employee. Copies can be obtained from the Human Resources Department.

ARTICLE 34. QUESTIONS OR CONCERNS

All employees are required to be familiar with, and abide by, the terms of these policies. Department Heads and the Human Resource Director are ready to answer questions, or to further explain and obtain information about any phase of this manual which is not clear. All employees should feel free to ask questions of their Department Head, the Human Resource Director, and the City Administrator.

Reviewed and adopted by the City Council

Date: [January 2, 2024](#)

ACKNOWLEDGMENT

I acknowledge that I have received a copy of the City of Brainerd Personnel Policy. I understand that this document contains important information regarding the City's general personnel policies and my privileges and obligations as an employee. I will familiarize myself with the personnel policy and I understand that I am governed by its contents. I further understand that the personnel policy is not an employment contract and that the City may change, rescind or add to any policies, benefits, or practices at its sole discretion with or without prior notice.

Employee Signature

Date

Employee Printed Name

Department

EXHIBIT A

HEALTHCARE INSURANCE PREMIUM CONTRIBUTIONS

- CITY ADMINISTRATOR, DEPARTMENT HEADS, AND SUPERVISORS:

The following premium splits and Employer HSA contributions will be effective for our [20242025](#) High Deductible Health Plan Smart Plan options:

Smart Plan #1 - \$1,~~600~~650 [20242025](#)

% of Contribution to Monthly Premium

Employer

Single 95%

Family 80%

Employee

Single 5%

Family 20%

HSA Annual Contribution

Employer

Single \$1,000

Family \$1,500

Smart Plan #3 - \$3,~~200~~300 [20242025](#)

% of Contribution to Monthly Premium

Employer

Single 95%

Family 80%

Employee

Single 5%

Family 20%

HSA Annual Contribution

Employer

Single \$2,000

Family \$2,500

Smart Plan #7 - \$6,~~150~~300 20242025

% of Contribution to Monthly Premium

Employer

Single	97%
Family	85%

Employee

Single	3%
Family	15%

HSA Annual Contribution

Employer

Single	\$2,250
Family	\$2,750

Smart Plan #8 - \$8,~~050~~300 20242025

% of Contribution to Monthly Premium

Employer

Single	100%
Family	90%

Employee

Single	0%
Family	10%

HSA Annual Contribution

Employer

Single	\$2,500
Family	\$3,000

All plans are automatically indexed annually.

- All additional employer HSA contributions amounts noted above will be pro-rated based on a monthly contribution.
- The City will provide an Opt-Out Option for eligible employees in lieu of the city's health insurance for 2024. If the eligible employee elects the Opt-Out payment for 2024, the monthly Opt-out taxable payment will be \$400 per month.
- The base City health insurance plan for union contract comparison is Smart Plan No. 3 (\$3,~~200~~300 High Deductible Health Insurance Plan for 20242025).
- ~~The City will pay 100% of the single and family premium for the Department Heads and Supervisors hired or promoted to such a position before May 1, 2010.~~

ELECTED OFFICIALS/BRAINERD PUBLIC UTILITIES (BPU) COMMISSIONERS:

- Health insurance options for this group includes the following City contributions for the City-sponsored base health insurance plan (Smart Plan No. 3 - \$3,~~200~~300 Deductible Plan for ~~2024~~2025):
 - 100% of the premium if single health coverage is elected.
 - 80% of the premium if family health coverage is elected.
- If a member of this group elects a different health plan, the individual will pay the premium difference based on the premium split for the base plan as set forth in the previous bullet.
- If someone is covered by a different group plan and is eligible to receive the City's Opt-Out payment, individuals in this group can elect to receive \$250 per month as taxable income in lieu of the health insurance benefit.

The City's contribution for all other employees is set in the applicable collective bargaining agreement and/or Council resolutions.

The City provides insurance coverage for former City employees including retirees on a self-pay basis pursuant to state law. Please refer to your Group Insurance Plan booklet for a complete description of benefits.

EXHIBIT B

LONG-TERM DISABILITY COVERAGE AND LIFE INSURANCE

- I. **Long-Term Disability Coverage.** Should an employee become disabled as a result of a non-occupational injury or illness, the City will provide long-term disability coverage to cover 50% of your gross monthly income to a maximum of \$7,084 per month. This plan takes effect the 1st day of the month coincident with or next following six months of continuous employment.
- II. **Face Amount of Life Insurance for Certain Employees and Elected Officials.** Consistent with the Policy Manual, the City will provide life insurance coverage to elected officials, Department Heads, ~~Municipal Utility Division Managers~~[Division Managers](#), and non-union supervisors in the following amounts: Mayor, City Council and Public Utilities Commission \$50,000; City Administrator, Department Heads and ~~Municipal Utility Division Managers~~[Division Managers](#) \$100,000; Non-union supervisors \$50,000.

Employees should review the applicable Summary Plan Descriptions for additional details for said policies.

EXHIBIT C

MINNESOTA HEALTH CARE SAVINGS PLAN CONTRIBUTIONS

All funds collected by the City on behalf of the employee for purposes of contributing to the Minnesota Health Care Savings Plan will be deposited into the employee's individual health care savings plan account as follows:

1. City Administrator, Department Heads and ~~Municipal Utility Division Managers~~Division Managers:
 - a) Employees eligible for severance pay as outlined in ARTICLE 13 of the City Employee Policy Manual will contribute 100% of their severance pay into the Plan.
 - b) Employees with 0 to 4 years of service will contribute 1% of gross pay each payroll period.
Employees with 5 to 9 years of service will contribute 1.5% of gross pay each payroll period.
Employees with 10 to 14 years of service will contribute 2% of gross pay each payroll period.
Employees with 15 to 19 years of service will contribute 3% of gross pay each payroll period.
Employees with 20 or more years of service will contribute 5% of gross pay each payroll period.
 - c) 50% of sick leave and ESST accrual over 960 hours, will on a calendar year basis, be paid by the Employer into the employee's health care savings plan. It is understood that any sick leave used throughout the year will be deducted from the 960-hour balance and that the employee must then earn back to the 960 hours before any hours are accumulated for purposes of the Health Care Savings Plan contribution.
 - d) 100% of accumulated vacation at retirement will be paid into the Plan.
2. Non-Contract Supervisors:
 - a) Employees eligible for severance pay as outlined in ARTICLE 13 of the City Employee Policy Manual and have 25 years or more of service, will contribute 100% of their severance pay into the Plan.

- b) Employees with 0 to 10 years of service will contribute 1% of gross pay each payroll period.
Employees with 10 to 15 years of service will contribute 2% of gross pay each payroll period.
Employees with 15 – 20 years of service will contribute 3% of gross pay each payroll period.
Employees with 20 - 25 years of service will contribute 4% of gross pay each payroll period.
Employees with 25+ years of service will contribute 5% of gross pay each payroll period.
- c) 50% of sick leave and ESST accrual over 960 hours, will on a calendar year basis, be paid by the Employer into the employee's post-employment health care savings plan. It is understood that any sick leave used throughout the year will be deducted from the 960-hour balance and that the employee must then earn back to the 960 hours before any hours are accumulated for purposes of the Post Employment Health Care Plan contribution.
- d) 100% of accumulated vacation at retirement will be paid into the Plan.

EXHIBIT D

Earned Sick and Safe Time Employee Notice

Employees in Minnesota are entitled to earned sick and safe time, a form of paid leave. Employees must accrue at least one hour of earned sick and safe time for every 30 hours they work, up to at least 48 hours in a year. A year for purposes of the employee's earned sick and safe time accrual is a calendar year.

~~The earned sick and safe time hours the employee has available, as well as those that have been used in the most recent pay period, must be indicated on the employee's earnings statement that they receive at the end of each pay period. At the end of each pay period, employers must provide employees with the number of earned sick and safe time hours used by the employee during the pay period and available for future use.~~ Earned sick and safe time must be paid at the same base hourly rate employees earn from employment. Employees are not required to seek or find a replacement for their shift to use earned sick and safe time. They may use earned sick and safe time for all or part of a shift, depending on their need.

Earned sick and safe time can be used for:

- an employee's mental or physical illness, treatment or preventive care;
- the mental or physical illness, treatment or preventive care of an employee's family member;
- absence due to domestic abuse, sexual assault or stalking of an employee or their family member;
- closure of an employee's workplace due to weather or public emergency or closure of their family member's school or care facility due to weather or public emergency; and
- when determined by a health authority or health care professional that an employee or their family member is at risk of infecting others with a communicable disease.
- to make arrangements for or attend funeral services or a memorial or address financial or legal matters that arise after the death of a family member.

Notifying employer, documentation

An employer can require their employees to provide up to seven days of advance notice when possible (for example, when an employee has a medical appointment scheduled in advance) before using sick and safe time. An employer can also require their employees to provide certain documentation regarding the reason for their use of earned sick and safe time if they use it for more than three consecutive scheduled days.

If an employee plans to use earned sick and safe time for an appointment, preventive care or another permissible reason they know of in advance, inform your supervisor by [phone or email](#) as far in advance as possible, preferably [at least](#) seven (7) calendar days [in advance](#), ~~and shall~~

~~schedule appointments so as to have the least impact on the business of the employer.~~ In situations where an employee cannot provide advance notice, the employee should contact their supervisor as soon as they know they will be unable to work.

~~Please ask the HR Department for a copy of the Earned Sick and Safe Time Policy for more information.~~

Retaliation, right to file complaint

It is against the law for an employer to retaliate, or to take negative action, against an employee for using or requesting earned sick and safe time or otherwise exercising their earned sick and safe time rights under the law. If an employee believes they have been retaliated against or improperly denied earned sick and safe time, they can file a complaint with the Minnesota Department of Labor and Industry. They can also file a civil action in court for earned sick and safe time violations.

For more information

Contact the Minnesota Department of Labor and Industry's Labor Standards Division at 651-284-5075 or dli.laborstandards@state.mn.us esst.dli@state.mn.us or visit the department's earned sick and safe time webpage at [dli.mn.gov/sick-leave](http://www.sickleave.mn.gov/) <http://www.sickleave.mn.gov/>.

EXHIBIT E

Nursing Mothers, Lactating Employees, and Pregnancy Accommodations employee notice

Minnesota's Nursing Mothers, Lactating Employees, and Pregnancy Accommodations law (Minnesota Statutes § 181.939) gives pregnant and lactating employees certain legal rights.

Pregnant employees have the right to request and receive reasonable accommodations, which may include, but are not limited to, more frequent or longer breaks, seating, limits to heavy lifting, temporary transfer to another position, temporary leave of absence or modification in work schedule or tasks. An employer cannot require an employee to take a leave or accept an accommodation.

Lactating employees have the right to reasonable paid break times to express milk at work unless they are expressing milk during a break that is not usually paid, such as a meal break. Employers should provide a clean, private and secure room that is not a bathroom near the work area that includes access to an electrical outlet for employees to express milk.

It is against the law for an employer to retaliate, or to take negative action, against a pregnant or lactating employee for exercising their rights under this law.

Employees who believe their rights have been violated under this law can contact the Minnesota Department of Labor and Industry's Labor Standards Division at dli.laborstandards@state.mn.us or 651-284-5075 for help.

Employees also have the right to file a civil lawsuit for relief. For more information about this law, visit dli.mn.gov/newparents.



City Council Agenda Request

MEETING DATE: January 21, 2025

TITLE OF ITEM: Discussion of Issuing Conduit debt for Country Manor and Update Debt Management Policy

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Connie Hillman, Finance Director

DEPARTMENT: Finance

PRESENTER: Connie Hillman, Finance Director

ESTIMATED TIME (MIN): 5 Minutes

SUMMARY OF ISSUE: At the January 6, 2025 Council meeting, general discussion about the City issuing conduit debt for the Country Manor project was held. This item is on the January 21, 2025 agenda to:

- Provide additional information to Council on what the arrangement would look like to make the City whole by the City having to issue non-bank qualified (BQ) debt in 2025.
- Update the Debt Management Financial Policy Section V for the administrative fee that the City should charge for issuing conduit debt.
- Provide direction to County Manor if the City is going issue the conduit debt.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

- As discussed at the last meeting, issuing the \$50 million of conduit debt does count toward the City's annual \$10 million BQ limit in 2025. Meaning if the City issues the conduit debt in March and then has to issue debt for 2025 construction projects later in 2025, the City will likely have to pay a higher interest rate on the City's bonds due to the bonds not being BQ. However, as discussed last meeting, it is not uncommon for a city and the conduit debt borrower to enter into an agreement, where the conduit debt borrower compensates the city for an increased interest rate.
 - In working with our bond counsel, the arrangement would work as follows: As part of the closing of the conduit debt, the City would estimate the amount of the bonds it intends to issue in 2025, our financial advisors would estimate the difference of the interest rates between a BQ and non-BQ debt over the term of the bonds, and the conduit debt borrower would pay the City the difference at the time of the closing. As part of the agreement, there would be a "true-up" at the end of the year to account for the actual amount of non-BQ debt the City actually issued as well as the actual interest rates at the time of the issue for the term of the bonds. The City could have to return some of the funds received at closing, or the borrower could have to pay the City additional funds. The City would be made whole at the time of the closing.

- The current Debt Management Financial Policy states that it is the practice of the City to charge fees that range from 0.25% - 2% of the Bond offering to cover the City's cost of issuing conduit debt. For the \$50 million conduit debt issue, that fee could range from \$125,000 to \$1,000,000. Per discussion with Bond Counsel, it is more common for the rate to be .125%-1.00% of the bond issue or a flat fee for the transaction. Anything higher than a 1.5% fee could result in the tax-exempt bonds becoming taxable, which defeats the purpose of the City issuing the conduit debt. Using the suggested rates of .125% - 1% could result in a fee of \$62,500 - \$500,000 for this issue.
 - Staff would suggest that the agreement with the conduit debt borrower, that all expenditures that the City incurs with issuing of the conduit debt (i.e. hearing notices, fees for drafting the documents etc.) would be paid by the borrower. The outstanding amount of conduit debt would need to be disclosed every year in the City's ACFR (Annual Comprehensive Financial Report), which could result in an annual call to the borrower. Other than that, the annual requirements are minimal if nothing. The amount of the fee the City charges is also a factor in the funding of Country Manor project. Staff reviewed the City of St. Joseph's policy, they have a .5% up to \$50,000 for both original and refunding amounts, a \$3,000 application fee and all costs incurred by the City are paid by the borrower. City of Baxter has a \$4,500 non-refundable application fee, refundable escrow deposit of \$15,000 and 1/4% of issue Par Amount upon closing.
 - Staff's recommendation would be to modify the City's Debt Management Financial Policy Section V to read: It is the practice of the City to charge a fee of .25% of the bond offering up to \$50,000 with all expenditures associated with the issuance of the conduit debt is paid for by the borrower.
- Part of the Country Manor project funding is to be able to issue \$50 million of conduit revenue debt. Country Manor needs to know (1) the fee the City is going to charge; (2) if the City is willing to issue the conduit debt. Otherwise, County Manor needs to pursue another municipality asap to complete the funding of the project.

RECOMMENDED ACTION/MOTION:

1. Amend the Debt Management Financial Policy Section V.
2. Motion to issue or deny the issuance of an amount not to exceed \$50 million of conduit debt for the County Manor project.

FINANCIAL IMPACT: \$50,000 of income for the administrative fee.



CITY OF BRAINERD
FINANCIAL MANAGEMENT POLICIES
DEBT MANAGEMENT

I. Policy Limits

The City will use debt only for capital improvement or projects that have a life of more than 4 years. The City will avoid using debt for cash flow borrowing, operations or repairs.

When possible, the City will not use debt to finance equipment purchases when it is possible to purchase the equipment on a pay-as-you-go basis with equipment replacement program or capital goods replacement plan reserves.

The City shall use its bonding authority to facilitate private development only when the development merits special consideration.

II. Legal Limits

Minnesota Statutes, Section 475 prescribes the statutory debt limit that outstanding principal of debt cannot exceed 3% of taxable market value. This limitation applies only to debt that is wholly tax-supported. The type of debt included is either general obligation debt of any size bond issue (G.O.) or lease revenue bond issues that were over \$1,000,000 at the time of issuance. However, there are also several other types of debt that do not count against the limit. G.O. tax increment, G.O. special assessment, G.O. utility revenue, G.O. recreational facility revenue, and HRA-issued debt are considered to have a separate revenue source other than just taxes and are excluded from the legal debt limit calculation. Local ordinances do not limit the City's ability to issue debt.

III. Issuance Practices

The City uses the competitive sale method for its general obligation bond sales unless factors such as structure, size or market conditions compel the use of a negotiated sale.

The City may use an outside bond attorney, an independent financial advisor, and/or other service providers to assist with the structuring and sale of the bonds.

IV. Debt Structuring

The City's collective debt shall amortize at least 50% of its principal within 15 years. In all cases, the maturity shall not exceed the life of the related assets.

V. Conduit Debt

The City may participate in conduit debt financings. Development proposals are reviewed to determine if they meet program objectives and whether the proposals are financially feasible.

It is the practice of the City to charge ~~a fees of that range from~~ 0.25% ~~of the bond offering up to \$50,000 with all expenditures associated with the issuance of conduit debt is paid for by the borrow~~ to 2.00% of the Bond offering to cover the City's cost.

VI. Refunding

Current refunding bonds may be utilized when present value savings of 3% of refunded principal is achieved or in concert with other bond issues to save costs of issuance.

Advance refunding bonds may be utilized when present value savings of 3% of refunded principal is achieved.

Adopted by the Brainerd City Council on this 18th day of May, 2009.

Amended by the Brainerd City Council on this day of January, 2025

~~Daniel J. Vogt~~ Nicholas W. Broyles
City Administrator



City Council Agenda Request

MEETING DATE: January 21, 2025

TITLE OF ITEM: Consider Amending Capitalization Policy

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Connie Hillman, Finance Director

DEPARTMENT: Finance

PRESENTER: Connie Hillman, Finance Director

ESTIMATED TIME (MIN): 5 Minutes

SUMMARY OF ISSUE: The City's capitalization policy was adopted in 2002. Since that time, industry standards and federal guidelines have changed, and Staff is asking Council to consider increasing the dollar amount thresholds.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: By increasing the threshold amounts as proposed, the City will be more in line with other municipalities, and the City is still compliant (below) the federal guideline of using \$10,000 for purchases. With the current capitalization thresholds, it creates unnecessary tracking of minor assets.

RECOMMENDED ACTION/MOTION: Amend the City of Brainerd Capitalization policy as presented effective for calendar year 2025.

FINANCIAL IMPACT:

CITY OF BRAINERD

CAPITALIZATION POLICY

This policy defines dollar thresholds and descriptions for categories of capital assets for all Departments of the City, except Public Utilities.

Capital Assets Definition

Capital assets include land, land improvements, buildings, building improvements, construction in progress, machinery and equipment, vehicles, infrastructure, easements, works of art and historical treasures acquired by the City for use in providing services to its citizens. A capital asset is to be reported and depreciated in government-wide financial statements. In the government-wide financial statements, assets that are not capitalized are expended in the year of acquisition.

Infrastructure assets are long-lived capital assets that normally can be preserved for a significant greater number of years than most capital assets and are normally stationary in nature. Examples include roads, bridges, tunnels, drainage systems, water and sewer systems, and dams. Infrastructure assets do not include buildings, drives, parking lots or any other examples given above that are incidental to property or access to the property.

Inventory Record

The City shall inventory all capital assets. Each inventory record should include: description, year of acquisition, method of acquisition (e.g. purchase, donation, etc.) funding source, cost or estimated cost, salvage value, and estimated useful life. The inventory record will also identify the function(s) that use the asset.

Recording Land

Land is to be capitalized but not depreciated. It is recorded at historical cost and remains at that cost until disposal. If there is a gain or loss on the sale of land, it is reported as a special item in the statement of activities.

Recording Land Improvements

Land improvements include items such as excavation, non-infrastructure utility installation, driveways, sidewalks, parking lots, flagpoles, retaining walls, fencing, signs, outdoor lighting, and other non-building improvements intended to make the land ready for its intended purpose. Land improvements can be further categorized as non-exhaustible and exhaustible.

Non-Exhaustible – Expenditures for improvements that do not require maintenance or replacement expenditures to bring land into condition to commence erection of structure, expenditures for improvements not identified with structures, and expenditures for land improvements that do not deteriorate with use or passage of time are additions to the cost of land and are not exhaustible and therefore not depreciable.

Exhaustible – Other improvements that are part of a site, such as parking lots, landscaping and fencing, are usually exhaustible and are depreciable. Depreciation of site improvements is necessary if the improvement is exhaustible.

Recording Buildings

Buildings should be recorded at either their acquisition cost or construction cost. The cost of new construction should be carefully evaluated because projects usually consist of major components such as land, land improvements, building construction (including professional fees and permits), furniture, fixtures and equipment. In addition, buildings include components such as roof, air conditioner system, etc that should be recorded separately when significant because these building components have different useful lives. The value of each component needs to be determined and placed within its own category.

Recording Building Improvements

Building improvements that extend the useful life should be capitalized. Examples of building improvements include roofing projects, remodeling or replacing major building components.

Recording Construction in Progress

Construction in progress should be capitalized and not depreciated. It should be reported with land and other non-depreciating assets at the government-wide level. Unspent debt proceeds from capital assets related debt are reported in the net assets section of the statement of net assets as “restricted for capital projects”.

Recording Machinery and Equipment (Including Office Equipment)

Assets such as furniture, machinery and equipment (that meet threshold levels) should be capitalized and inventoried. Some assets, individually, may fall below the capitalization threshold but may be purchased in large quantities by the City e.g. computers, books. City staff should aggregate such assets and consider the materiality and significance of them and if material or significant capitalize such items either individually or in the aggregate.

Recording Vehicles

Vehicles should be identified, inventoried, and depreciated.

Recording Easements

An easement is an interest in land owned by another that entitles its holder to a specific limited use of the land. Therefore, easements are not required to be reported unless the City paid for the easement.

Recording Works of Art and Historical Treasures

Works of art and historical treasures should be recorded at historical costs. Depreciation is not required for collections or works of art that are inexhaustible.

Establishing and Setting the Threshold Levels for Recording Capital Assets

The following elements of useful life and asset costs are established for capitalization of assets:

Estimated Useful Life – The first criterion is useful life. An asset must have an estimated useful life greater than one (1) year to be considered for capitalization and depreciation. Assets that are consumed, used-up, habitually lost or worn-out in one year or less will not be capitalized.

Asset Cost - The second criterion for determine depreciable capital assets is cost. The capitalization threshold shall be established as follows for per individual asset item.

	<u>Capitalize and Depreciate</u>
Land	Capitalize only
Construction in Progress	Capitalize only
Land Improvements – Improvements other than Bldgs.	\$ 105 ,000
Building and Building Improvements	\$ 105 ,000
Infrastructure	\$ 105 ,000
Machinery and Equipment	\$ 51 ,000
Vehicles	\$ 51 ,000

Depreciation Definition

Depreciation is the process of allocating the cost of tangible property over a period of time rather than deducting the cost as an expense in the year of acquisition.

It is the City's policy to use the straight-line depreciation method. The basis of the asset is written off evenly over the useful life of the asset. The same amount of depreciation is taken each year. In general, the amount of annual depreciation is determined by dividing an asset's depreciable cost by its estimated life. The total amount depreciated can never exceed the asset's historic cost less salvage value. At the end of the asset's estimated life, the salvage value will remain.

To avoid the complications of depreciating each asset from the specific date on which it is placed in service, the City will utilize a full-month convention. Under this convention, property placed in service at any time during a given month is treated as if it had been placed in service on the first day of that month. This allows depreciation to be taken for the entire month in which the asset is placed in service. If the property is disposed of before the end of the estimated useful life, no depreciation is allowed for the month of disposition.

To calculate depreciation on a capital asset, the following five factors must be known:

- The date the asset was placed in service
- The asset's cost or acquisition value
- The asset's salvage value
- The asset's estimated useful life, and
- The depreciation method.

Obtaining an Asset's Cost of Acquisition Value

Capital assets are reported at historical cost and should include the cost of freight, site preparation, architect and engineering fees, etc. If something other than cash is used to pay for the asset, then the fair-market value of the non-cash payment or consideration determines the asset's cost or acquisition value. When the value of the consideration paid can't be determined, the asset's fair-market value determines its cost. With few exceptions, an asset's cost should also include necessary costs incurred to place the asset in service. Costs include the invoice price plus incidental costs (insurance during transit, freight, capitalized interest as described earlier, duties, title search, registration fees, and installation costs). Exceptions to this rule include interest expenses associated with deferred payments and real estate taxes paid, if any, in the acquisition of property.

Establishing Classes of Assets

The City establishes the following major categories of capital assets, with further details defined in Exhibit A attached hereto and made a part of this policy.

Land
Land Improvements – Improvements other than buildings
Buildings and Building Improvements
Construction in Progress
Vehicles
Machinery and Equipment (Including Office Equipment)
Infrastructure

Adopted this 18th day of November, 2002.

Amended this ____ Day of January, 2025

DANIEL J. VOGTNICHOLAS W. BROYLES
City Administrator

EXHIBIT A CAPITAL ASSETS CLASSES

<u>Asset Type</u>	<u>Examples</u>	<u>Depreciable Life In Years</u>
<u>Non-Infrastructure</u>		
150 Land		No Depreciation
300 Improvements Other than Bldgs.	Sidewalks, fencing, welcome signs, lighting, wells	20
	Bridges = 35 yrs.	
150 Land Improvements – ground work	Ballfields, landscaping, sprinkler system, parking lots	20
	Trails = 35 years	
200 Buildings & Building Improvements		40
Building Improvements such as:		
Electrical/Plumbing		20
HVAC Systems	Air-conditioners, heating, ventilation systems	20
Roofing		20
Carpet Replacement		5
440 Vehicles –		
Cars and light trucks		5
Police Squad Cars		3
Fire trucks	Ladders	20
Busses	Transit DAR	5
400 Equipment -		
Heavy Construction Equipment	Backhoes, trucks, dozers, front-end loaders, tractors, graders	10
Engineering, Scientific Equipment	Lab Equipment	10
Firefighting Equipment	Hoses, breathing apparatus, defibrators	10
	Hovercraft, Airport CFR Truck	15
Police Equipment	Guns & body armor	5
Radio, Communications Equipment	Mobile, portable radios, camcorder, Radar	5
	Telephone Systems	10
Recreational Athletic Equipment	Pitching machines, treadmills, scoreboards, Bleachers, playground equipment	10
Custodial Equipment	Floor scrubbers, vacuums	5
Kitchen Equipment	Concessions	10
Grounds Equipment	Mowers, tractors and attachments	10
420 Office Equipment	Desks, chairs, computers, printers	5
Artwork	Collections, C Elmer Bust	No Depreciation
<u>70 Infrastructure</u>		
Easements		No Depreciation
Sanitary Sewer Systems		40
Storm Sewer Systems		40
Bridges/Trails		35
Streets/Roads		
Paved		35
Non-paved		No Depreciation
Runways		30
Taxiways		25
Concrete Runways/Taxiways/Aprons		40
Aprons		20



City Council Agenda Request

MEETING DATE: January 21, 2025

TITLE OF ITEM: Adopt Resolution Requesting Advance Municipal State Aid Funds

AGENDA: Main

ACTION REQUESTED: Adopt Resolution

SUBMITTED BY: Jessie Dehn, City Engineer

DEPARTMENT: Public Works

PRESENTER: Mike Habighorst, Public Works
Director

ESTIMATED TIME (MIN): 2 Minutes

SUMMARY OF ISSUE: Attached to this item is a Resolution requesting advance Municipal State Aid (MSA) funds for 2025 projects as well as 2024 projects that were not disbursed MSA funds. As our current MSA Construction Fund is in advance status, to receive MSA funds for 2024 projects, the City is required to adopt a resolution requesting the advance funds from future years' allocations.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Typically, the City is allocated approximately \$1,000,000 in State Aid funds annually. 25% of these funds are allocated to Maintenance that covers maintenance costs of the State Aid streets and a portion of the Street Mechanic position. This leaves approximately \$750,000 towards State Aid construction.

Staff is recommending that Wright/10th Reconstruction Project be not included in this list as staff is recommending that this project be funded using State Aid Bonds, which would be paid through future annual State Aid allocations. To be able to fund the current planned programming, larger projects such as this and TH 210 Reconstruction, will need to be bonded to stretch the cost over several years.

As the City's MSA is in advance status, there is no guarantee that additional advance funds would be allocated. It is likely that this request would be approved for the 2025 projects.

RECOMMENDED ACTION/MOTION: Staff recommends adoption of the attached resolution requesting advance Municipal State Aid construction funds.

FINANCIAL IMPACT: N/A

RESOLUTION
NO. _____

RESOLUTION REQUESTING ADVANCE MUNICIPAL STATE AID FUNDS

WHEREAS, the Municipality of Brainerd is planning to implement Municipal State Aid Street Project(s) in 2024 which will require State Aid funds in excess of those available in its State Aid Construction Account, and

WHEREAS, said municipality is prepared to proceed with the construction of said project(s) through the use of an advance from the Municipal State Aid Street Fund to supplement the available funds in their State Aid Construction Account, and

WHEREAS, the advance is based on the following determination of estimated expenditures:

Account Balance as of January 21st, 2025 (\$872,071)_____

Less estimated disbursements:

Project # <u>SP 1805-80</u>	<u>\$264,531</u>
-----------------------------	------------------

Project # <u>SAP 108-124-009</u>	<u>\$519,187</u>
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Project # <u>SAP 108-125-004</u>	<u>\$612,114</u>
----------------------------------	------------------

Project # <u>SAP 108-119-007</u>	<u>\$105,980</u>
----------------------------------	------------------

Project # <u>SAP 108-104-012</u>	<u>\$193,958</u>
----------------------------------	------------------

Project # <u>SAP 108-116-003</u>	<u>\$112,254</u>
----------------------------------	------------------

Bond Principle (if any)	<u>\$_____</u>
-------------------------	----------------

Project Finals (overruns-if any)	<u>\$_____</u>
----------------------------------	----------------

Other _____	<u>\$_____</u>
-------------	----------------

Total Estimated Disbursements	<u>\$1,808,024</u>
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Advance Amount (amount in excess of acct balance)	<u>\$2,680,095</u>
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WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.14, Subd. 6 and Minnesota Rules, Chapter 8820.1500, Subp. 10b, and

WHEREAS, the Municipality acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

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

That the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved Municipal State Aid Street Project(s) of the Municipality of Brainerd in an amount up to \$560,826. I hereby authorize repayments from subsequent accruals to the Municipal State Aid Street Construction Account of said Municipality from future year allocations until fully repaid.

Adopted this 21st day of January 2025

MIKE O'DAY
President of the Council

Approved this 22nd day of January 2025

DAVE BADEAUX
Mayor

ATTEST:

NICHOLAS W. BROYLES
City Administrator



City Council Agenda Request

MEETING DATE: January 21, 2025

TITLE OF ITEM: Adopt Resolution - Receive Feasibility Report and Call for Public Hearing on Improvement - Improvement 21-13 - Beech/Oakridge Reconstruction Project

AGENDA: Main

ACTION REQUESTED: Adopt Resolution

SUBMITTED BY: Jessie Dehn, City Engineer

DEPARTMENT: Public Works

PRESENTER: Mike Habighorst, Public Works Director

ESTIMATED TIME (MIN): 2 Minutes

SUMMARY OF ISSUE: Per the resolution adopted by the Council ordering preparation of the Feasibility Report for Improvement 21-13 - Beech/Oakridge Reconstruction Project, attached is the report prepared by City staff. Staff is recommending that Council adopt the attached resolution that receives the report as well as calls for a public hearing to hear public testimony on the improvement.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Staff will be able to respond to questions that the City Council may have about the report or project at the meeting. City staff hosted an Informational Meeting with residents at City Hall on January 7th to go over the project scope, answer questions, and collect input that could be utilized during preparation of the feasibility report. A video of the presentation can be viewed at [this link](#). In addition, staff has prepared a [project page \(StoryMap\)](#) that includes information regarding the project which is available on the website.

The attached resolution calls for a public hearing on the proposed improvement to be held at the Council meeting on February 18th at 7:30 p.m. A notice of the hearing would be appropriately published and notices mailed to all property owners affected by potential assessments.

RECOMMENDED ACTION/MOTION: Staff recommends adoption of the resolution receiving the attached Feasibility Report and calling for the public hearing on the proposed improvement to be held on February 18th, 2025 at 7:30 p.m.

FINANCIAL IMPACT: N/A



IMPROVEMENT 21-13 – BEECH/OAKRIDGE RECONSTRUCTION PROJECT FEASIBILITY REPORT

January 21, 2025

Prepared for review and consideration by the
Mayor and City Council of the City of Brainerd

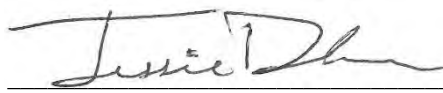


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I hereby certify that this plan, specification or report was prepared by me or under my direct supervision, and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

By: 
Jessie Dehn, P.E.
License No. 57747

Date: January 21, 2025



Introduction

City staff is pleased to present this report for improvements as listed above. Generally, the improvements consist of approximately 9 blocks of full reconstruction of street surfaces, storm sewer replacement, watermain replacement and upgrades, removal of existing concrete and bituminous surfacing, curb and gutter replacements, construction of new sidewalk and pedestrian ramps, restoration, and other miscellaneous incidental items.

Project Description and Existing Conditions

This project is a large-scale reconstruction project located in southeast Brainerd on streets that have fallen into general disrepair and have conditions that may not be acceptable for public use. There are also municipal utilities that have exceeded their useful life and have fallen into disrepair, requiring replacement. When streets and utilities come to this point, the City has an obligation to repair or make repairs to these streets to make them safe and passable for the travelling public, along with ensuring the streets have proper drainage systems installed.

The City utilizes a pavement management system which scores pavement and curb conditions based on current deficiencies within the pavements. The equation utilizes measurements of different cracking, potholing, and other surface and subgrade deficiencies that lead to a street falling into disrepair or an unacceptable condition. The score is from 0-4, zero means the road is completely impassable and a 4 means that a street is brand new or newly constructed. Below is a list of the streets planned for work this summer and their respective pavement and curb scores based on 2021 data. This data also has the last year a resurfacing was completed. Please note the scores read pavement score/curb score:

Beech Street (Oakridge Road to Oak Street)

Pavement 1.82 / 4.00, Curb 3.00 / 4.00

Originally Constructed in 1984

Oakridge Road (Beech Street to 28th Street SE)

Pavement 0.80 / 4.00, Curb is Non-Existent

Originally Constructed in 1975

During pavement evaluation processes, we look at specific types of pavement deficiencies to score the pavements and enter equations. We typically look at a localized 100-foot segment for scoring pavements that is most representative of the street. This does not mean that other areas of the street may be in worse or better condition during scoring. Staff looks at the entire street when identifying project limits and does not focus solely on scores. There are also other needs when considering project limits such as underlying utility needs and needs for sidewalk inclusion that staff looks at when evaluating project termini.

All the streets listed above are at or have exceeded their planned life expectancy. All streets are seeing weathered surfaces, transverse and longitudinal cracking, alligator cracking, potholing, and other distresses that indicate the pavement needs reconstruction. Curb and gutter condition is



generally in decent condition, however has minimal longitudinal grade leading to slower than desired stormwater drainage during rain events. Underlying watermain needs were also taken into consideration with the help of Brainerd Public Utilities in identifying project limits based on location of watermain under the street surface. Storm sewers within the project limits function acceptably but will inevitably need to be adjusted and replaced with adjustment of grades throughout the corridor. Sanitary sewer main was evaluated utilizing the City's jetting and camera equipment. The sanitary sewer is vitrified clay pipe but in generally acceptable condition and is proposed to remain in place and not be replaced as part of this project.

Both Beech Street and Oakridge Road are functionally classified as local streets. The future use and designation of these streets is not proposed or anticipated to change in future years and serve as local streets that bring traffic to collector or arterial streets through southeast Brainerd such as Oak Street.

Both street segments generate local residential traffic. Higher traffic generation on Beech Street can be attributed to the higher density residential mobile home neighborhood, Meadow View Manor, at the south end of Beech Street.

Proposed Project and Work Types

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

Street reconstruction of this nature is highly intrusive. The underlying utility needs and current surface and curb and gutter ratings are driving most of the improvements.

Right of Way

The project is not anticipated to need any right-of-way acquisition. Most of the current rights-of-way on the project are 66-feet in width, which allows the full reconstruction of the street, replacement of old utilities, concrete sidewalk, and restoration without the need for additional temporary easements or permanent right-of-way.

Removals

The streets in the project area are surfaced with bituminous asphalt pavement. This is being proposed to all be removed to access underlying utilities. All curb and gutter are proposed for removal in the project limits on Beech Street, as all was part of the original construction. Driveways and other pavements outside of the street are all proposed for removal with the project, as street grades and utility re-alignments, along with the condition of these elements, make it necessary.

Proposed Typical Sections

The City is proposing to use its standard typical section on Beech Street. That is a 35-foot-wide street (32' bituminous surface with 3-feet of curb and gutter drivable surface). This section allows for two lanes of traffic (10 ½-feet wide) and two parking lanes (7-feet wide). As Oakridge Road has limited



access, a narrower typical section is proposed that matches the existing street width of a 26-foot-wide street (23' bituminous surface with 3-feet of new curb and gutter drivable surface). This segment will include new curb and gutter to improve stormwater drainage and bituminous pavement preservation on the edge of the street. The section allows for two lanes of traffic (11-feet wide) with 2-foot shoulders on each side. The City is proposing to include construction of a new 5-foot-wide sidewalk on both streets. As Beech Street is a State Aid street, the design strength must meet State Aid standards. Thus, the City is proposing a typical section depth of 6 inches of aggregate base and 3 ½ inches of bituminous asphalt, using an assumed subgrade R-Value of 70.

Utilities

Full replacement and additions of existing watermain infrastructure within the project limits are proposed. Storm sewer main will be redone in the Beech Street corridor. Sanitary castings are proposed to be replaced in all project areas as necessary. Water services to residences are proposed to be replaced with the project where watermain is being added or replaced.

Restoration

Boulevards will be restored with black dirt and seed in any disturbed area. Boulevard trees removed with construction or per the City's Ash Tree Policy will be replaced on a 1:1 basis. Existing landscaping, retaining walls, and other elements placed by property owners will be individually addressed with the project by City staff and the property owner. Sprinklers will need to be removed by the resident or business prior to construction and replaced once restoration has occurred.

Environmental Considerations and Erosion Control

Standard erosion control BMP's will be placed during construction. Storm sewer will be offline for most of the project, and the contractor will be responsible to ensure the sites are accessible to both vehicles and pedestrians throughout construction. Impervious surface areas are likely to remain equal to current impervious areas with the project construction. No protected or endangered species are anticipated to be affected by the proposed construction.

Project Estimated Costs

Below is a breakdown of estimated project costs for the project. Cost breakdowns of each specific roadway will be made available upon request. The totals outlined below reflect an estimated cost with 10% engineering costs included. The costs reflected in bids from contractors may vary from these costs based on workload, project site conditions, or other factors out of the City's control. The costs are based on historical values for each item of work and vary due to market conditions. Costs are broken down to roadway (street, curb and gutter, restoration, etc.), storm sewer, sanitary sewer, watermain, assessable (based on a residential roadway design), and staff took the liberty to break out sidewalk costs to give an idea of the cost of those additional items that are necessary for the street construction:



Beech/Oakridge Reconstruction Project	
Roadway	\$954,467
Storm Sewer	\$350,625
Sanitary Sewer	\$22,462
Watermain	\$906,868
Sidewalk	\$113,815
Assessable Costs (not included in total)	\$477,234
Total Construction and Engineering	\$2,348,237

A portion of the project is proposed to be financed by special assessments. The City assessment policy calls for assessing benefiting owners 50% of the costs associated with street reconstruction on a front foot basis. The City Council has adopted a side-yard deduction assessment policy to help reduce the burden for the owners of corner lots on reconstruction projects that extend on multiple streets. Side-yard is defined as the side of your lot with the most street frontage. Improvements made to the side-yard street result in the City paying for the cost of one-half of the side-yard footage and the property owner being assessed for one-half (1/2) of the side-yard footage. Project costs associated with the replacement of utilities will not be assessed and are paid by the associated utility fund (i.e. watermain items funded by Brainerd Public Utilities). The City Assessment Policy is included in the Appendix. Based on the assessment policy and the above preliminary estimate, it is estimated that the assessment rate for this project would be **\$72.50** per linear foot of front footage.

Summary

The intended uses of these streets and this infrastructure is not anticipated to change over the life of these improvements. Feasibility analysis is completed during the survey, preliminary design, public meetings, and final design of the proposed improvements. Through this analysis, City staff have completed most of the plans and specifications that are explained and contained in this report. The streets proposed for reconstruction have exceeded their life expectancy. The City has an obligation to maintain these traffic corridors for pedestrians and vehicles. Underlying utilities proposed for replacement are in need of replacement. No right of way or expansion of existing streets is proposed, and environmental considerations have been addressed through design.

City staff is recommending that the City Council conduct a Public (Improvement) Hearing with benefiting property owners to determine the need for the proposed improvements. We recommend that, prior to the sale of bonds for the project, the Council pass a resolution stating the intent to reimburse itself for the payment of expenditures out of bond proceeds to be made after the date of payment of the expenditures. From an engineering standpoint, the proposed project is feasible, cost effective, and necessary due to the elements outlined in this report and submitted to the Council as necessary according to Minnesota Statute 429.

Appendix

City of Brainerd, Minnesota Street and Sewer Assessment Policy

1. Introduction

Special assessments are a charge imposed on properties for an improvement that benefits the owners of that selected property. The authority to use special assessments originates in the state constitution which allows the state legislature to give cities and other local government units the authority “to levy and collect assessments for local improvements upon property benefitted hereby”. The legislature designates that authority to cities in Minnesota Statutes Chapter 429.

A charter city (in which Brainerd is) may choose to use either Chapter 429 or provisions of the charter to assess for local improvements, however, even the state law requires that charter cities follow state law in certain steps of the proceedings.

Special Assessments have three distinct characteristics:

- They are a levy the City uses to finance, or partially finance, a public improvement program.
- The city levies the charge only against those parcels of property that receive some special benefit from the program.
- The amount of the charge bears a direct relationship to value of the benefits the property receives.

The City of Brainerd, Minnesota finds it beneficial to fund portions or all the 5-year street and sewer capital plan using special assessments. Special assessment proceedings will follow the procedures as outlined in Minnesota Statute 429 and any modifications thereto.

2. Assessable Improvements

How Much is Being Assessed?

Developer New Construction

On projects where utilities and roadways are being constructed for the first time, the developer is responsible for installing the watermain, sanitary sewer, grading, surfacing, storm sewers, and any other incidental features it sees fit. The city requires developers to construct all facilities to city standards and be approved by the City engineering department. While it is ultimately up to the developer to decide how the development costs incurred are recouped, the developer will typically split these costs to the number of parcels developed and recoup its cost through the sale price of the lots.

Petitioned New Construction

On projects where the city is petitioned to install the new improvements, the entire project cost being constructed is assessed to the abutting properties, as either by a per lot basis or by a front-foot basis.

Petitioned or Council Authorized Reconstruction of Resurfacing

Whether the city acts upon its own authority to make an improvement or it is petitioned by property owners, the city assesses one-half (1/2) of the cost of the reconstruction or resurfacing improvement including construction and engineering of the said improvement on a front-foot or per lot basis. The other one-half (1/2) of the resurfacing or reconstruction cost is paid by the city. If utilities such as sanitary sewer, water mains, or storm sewers are being reconstructed along with the project, the cost of this work is not assessed, but rather is covered through user fees and rates set by council or public utilities commission. If a project consisting of overlaying a street is proposed, the entire project cost is assessed to abutting properties. The City does not typically assess for new sidewalks, but may from time to time, assess for the entire costs of repairs thereto.

Pursuant to Petition – Properties Abutting the City but outside City Corporate Boundaries

The City does not construct municipal utilities outside of its corporate boundaries until such time the properties are annexed and within the City of Brainerd corporate boundaries. Once annexation is completed, the utilities are installed and the entire cost of installation of said utilities are assessed to abutting property owners.

Pursuant to Council Action – Properties not Abutting the City Corporate Boundaries

The City does not construct municipal utilities outside of its corporate boundaries until such time the properties are annexed and within the City of Brainerd corporate boundaries. Once annexation is completed, the utilities are installed and the entire cost of installation of said utilities are assessed to abutting property owners.

In prior years, the City Council authorized the construction of utility improvements outside its corporate boundaries and not abutting the city. To pay for such costs, the council established a Water Connection Charge (WCC) and Sewer Connection Charge (SCC). This charge, as initially set by council resolution, represents the average costs of constructing such utility improvements and is payable immediately upon connection to the system. This charge is enacted if the property owner elects to divide the property in which assessments were imposed and deferred. If a lot is split and the owner elects to connect to sewer and water, the WCC and SCC are charged to the property owner, with the balance of the deferred assessment remaining on the other parcel created from the split.

The WCC and SCC set by council resolution will remain in effect until repealed by the council. Said resolution may be adjusted periodically by the city council.

3. Initiation of an Improvement

By Petition from Property Owners

Per Minnesota Statute 429, if the council chooses to proceed with an improvement based on a petition, it must have the signatures of at least 35 percent in frontage of the property bordering the proposed improvements. If the council relies upon a petition as its basis for proceeding, it cannot make substantial change the improvement from what is asked for in the petition. The council must pass a resolution determining whether the petition is legally sufficient or not.

By Council Action

Per City of Brainerd Charter Section 92, in the first instance in which the council desires to levy a special assessment for an improvement, it shall require a two-thirds (2/3) vote of the members elect except in the case of sidewalks, in which a majority is sufficient.

4. Proceedings

Minnesota Statute 429

The City of Brainerd has elected to utilize Minnesota Statute 429 for its assessment proceedings, as amended and incorporated by reference into this policy.

Interest Rates

The council determines the interest rate on the special assessments, along with any other repayment provisions. The interest rate is typically set by ensuring a reasonable relationship between the assessments interest rate and the bond interest rate if the city issued bonds for the project. If the city finances the project with funds on hand, the council will look at the interest rate the city would otherwise have earned on the funds.

5. Payments

Once the assessments have been adopted, property owners originally have numerous options for repayment:

1. Pay the total amount of the assessment within 30 days after the council adopts the assessment rolls. This this situation, the city cannot charge interest; or
2. Pay the assessments in annual installments (with interest) under the terms set by the council; or
3. Pay the entire amount at any time after the 30 days, but before any certification to the county auditor. The property owner pays only the amount of interest accrued as of the date of payment; or
4. At any time after certification to the County Auditor, the property owner may still pay the entire remaining unpaid amount to the County Treasurer. However, the property owner must pay the entire remaining unpaid amount of the assessment before November 15 of any year and must also pay all interest accrued until the end of that calendar year.

6. Deferments

The City Council has adopted policy which allows for assessment deferments for elderly person and for all other persons who fall within the economic hardship criteria. A deferred assessment is not forgiven but is postponed until such time that the property owner either elects to resume making the annual installments as certified, no longer meets the economic hardship criteria, or sells the property. Persons interested in deferring assessments must apply each year to have the following year assessment installment deferred. After 10 years, no further applications are necessary, and the deferred installments will remain permanently deferred without accrual of additional interest, until such time that the deferred assessment is voluntarily paid of the property is sold. The most current deferment criteria passed by council resolution can be requested from the City Clerk and a copy provided to the requestor.

7. Other Frequently Asked Questions

Will Improvements Affect my Property Taxes?

While it is well documented within the real estate industry that streets and utilities that are in poor condition decrease the marketability and sale prices of homes, improvements to the streets and utilities do not automatically increase the taxes on the property. Property market valuations, as determined by the County Assessor, are based on the recent sale prices of comparable properties within the neighborhood. Following improvements to streets and utilities, the marketability of properties tends to increase, and the properties can demand a higher sale price. As years pass and the history of sale prices in the neighborhood show increases, the County Assessor will adjust the market valuation of properties to more closely reflect the price the property would sell for. If the market valuations in the neighborhood are increasing at a faster rate than the City, County, and School District averages, the property taxes will tend to increase over time.

Why is There a Difference Between my Front Footage and Assessable Footage?

If you live on a corner lot, your property is subject to assessments for improvements on both streets. The City Council has adopted a side-yard deduction assessment policy to help reduce the burden for the owners of corner lots or reconstruction or resurfacing projects. Your side-yard is defined as the side of your lot with the most street frontage. Improvements made to your side-yard street result in the city paying for the cost of one-half of your side-yard footage and the property owner being assessed for one-half (1/2) of the side-yard footage. The most common assessment notices for side-yard street improvements will list the front-footage as 140 feet and the assessable front-footage as 70 feet.

Existing Photos – Beech Street and Oakridge Road





R E S O L U T I O N
NO. _____

**RESOLUTION RECEIVING FEASIBILITY REPORT
CALLING HEARING ON IMPROVEMENT 23-13
BEECH/OAKRIDGE RECONSTRUCTION PROJECT**

WHEREAS, pursuant to resolution of the Council adopted January 6th, 2025, a report has been prepared by the City Engineer with reference to the proposed Beech/Oakridge Reconstruction Project, including the following improvements:

Street Reconstruction

Beech Street – Oakridge Road to Oak Street

Oakridge Road – Oak Street to 28th Street SE

by reconstructing streets, including replacement of bituminous pavement surfacing, curb and gutter, gravel base, grading, sidewalk construction, watermain replacement, storm sewer replacement, and other miscellaneous related work.

WHEREAS, the report provides information regarding whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

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

1. The Council will consider the improvement of such streets in accordance with the report and the assessment of abutting property and properties directly served via these streets for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429 at an estimated total cost of the improvement of \$2,348,237.
2. A Public Hearing shall be held on such proposed improvement on the 18th day of February 2025, in the Council Chambers of the City Hall at 7:30 p.m. and the City Administrator shall give mailed and published notice of such hearing and improvement as required by law.

Adopted this 21st day of January 2025

MIKE O'DAY
President of the Council

Approved this 22nd day of January 2025

DAVE BADEAUX
Mayor

ATTEST: _____
NICHOLAS W. BROYLES
City Administrator



City Council Agenda Request

MEETING DATE: January 21, 2025

TITLE OF ITEM: Adopt Resolution - Receive Feasibility Report and Call for Public Hearing on Improvement - Improvement 17-12 - Wright/10th Reconstruction Project

AGENDA: Main

ACTION REQUESTED: Adopt Resolution

SUBMITTED BY: Jessie Dehn, City Engineer

DEPARTMENT: Public Works

PRESENTER: Mike Habighorst, Public Works Director

ESTIMATED TIME (MIN): 2 Minutes

SUMMARY OF ISSUE: Per the resolution adopted by the Council ordering preparation of the Feasibility Report for Improvement 17-12 - Wright/10th Reconstruction Project, attached is the report prepared by City staff. Staff is recommending that Council adopt the attached resolution that receives the report as well as calls for a public hearing to hear public testimony on the improvement.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Staff will be able to respond to questions that the City Council may have about the report or project at the meeting. City staff hosted an Informational Meeting with property owners at City Hall on January 8th to go over the project scope, answer questions, and collect input that could be utilized during preparation of the feasibility report. A video of the presentation can be viewed at [this link](#). In addition, staff has prepared a [project page \(StoryMap\)](#) that includes information regarding the project which is available on the website.

The attached resolution calls for a public hearing on the proposed improvement to be held at the Council meeting on February 18th at 7:30 p.m. A notice of the hearing would be appropriately published and notices mailed to all property owners affected by potential assessments.

RECOMMENDED ACTION/MOTION: Staff recommends adoption of the resolution receiving the attached Feasibility Report and calling for the public hearing on the proposed improvement to be held on February 18th, 2025 at 7:30 p.m.

FINANCIAL IMPACT: N/A



IMPROVEMENT 17-12 – WRIGHT/10TH RECONSTRUCTION PROJECT FEASIBILITY REPORT

January 21, 2025

Prepared for review and consideration by the
Mayor and City Council of the City of Brainerd

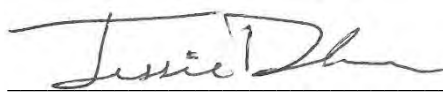


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I hereby certify that this plan, specification or report was prepared by me or under my direct supervision, and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

By: 

Jessie Dehn, P.E.
License No. 57747

Date: January 21, 2025



Introduction

City staff is pleased to present this report for improvements as listed above. Generally, the improvements consist of approximately 13.5 blocks of full reconstruction of street surfaces, storm sewer catch basin replacement, watermain replacement and upgrades, removal of existing bituminous surfacing, curb and gutter replacements, restoration, and other miscellaneous incidental items.

Project Description and Existing Conditions

This project is a large-scale reconstruction project located in south Brainerd on streets that have fallen into general disrepair and have conditions that may not be acceptable for public use. There are also municipal utilities that have exceeded their useful life and have fallen into disrepair, requiring replacement. When streets and utilities come to this point, the City has an obligation to repair or make repairs to these streets to make them safe and passable for the travelling public, along with ensuring the streets have proper drainage systems installed.

The City utilizes a pavement management system which scores pavement and curb conditions based on current deficiencies within the pavements. The equation utilizes measurements of different cracking, potholing, and other surface and subgrade deficiencies that lead to a street falling into disrepair or an unacceptable condition. The score is from 0-4, zero means the road is completely impassable and a 4 means that a street is brand new or newly constructed. Below is a list of the streets planned for work this summer and their respective pavement and curb scores based on 2021 data. Please note the scores read pavement score/curb score:

Wright Street (South 6th Street to 13th Street SE)

Pavement 2.20 / 4.00, Curb 2.00 / 4.00

Originally Constructed in 1973 (S. 6th to Trail) and 1981 (Trail to 13th St SE)

South 10th Street (Industrial Park Road to Wright Street)

Pavement 2.63 / 4.00, Curb 3.00 / 4.00

Originally Constructed in 1981

During pavement evaluation processes, we look at specific types of pavement deficiencies to score the pavements and enter equations. We typically look at a localized 100-foot segment for scoring pavements that is most representative of the street. This does not mean that other areas of the street may be in worse or better condition during scoring. Staff looks at the entire street when identifying project limits and does not focus solely on scores. There are also other needs when considering project limits such as underlying utility needs and needs for sidewalk inclusion that staff looks at when evaluating project termini.

All the streets listed above are at or have exceeded their planned life expectancy. All streets are seeing weathered surfaces, transverse and longitudinal cracking, alligator cracking, potholing, and other distresses that indicate the pavement needs reconstruction. Curb and gutter condition is



faulting and damaged in several areas. However, in areas not faulted or damaged, the curb and gutter is generally in decent condition, but in some areas has minimal longitudinal grade leading to slower than desired stormwater drainage during rain events. Underlying watermain needs were also taken into consideration with the help of Brainerd Public Utilities in identifying project limits based on location of watermains under the street surface. Storm sewers within the project limits were thoroughly evaluated. The storm sewer trunk mains are large but generally function acceptably and are in acceptable condition. Storm sewer catch basins throughout the corridor are deteriorated and in poor condition and will need to be replaced as part of this project. Sanitary sewer main was evaluated utilizing the City's jetting and camera equipment. The sanitary sewer is vitrified clay pipe but in generally acceptable condition and is proposed to remain in place and not be replaced as part of this project.

S. 10th Street is functionally classified as a local street. Wright Street is functionally classified as a Minor Collector. In which, Wright Street not only serves as an access point for properties immediately adjacent to the street but also serves as a connection from adjacent local streets to larger collector and arterial routes. The future use and designation of these streets is not proposed or anticipated to change in future years.

Both street segments generate general commercial and industrial traffic. West of the Spur Line Trail, there is higher traffic generation on Wright Street, which can be attributed to the adjacent residential neighborhood to the north, higher density residential property such as Good Samaritan to the south, and other commercial properties to the south as well.

Proposed Project and Work Types

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

Street reconstruction of this nature is highly intrusive. The underlying utility needs and current surface and curb and gutter ratings are driving most of the improvements.

Right of Way

The project is not anticipated to need any right-of-way acquisition. Most of the current rights-of-way on the project are 80-feet in width, which allows the full reconstruction of the street, replacement of old utilities, and restoration without the need for additional temporary easements or permanent right-of-way.

Removals

The streets in the project area are surfaced with bituminous asphalt pavement. This is being proposed to all be removed to access underlying utilities. All curb and gutter are proposed for removal in the project limits, as all was part of the original construction. Driveways and other pavements outside of the street are all proposed for removal with the project, as street grades and utility re-alignments, along with the condition of these elements, make it necessary.



Proposed Typical Sections

The City is proposing to replace the existing typical section on Wright Street and S. 10th Street. That is a 44-foot-wide street (41 feet bituminous surface with 3 feet of curb and gutter drivable surface). This section allows for two lanes of traffic (13 feet wide) and two parking lanes (9 feet wide). Both Wright Street and S. 10th Street are State Aid streets, thus the design strength must meet State Aid standards. Due to the immediate adjacent use, the City is proposing a typical section depth of 6 inches of aggregate base and 3 ½ inches of bituminous asphalt, using an assumed subgrade R-Value of 70. In addition, due to issues with observed high groundwater tables in the area, staff is including a geotextile fabric layer under the aggregate base and edge line drain tile to separate the road core section from moisture and provide an avenue for groundwater to drain from underneath the roadway.

Utilities

Full replacement of existing watermain infrastructure within the project limits are proposed. Storm sewer catch basins will be replaced within the project limits as well. Sanitary castings are proposed to be replaced in all project areas as necessary. Water services to businesses and residences are proposed to be replaced with the project where watermain is being replaced.

Restoration

Boulevards will be restored with black dirt and seed in any disturbed area. Boulevard trees removed with construction or per the City's Ash Tree Policy will be replaced on a 1:1 basis. Existing landscaping, retaining walls, and other elements placed by property owners will be individually addressed with the project by City staff and the property owner. Sprinklers will need to be removed by the resident or business prior to construction and replaced once restoration has occurred.

Environmental Considerations and Erosion Control

Standard erosion control BMP's will be placed during construction. Storm sewer will be offline for most of the project, and the contractor will be responsible to ensure the sites are accessible to both vehicles and pedestrians throughout construction. Impervious surface areas are likely to remain equal to current impervious areas with the project construction. No protected or endangered species are anticipated to be affected by the proposed construction.

Access Considerations

As mentioned above, the contractor will be responsible to ensure properties are accessible throughout construction to the greatest extent feasible. With consideration to the adjacent land use, access during construction will need to be carefully coordinated due to the amount of daily commercial trucking traffic that ingresses and egresses from these two streets.

Project Estimated Costs

Below is a breakdown of estimated project costs for the project. Cost breakdowns of each specific roadway will be made available upon request. The totals outlined below reflect an estimated cost with 10% engineering costs included. The costs reflected in bids from contractors may vary from



these costs based on workload, project site conditions, or other factors out of the City's control. The costs are based on historical values for each item of work and vary due to market conditions. Costs are broken down to roadway (street, curb and gutter, restoration, etc.), storm sewer, sanitary sewer, watermain, and assessable costs to give an idea of the cost of those items that are necessary for the street construction:

Wright/10th Reconstruction Project	
Roadway	\$1,749,212
Storm Sewer	\$229,680
Sanitary Sewer	\$84,161
Watermain	\$1,491,303
Assessable Costs (not included in total)	\$662,160
Total Construction and Engineering	\$3,554,356

A portion of the project is proposed to be financed by special assessments. The City assessment policy calls for assessing benefiting owners 50% of the costs associated with street reconstruction on a front foot basis. The City Council has adopted a side-yard deduction assessment policy to help reduce the burden for the owners of corner lots on reconstruction projects that extend on multiple streets. Side-yard is defined as the side of your lot with the most street frontage. Improvements made to the side-yard street result in the City paying for the cost of one-half of the side-yard footage and the property owner being assessed for one-half (1/2) of the side-yard footage. Project costs associated with the replacement of utilities will not be assessed and are paid by the associated utility fund (i.e. watermain items funded by Brainerd Public Utilities). The City Assessment Policy is included in the Appendix. Based on the assessment policy and the above preliminary estimate, it is estimated that the assessment rate for this project would be **\$84.00** per linear foot of front footage.

Summary

The intended uses of these streets and this infrastructure is not anticipated to change over the life of these improvements. Feasibility analysis is completed during the survey, preliminary design, public meetings, and final design of the proposed improvements. Through this analysis, City staff have completed most of the plans and specifications that are explained and contained in this report. The streets proposed for reconstruction have exceeded their life expectancy. The City has an obligation to maintain these traffic corridors for pedestrians and vehicles. Underlying utilities proposed for replacement are in need of replacement. No right of way or expansion of existing streets is proposed, and environmental considerations have been addressed through design.

City staff is recommending that the City Council conduct a Public (Improvement) Hearing with benefiting property owners to determine the need for the proposed improvements. We recommend that, prior to the sale of bonds for the project, the Council pass a resolution stating the intent to reimburse itself for the payment of expenditures out of bond proceeds to be made after the date of payment of the expenditures. From an engineering standpoint, the proposed project is feasible, cost effective, and necessary due to the elements outlined in this report and submitted to the Council as necessary according to Minnesota Statute 429.

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Special assessments are a charge imposed on properties for an improvement that benefits the owners of that selected property. The authority to use special assessments originates in the state constitution which allows the state legislature to give cities and other local government units the authority “to levy and collect assessments for local improvements upon property benefitted hereby”. The legislature designates that authority to cities in Minnesota Statutes Chapter 429.

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Petitioned New Construction

On projects where the city is petitioned to install the new improvements, the entire project cost being constructed is assessed to the abutting properties, as either by a per lot basis or by a front-foot basis.

Petitioned or Council Authorized Reconstruction of Resurfacing

Whether the city acts upon its own authority to make an improvement or it is petitioned by property owners, the city assesses one-half (1/2) of the cost of the reconstruction or resurfacing improvement including construction and engineering of the said improvement on a front-foot or per lot basis. The other one-half (1/2) of the resurfacing or reconstruction cost is paid by the city. If utilities such as sanitary sewer, water mains, or storm sewers are being reconstructed along with the project, the cost of this work is not assessed, but rather is covered through user fees and rates set by council or public utilities commission. If a project consisting of overlaying a street is proposed, the entire project cost is assessed to abutting properties. The City does not typically assess for new sidewalks, but may from time to time, assess for the entire costs of repairs thereto.

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Pursuant to Council Action – Properties not Abutting the City Corporate Boundaries

The City does not construct municipal utilities outside of its corporate boundaries until such time the properties are annexed and within the City of Brainerd corporate boundaries. Once annexation is completed, the utilities are installed and the entire cost of installation of said utilities are assessed to abutting property owners.

In prior years, the City Council authorized the construction of utility improvements outside its corporate boundaries and not abutting the city. To pay for such costs, the council established a Water Connection Charge (WCC) and Sewer Connection Charge (SCC). This charge, as initially set by council resolution, represents the average costs of constructing such utility improvements and is payable immediately upon connection to the system. This charge is enacted if the property owner elects to divide the property in which assessments were imposed and deferred. If a lot is split and the owner elects to connect to sewer and water, the WCC and SCC are charged to the property owner, with the balance of the deferred assessment remaining on the other parcel created from the split.

The WCC and SCC set by council resolution will remain in effect until repealed by the council. Said resolution may be adjusted periodically by the city council.

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By Petition from Property Owners

Per Minnesota Statute 429, if the council chooses to proceed with an improvement based on a petition, it must have the signatures of at least 35 percent in frontage of the property bordering the proposed improvements. If the council relies upon a petition as its basis for proceeding, it cannot make substantial change the improvement from what is asked for in the petition. The council must pass a resolution determining whether the petition is legally sufficient or not.

By Council Action

Per City of Brainerd Charter Section 92, in the first instance in which the council desires to levy a special assessment for an improvement, it shall require a two-thirds (2/3) vote of the members elect except in the case of sidewalks, in which a majority is sufficient.

4. Proceedings

Minnesota Statute 429

The City of Brainerd has elected to utilize Minnesota Statute 429 for its assessment proceedings, as amended and incorporated by reference into this policy.

Interest Rates

The council determines the interest rate on the special assessments, along with any other repayment provisions. The interest rate is typically set by ensuring a reasonable relationship between the assessments interest rate and the bond interest rate if the city issued bonds for the project. If the city finances the project with funds on hand, the council will look at the interest rate the city would otherwise have earned on the funds.

5. Payments

Once the assessments have been adopted, property owners originally have numerous options for repayment:

1. Pay the total amount of the assessment within 30 days after the council adopts the assessment rolls. This this situation, the city cannot charge interest; or
2. Pay the assessments in annual installments (with interest) under the terms set by the council; or
3. Pay the entire amount at any time after the 30 days, but before any certification to the county auditor. The property owner pays only the amount of interest accrued as of the date of payment; or
4. At any time after certification to the County Auditor, the property owner may still pay the entire remaining unpaid amount to the County Treasurer. However, the property owner must pay the entire remaining unpaid amount of the assessment before November 15 of any year and must also pay all interest accrued until the end of that calendar year.

6. Deferments

The City Council has adopted policy which allows for assessment deferments for elderly person and for all other persons who fall within the economic hardship criteria. A deferred assessment is not forgiven but is postponed until such time that the property owner either elects to resume making the annual installments as certified, no longer meets the economic hardship criteria, or sells the property. Persons interested in deferring assessments must apply each year to have the following year assessment installment deferred. After 10 years, no further applications are necessary, and the deferred installments will remain permanently deferred without accrual of additional interest, until such time that the deferred assessment is voluntarily paid of the property is sold. The most current deferment criteria passed by council resolution can be requested from the City Clerk and a copy provided to the requestor.

7. Other Frequently Asked Questions

Will Improvements Affect my Property Taxes?

While it is well documented within the real estate industry that streets and utilities that are in poor condition decrease the marketability and sale prices of homes, improvements to the streets and utilities do not automatically increase the taxes on the property. Property market valuations, as determined by the County Assessor, are based on the recent sale prices of comparable properties within the neighborhood. Following improvements to streets and utilities, the marketability of properties tends to increase, and the properties can demand a higher sale price. As years pass and the history of sale prices in the neighborhood show increases, the County Assessor will adjust the market valuation of properties to more closely reflect the price the property would sell for. If the market valuations in the neighborhood are increasing at a faster rate than the City, County, and School District averages, the property taxes will tend to increase over time.

Why is There a Difference Between my Front Footage and Assessable Footage?

If you live on a corner lot, your property is subject to assessments for improvements on both streets. The City Council has adopted a side-yard deduction assessment policy to help reduce the burden for the owners of corner lots or reconstruction or resurfacing projects. Your side-yard is defined as the side of your lot with the most street frontage. Improvements made to your side-yard street result in the city paying for the cost of one-half of your side-yard footage and the property owner being assessed for one-half (1/2) of the side-yard footage. The most common assessment notices for side-yard street improvements will list the front-footage as 140 feet and the assessable front-footage as 70 feet.

Existing Photos – Wright Street and South 10th Street







R E S O L U T I O N
NO. _____

**RESOLUTION RECEIVING FEASIBILITY REPORT
CALLING HEARING ON IMPROVEMENT 17-12
WRIGHT/10TH RECONSTRUCTION PROJECT**

WHEREAS, pursuant to resolution of the Council adopted January 6th, 2025, a report has been prepared by the City Engineer with reference to the proposed Beech/Oakridge Reconstruction Project, including the following improvements:

Street Reconstruction

Wright Street – South 6th Street to 13th Street SE

South 10th Street – Industrial Park Road to Wright Street

by reconstructing streets, including replacement of bituminous pavement surfacing, curb and gutter, gravel base, grading, watermain replacement, storm sewer catch basin replacement, and other miscellaneous related work.

WHEREAS, the report provides information regarding whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

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

1. The Council will consider the improvement of such streets in accordance with the report and the assessment of abutting property and properties directly served via these streets for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429 at an estimated total cost of the improvement of \$3,554,356.
2. A Public Hearing shall be held on such proposed improvement on the 18th day of February 2025, in the Council Chambers of the City Hall at 7:30 p.m. and the City Administrator shall give mailed and published notice of such hearing and improvement as required by law.

Adopted this 21st day of January 2025

MIKE O'DAY
President of the Council

Approved this 22nd day of January 2025

DAVE BADEAUX
Mayor

ATTEST: _____
NICHOLAS W. BROYLES
City Administrator



City Council Agenda Request

MEETING DATE: January 21, 2025

TITLE OF ITEM: Consider Forgiveness of Nuisance Assessments for 303 J Street

AGENDA: Main

ACTION REQUESTED: Direction Requested

SUBMITTED BY: James Kramvik, Community
Development Director

DEPARTMENT: Community Development

PRESENTER: James Kramvik, Community
Development Director

ESTIMATED TIME (MIN): 5 min

SUMMARY OF ISSUE:

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 on the side corner lot line 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 off-street parking and outdoor storage. City Council considered waiving the nuisance assessment on November 4th. Staff did not recommend waiving the nuisance assessment unless the fence is corrected, or the code is changed. City Council did not waive the assessment.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Since November 4th, the property owners moved the fence, applied for a permit, and was approved for a variance to place the fence 59.5" away from the side corner facade of the house. The fence is now compliant. Staff reviewed the property on 1/16 and noted that there were significant improvements regarding the junk and debris. There are a few remaining items pertaining to outdoor storage that must be corrected, and staff notified the property owners. Staff will review the property before Tuesday's City Council meeting and provide a verbal update. Staff is recommending reducing the assessment total from 2024, pending Tuesday's review. However, if future violations occur staff will not recommend forgiveness of fees.

Citation amount assessed in 2024 - \$4,950 + interest

Outdoor storage \$675

Illegal Fence \$3,275

Off-Street parking \$1000

RECOMMENDED ACTION/MOTION:

Staff recommends reducing the assessment amount as the property owners have begun to work with staff. The property owners should be assessed a minimum of \$600.00 to compensate for staff time dealing with the property issues.

FINANCIAL IMPACT: N/A

From: [Nikki Rees](#)
To: [Jeff Czczok](#); [Tad Erickson](#)
Cc: [James Kramvik](#)
Subject: Request for Forgiveness of Nuisance Charges
Date: Saturday, January 11, 2025 8:50:28 PM

To Whom It May Concern,

I am writing to respectfully request forgiveness of the nuisance charges related to the height and placement of our fence. While we now understand that the fence was in violation of the city ordinance, we strongly believe that the circumstances surrounding this situation warrant consideration for relief.

The fence was erected with the intention of creating a safe and private environment for our family, especially given the presence of a pond, a pool (which has since been removed), and a playground for our grandchildren. With the rise of crime and homelessness in our area, the fence provided a much-needed sense of security and served as a deterrent to unauthorized entry into our yard. Our sole intention was to ensure the safety and enjoyment of our space as responsible and law-abiding citizens.

Since becoming aware of the ordinance, we have taken every step necessary to comply. The pool and playground have been removed, all associated fees have been paid, and the variance for the 59-inch setback from the façade of the house has been approved. While we agree with most ordinances in the city, this particular regulation has been challenging, as we believe it infringes upon our right to create a safe and private space for our family.

This process has caused significant stress and financial hardship for us. The fines and associated costs have further compounded the difficulty of rectifying the situation. We kindly ask the city to consider our efforts to comply, our intention to prioritize safety, and the burdens we have faced, and grant forgiveness of the nuisance charges as a gesture of understanding and goodwill.

Thank you for your time and consideration. We greatly value being part of the Brainerd community and remain committed to following all ordinances moving forward.

Tad, I have included you in this as you have spoken with us before on this subject.

Thank you for your time,

Sincerely,

Nichole Rees

October 22, 2024

REES, NICHOLE & TONY
303 J ST NE
BRAINERD, MN 56401



www.ci.brainerd.mn.us

RE: Nuisance Abatement and/or Administrative Citation Assessment

Dear Property Owner(s):

An assessment roll covering the above work has been prepared and filed in the City Administrator's office. The amount assessed against the property recorded in your name described as:

RE CODE: 41190954
LEGAL DESCRIPTION:
PROPERTY ADDRESS: 303 J ST NE

Is \$4,950. This amount or partial payments may be paid in the City Administrator's office without interest through November 21, 2024. After that date, interest will be charged at the annual rate of four and nine hundredths (4.90%) percent. Any unpaid balance will be certified to the Crow Wing County Auditor and collected over a one (1) year period along with your property taxes.

\$4,950 plus interest = \$5,240.40 sent to CWC

Please feel free to call me at 218-828-2307 if you have any questions.

Sincerely,

CITY OF BRAINERD

James L. Kramvik
Community Development Director

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 Kramvik
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.

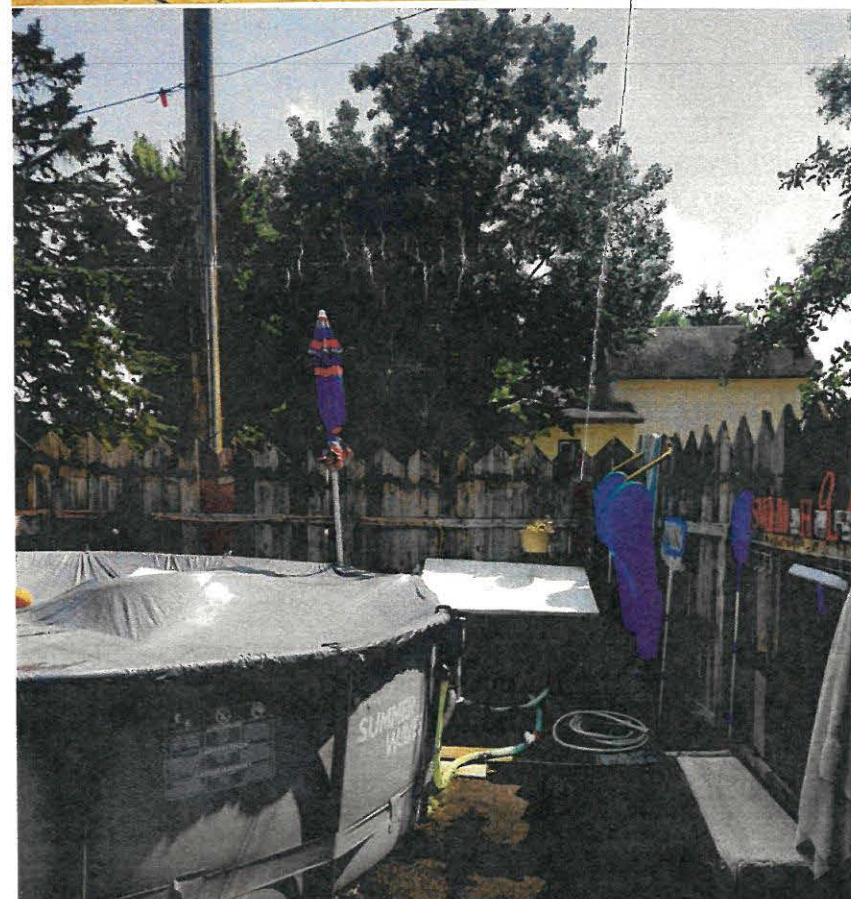
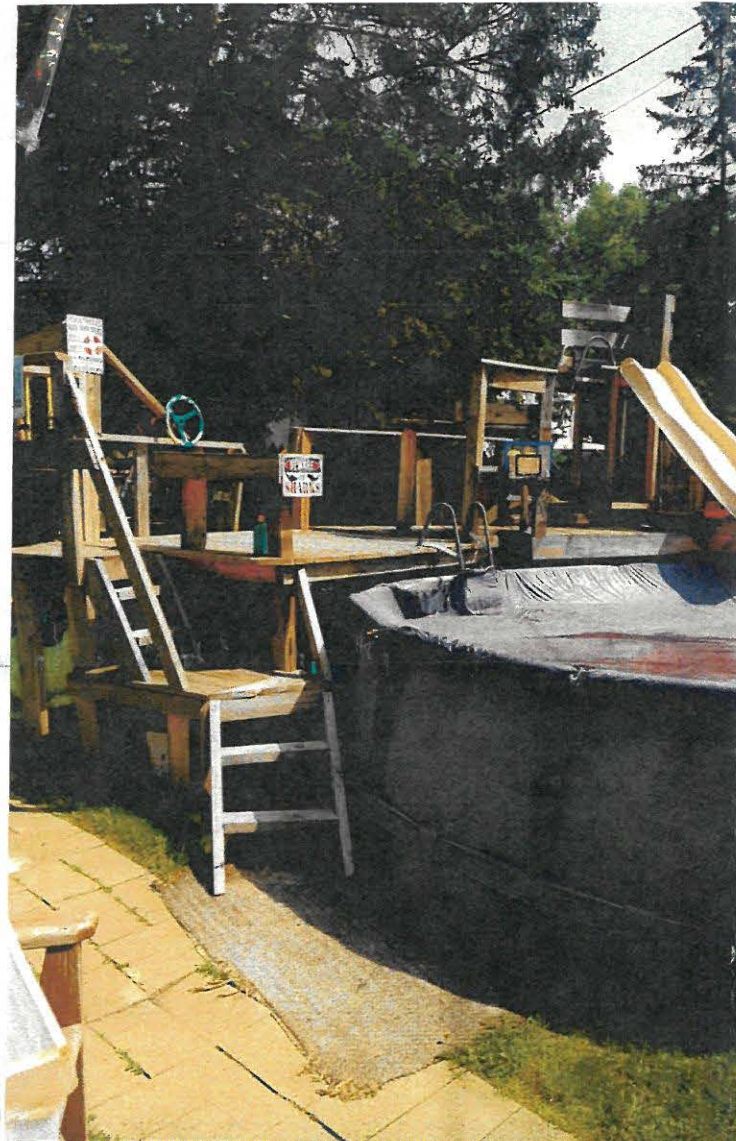
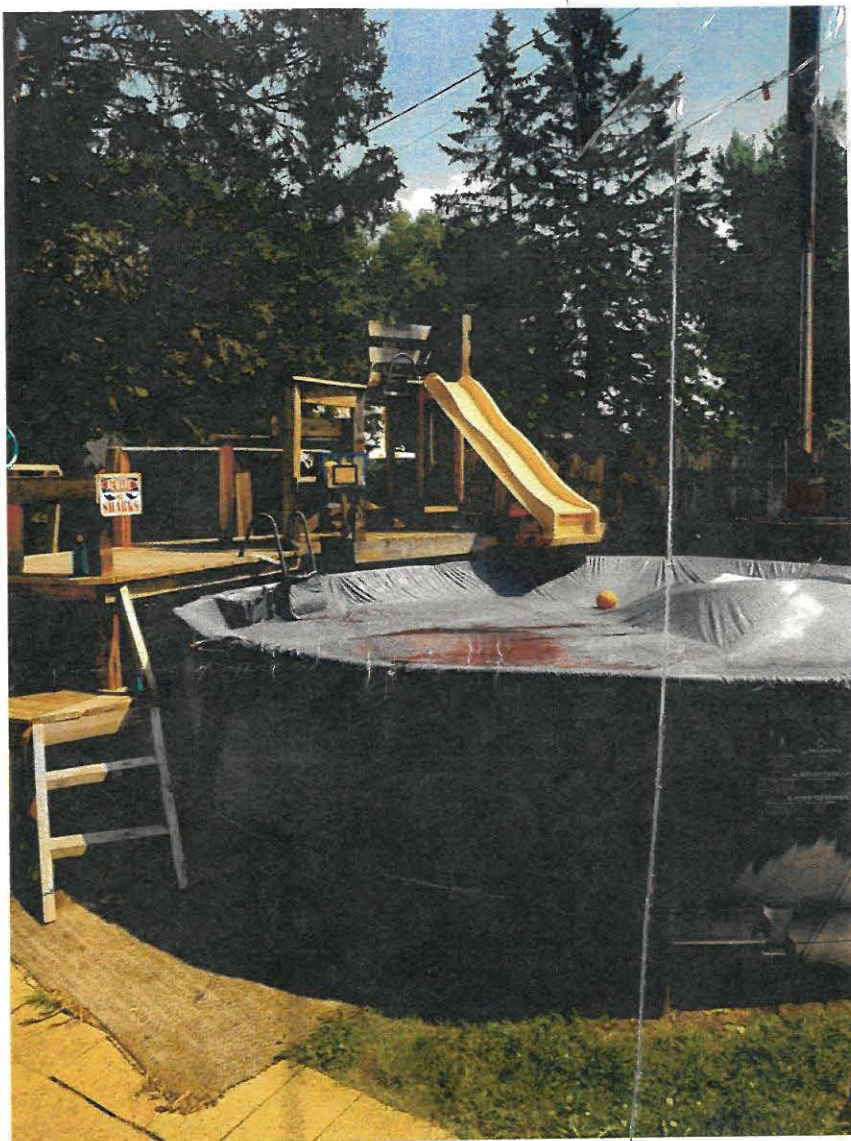
risks faced by residents in our neighborhood before making decisions that could compromise our safety and quality of life. Thank you for your attention to this matter. I look forward to your response and hope for a resolution that respects the rights and concerns of homeowners in Brainerd.

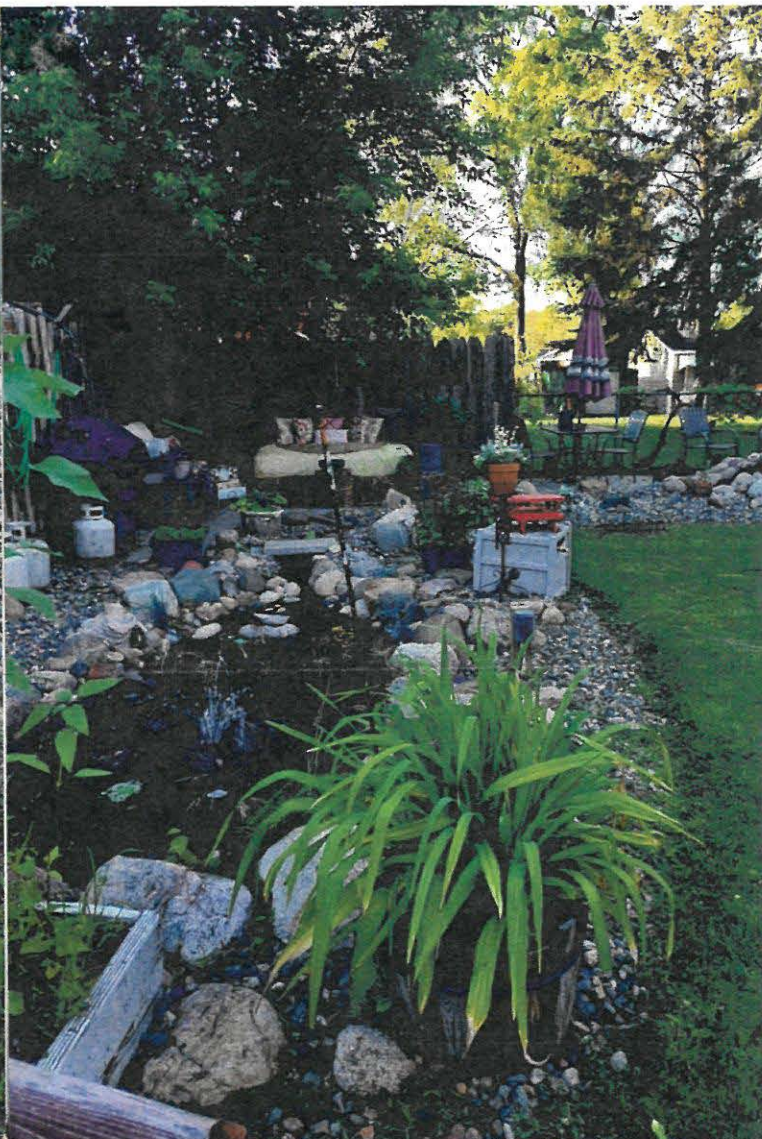
Sincerely,

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.

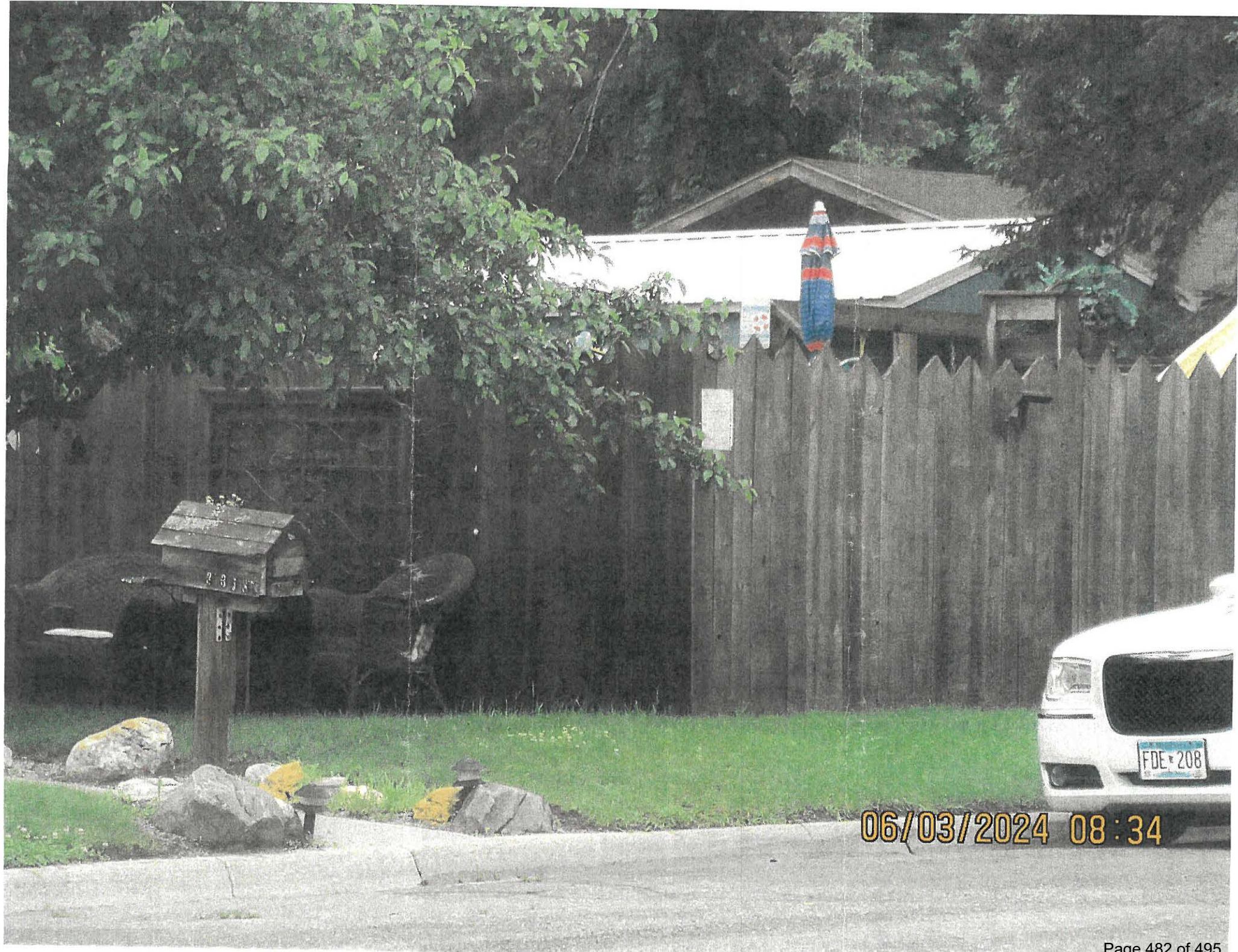
When a citation is issued, you must correct the violation and pay the fine. If you decide to contest the violation, you may request a hearing, responding within 10 days from the date of the citation issuance. The purpose of a hearing is to determine whether or not a violation(s) of the city code existed.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

MEETING DATE: January 21, 2025

TITLE OF ITEM: First Reading Propose Ordinance 1579 - Amending Sections 1200 and 1500

AGENDA: Main

ACTION REQUESTED: Ordinance

SUBMITTED BY: Connie Hillman, Finance Director

DEPARTMENT: Finance

PRESENTER: Connie Hillman, Finance Director

ESTIMATED TIME (MIN): 5 Minutes

SUMMARY OF ISSUE: Last Turn Brew Pub, LLC was issued an on-sale intoxicating liquor license contingent upon approvals, and they have met all of the zoning requirements to be a brewpub. Brewing can take several months. In reviewing the City Code to be sure we had the proper licenses in place for a brewpub, minor changes are needed, as well as some clean up items.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The changes to the existing code are:

- The addition of brewpubs to be able to get a Sunday On-Sale License, and a reference to state statute 340A.24 relating to brewpubs.
- Subd 8 referred to statute that had been repealed, therefore updated.
- Updated the section where the fees are now listed.
- Added brewpubs, breweries, taprooms, microdistillery/cocktail room and off-sale growlers for background checks to be licensed.

RECOMMENDED ACTION/MOTION: Conduct the first reading of Proposed Ordinance 1579 and dispense with the actual reading.

Note: a vote to dispense with the ordinance must be unanimous

Option: The proposed ordinance does not require a public hearing. The City Council could motion to set a public hearing at the February 18, 2025 meeting and conduct the second reading. If there is no public hearing, the second reading will be conducted at the February 3, 2025 meeting.

FINANCIAL IMPACT:

**ORDINANCE
NO. 1579**

**AN ORDINANCE AMENDING SECTION 1200 AND SECTION 1500
OF THE BRAINERD CITY CODE PERTAINING TO
INTOXICATING LIQUOR AND BACKGROUND CHECKS**

WHEREAS, a public hearing was held by the City Council on XXXXX, 2025.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Brainerd of Brainerd, Minnesota, as follows:

SECTION ONE: That Section 1200.03 – License Required shall be amended to read:

Subd. 7 (a). Sunday On-Sale License. Special on sale licenses for the sale of intoxicating liquor on Sunday may be issued to bowling centers and to hotels, restaurants, and clubs as defined in Minnesota Statutes 340A.101. All sales at such establishments shall be in conjunction with the sale of food. Sunday on-sale licenses may also be issued to microdistilleries, brewpubs, and brewer taprooms, pursuant to the authority granted under Minnesota Statutes sections 340A.22, 340A.24, and 340A.26.

Subd. 8. On-Sale Brewer Taproom Licenses. An on-sale brewer taproom license authorizes on-sale of malt liquor produced by the brewer for consumption on the premises of or adjacent to one brewery location owned by the brewer, subject to the restrictions of this chapter and Minnesota Statutes, Section 340A.301, Subdivision 6b Section 340A.26, as it may be amended from time to time.

SECTION TWO: That Section 1200.07 – License Fees shall be amended to read:

Subdivision 1. Fees: Amounts. The annual fees for licenses under this Section are set by Section 1000, Appendix A Fee Schedule of this Code Chapter X.

SECTION THREE: That Section 1505.03 – Criminal History License Background Investigation shall be amended to read:

City Licenses: Adult Establishment; Boxing or Wrestling; Club On-Sale Intoxicating Liquor; Brewpubs, Breweries, Taprooms, Microdistillery/cocktail room, Off-Sale 3.2% Malt Beverage (Beer); Off-Sale Intoxicating Liquor; Off-Sale Growlers On-Sale 3.2% Malt Beverage (Beer); On-Sale Intoxicating Liquor; (Sunday) Intoxicating Liquor; On-Sale Wine; Pawnbroker; Peddler, Solicitor, or Transient Merchant; Second Hand Goods Dealer; Temporary 3.2% Malt Beverage (Beer); Temporary On-Sale Liquor; Tobacco, Tobacco Products, Tobacco Related Products.

SECTION FOUR: All other provisions of Section 1200 and 1500 shall remain in full force and effect.

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

Adopted this ____ day of _____, 2025

MIKE O'DAY
President of the Council

Approved this ____ day of _____, 2025

DAVE BADEAUX
Mayor

ATTEST: _____
NICHOLAS W. BROYLES
City Administrator

Published: XXXXXX



City Council Agenda Request

MEETING DATE: January 21, 2025

TITLE OF ITEM: First Reading Propose Ordinance 1580 - Amending Section 600 of the City Code

AGENDA: Main

ACTION REQUESTED: Ordinance

SUBMITTED BY: Connie Hillman, Finance Director

DEPARTMENT: Finance

PRESENTER: Connie Hillman, Finance Director

ESTIMATED TIME (MIN): 5 Minutes

SUMMARY OF ISSUE: Staff received a letter from a garbage hauler along with their application for the last renewal period. The hauler indicated that they apply for a hauler license with two counties and nine other cities in the area and none ask for a \$1,000 surety bond as part of their license requirements.

The surety bond requirement was eliminated for a contractor's license. Staff is therefore proposing to eliminate the requirement for the garbage haulers.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Staff mirrored the language in section 1130.05 Contractor Registration for the proposed ordinance change regarding what is required for insurance and updated the reference to where the fees are included in the code.

RECOMMENDED ACTION/MOTION: Conduct the first reading of Proposed Ordinance 1580 and dispense with the actual reading.

Note: a vote to dispense with the ordinance must be unanimous

Option: The proposed ordinance does not require a public hearing. The City Council could motion to set a public hearing at the February 18, 2025 meeting and conduct the second reading. If there is no public hearing, the second reading will be conducted at the February 3, 2025 meeting.

FINANCIAL IMPACT:

**ORDINANCE
NO. 1580**

**AN ORDINANCE AMENDING SECTION 600
OF THE BRAINERD CITY CODE PERTAINING TO
GARGABE DISPOSAL**

WHEREAS, a public hearing was held by the City Council on XXXXX, 2025.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Brainerd of Brainerd, Minnesota, as follows:

SECTION ONE: That Section 600.07, Subd 2. – Application; Fees; Procedure shall be amended to read:

Subd. 2. Application; Fees; Procedure. Any person desiring to license a vehicle or vehicles with which to collect garbage shall make application for the same to the city clerk treasurer upon a form prescribed by the Council. The application shall set forth the name and address of the applicant and a list of the equipment which is proposed to be used in such collection. Upon compliance with the provisions of this Code and the filing of certifications evidencing the holding of public liability insurance in the limits of \$100,000 per person, \$300,000 per accident or bodily injury, and \$50,000 for property damages and certificates of worker's compensation insurance as required by law. ~~Before, a license is issued, the applicant shall, if the application is approved by the council, deposit with the City Clerk-Treasurer a surety bond in the penal sum of \$1,000 conditioned that the license will faithfully and continuously provide garbage collection service specified in the application as modified by the council and under the conditions imposed by the ordinances of the City and the lawful orders, rules and regulations of the board of health. If the surety bond is approved by the Council, the Clerk-Treasurer shall issue and deliver the license.~~ A license fee for each vehicle in the amount fixed by Section 1000, Appendix A Fee Schedule Chapter X of this Code to be licensed shall accompany the application. No license for any vehicle shall be issued to other than the registered owner thereof. No license issued hereunder shall be for a longer period than one year. All licenses expire annually on December 31st. Licenses within the limits of the City of Brainerd shall be limited to 4 licenses as of January 1, 2021. License preference will be given to those Haulers that were licensed in the year prior with the City of Brainerd. If an application is not submitted for licensure by a Hauler from the previous calendar year, that license to operate refuse and garbage collection in the City of Brainerd will become available to the next eligible applicant.

SECTION TWO: All other provisions of Section 600 shall remain in full force and effect.

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

Adopted this ____ day of _____, 2025

MIKE O'DAY
President of the Council

Approved this ____ day of _____, 2025

DAVE BADEAUX
Mayor

ATTEST: _____
NICHOLAS W. BROYLES
City Administrator

Published: XXXXXX



City Council Agenda Request

MEETING DATE: January 21, 2025

TITLE OF ITEM: Move Public Utility Commission (PUC) Meetings to City Council Chambers

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Mike O'Day, Councilmember, Nick Broyles, City Administrator

DEPARTMENT: Administration

PRESENTER: Mike O'Day, Councilmember

ESTIMATED TIME (MIN): 5 Minutes

SUMMARY OF ISSUE: City Council President O'Day has requested action from the City Council to direct that future PUC Meetings be held in City Council Chambers.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: City Council chambers are equipped with the necessary multi-media resources and infrastructure to provide maximum transparency and communication to the public. Moreover, there is simply more seating area in City Council Chambers and recent PUC Meetings at the Public Utilities Building have been quite full. Public attendance at these meetings is not likely to subside in the future.

RECOMMENDED ACTION/MOTION: Motion to direct the PUC to change the location of their future Commission Meetings to City Council Chambers effective immediately.

FINANCIAL IMPACT: N/A