

CITY COUNCIL AGENDA

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Monday, March 7th, 2022 @ 7:30pm

The public is invited to attend these meetings in person

Attend by phone **City Council**: 1-844-992-4726 Meeting Access Code: 2486 517 9156

Attend by phone **Safety and Public Works Committee 6:45 PM**: 1-844-992-4726 Meeting
Access Code: 2480 062 2019

Attend by phone: **Personnel and Finance Committee 7:00 PM**: 1-844-992-4726 Meeting
Access Code: 2489 681 2883

Meeting is also streamed live on YouTube: www.youtube.com/CityOfBrainerdMN

1. Call To Order - 7:30pm

2. Roll Call

____ T. Stenglein ____ T. Erickson ____ M. O'Day ____ K. Stunek

____ G. Johnson ____ D. Pritschet ____ K. Bevans ____ Mayor
Badeaux

3. Pledge Of Allegiance

4. Approval Of Agenda - Voice Vote

5. Consent Calendar

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

A. **Approval Of Bills**

Documents:

030722 COUNCIL INV REGISTER.pdf

B. **Approval Of Minutes**

City Council Workshop Codification and Code Enforcement- February
28th, 2022

Regular City Council Meeting- March 7th, 2022

Documents:

2022-02-22 CC Draft.pdf

20220228_CC -State and Local Relief Funds Workshop.pdf

C. Approval Of Licenses

Contractor Licenses 5

NEW LICENSES CONTINGENT UPON INSPECTIONS:

Casey's Store # 4264:

1. Off-Sale Liquor – transfer license from Silverstrand (Pine Square)
2. Filling Station License
3. Tobacco License

Documents:

20220307 Contractor Licenses.pdf

D. Department Activity Reports

Fire Chief

City Administrator

City Engineer/Public Works Director

HR Director

Documents:

FD Annual Report Final.pdf

FD February.pdf

CA Report.pdf

CE-PW Report.pdf

HR Directors Report.pdf

6. Community Member Of The Month

Dawn Stienka

Documents:

CMM Dawn Stienka.pdf

7. Conduct Dangerous Dog Hearing

Documents:

Dangerous Dog Hearing Agenda Item.pdf

8. Council Committee Reports

A. Safety And Public Works Committee - 6:45 PM

WebEx Teleconference Call-In Information

Call Toll-Free: 1-844-992-4726

Access Code: 2480 062 2019

Documents:

03-07 SPW Agenda.pdf

1. Approve Event/Street Application - 2022 St. Patrick's Day Parade

Documents:

St. Patricks Day Event.pdf

2. Approve Plans And Specifications And Authorize Bidding - Brainerd Historic Water Tower Roof Replacement

Documents:

Approve Plans and Specifications - Historic Water Tower.pdf

3. Create Visual Quality Working Group For 2025 Highway 210 Reconstruction Project

Documents:

Visual Quality Working Group.pdf

4. Consideration Of Revised Section 320 Amendment Language

Documents:

Consideration of Revised Section 320 Amendment Language.pdf

B. Personnel And Finance Committee 7:00 PM

WebEx Teleconference Call-In Information

Call Toll-Free: 1-844-992-4726

Access Code: 2489 681 2883

Documents:

03-07 PF Agenda.pdf

1. Fire Department Relief Association - 2021 Annual Report Update

Documents:

Fire Relief Updated Annual Report.pdf

2. Consider Approval Of An Agreement Between The City Of Brainerd And The Brainerd HRA To Provide HR Services

Documents:

Consider Approval of an Agreement to Provide HR Services to the HRA.pdf

3. Ratify The Hiring Of 2022 Engineering Interns

Documents:

Ratify the Hiring of 2022 Engineering Interns.pdf

4. Authorize Final Payment On Lum Park Master Plan

Documents:

Lum Park Master Plan.pdf

5. Consideration Of Crow Wing Historical Society Donation Request

Documents:

Historical Society Donation.pdf

6. Fire Contract Formula For 2023 - Informational

Documents:

Fire Contract Formula for 2023.pdf

7. Update On The Request For Funds To Be Returned From Lakes Area Media Collaborative

Documents:

Update on LAMC.pdf

9. Unfinished Business

A. Call For Applicants - Informational

(Application Information at www.ci.brainerd.mn.us/boards/)

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

Cable TV Advisory Committee – 2 terms (Expire 2022) 1 term (Expire 2024)

Charter Commission – 1 term (Expire 2022)

Housing Redevelopment Authority -- 1 term (Expire 2022)

Rental Dwelling License Board of Appeals – 3 terms (Expire 2022)

Mayor Recommended: (terms to expire 09/07 of said year)

Economic Development Authority (EDA) – 1 term (Expire 2022) 1 term (Expire 2026) – 1 term (Expire 2027)

Council President Recommended: (terms to expire 12/31 of said year)

Planning Commission—1 term (Expire 2023)

Ad Hoc Committees – Applicants Needed

Water Tower Fundraising Committee – Two positions available

10. New Business

A. Resolution - Receiving Feasibility Report And Calling Hearing - Improvement 21-10 - Greenwood Street Reconstruction Project

Documents:

Res - Receive Report Call Hearing - Imp 21-10.pdf

B. Resolution - Receiving Feasibility Report And Calling Hearing On Improvement - Improvement 21-12 - North Brainerd Reconstruction Project

Documents:

Res - Receive Report Call Hearing - Imp 21-12.pdf

C. Consideration For Request To Amend Greenhouse Ordinance

Documents:

Consideration for Request to Amend Greenhouse Ordinance.pdf

11. Public Forum

Time allocated for citizens to bring matters not on the agenda to the

attention of the Council - Time limits may be imposed ~

12. **Staff Reports**

(Verbal: Any Updates since Packet)

13. **Mayor's Report**

14. **Council Member Reports**

15. **Adjourn To Closed Session Pursuant To MN Statute 13D.05, Subd. 3 (C) To Discuss The Possible Acquisition Of Property PID: 41361081 & 41361080**

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

MISSION

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

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
Vendor 0011 - ACE HARDWARE:							
303580 70160	ACE HARDWARE MICROFIBER FLIP MOP 211-5500-42220	02/04/2022 pziemer REPAIR & MAINT	03/09/2022	17.99 17.99	17.99	Open	N 03/09/2022
303994 70185	ACE HARDWARE CLEANER 225-2120-42220	02/24/2022 pziemer REPAIR & MAINT	03/09/2022	5.39 5.39	5.39	Open	N 03/09/2022
304021 70194	ACE HARDWARE DETAIL TORCH 235-3125-42220	02/25/2022 pziemer REPAIR & MAINT	03/09/2022	31.49 31.49	31.49	Open	N 03/09/2022
303697 70211	ACE HARDWARE TAPE, AMMONIA, ZIP TIES 225-2220-42210	02/18/2022 pziemer OPERATING SUPPLIES	03/09/2022	31.46 31.46	31.46	Open	N 03/09/2022
304160 70389	ACE HARDWARE HOT WATER JETTER TIE DOWNS 238-3160-42220	03/03/2022 pziemer REPAIR & MAINT	03/09/2022	59.37 59.37	59.37	Open	N 03/09/2022
Total for vendor 0011 - ACE HARDWARE:				145.70	145.70		
Vendor 2902 - ADVANCE AUTO PA:							
6574205584679 70189	ADVANCE AUTO PARTS SNOW BLOWER HYDRAULIC FILTER 235-3125-42220	02/24/2022 pziemer REPAIR & MAINT	03/09/2022	41.99 41.99	41.99	Open	N 03/09/2022
Total for vendor 2902 - ADVANCE AUTO PA:				41.99	41.99		
Vendor 2846 - AMERICAN WELDING:							
08339789 70173	AMERICAN WELDING-GAS INC ACETYLENE FOR CUTTING TORCH 235-3125-42220	02/18/2022 pziemer REPAIR & MAINT	03/09/2022	141.89 141.89	141.89	Open	N 03/09/2022
08368994 70322	AMERICAN WELDING-GAS INC WELDING GAS CYLINDER RENTAL 235-3100-42220	02/28/2022 pziemer REPAIR & MAINT	03/09/2022	74.56 74.56	74.56	Open	N 03/09/2022
083524540 70383	AMERICAN WELDING-GAS INC CYLINDER LEASE - WELDING SUPPLIES	02/28/2022 pziemer	03/09/2022	473.90	473.90	Open	N 03/09/2022

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
	230-5200-42220	REPAIR & MAINT		473.90			
	Total for vendor 2846 - AMERICAN WELDING:			690.35	690.35		
Vendor 0039 - AMERIPRIDE LINE:							
253000106394 70166	ARAMARK UNIFORM SERVICES RUGS AND OVERALLS 235-3100-43430	02/17/2022 pziemer	03/09/2022	113.52	113.52	Open	N 03/09/2022
	MISCELLANEOUS			113.52			
253000109104 70187	ARAMARK UNIFORM SERVICES RUGS AND OVERALLS 235-3100-43430	02/24/2022 pziemer	03/09/2022	81.70	81.70	Open	N 03/09/2022
	MISCELLANEOUS			81.70			
	Total for vendor 0039 - AMERIPRIDE LINE:			195.22	195.22		
Vendor 4022 - BERGMAN, JENNIFER:							
2/5/22 70263	BERGMAN, JENNIFER MILEAGE REIMBURSE - EHLERS CONFERENCE 101-1400-43330	03/01/2022 pziemer	03/09/2022	147.42	147.42	Open	N 03/09/2022
	PROFESSIONAL DEVELOPMENT			147.42			
	Total for vendor 4022 - BERGMAN, JENNIFER:			147.42	147.42		
Vendor 0603 - BNSF:							
22002302 70155	BNSF RAILWAY COMPANY 2022 BNSF PARKING LOT LEASE 236-3180-43430	02/15/2022 pziemer	03/09/2022	14,685.33	14,685.33	Open	N 03/09/2022
	MISCELLANEOUS			14,685.33			
	Total for vendor 0603 - BNSF:			14,685.33	14,685.33		
Vendor 0077 - BRAINERD HYDRAU:							
23244 70222	BRAINERD HYDRAULICS/AIR HYDRAULIC QUICK COUPLERS 235-3125-42220	02/25/2022 pziemer	03/09/2022	70.00	70.00	Open	N 03/09/2022
	REPAIR & MAINT			70.00			
23243 70223	BRAINERD HYDRAULICS/AIR 3/8TH QUICK COUPLERS 235-3125-42220	02/25/2022 pziemer	03/09/2022	133.95	133.95	Open	N 03/09/2022
	REPAIR & MAINT			133.95			
	Total for vendor 0077 - BRAINERD HYDRAU:			203.95	203.95		
Vendor 2684 - BRAINERD PARKS:							

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DB: Brainerd

INVOICE REGISTER REPORT FOR CITY OF BRAINERD

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
2/23/22 70192	BRAINERD PARKS & RECREATION REIMB PETTY CASH - POND 230-5209-42210	02/23/2022 pziemer	03/09/2022	24.65	24.65	Open	N 03/09/2022
	OPERATING SUPPLIES			24.65			
	Total for vendor 2684 - BRAINERD PARKS:			24.65	24.65		

Vendor 3364 - CAPITAL ONE COM:

1640409768 70260	CAPITAL ONE COMMERCIAL MMP WARMING HOUSE FIRST AID KIT 230-5220-42210	02/19/2022 pziemer	03/09/2022	16.08	16.08	Open	N 03/09/2022
	OPERATING SUPPLIES			16.08			
	Total for vendor 3364 - CAPITAL ONE COM:			16.08	16.08		

Vendor 4030 - CARR'S TREE SERVICE INC:

40839 BR 70384	CARR'S TREE SERVICE INC TREE REMOVALS MULTIPLE 101-2400-43405 101-2400-43405 101-2400-43405 101-2400-43405 235-3100-42220	02/17/2022 pziemer	03/09/2022	6,115.00	6,115.00	Open	N 03/09/2022
	NUISANCES - 217 N 5TH ST			1,325.00			
	NUISANCES - 1011 6TH AVE NE			1,425.00			
	NUISANCES - 224 N 5TH ST			1,515.00			
	NUISANCES - 922 S 7TH ST			1,425.00			
	REPAIR & MAINT - 1311 L ST NE			425.00			
	Total for vendor 4030 - CARR'S TREE SERVICE INC:			6,115.00	6,115.00		

Vendor 0447 - CDW GOVERNMENT,:

S105875 70152	CDW GOVERNMENT, INC DESIGNJET INK - CYAN 101-1700-42210	02/11/2022 pziemer	03/09/2022	98.69	98.69	Open	N 03/09/2022
	OPERATING SUPPLIES			98.69			
S023297 70153	CDW GOVERNMENT, INC NETWORK CABLES 20FT CAT6 QTY3 101-1800-42210	02/10/2022 pziemer	03/09/2022	26.01	26.01	Open	N 03/09/2022
	OPERATING SUPPLIES			26.01			
S041737 70154	CDW GOVERNMENT, INC AVERMEDIA WEBCAMS QTY 6 101-1800-42210	02/10/2022 pziemer	03/09/2022	398.52	398.52	Open	N 03/09/2022
	OPERATING SUPPLIES			398.52			
	Total for vendor 0447 - CDW GOVERNMENT,:			523.22	523.22		

Vendor 0307 - CENTERPOINT ENE:

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
6032449-8/FEB 22 70200	CENTERPOINT ENERGY 1/14-2/15 LIBRARY UTILITIES 211-5500-43380 UTILITIES	02/17/2022 pziemer	03/09/2022	1,453.22 1,453.22	1,453.22	Open	N 03/09/2022
5956221-5/FEB 22 70201	CENTERPOINT ENERGY 1/14-2/15 POLICE DEPT UTILITIES 225-2120-43380 UTILITIES	02/17/2022 pziemer	03/09/2022	475.51 475.51	475.51	Open	N 03/09/2022
5933799-8/FEB 22 70202	CENTERPOINT ENERGY 1/14 - 2/15 PARKS DEPT UTILITIES 230-5200-43380 UTILITIES	02/17/2022 pziemer	03/09/2022	379.79 379.79	379.79	Open	N 03/09/2022
6031615-5/FEB 22 70203	CENTERPOINT ENERGY 1/14-2/15 ANNEX UTILITIES 101-1940-43380 UTILITIES	02/17/2022 pziemer	03/09/2022	694.44 694.44	694.44	Open	N 03/09/2022
5974635-4/FEB 22 70204	CENTERPOINT ENERGY 1/14-2/15 STREET DEPT UTILITIES 235-3100-43380 UTILITIES	02/17/2022 pziemer	03/09/2022	1,606.36 1,606.36	1,606.36	Open	N 03/09/2022
5942870-6/FEB 22 70205	CENTERPOINT ENERGY 1/14-2/15 CITY HALL UTILITIES 101-1940-43380 UTILITIES	02/17/2022 pziemer	03/09/2022	1,086.52 1,086.52	1,086.52	Open	N 03/09/2022
11078538-3/FEB 22 70206	CENTERPOINT ENERGY 1/14-2/15 MILL AVE FD UTILITIES 225-2220-43380 UTILITIES	02/17/2022 pziemer	03/09/2022	481.36 481.36	481.36	Open	N 03/09/2022
6004720-6/FEB 22 70207	CENTERPOINT ENERGY 1/14-2/15 MAIN FIRE STATION UTILITIES 225-2220-43380 UTILITIES	02/17/2022 pziemer	03/09/2022	665.32 665.32	665.32	Open	N 03/09/2022
Total for vendor 0307 - CENTERPOINT ENE:				6,842.52	6,842.52		
Vendor 1333 - CHAMBERLAIN OIL:							
387975-00 70188	CHAMBERLAIN OIL COMPANY DIESEL EXHAUST FLUID 235-3125-42220 REPAIR & MAINT	02/23/2022 pziemer	03/09/2022	156.55 156.55	156.55	Open	N 03/09/2022
Total for vendor 1333 - CHAMBERLAIN OIL:				156.55	156.55		

Vendor 2220 - CITIES DIGITAL:

DB: Brainerd

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Vendor 1573 - DELL MARKETING:

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DB: Brainerd

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
10563912108 70388	DELL MARKETING LP CITY WIDE COMPUTERS 400-9050-45530	02/25/2022 pziemer	03/09/2022	80,052.66	80,052.66	Open	N 03/09/2022
	CAPITAL - OTHER			80,052.66			
	Total for vendor 1573 - DELL MARKETING:			80,052.66	80,052.66		

Vendor 3800 - ENVIROTECH:

66251/CH 70196	ENVIROTECH MARCH 22 - CITY HALL JANITORIAL 101-1940-43300	02/28/2022 pziemer	03/09/2022	1,765.00	1,765.00	Open	N 03/09/2022
	PROFESSIONAL SERVICES			1,765.00			
66251/FIRE DEPT 70197	ENVIROTECH MAR 22 FIRE DEPT JANITORIAL SERVICES 225-2220-43300	02/28/2022 pziemer	03/09/2022	238.00	238.00	Open	N 03/09/2022
	PROFESSIONAL SERVICES			238.00			
66251/POLICE DEPT 70198	ENVIROTECH MAR 22 POLICE DEPT JANITORIAL SERVICE 225-2120-43300	02/28/2022 pziemer	03/09/2022	1,255.00	1,255.00	Open	N 03/09/2022
	PROFESSIONAL SERVICES			1,255.00			
66251/STREET DEPT 70199	ENVIROTECH MAR 22 STREET DEPT JANITORIAL SERVICE 235-3100-43300	02/28/2022 pziemer	03/09/2022	238.00	238.00	Open	N 03/09/2022
	PROFESSIONAL SERVICES			238.00			
	Total for vendor 3800 - ENVIROTECH:			3,496.00	3,496.00		

Vendor 1695 - ESS BROTHERS &:

CC1157 70217	ESS BROTHERS & SONS, INC FRAME AND GRATE 237-3190-42220	02/10/2022 pziemer	03/09/2022	6,183.00	6,183.00	Open	N 03/09/2022
	SANITARY AND STORM COVERS			6,183.00			
	Total for vendor 1695 - ESS BROTHERS &:			6,183.00	6,183.00		

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

5441 70208	F.I.R.E. CROSSLAKE HAZMAT OPS TRAINING 225-2220-43330	02/27/2022 pziemer	03/09/2022	1,400.00	1,400.00	Open	N 03/09/2022
	PROFESSIONAL DEVELOPMENT			1,400.00			
	Total for vendor 1815 - F.I.R.E. CROSSL:			1,400.00	1,400.00		

Vendor 3402 - FLEETPRIDE:

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
93831848 70220	FLEETPRIDE VEHICLE INSPECTION BOOKS 235-3100-42220	02/28/2022 pziemer	03/09/2022	53.16	53.16	Open	N 03/09/2022
	REPAIR & MAINT			53.16			
	Total for vendor 3402 - FLEETPRIDE:			53.16	53.16		

Vendor 3213 - GRAINGER:

9227704625 70262	GRAINGER QTY 2 PIKE POLE 225-2220-42210	02/28/2022 pziemer	03/09/2022	237.16	237.16	Open	N 03/09/2022
	OPERATING SUPPLIES			237.16			
	Total for vendor 3213 - GRAINGER:			237.16	237.16		

Vendor 2377 - GRANITE ELECTRO:

140002049-1 70209	GRANITE ELECTRONICS BATTERY 225-2220-42210	02/11/2022 pziemer	03/09/2022	40.00	40.00	Open	N 03/09/2022
	OPERATING SUPPLIES			40.00			
	Total for vendor 2377 - GRANITE ELECTRO:			40.00	40.00		

Vendor 3411 - GROUP HEALTH IN:

463003 70313	GROUP HEALTH INC. - WORKSITE EAP ANNUAL BILLING	03/01/2022 pziemer	03/09/2022	356.40	356.40	Open	N 03/09/2022
	101-1400-41131 HEALTH INSURANCE			13.20			
	203-9000-41131 HEALTH INSURANCE			13.20			
	101-1800-41131 HEALTH INSURANCE			13.20			
	401-9030-41131 HEALTH INSURANCE			13.20			
	225-2220-41131 HEALTH INSURANCE			13.20			
	225-2120-41131 HEALTH INSURANCE			145.20			
	260-9020-41131 HEALTH INSURANCE			13.20			
	101-0000-14100 DUE FROM COMPONENT UNIT			132.00			
	Total for vendor 3411 - GROUP HEALTH IN:			356.40	356.40		

Vendor 0209 - HEARTLAND TIRE:

3030819 70380	HEARTLAND TIRE INC. SQD 429 TIRE ROTATION 225-2120-42221	03/02/2022 pziemer	03/09/2022	30.00	30.00	Open	N 03/09/2022
	SQUAD CAR REPAIR SUPPLIES			30.00			
	Total for vendor 0209 - HEARTLAND TIRE:			30.00	30.00		

Vendor 1388 - HEIMAN INC.:

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DB: Brainerd

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
0906004-IN 70261	HEIMAN INC. EZH H BACK SUSPENDER QTY 3 225-2220-42250	02/16/2022 pziemer	03/09/2022	146.85	146.85	Open	N 03/09/2022
	PERSONAL PROTECTIVE GEAR			146.85			
	Total for vendor 1388 - HEIMAN INC.:			146.85	146.85		

Vendor 4032 - HONEY WAGON:

2/24/22

70392	HONEY WAGON FLAM TRAP/FLOOR GRATES 230-5200-42220	02/24/2022 pziemer	03/09/2022	255.00	255.00	Open	N 03/09/2022
	REPAIR & MAINT			255.00			
	Total for vendor 4032 - HONEY WAGON:			255.00	255.00		

Vendor 3636 - HRGREEN:

150506

70144	HRGREEN MS4 PERMIT UPDATE 401-9030-43300-21:11	02/23/2022 pziemer	03/09/2022	570.00	570.00	Open	N 03/09/2022
	PROFESSIONAL SERVICES			570.00			

150507

70145	HRGREEN IMP 21-15 GULLY PROJECT 401-9030-43300-21:15	02/23/2022 pziemer	03/09/2022	4,015.75	4,015.75	Open	N 03/09/2022
	PROFESSIONAL SERVICES			4,015.75			

150731

70316	HRGREEN IMP 21-11 THROUGH 2/25/22 401-9030-43300-21:11	02/25/2022 pziemer	03/09/2022	3,743.00	3,743.00	Open	N 03/09/2022
	PROFESSIONAL SERVICES			3,743.00			

150732

70317	HRGREEN IMP 21-15 THROUGH 2/25/22 401-9030-43300-21:15	02/25/2022 pziemer	03/09/2022	7,819.75	7,819.75	Open	N 03/09/2022
	PROFESSIONAL SERVICES			7,819.75			
	Total for vendor 3636 - HRGREEN:			16,148.50	16,148.50		

Vendor 3202 - INNOVATIVE OFFI:

IN3694232

70381	INNOVATIVE OFFICE SOLUTIONS LLC TONER 225-2120-42200	03/02/2022 pziemer	03/09/2022	145.99	145.99	Open	N 03/09/2022
	OFFICE SUPPLIES			145.99			
	Total for vendor 3202 - INNOVATIVE OFFI:			145.99	145.99		

Vendor 0213 - INTOXIMETERS IN:

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701013 70147	INTOXIMETERS INC PBT TUBES 225-2120-42210	02/16/2022 pziemer	03/09/2022	170.00 170.00	170.00	Open	N 03/09/2022
701020 70148	INTOXIMETERS INC PBT TUBES BHS 225-2120-42210	02/16/2022 pziemer	03/09/2022	170.00 170.00	170.00	Open	N 03/09/2022
Total for vendor 0213 - INTOXIMETERS IN:				340.00	340.00		

Vendor 3874 - JEREMY FYLE:

32420 70394	ADVANCED DRAIN CLEANING INC 306 NW 9TH ST - THAW CLEANOUT LINE	02/23/2022 pziemer	03/09/2022	550.00	550.00	Open	N 03/09/2022
Total for vendor 3874 - JEREMY FYLE:				550.00	550.00		

Vendor 3545 - KITCHIGAMI REGI:

2/8/22 70162	KITCHIGAMI REGIONAL LIBRARY - CC 1/15/22-2/8/22 LIBRARY CC CHARGES 211-0000-20800	02/08/2022 pziemer	03/09/2022	121.40 121.40	121.40	Open	N 03/09/2022
Total for vendor 3545 - KITCHIGAMI REGI:				121.40	121.40		

Vendor 0223 - L & M STEEL:

035227 70221	L & M STEEL MISC. SHOP STEEL 235-3125-42220	02/28/2022 pziemer	03/09/2022	28.09 28.09	28.09	Open	N 03/09/2022
Total for vendor 0223 - L & M STEEL:				28.09	28.09		

Vendor 3627 - LAKES AREA WILD:

FEB 2022 70181	LAKES AREA WILDLIFE CONTROL FEB 2022 ANIMAL CONTROL CONTRACT 225-2700-43300	02/24/2022 pziemer	03/09/2022	2,987.00 2,987.00	2,987.00	Open	N 03/09/2022
Total for vendor 3627 - LAKES AREA WILD:				2,987.00	2,987.00		

Vendor 0227 - LAKES PRINTING:

00208428 70210	LAKES PRINTING ANNUAL REPORT PRINTING	02/04/2022 pziemer	03/09/2022	157.95	157.95	Open	N 03/09/2022
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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						
	225-2220-43350	PRINTING/LEGAL PUBLICATION		157.95			
		Total for vendor 0227 - LAKES PRINTING:		157.95	157.95		
Vendor 0237 - LOCATORS - SUPP:							
0297983-IN							
70387	LOCATORS - SUPPLIES INC	03/02/2022	03/09/2022	194.73	194.73	Open	N
	SEWER LOCATE PAINT	pziemer					03/09/2022
	237-3190-42220	REPAIR & MAINT		194.73			
		Total for vendor 0237 - LOCATORS - SUPP:		194.73	194.73		
Vendor 0239 - MACQUEEN EQUIPM:							
P40052							
70168	MACQUEEN EQUIPMENT INC	02/17/2022	03/09/2022	2,916.59	2,916.59	Open	N
	SNOW BLOWER TRANSDUCERS	pziemer					03/09/2022
	235-3125-42220	REPAIR & MAINT		2,916.59			
		Total for vendor 0239 - MACQUEEN EQUIPM:		2,916.59	2,916.59		
Vendor 1753 - MARCO:							
INV9653850							
70156	MARCO	02/17/2022	03/09/2022	1,504.00	1,504.00	Open	N
	MICROSOFT OFFICE365 1/16/22-2/15/22	pziemer					03/09/2022
	101-1800-43309	COMPUTER SUPPORT		1,504.00			
INV9644641							
70170	MARCO	02/15/2022	03/09/2022	4,725.02	4,725.02	Open	N
	CISCO SMARTNET - 1/30/23	pziemer					03/09/2022
	101-1800-43309	COMPUTER SUPPORT		4,331.27			
	101-0000-15510	PREPAID OTHER		393.75			
INV9651140							
70177	MARCO	02/16/2022	03/09/2022	1,736.10	1,736.10	Open	N
	CISCO SWITCH DNA AND FIREWALL THREAT	pziemer					03/09/2022
	101-1800-43309	COMPUTER SUPPORT		1,591.42			
	101-0000-15510	PREPAID OTHER		144.68			
		Total for vendor 1753 - MARCO:		7,965.12	7,965.12		
Vendor 2392 - MENARDS:							
69749							
70167	MENARDS	02/19/2022	03/09/2022	298.97	298.97	Open	N
	GRINDER DISKS, SQUEEGEES, SHOP LIGHTS	pziemer					03/09/2022
	235-3125-42220	REPAIR & MAINT		298.97			
		Total for vendor 2392 - MENARDS:		298.97	298.97		

Vendor 3175 - MIDWEST SECURIT:

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22154 70184	MIDWEST SECURITY AND FIRE INC STREET GARAGE WIRING 400-2001-45530	02/24/2022 pziemer	03/09/2022	2,798.43	2,798.43	Open	N 03/09/2022
	PYMTS TO CONTRACTORS			2,798.43			
	Total for vendor 3175 - MIDWEST SECURIT:			2,798.43	2,798.43		
Vendor MISC - MILES, CHEYANNE:							
B21-0005 70190	MILES, CHEYANNE BD BOND REFUND 121 WASHINGTON 101-0000-20200	02/28/2022 pziemer	03/09/2022	500.00	500.00	Open	N 03/09/2022
	B21-0005			500.00			
	Total for vendor MISC - MILES, CHEYANNE:			500.00	500.00		
Vendor 0254 - MILLS MOTORS IN:							
566923 70212	MILLS MOTORS INC E3 FUEL FILTERS, OIL, FILTERS 225-2220-42220	02/21/2022 pziemer	03/09/2022	756.86	756.86	Open	N 03/09/2022
	REPAIR & MAINT			756.86			
	Total for vendor 0254 - MILLS MOTORS IN:			756.86	756.86		
Vendor 2610 - MN SOCIETY'S OF:							
304241 70193	MN SOCIETY'S OF CPA'S CPA MEMBERSHIP - C. HILLMAN 101-1400-43433	01/18/2022 pziemer	03/09/2022	340.00	340.00	Open	N 03/09/2022
	DUES & SUBSCRIPTIONS			340.00			
	Total for vendor 2610 - MN SOCIETY'S OF:			340.00	340.00		
Vendor 3524 - MN STATE FIRE C:							
3852 70311	MN STATE FIRE CHIEFS ASSOCIATION DULUTH FOTOS ATTENDEE X 2 225-2220-43330	01/19/2022 pziemer	03/09/2022	570.00	570.00	Open	N 03/09/2022
	PROFESSIONAL DEVELOPMENT			570.00			
	Total for vendor 3524 - MN STATE FIRE C:			570.00	570.00		
Vendor 0273 - NAPA AUTO PARTS:							
483709 70169	NAPA AUTO PARTS CRIMPING PLIER WITH INTERCHANGABLE J?pziemer 235-3125-42220	02/16/2022 pziemer	03/09/2022	146.08	146.08	Open	N 03/09/2022
	REPAIR & MAINT			146.08			
	Total for vendor 0273 - NAPA AUTO PARTS:			146.08	146.08		

Vendor 2064 - NUSS TRUCK & EQ:

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3247347P 70176	NUSS TRUCK & EQUIPMENT TRUCK 103 DEF FILTER 235-3125-42220	02/23/2022 pziemer	03/09/2022	112.13	112.13	Open	N 03/09/2022
	REPAIR & MAINT			112.13			
	Total for vendor 2064 - NUSS TRUCK & EQ:			112.13	112.13		
Vendor 0284 - OFFICE SHOP:							
1108219-0 70164	OFFICE SHOP SPEC. EVENT - ARBOR DAY SEED ENVELOPE 230-5211-42210	02/17/2022 pziemer	03/09/2022	32.90	32.90	Open	N 03/09/2022
	OPERATING SUPPLIES			32.90			
1108585-0 70215	OFFICE SHOP BINDERS - ENG 101-1940-42200	02/25/2022 pziemer	03/09/2022	10.04	10.04	Open	N 03/09/2022
	OFFICE SUPPLIES			10.04			
320290-0 70216	OFFICE SHOP FD CANON COPIER LEASE 225-2220-43331	02/17/2022 pziemer	03/09/2022	67.51	67.51	Open	N 03/09/2022
	LEASED PAYMENTS			67.51			
1108585-1 70386	OFFICE SHOP BINDERS - ENG 101-1940-42200	03/03/2022 pziemer	03/09/2022	74.72	74.72	Open	N 03/09/2022
	OFFICE SUPPLIES			74.72			
202202285175 70395	OFFICE SHOP FEB 22 LUNCH AND LEARN EXPENSES 278-6515-43430	02/28/2022 pziemer	03/09/2022	131.76	131.76	Open	N 03/09/2022
	MISCELLANEOUS			131.76			
	Total for vendor 0284 - OFFICE SHOP:			316.93	316.93		
Vendor 2137 - O'REILLY AUTOMO:							
1647-102902 70149	O'REILLY AUTOMOTIVE STORES INC. SQD 431 WIPER BLADES 225-2120-42221	02/22/2022 pziemer	03/09/2022	41.78	41.78	Open	N 03/09/2022
	SQUAD CAR REPAIR SUPPLIES			41.78			
	Total for vendor 2137 - O'REILLY AUTOMO:			41.78	41.78		
Vendor 0291 - PIKE PLUMBING A:							
81103 70321	PIKE PLUMBING AND HEATING STREET DEPT REMODEL - HEATER REPLACEMENT 400-9050-45510	02/28/2022 pziemer	03/09/2022	13,434.00	13,434.00	Open	N 03/09/2022
	CAPITAL - LAND			13,434.00			
	Total for vendor 0291 - PIKE PLUMBING A:			13,434.00	13,434.00		

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
Vendor 3943 - PLUNKETT'S PEST CONTROL:							
7324190 70158	PLUNKETT'S PEST CONTROL NOV 2021 PEST CONTROL 211-5500-42220	12/01/2021 pziemer	03/09/2022	65.00 65.00	65.00	Open	N 12/31/2021
7394999 70159	PLUNKETT'S PEST CONTROL JAN 22 PEST CONTROL 211-5500-42220	01/21/2022 pziemer	03/09/2022	65.00 65.00	65.00	Open	N 03/09/2022
Total for vendor 3943 - PLUNKETT'S PEST CONTROL:				130.00	130.00		
Vendor 3413 - RATWIK, ROSZAK:							
JAN 2022 70318	RATWIK, ROSZAK AND MALONEY JAN 22 SPECIAL SERVICES - RETAINER 101-1610-43301 101-0000-14100 101-1610-43301 401-1919-43300 401-1609-43300 295-6510-43300	03/02/2022 pziemer	03/09/2022	6,748.28 4,454.28 93.00 465.00 108.00 1,566.00 62.00	6,748.28	Open	N 03/09/2022
Total for vendor 3413 - RATWIK, ROSZAK:				6,748.28	6,748.28		
Vendor 3768 - SADUSKY RENOVATIONS:							
40 70195	SADUSKY RENOVATIONS 2/1-2/14 INSPECTION SERVICES 101-2400-43300	02/23/2022 pziemer	03/09/2022	2,530.68 2,530.68	2,530.68	Open	N 03/09/2022
38 70315	SADUSKY RENOVATIONS 1/5/22 - 1/10/22 INSPECTION SERVICES 101-2400-43300	01/17/2022 pziemer	03/09/2022	1,435.18 1,435.18	1,435.18	Open	N 03/09/2022
Total for vendor 3768 - SADUSKY RENOVATIONS:				3,965.86	3,965.86		
Vendor 3612 - SEVERSON PORTER:							
FEB 2022 70182	SEVERSON PORTER LAW FEB 22 PROSECUTION AGREEMENT 225-2127-43310	02/24/2022 pziemer	03/09/2022	16,517.09 16,517.09	16,517.09	Open	N 03/09/2022
Total for vendor 3612 - SEVERSON PORTER:				16,517.09	16,517.09		

Vendor 0317 - SHORT ELLIOTT :

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420869 70174	SHORT ELLIOTT HENDRICKSON IMP 19-02 PROF SERVICES 401-1902-43300	02/15/2022 pziemer	03/09/2022	21,477.26 21,477.26	21,477.26	Open	N 03/09/2022
	PROFESSIONAL SERVICES			21,477.26			
	Total for vendor 0317 - SHORT ELLIOTT :			21,477.26	21,477.26		
Vendor 3600 - STEPHANIE BESTU:							
2/14/22 70163	BESTUL, STEPHANIE S. BESTUL NOTARY REGISTRATION 101-2400-43433	02/14/2022 pziemer	03/09/2022	20.00 20.00	20.00	Open	N 03/09/2022
	DUES & SUBSCRIPTIONS			20.00			
	Total for vendor 3600 - STEPHANIE BESTU:			20.00	20.00		
Vendor 0322 - STREICHERS PROF:							
CM291463 70150	STREICHERS PROF EQUIP 702JD UNIFORM SHIRT - CREDIT 225-2120-41113	01/21/2022 pziemer	03/09/2022	(61.03) (61.03)	(61.03)	Open	N 03/09/2022
	UNIFORM ALLOWANCE			(61.03)			
I1551953 70151	STREICHERS PROF EQUIP 702 UNIFORM SHIRTS 225-2120-41113	02/15/2022 pziemer	03/09/2022	84.98 84.98	84.98	Open	N 03/09/2022
	UNIFORM ALLOWANCE			84.98			
I1553552 70180	STREICHERS PROF EQUIP RIFLE SLINGS 225-2120-41113	02/23/2022 pziemer	03/09/2022	809.99 809.99	809.99	Open	N 03/09/2022
	UNIFORM ALLOWANCE			809.99			
I1553559 70314	STREICHERS PROF EQUIP 776BL - CSO UNIFORM SHIRT 225-2121-41113	02/23/2022 pziemer	03/09/2022	76.97 76.97	76.97	Open	N 03/09/2022
	UNIFORM ALLOWANCE			76.97			
I1553968 70382	STREICHERS PROF EQUIP 771JZ - CSO UNIFORM SHIRT 225-2121-41113	02/25/2022 pziemer	03/09/2022	56.98 56.98	56.98	Open	N 03/09/2022
	UNIFORM ALLOWANCE			56.98			
	Total for vendor 0322 - STREICHERS PROF:			967.89	967.89		
Vendor 3838 - SWANSON HASKAMP:							
1124 70179	SWANSON HASKAMP CONSULTING ZONING CODE UPDATE 400-9050-45530	02/12/2022 pziemer	03/09/2022	9,298.10 9,298.10	9,298.10	Open	N 03/09/2022
	CAPITAL - OTHER			9,298.10			
	Total for vendor 3838 - SWANSON HASKAMP:			9,298.10	9,298.10		

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Vendor 0329 - TOMS BACKHOE SE:							
7107-2 70191	TOMS BACKHOE SERVICE INC 2/21-2/22 4IN + 9 ADD SNOWFALL 235-3125-43402	02/23/2022 pziemer	03/09/2022	23,586.49	23,586.49	Open	N 03/09/2022
	DOWNTOWN SNOW REMOVAL			23,586.49			
	Total for vendor 0329 - TOMS BACKHOE SE:			23,586.49	23,586.49		
Vendor 2924 - VERIZON WIRELES:							
9899643344 70157	VERIZON WIRELESS 1/16/22-2/15/22 - FD IPADS 225-2220-43321	02/15/2022 pziemer	03/09/2022	245.07	245.07	Open	N 03/09/2022
	TELEPHONE			245.07			
9900222675/ADM 70390	VERIZON WIRELESS 1/24-2/23 HR CELL PHONE 101-1400-43321	02/23/2022 pziemer	03/09/2022	46.22	46.22	Open	N 03/09/2022
	TELEPHONE			46.22			
9900222675/PARKS 70391	VERIZON WIRELESS 1/24-2/23 PARKS DEPT PHONES 230-5200-43321	02/23/2022 pziemer	03/09/2022	86.23	86.23	Open	N 03/09/2022
	TELEPHONE			86.23			
	Total for vendor 2924 - VERIZON WIRELES:			377.52	377.52		
Vendor 0087 - VISIT BRAINERD:							
JAN 22 70183	VISIT BRAINERD JAN 2022 LODGING TAX REMIT 101-9200-43340	01/12/2022 pziemer	03/09/2022	2,538.21	2,538.21	Open	N 03/09/2022
	LODGING TAX REMIT/PR			2,538.21			
	Total for vendor 0087 - VISIT BRAINERD:			2,538.21	2,538.21		
Vendor 0344 - WASTE PARTNERS:							
21X00341 70161	WASTE PARTNERS INC LIBRARY WASTE REMOVAL 211-5500-43380	01/31/2022 pziemer	03/09/2022	84.78	84.78	Open	N 03/09/2022
	UTILITIES			84.78			
22X01270 70253	WASTE PARTNERS INC FEB 22 CITY HALL WASTE REMOVAL 101-1940-43380	02/28/2022 pziemer	03/09/2022	98.50	98.50	Open	N 03/09/2022
	UTILITIES			98.50			
22X01269 70254	WASTE PARTNERS INC FEB 22 FIRE DEPT WASTE REMOVAL 225-2220-43380	02/28/2022 pziemer	03/09/2022	93.60	93.60	Open	N 03/09/2022
	UTILITIES			93.60			

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22X01267 70255	WASTE PARTNERS INC FEB 22 PARKS WASTE REMOVAL 230-5200-43380	02/28/2022 pziemer	03/09/2022	432.90 432.90	432.90	Open	N 03/09/2022
22X01272 70256	WASTE PARTNERS INC FEB 22 POLICE DEPT WASTE REMOVAL 225-2120-43380	02/28/2022 pziemer	03/09/2022	124.45 124.45	124.45	Open	N 03/09/2022
22X01268 70257	WASTE PARTNERS INC FEB 22 STREET DEPT WASTE REMOVAL 235-3100-43380	02/28/2022 pziemer	03/09/2022	87.75 87.75	87.75	Open	N 03/09/2022
22X01273 70258	WASTE PARTNERS INC FEB 22 WASTE OIL REMOVAL 227-3230-43428	02/28/2022 pziemer	03/09/2022	58.50 58.50	58.50	Open	N 03/09/2022
22X01271 70259	WASTE PARTNERS INC FEB 22 DWNTWN WASTE REMOVAL 401-1003-43300	02/28/2022 pziemer	03/09/2022	175.50 175.50	175.50	Open	N 03/09/2022
	PROFESSIONAL SERVICES			175.50			
	Total for vendor 0344 - WASTE PARTNERS:			1,155.98	1,155.98		

Vendor 2097 - WATCHGUARD VIDE:

CMINV0002617

70186	WATCHGUARD VIDEO EVIDENCE LIBRARY STORAGE 224-2150-42210	01/28/2022 pziemer	03/09/2022	621.99 621.99	621.99	Open	N 03/09/2022
	OPERATING SUPPLIES			621.99			
	Total for vendor 2097 - WATCHGUARD VIDE:			621.99	621.99		

Vendor 0346 - WIDSETH SMITH N:

213652 70084	WIDSETH SMITH NOLTING LUM PARK MASTER THRU 10/8/21 - MISSI 400-9050-45530	12/01/2021 pziemer	03/09/2022	2,450.00 2,450.00	2,450.00	Open	N 12/31/2021
	CAPITAL - OTHER			2,450.00			
215977 70393	WIDSETH SMITH NOLTING STREET GARAGE REMODEL 400-9050-45530	02/24/2022 pziemer	03/09/2022	3,485.00 3,485.00	3,485.00	Open	N 03/09/2022
	CAPITAL - OTHER			3,485.00			
	Total for vendor 0346 - WIDSETH SMITH N:			5,935.00	5,935.00		

Vendor 1712 - WSB:

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R-018999-000-5							
70224	WSB & ASSOCIATES	02/28/2022	03/09/2022	40,907.75	40,907.75	Open	N
	MISSISSIPPI LANDING TRAILHEAD JAN 22 pziemer						03/09/2022
	401-9030-45530-21:16	CAPITAL-PYMTS TO CONTRACTS		40,907.75			
	Total for vendor 1712 - WSB:			40,907.75	40,907.75		
Vendor 4031 - Z SYSTEMS:							
82705							
70385	Z SYSTEMS	02/28/2022	03/09/2022	29,293.49	29,293.49	Open	N
	CABLE TV HARDWARE	pziemer					03/09/2022
	101-9200-43434	MEETING BROADCAST EXPENDITURES		29,293.49			
	Total for vendor 4031 - Z SYSTEMS:			29,293.49	29,293.49		
Vendor 0354 - ZIEGLER, INC:							
IN000436187							
70146	ZIEGLER, INC	02/23/2022	03/09/2022	81.00	81.00	Open	N
	SNOW BUCKET NUTS AND BOLTS	pziemer					03/09/2022
	235-3125-42220	REPAIR & MAINT		81.00			
IN000431545							
70165	ZIEGLER, INC	02/18/2022	03/09/2022	15.54	15.54	Open	N
	GRADER 113 LAMPS	pziemer					03/09/2022
	235-3125-42220	REPAIR & MAINT		15.54			
IN000366143							
70171	ZIEGLER, INC	12/21/2021	03/09/2022	37.48	37.48	Open	N
	GRADER 113 OIL FILTERS	pziemer					12/31/2021
	235-3125-42220	REPAIR & MAINT		37.48			
IN000262927							
70172	ZIEGLER, INC	12/01/2021	03/09/2022	707.57	707.57	Open	N
	SKIP STEER TRACK REPAIR	pziemer					12/31/2021
	235-3100-42220	REPAIR & MAINT		707.57			
CM000030600							
70175	ZIEGLER, INC	12/01/2021	03/09/2022	(807.63)	(807.63)	Open	N
	RETURN - SKID STEER TRACK REPAIR	pziemer					12/31/2021
	235-3100-42220	REPAIR & MAINT		(707.57)			
	235-3125-42220	REPAIR & MAINT		(100.06)			
IN000442990							
70310	ZIEGLER, INC	03/01/2022	03/09/2022	20.40	20.40	Open	N
	IMPACT GUN SOCKET	pziemer					03/09/2022
	235-3125-42220	REPAIR & MAINT		20.40			
IN000444069							
70312	ZIEGLER, INC	03/02/2022	03/09/2022	1,243.66	1,243.66	Open	N
	LOADER 115 BUCKET CUTTING EDGE	pziemer					03/09/2022

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	235-3125-42220	REPAIR & MAINT		1,243.66			
	Total for vendor 0354 - ZIEGLER, INC:			1,298.02	1,298.02		

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Vendor 3698 - AMAZON:

2/8/22							
70226	AMAZON	02/08/2022	03/09/2022	145.00	145.00	Open	N
	SERVICE CART - CITY HALL	pziemer					03/09/2022
	101-1940-42200	OFFICE SUPPLIES		145.00			
2/3/22							
70227	AMAZON	02/03/2022	03/09/2022	194.79	194.79	Open	N
	JAN 22 WEB SERVICES STORAGE	pziemer					03/09/2022
	101-1800-43309	COMPUTER SUPPORT		194.79			
2/3/22 - 2							
70230	AMAZON	02/03/2022	03/09/2022	399.00	399.00	Open	N
	STAND UP DESK - PARKS DEPT	pziemer					03/09/2022
	230-5200-42200	OFFICE SUPPLIES		399.00			
2/16/22							
70234	AMAZON	02/16/2022	03/09/2022	76.65	76.65	Open	N
	TABLET BATTERY/CORDS - TRANSIT	pziemer					03/09/2022
	203-9000-43309	COMPUTER TECHINCAL SUPPORT		76.65			
2/15/22							
70235	AMAZON	02/15/2022	03/09/2022	323.94	323.94	Open	N
	UNDER DESK COMPUTER MOUNTS	pziemer					03/09/2022
	101-1800-43309	COMPUTER SUPPORT		323.94			
	Total for vendor 3698 - AMAZON:			1,139.38	1,139.38		

Vendor 3983 - EMBASSY SUITES:

2/4/22							
70231	EMBASSY SUITES	02/04/2022	03/09/2022	148.72	148.72	Open	N
	J. BERGMAN CONFERENCE STAY	pziemer					03/09/2022
	101-1400-43330	PROFESSIONAL DEVELOPMENT		148.72			
1/28/22							
70233	EMBASSY SUITES	01/28/2022	03/09/2022	463.12	463.12	Open	N
	P. SANDY CEAM ANNUAL CONFERENCE	pziemer					03/09/2022
	101-1700-43330	PROFESSIONAL DEVELOPMENT		463.12			
1/26/22							
70236	EMBASSY SUITES	01/26/2022	03/09/2022	170.22	170.22	Open	N
	J. FLADUNG - ANNUAL CEAM CONFERENCE	pziemer					03/09/2022
	101-1700-43330	PROFESSIONAL DEVELOPMENT		170.22			

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70237	EMBASSY SUITES	01/28/2022	03/09/2022	292.90	292.90	Open	N
	J. FLADUNG - ANNUAL CEAM CONFERENCE	pziemer					03/09/2022
	101-1700-43330	PROFESSIONAL DEVELOPMENT		292.90			
	Total for vendor 3983 - EMBASSY SUITES:			1,074.96	1,074.96		

Vendor 3989 - GODADDY.COM:

2/2/22

70239	GODADDY.COM	02/02/2022	03/09/2022	189.98	189.98	Open	N
	STANDARD SSL RENEWAL	pziemer					03/09/2022
	101-1800-43309	COMPUTER SUPPORT		189.98			
	Total for vendor 3989 - GODADDY.COM:			189.98	189.98		

Vendor 0233 - LMC - UNIV AVE:

2/14/22

70225	LEAGUE OF MN CITIES	02/14/2022	03/09/2022	125.00	125.00	Open	N
	2022 MCMA WORKSHOP - J.BERGMAN	pziemer					03/09/2022
	101-1400-43330	PROFESSIONAL DEVELOPMENT		125.00			
	Total for vendor 0233 - LMC - UNIV AVE:			125.00	125.00		

Vendor MISC - MINNESOTA NURSERY AND LANDSCAPE:

2/15/22

70232	MINNESOTA NURSERY AND LANDSCAPE	02/15/2022	03/09/2022	200.00	200.00	Open	N
	J. KRAMVIK - TREE INSPECTOR CERTIFIC	pziemer					03/09/2022
	101-2400-43330	PROFESSIONAL DEVELOPMENT		200.00			
	Total for vendor MISC - MINNESOTA NURSERY AND LANDSCAPE:			200.00	200.00		

Vendor 3858 - ZOOM VIDEO COMMUNICATIONS:

2/18/22

70238	ZOOM VIDEO COMMUNICATIONS	02/18/2022	03/09/2022	29.98	29.98	Open	N
	2/18-3/17 ZOOM SERVICES	pziemer					03/09/2022
	101-1800-43309	COMPUTER SUPPORT		29.98			
	Total for vendor 3858 - ZOOM VIDEO COMMUNICATIONS:			29.98	29.98		

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2,759.30	2,759.30
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PCard: 2257 U.S. BANK Card Holder: FIRE

Vendor 3698 - AMAZON:

1/26/22 - 2

70301	AMAZON PH TEST PAPER STRIPS 225-2220-42210	01/26/2022 pziemer OPERATING SUPPLIES	03/09/2022	13.58 13.58	13.58	Open	N 03/09/2022
Total for vendor 3698 - AMAZON:				13.58	13.58		

Vendor 3972 - FIREHOUSE SUBS:

2/16/22

70303	FIREHOUSE SUBS FEB 22 LUNCH AND LEARN 278-6515-43430	02/16/2022 pziemer MISCELLANEOUS	03/09/2022	8.62 8.62	8.62	Open	N 03/09/2022
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2/11/22

70306	FIREHOUSE SUBS FEB 22 LUNCH AND LEARN 278-6515-43430	02/11/2022 pziemer MISCELLANEOUS	03/09/2022	427.53 427.53	427.53	Open	N 03/09/2022
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2/14/22

70307	FIREHOUSE SUBS FEB 22 LUNCH AND LEARN 278-6515-43430	02/14/2022 pziemer MISCELLANEOUS	03/09/2022	66.97 66.97	66.97	Open	N 03/09/2022
Total for vendor 3972 - FIREHOUSE SUBS:				503.12	503.12		

Vendor 0177 - FIRST IMPRESSIO:

1/26/22

70300	FIRST IMPRESSION PRINTING UNIFORM - HOLMES 225-2220-41113	01/26/2022 pziemer UNIFORM ALLOWANCE	03/09/2022	15.00 15.00	15.00	Open	N 03/09/2022
Total for vendor 0177 - FIRST IMPRESSIO:				15.00	15.00		

Vendor 2989 - HOME DEPOT:

2/10/22

70302	HOME DEPOT TRAINING SUPPLIES 225-2220-43330	02/10/2022 pziemer PROFESSIONAL DEVELOPMENT	03/09/2022	18.84 18.84	18.84	Open	N 03/09/2022
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2/15/22

70308	HOME DEPOT BATTERIES, COUPLINGS, PVC SUPPLIES 225-2220-42210	02/15/2022 pziemer OPERATING SUPPLIES	03/09/2022	52.11 52.11	52.11	Open	N 03/09/2022
Total for vendor 2989 - HOME DEPOT:				70.95	70.95		

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PCard: 2257 U.S. BANK Card Holder: FIRE							
Vendor 4027 - NORTHLAND FOOLS AERIAL OPS SCHOOL:							
2/3/22 70305	NORTHLAND FOOLS AERIAL OPS SCHOOL AERIAL OPERATIONS TRAINING 225-2220-43330	02/03/2022 pziemer	03/09/2022	1,818.42	1,818.42	Open	N 03/09/2022
	PROFESSIONAL DEVELOPMENT			1,818.42			
2/3/22 - 2 70309	NORTHLAND FOOLS AERIAL OPS SCHOOL AERIAL OPERATIONS TRAINING 225-2220-43330	02/03/2022 pziemer	03/09/2022	259.77	259.77	Open	N 03/09/2022
	PROFESSIONAL DEVELOPMENT			259.77			
	Total for vendor 4027 - NORTHLAND FOOLS AERIAL OPS SCHOOL:			2,078.19	2,078.19		
Vendor 3885 - THE UPS STORE:							
2/18/22 70304	THE UPS STORE SHIPPING 225-2220-43322	02/18/2022 pziemer	03/09/2022	11.22	11.22	Open	N 03/09/2022
	POSTAGE			11.22			
	Total for vendor 3885 - THE UPS STORE:			11.22	11.22		
Total PCard: 2257 U.S. BANK Card Holder: FIRE				2,692.06	2,692.06		

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

Vendor 3698 - AMAZON:

2/7/22 70242	AMAZON LABELS/HANGING STRIPS 211-5500-42240	02/07/2022 pziemer LIBRARY MATERIALS	03/09/2022	44.74 44.74	44.74	Open	N 03/09/2022
2/14/22 70244	AMAZON TELEPHONE HEADSET - LIBRARY 211-5500-42200	02/14/2022 pziemer OFFICE SUPPLIES	03/09/2022	26.99 26.99	26.99	Open	N 03/09/2022
2/14/22 - 2 70245	AMAZON BAGS FOR REPAIR/MAINT 211-5500-42220	02/14/2022 pziemer REPAIR & MAINT	03/09/2022	17.76 17.76	17.76	Open	N 03/09/2022
Total for vendor 3698 - AMAZON:				89.49	89.49		

Vendor 0160 - DEMCO INC:

2/17/22 70246	DEMCO INC SLEEVES/SIGN/BOOKMARKS 211-5500-42240	02/17/2022 pziemer LIBRARY MATERIALS	03/09/2022	137.59 137.59	137.59	Open	N 03/09/2022
Total for vendor 0160 - DEMCO INC:				137.59	137.59		

Vendor MISC - MAILCHIMP:

2/4/22 70241	MAILCHIMP FEB 22 MAIL CHIMP SERVICES 211-5503-43430	02/04/2022 pziemer MISC - USE OF HOLDEN TRUST	03/09/2022	34.00 34.00	34.00	Open	N 03/09/2022
Total for vendor MISC - MAILCHIMP:				34.00	34.00		

Vendor 0284 - OFFICE SHOP:

2/14/22 70243	OFFICE SHOP PAPER, TAPE, INK PADS 211-5500-42220	02/14/2022 pziemer REPAIR & MAINT	03/09/2022	46.15 46.15	46.15	Open	N 03/09/2022
Total for vendor 0284 - OFFICE SHOP:				46.15	46.15		

Vendor 2588 - PARTYTIME RENTA:

2/3/22 70240	PARTYTIME RENTAL RENTAL FOR BRD LAKES EXPO EVENT	02/03/2022 pziemer	03/09/2022	76.00	76.00	Open	N 03/09/2022
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Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
PCard: 2257 U.S. BANK Card Holder: LIBRARY							
	211-5503-43430	MISC - USE OF HOLDEN TRUST		76.00			
		Total for vendor 2588 - PARTYTIME RENTA:		76.00	76.00		
Total PCard: 2257 U.S. BANK Card Holder: LIBRARY				383.23	383.23		

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

Vendor 3711 - COSTCO:

2/10/22 70248	COSTCO ANNUAL SKATING PARTY/CONCESSIONS/PONLpziemer 230-5211-42210 230-5204-42210 230-5209-42210	02/10/2022 pziemer	03/09/2022	160.19 83.28 66.74 10.17	160.19	Open	N 03/09/2022
2/15/22 70250	COSTCO POND HOCKEY JAMBOREE PIZZA PARTY pziemer 230-5209-42210	02/19/2022 pziemer	03/09/2022	107.34 107.34	107.34	Open	N 03/09/2022
2/19/22 70251	COSTCO POND HOCKEY JAMBOREE PIZZA PARTY pziemer 230-5209-42210	02/19/2022 pziemer	03/09/2022	107.34 107.34	107.34	Open	N 03/09/2022
Total for vendor 3711 - COSTCO:				374.87	374.87		

Vendor 3700 - DOLLAR TREE:

2/7/22 70247	DOLLAR TREE ANNUAL SKATING PARTY - GREGORY PARK pziemer 230-5211-42210	02/07/2022 pziemer	03/09/2022	28.75 28.75	28.75	Open	N 03/09/2022
2/13/22 70249	DOLLAR TREE ANNUAL SKATING PARTY pziemer 230-5211-42210	02/13/2022 pziemer	03/09/2022	6.25 6.25	6.25	Open	N 03/09/2022
Total for vendor 3700 - DOLLAR TREE:				35.00	35.00		

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

409.87 409.87

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Vendor 3698 - AMAZON:

1/26/22 70267	AMAZON MAGNETIC LABELS 225-2120-42200	01/26/2022 pziemer	03/09/2022	30.92	30.92	Open	N 03/09/2022
	OFFICE SUPPLIES			30.92			
2/1/22 70272	AMAZON EMPLOYEE RECOGNITION PINS 225-2120-42210	02/01/2022 pziemer	03/09/2022	69.39	69.39	Open	N 03/09/2022
	OPERATING SUPPLIES			69.39			
2/2/22 70275	AMAZON CERTIFICATE HOLDERS 225-2120-42200	02/02/2022 pziemer	03/09/2022	44.97	44.97	Open	N 03/09/2022
	OFFICE SUPPLIES			44.97			
2/3/22 - 3 70277	AMAZON EVIDENCE STORAGE SUPPLIES 225-2120-42210	02/03/2022 pziemer	03/09/2022	33.96	33.96	Open	N 03/09/2022
	OPERATING SUPPLIES			33.96			
2/7/22 - 2 70278	AMAZON EVIDENCE SUPPLIES 225-2120-42210	02/07/2022 pziemer	03/09/2022	39.99	39.99	Open	N 03/09/2022
	OPERATING SUPPLIES			39.99			
2/8/22 - 2 70280	AMAZON CANNED AIR 225-2120-42220	02/08/2022 pziemer	03/09/2022	22.99	22.99	Open	N 03/09/2022
	REPAIR & MAINT			22.99			
	Total for vendor 3698 - AMAZON:			242.22	242.22		

Vendor 4026 - AMERICINN - WYNDHAM:

2/16/22 70298	AMERICINN - WYNDHAM A. KORTE - MNJIS 2 DAY BASIC OPERATOR 225-2120-43330	02/16/2022 pziemer	03/09/2022	146.75	146.75	Open	N 03/09/2022
	PROFESSIONAL DEVELOPMENT			146.75			
2/16/22 - 2 70299	AMERICINN - WYNDHAM M. HALVORSEN - MNJIS 2 DAY BASIC OPERATOR 225-2120-43330	02/16/2022 pziemer	03/09/2022	146.75	146.75	Open	N 03/09/2022
	PROFESSIONAL DEVELOPMENT			146.75			
	Total for vendor 4026 - AMERICINN - WYNDHAM:			293.50	293.50		

Vendor 4023 - AWARD.COM:

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2/1/22

70273

AWARD.COM
AWARD OF MERIT PLAQUE
225-2120-43300

02/01/2022

pziemer

03/09/2022

78.82

78.82

Open

N
03/09/2022

PROFESSIONAL SERVICES

78.82

Total for vendor 4023 - AWARD.COM:

78.82

78.82

Vendor 3701 - BCA CJTE UNIT:

2/9/22

70282

BCA CJTE UNIT

02/09/2022

03/09/2022

75.00

75.00

Open

N
03/09/2022

703MK - CROWD CONTROL & MANAGEMENT TIpziemer
225-2120-43330 PROFESSIONAL DEVELOPMENT

75.00

2/7/22

70297

BCA CJTE UNIT
CREDIT FOR BCA TRAINING
225-2120-43330

02/07/2022

pziemer

03/09/2022

(75.00)

(75.00)

Open

N
03/09/2022

PROFESSIONAL DEVELOPMENT

(75.00)

Total for vendor 3701 - BCA CJTE UNIT:

0.00

0.00

Vendor 4025 - COVERT MEDIA CONSULTING:

2/21/22

70291

COVERT MEDIA CONSULTING
723JE - SOCIAL MEDIA & OPEN SOURCE Itpziemer
225-2120-43330 PROFESSIONAL DEVELOPMENT

02/21/2022

pziemer

03/09/2022

325.00

325.00

Open

N
03/09/2022

Total for vendor 4025 - COVERT MEDIA CONSULTING:

325.00

325.00

Vendor 0900 - CUB FOODS BRD:

2/11/22

70285

CUB FOODS - BRAINERD
DISH SOAP
225-2120-42220

02/11/2022

pziemer

03/09/2022

23.24

23.24

Open

N
03/09/2022

REPAIR & MAINT

23.24

Total for vendor 0900 - CUB FOODS BRD:

23.24

23.24

Vendor 3974 - DUNHAMS SPORTS :

2/17/22

70288

DUNHAMS SPORTS
771JZ - CSO UNIFORM BOOTS
225-2121-41113

02/17/2022

pziemer

03/09/2022

89.99

89.99

Open

N
03/09/2022

UNIFORM ALLOWANCE

89.99

Total for vendor 3974 - DUNHAMS SPORTS :

89.99

89.99

Vendor 2716 - FBI/LEEDA:

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2/7/22

70279

FBI/LEEDA

02/07/2022

03/09/2022

695.00

695.00

Open

N

702 - SUPERVISOR LEADERSHIP TRAINING pziemer

03/09/2022

225-2120-43330

PROFESSIONAL DEVELOPMENT

695.00

Total for vendor 2716 - FBI/LEEDA:

695.00

695.00

Vendor 3719 - FLEET FARM:

2/16/22

70287

FLEET FARM

02/16/2022

03/09/2022

48.00

48.00

Open

N

771JZ - CSO UNIFORM PANTS

pziemer

03/09/2022

225-2121-41113

UNIFORM ALLOWANCE

48.00

2/22/22

70292

FLEET FARM

02/22/2022

03/09/2022

17.49

17.49

Open

N

771JZ - CSO UNIFORM GLOVES

pziemer

03/09/2022

225-2121-41113

UNIFORM ALLOWANCE

17.49

Total for vendor 3719 - FLEET FARM:

65.49

65.49

Vendor 0273 - NAPA AUTO PARTS:

2/17/22

70289

NAPA AUTO PARTS

02/17/2022

03/09/2022

40.89

40.89

Open

N

SQUAD WASH

pziemer

03/09/2022

225-2120-42221

SQUAD CAR REPAIR SUPPLIES

40.89

Total for vendor 0273 - NAPA AUTO PARTS:

40.89

40.89

Vendor 0150 - SOURCEWELL:

1/27/22

70268

SOURCEWELL

01/27/2022

03/09/2022

25.00

25.00

Open

N

717 - CRISIS INTERVENTION & MENTAL IIpziemer

03/09/2022

225-2120-43330

PROFESSIONAL DEVELOPMENT

25.00

1/27/22 - 2

70269

SOURCEWELL

01/27/2022

03/09/2022

25.00

25.00

Open

N

720 - CRISIS INTERVENTION & MENTAL IIpziemer

03/09/2022

225-2120-43330

PROFESSIONAL DEVELOPMENT

25.00

1/27/22 - 3

70270

SOURCEWELL

01/27/2022

03/09/2022

25.00

25.00

Open

N

722 - CRISIS INTERVENTION & MENTAL IIpziemer

03/09/2022

225-2120-43330

PROFESSIONAL DEVELOPMENT

25.00

1/27/22 - 4

70271

SOURCEWELL

01/27/2022

03/09/2022

25.00

25.00

Open

N

721 - CRISIS INTERVENTION & MENTAL IIpziemer

03/09/2022

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DB: Brainerd

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
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PCard: 2257 U.S. BANK Card Holder: POLICE

225-2120-43330	PROFESSIONAL DEVELOPMENT			25.00			
Total for vendor 0150 - SOURCEWELL:				100.00	100.00		

Vendor 3911 - STORM TRAINING GROUP:

2/24/22

70295	STORM TRAINING GROUP	02/24/2022	03/09/2022	418.95	418.95	Open	N 03/09/2022
	705 GROUND CONTROL TACTICS TRAINING pziemer						
225-2120-43330	PROFESSIONAL DEVELOPMENT			418.95			
Total for vendor 3911 - STORM TRAINING GROUP:				418.95	418.95		

Vendor 3703 - TRANSUNION RISK:

2/1/22

70276	TRANSUNION RISK	02/01/2022	03/09/2022	75.00	75.00	Open	N 03/09/2022
	INVESTIGATIONS & PARKING TICKET COLLE pziemer						
225-2120-42210	OPERATING SUPPLIES			75.00			
Total for vendor 3703 - TRANSUNION RISK:				75.00	75.00		

Vendor 1455 - USPCA REGION 12:

1/24/22

70264	USPCA REGION 12	01/24/2022	03/09/2022	50.00	50.00	Open	N 03/09/2022
	707 - 2022 MEMBERSHIP pziemer						
225-2128-43430	MISC - K9 PROGRAM			50.00			
Total for vendor 1455 - USPCA REGION 12:				50.00	50.00		

Vendor 3697 - USPS:

1/25/22

70265	USPS	01/25/2022	03/09/2022	1.36	1.36	Open	N 03/09/2022
	POSTAGE pziemer						
225-2120-43322	POSTAGE			1.36			

1/25/22 - 2

70266	USPS	01/25/2022	03/09/2022	1.56	1.56	Open	N 03/09/2022
	POSTAGE pziemer						
225-2120-43322	POSTAGE			1.56			

2/8/22

70281	USPS	02/08/2022	03/09/2022	1.56	1.56	Open	N 03/09/2022
	POSTAGE pziemer						
225-2120-43322	POSTAGE			1.56			

2/10/22

70283	USPS	02/10/2022	03/09/2022	1.36	1.36	Open	N 03/09/2022
	POSTAGE pziemer						

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
PCard: 2257 U.S. BANK Card Holder: POLICE							
	225-2120-43322	POSTAGE		1.36			
2/10/22 - 2 70284	USPS POSTAGE	02/10/2022 pziemer	03/09/2022	10.90	10.90	Open	N 03/09/2022
	225-2120-43322	POSTAGE		10.90			
2/15/22 70286	USPS POSTAGE	02/15/2022 pziemer	03/09/2022	4.50	4.50	Open	N 03/09/2022
	225-2120-43322	POSTAGE		4.50			
2/24/22 70294	USPS POSTAGE	02/24/2022 pziemer	03/09/2022	116.00	116.00	Open	N 03/09/2022
	225-2120-43322	POSTAGE		116.00			
2/24/22 - 2 70296	USPS POSTAGE	02/24/2022 pziemer	03/09/2022	9.60	9.60	Open	N 03/09/2022
	225-2120-43322	POSTAGE		9.60			
	Total for vendor 3697 - USPS:			146.84	146.84		
Vendor 0006 - WALMART COMMUNI:							
2/22/22 70293	WALMART COMMUNITY/GECRB WALL CLOCK	02/22/2022 pziemer	03/09/2022	4.44	4.44	Open	N 03/09/2022
	225-2120-42200	OFFICE SUPPLIES		4.44			
	Total for vendor 0006 - WALMART COMMUNI:			4.44	4.44		
Vendor 4024 - ZAZZLE:							
2/1/22 70274	ZAZZLE OFFICER OF THE YEAR PLAQUE	02/01/2022 pziemer	03/09/2022	34.46	34.46	Open	N 03/09/2022
	225-2120-43300	PROFESSIONAL SERVICES		34.46			
2/17/22 70290	ZAZZLE CREDIT FOR PLAQUE NOT RECEIVED	02/17/2022 pziemer	03/09/2022	(34.46)	(34.46)	Open	N 03/09/2022
	225-2120-43300	PROFESSIONAL SERVICES		(34.46)			
	Total for vendor 4024 - ZAZZLE:			0.00	0.00		
Total PCard: 2257 U.S. BANK Card Holder: POLICE				2,649.38	2,649.38		

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

Vendor MISC - CARHARRT:

2/20/22 70252	CARHARRT VEST REPLACEMENT - S.MIDDAGH 235-3100-42220	02/20/2022 pziemer	03/09/2022	84.99	84.99	Open	N 03/09/2022
	REPAIR & MAINT			84.99			
	Total for vendor MISC - CARHARRT:			84.99	84.99		

Vendor 2989 - HOME DEPOT:

2/17/22 70228	HOME DEPOT 9 INCH ANGLE GRINDER 235-3100-42240	02/17/2022 pziemer	03/09/2022	247.88	247.88	Open	N 03/09/2022
	SMALL TOOLS			247.88			
2/18/22 70229	HOME DEPOT STREET GARAGE TOOL BOX 235-3100-42220	02/18/2022 pziemer	03/09/2022	1,398.00	1,398.00	Open	N 03/09/2022
	REPAIR & MAINT			1,398.00			
	Total for vendor 2989 - HOME DEPOT:			1,645.88	1,645.88		

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

# of Invoices:	191	# Due:	191	Totals:	358,453.00	358,453.00
# of Credit Memos:	4	# Due:	4	Totals:	(978.12)	(978.12)
Net of Invoices and Credit Memos:					357,474.88	357,474.88

--- TOTALS BY GL DISTRIBUTION ---

101-0000-14100	DUE FROM COMPONENT UNIT	225.00
101-0000-15510	PREPAID OTHER	538.43
101-0000-20200	B21-0005	500.00
101-1400-41131	HEALTH INSURANCE	13.20
101-1400-43321	TELEPHONE	46.22
101-1400-43330	PROFESSIONAL DEVELOPMENT	421.14
101-1400-43433	DUES & SUBSCRIPTIONS	340.00
101-1610-43301	CITY ATTORNEY	4,919.28
101-1700-42210	OPERATING SUPPLIES	98.69
101-1700-43330	PROFESSIONAL DEVELOPMENT	926.24
101-1800-41131	HEALTH INSURANCE	13.20
101-1800-42210	OPERATING SUPPLIES	424.53
101-1800-43309	COMPUTER SUPPORT	8,238.80
101-1940-42200	OFFICE SUPPLIES	288.97
101-1940-43300	PROFESSIONAL SERVICES	1,765.00
101-1940-43380	UTILITIES	1,879.46
101-1940-43430	MISCELLANEOUS	7.99
101-2400-43300	PROFESSIONAL SERVICES	3,965.86
101-2400-43330	PROFESSIONAL DEVELOPMENT	200.00

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
	101-2400-43405	NUISANCES - 217 N 5TH ST		5,690.00			
	101-2400-43433	DUES & SUBSCRIPTIONS		20.00			
	101-9200-43300	PROFESSIONAL SERVICES		7,425.00			
	101-9200-43340	LODGING TAX REMIT/PR		2,538.21			
	101-9200-43430	MISCELLANEOUS		30.00			
	101-9200-43434	MEETING BROADCAST EXPENDITURES		29,293.49			
	203-9000-41131	HEALTH INSURANCE		13.20			
	203-9000-43309	COMPUTER TECHINCAL SUPPORT		76.65			
	211-0000-20800	DUE TO OTHER GOVT UNITS		121.40			
	211-5500-42200	OFFICE SUPPLIES		26.99			
	211-5500-42220	REPAIR & MAINT		836.90			
	211-5500-42240	LIBRARY MATERIALS		182.33			
	211-5500-43380	UTILITIES		1,538.00			
	211-5503-43430	MISC - USE OF HOLDEN TRUST		110.00			
	224-2150-42210	OPERATING SUPPLIES		621.99			
	225-2120-41113	UNIFORM ALLOWANCE		833.94			
	225-2120-41131	HEALTH INSURANCE		145.20			
	225-2120-42200	OFFICE SUPPLIES		226.32			
	225-2120-42210	OPERATING SUPPLIES		558.34			
	225-2120-42220	REPAIR & MAINT		51.62			
	225-2120-42221	SQUAD CAR REPAIR SUPPLIES		112.67			
	225-2120-43300	PROFESSIONAL SERVICES		1,333.82			
	225-2120-43322	POSTAGE		146.84			
	225-2120-43330	PROFESSIONAL DEVELOPMENT		1,832.45			
	225-2120-43380	UTILITIES		599.96			
	225-2121-41113	UNIFORM ALLOWANCE		289.43			
	225-2127-43310	MISDEMEANOR PROSECUTOR		16,517.09			
	225-2128-43430	MISC - K9 PROGRAM		50.00			
	225-2220-41113	UNIFORM ALLOWANCE		15.00			
	225-2220-41131	HEALTH INSURANCE		13.20			
	225-2220-42210	OPERATING SUPPLIES		374.31			
	225-2220-42220	REPAIR & MAINT		756.86			
	225-2220-42250	PERSONAL PROTECTIVE GEAR		146.85			
	225-2220-43300	PROFESSIONAL SERVICES		238.00			
	225-2220-43321	TELEPHONE		245.07			
	225-2220-43322	POSTAGE		11.22			
	225-2220-43330	PROFESSIONAL DEVELOPMENT		4,067.03			
	225-2220-43331	LEASED PAYMENTS		67.51			
	225-2220-43350	PRINTING/LEGAL PUBLICATION		157.95			
	225-2220-43380	UTILITIES		1,240.28			
	225-2700-43300	PROFESSIONAL SERVICES		2,987.00			
	227-3230-43428	USED OIL RECYCLING EXPENSE		58.50			
	230-5200-42200	OFFICE SUPPLIES		399.00			
	230-5200-42220	REPAIR & MAINT		728.90			
	230-5200-43321	TELEPHONE		86.23			
	230-5200-43380	UTILITIES		812.69			
	230-5204-42210	OPERATING SUPPLIES		66.74			
	230-5209-42210	OPERATING SUPPLIES		249.50			
	230-5211-42210	OPERATING SUPPLIES		151.18			
	230-5220-42210	OPERATING SUPPLIES		16.08			
	235-3100-42220	REPAIR & MAINT		2,035.71			
	235-3100-42240	SMALL TOOLS		247.88			
	235-3100-43300	PROFESSIONAL SERVICES		238.00			
	235-3100-43380	UTILITIES		1,694.11			
	235-3100-43430	MISCELLANEOUS		195.22			
	235-3125-42220	REPAIR & MAINT		5,375.75			
	235-3125-43402	DOWNTOWN SNOW REMOVAL		23,586.49			

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
	236-3180-43430	MISCELLANEOUS		14,685.33			
	237-3190-42220	SANITARY AND STORM COVERS		6,377.73			
	238-3160-42220	REPAIR & MAINT		59.37			
	260-9020-41131	HEALTH INSURANCE		13.20			
	278-6515-43430	MISCELLANEOUS		634.88			
	295-6510-43300	PROFESSIONAL SERVICES		62.00			
	400-2001-45530	PYMTS TO CONTRACTORS		2,798.43			
	400-9050-45510	CAPITAL - LAND		13,434.00			
	400-9050-45530	CAPITAL - OTHER		96,167.62			
	401-1003-43300	PROFESSIONAL SERVICES		175.50			
	401-1609-43300	PROFESSIONAL SERVICES		1,566.00			
	401-1902-43300	PROFESSIONAL SERVICES		21,477.26			
	401-1919-43300	PROFESSIONAL SERVICES		108.00			
	401-9030-41131	HEALTH INSURANCE		13.20			
	401-9030-43300-21:11	PROFESSIONAL SERVICES		4,313.00			
	401-9030-43300-21:15	PROFESSIONAL SERVICES		11,835.50			
	401-9030-45530-21:16	CAPITAL-PYMTS TO CONTRACTS		40,907.75			

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
--- TOTALS BY FUND ---							
	101 - GENERAL FUND			69,808.71	69,808.71		
	203 - TRANSIT FUND			89.85	89.85		
	211 - LIBRARY FUND			2,815.62	2,815.62		
	224 - DUI FORFEITURE			621.99	621.99		
	225 - PUBLIC SAFETY FUND			33,017.96	33,017.96		
	227 - RECYCLING FUND			58.50	58.50		
	230 - PARK & RECREATION FUND			2,510.32	2,510.32		
	235 - STREET & SEWER FUND			33,373.16	33,373.16		
	236 - PARKING LOT FUND			14,685.33	14,685.33		
	237 - SANITARY SEWER FUND			6,377.73	6,377.73		
	238 - STORM SEWER FUND			59.37	59.37		
	260 - AIRPORT FUND			13.20	13.20		
	278 - HEALTHY EMPLOYE INITIATIVE			634.88	634.88		
	295 - EDA FUND			62.00	62.00		
	400 - CAPITAL PROJECTS FUND			112,400.05	112,400.05		
	401 - CONSTRUCTION FUND			80,396.21	80,396.21		
--- TOTALS BY DEPT/ACTIVITY ---							
	0000 -			1,384.83	1,384.83		
	1003 - 10:03 DWNTWN MAIN CNTRACT			175.50	175.50		
	1400 - ADMINISTRATION			820.56	820.56		
	1609 - 16:09 BUFFALO HILLS RECON			1,566.00	1,566.00		
	1610 - LEGAL-CIVIL ATTORNEY			4,919.28	4,919.28		
	1700 - ENGINEERING			1,024.93	1,024.93		
	1800 - IT/GIS			8,676.53	8,676.53		
	1902 - 19:02 CLST CONNECTION			21,477.26	21,477.26		
	1919 - 19:19 NW 3RD&JACKSON STRE			108.00	108.00		
	1940 - CITY HALL			3,941.42	3,941.42		
	2001 - STREET REMODEL/ADDITION			2,798.43	2,798.43		
	2120 - POLICE DEPARTMENT			5,841.16	5,841.16		
	2121 - COMMUNITY SERVICE			289.43	289.43		
	2127 - MISDEMEANOR PROSECUTOR			16,517.09	16,517.09		
	2128 - K-9 PROGRAM			50.00	50.00		
	2150 - DUI FORFEITURE			621.99	621.99		
	2220 - FIRE DEPARTMENT			7,333.28	7,333.28		
	2400 - COMMUNITY DEVL/INSPECTION			9,875.86	9,875.86		
	2700 - ANIMAL CONTROL			2,987.00	2,987.00		
	3100 - S & S MAINTENANCE			4,410.92	4,410.92		
	3125 - SNOW REMOVAL			28,962.24	28,962.24		
	3160 - STORM SEWER EXPENSE			59.37	59.37		
	3180 - PARKING LOTS EXPENSE			14,685.33	14,685.33		
	3190 - SANITARY SEWER EXPENSE			6,377.73	6,377.73		

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Inv Ref#	Description	Entered By					Post Date
GL Distribution							
--- TOTALS BY DEPT/ACTIVITY ---							
	3230 - RECYCLING EXPENSE			58.50	58.50		
	5200 - PARK MAIN/ADMINISTRATION			2,026.82	2,026.82		
	5204 - CONCESSIONS			66.74	66.74		
	5209 - POND HOCKEY PROGRAM			249.50	249.50		
	5211 - SPECIAL EVENTS PROGRAM			151.18	151.18		
	5220 - OUTDOOR RINKS			16.08	16.08		
	5500 - LIBRARY-BUDGETED			2,584.22	2,584.22		
	5503 - HOLDEN TRUST DONATION USE			110.00	110.00		
	6510 - ECONOMIC DEVELOPMENT AUTH			62.00	62.00		
	6515 - HEALTHY EMPLOYE INITIATIVE			634.88	634.88		
	9000 - TRANSIT FUND			89.85	89.85		
	9020 - AIRPORT M & O			13.20	13.20		
	9030 - CONSTRUCTION PROJ-MISC			57,069.45	57,069.45		
	9050 - CAPITAL PROJECTS-MISC			109,601.62	109,601.62		
	9200 - CITY-WIDE			39,286.70	39,286.70		

**Brainerd, MN
February 22nd, 2022**

Pursuant to due call and notice thereof, the regular meeting of the Brainerd City Council was called to order at 7:30 P.M. by Council President Bevans.

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

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

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND PRITSCHET, DULY CARRIED, TO APPROVE THE AGENDA WITH POSTPONING COMMUNITY MEMBER OF THE MONTH TO MARCH 7TH DUE TO WEATHER.

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

- A. **Approval of Bills and Transfer of Funds- Approved**
- B. **Approval of the Minutes of the City Council Code Enforcement Workshop held on January 24th, 2022- Approved**
- C. **Approval of Minutes of the Regular City Council Meeting held on February 7th, 2022- Approved**
- D. **Approval of Licenses- Approved**
- E. **Department Activity Reports- Approved**
- F. **Approval of City Administrator 2021 Performance Review**
- G. **Authorize Letter of Support for the Initiative Foundation for the DEED Grant Application**
- H. **Minnesota Lawful Gambling Application to Conduct Excluded Bingo- Submitted by St. Andrew's Church of Brainerd, 1108 Willow St, Brainerd- Bingo Events to be held at St. Andrew's on April 9, 2022, and November 19, 2022.**
- I. **Temporary On-Sale Liquor License Application- Submitted by Jack Pine Brewery for the Brainerd Lakes Home Show and Expo on March 25 and March 26, 2022.**
- J. **Temporary On-Sale Liquor License Application- Submitted by Brainerd Sports Boosters for the Tapped and Corked Event on April 23, 2022, held at the Essentia Health Sports Center 502 Jackson St., Brainerd. Contingent upon Police and Fire Department Approval.**

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

Council Committee Reports

Personnel and Finance

Approve Quotes for Public Safety Cold Storage Building- Approved

Committee Chair Johnson stated that there was \$205,000 budgeted for the project.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE QUOTE FROM LIND CONSTRUCTION IN THE AMOUNT OF \$171,050 AND TO AUTHORIZE MAYOR AND CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH LIND CONSTRUCTION FOR THE CONSTRUCTION OF THE BUILDING.

Current Community Service Officers Wage Adjustment- Approved

Committee Chair Johnson stated that this is a budgeted item for 2022.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO APPROVE CURRENT COMMUNITY SERVICE OFFICER WAGE ADJUSTMENT TO \$16.00 PER HOUR RETROACTIVE TO JANUARY 1, 2022.

Ratify the Hiring of Community Service Officer Janey Ziegler-Approved

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO RATIFY HIRING OF COMMUNITY SERVICE OFFICER JANEY ZIEGLER EFFECTIVE FEBRUARY 16, 2022, AT A RATE OF \$16.00 PER HOUR.

Ratify the Hiring of Temporary Special Events Assistant for Parks- Approved

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO RATIFY HIRING OF CALLIE BATHOLOMAUS AS THE 2022 TEMPORARY SPECIAL EVENTS ASSISTANT FOR PARKS EFFECTIVE FEBRUARY 13, 2022, AT A RATE OF \$15.00 PER HOUR.

Ratify the Hiring of HR Assistant Brittney Boser- Approved

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO RATIFY HIRING OF HR ASSISTANT BRITTNEY BOSER EFFECTIVE FEBRUARY 28, 2022; FUTHUR THAT SHE BE PLACED ON STEP 1 OF THE HR ASSISTANT WAGE GRID AT A RATE OF \$23.51 PER HOUR.

Approve the City Administrator Bergman's Advancement to Step 3 Retroactive to January 1, 2022- Approved

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO APPROVE CITY ADMINISTRATOR BERGMAN'S STEP ADVANCEMENT TO STEP 3 OF THE CITY ADMINISTRATOR WAGE GRID EFFECTIVE JANUARY 1, 2022.

Resolution- Waiving Recertification of Outstanding Special Assessments to Tax-Forfeit Parcel Described as Lot 5, Block 3, Serene Pines- Approved

Committee Chair Johnson stated this matter came about last April when a neighbor requested not to recertify so that they could purchase the lot. This is a step to convey the lot to Crow Wing County HRA.

HRA Director Charpentier stated that the lot has been allowable to be purchased at any point through the County. With the adoption of the resolution the developer will enter into an agreement to purchase the land.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK TO ADOPT RESOLUTION WAIVING THE RECERTIFICATION OF OUTSTANDING SPECIAL ASSESSMENT TO TAX-FORFEIT PARCEL DESCRIBED AS LOT 5, BLOCK 3, SERENE PINES.

RESOLUTION 05:22

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

Update on the Request for Funds to be Returned From Lakes Area Media Collaborative- Informational

Committee Chair Johnson stated that the City Council sent a letter on August 16th, 2021, to Lakes Area Media Collaborative requesting refund of unspent funds be returned to the City. Staff has not received a response to the letter.

Safety and Public Works

Resolution- Approve Cooperative Agreement with the Minnesota Department - Approved

Committee Chair O'Day stated that this project will be in conjunction with the City's improvement of Greenwood Street. The agreement details that the cost share will include sidewalks, retaining wall, aesthetics, resurfacing of Greenwood St., utility improvements, and the signal at Buffalo Hills Lane. The estimated portion for the City is \$307,897.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON TO ADOPT RESOLUTION TO ENTER INTO THE COOPERATIVE CONSTRUCTION AGREEMENT WITH MNDOT FOR THE 2022 CONSTRUCTION OF S 6TH STREET (TH371B) FROM 1,000 FEET SOUTH OF 70TH AVENUE TO JOSEPH STREET.

RESOLUTION 06:22

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

Approve Plans and Specifications and Authorize Bidding- Improvement 19-02- Cuyuna Lakes State Trail NP Center Segment- Approved

Committee Chair O'Day stated that this improvement was the focus of closed sessions to purchase land through the Northern Pacific Center for the Cuyuna Lakes State Trail. The City's contribution is estimated at \$292,447 which includes the city provided materials for the in-kind construction provided by the owner and also the city responsibilities for the project which include the curb and gutter, paving, and restoration. These are not MnDNR eligible reimbursements. The surfacing of the trail segment is estimated to cost \$151,336.35, in which is fully reimbursable with the MnDNR funding. Total project cost estimate is \$443,782.80.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND PRITSCHET, DULY CARRIED, TO APPROVE PLANS AND SPECIFICATIONS AND AUTHORIZE BIDDING FOR IMPROVEMENT 19-02 WITH AN ANTICIPATED BID OPENING DATE OF MARCH 29TH, 2022 AT 10:00 AM. CONTINGENT ON APPROVAL OF THE PLANS BY THE MNDNR.

Approve Plans and Specifications and Authorize Bidding- Improvement 22-01- 2022 Seal Coat Project- Approved

Committee Chair O'Day stated that there is \$150,000 budgeted for this improvement.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON, DULY CARRIED, TO APPROVE PLANS AND SPECIFICATIONS AND AUTHORIZE BIDDING OF IMPROVEMENT 22-01 WITH AN ANTICIPATED BID OPENING OF MARCH 18TH, 2022 AT 10:00 AM.

Consideration of Proposed Section 320 Amendment Language- Discussion

Committee Chair O'Day stated that the committee requested the time and penalties language be reviewed by Staff and brought back for approval.

Approve Street Light Policy

Committee Chair O'Day stated that the committee approved the style and general policy for streetlights. The implementation should go through Personnel and Finance Committee at their next meeting.

Chair Bevans asked how the lights are purchased and who pays for them initially.

City Engineer/Public Works Director Sandy stated that the Public Utilities Commission fronts the cost for the lighting and the cost is reimbursed through the City's monthly charge.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND PRITSCHET, DULY CARRIED, TO APPROVE THE STREET LIGHT POLICY WITH OPTIONS 1A AND 2A SELECTED AS LIGHTING FOR COMMERCIAL AND RESIDENTIAL APPLICATIONS RESPECTIVELY.

Unfinished Business

Consideration of Supportive Housing Village Planned Unit Development (PUD) General Concept Resubmittal

Council Member Erickson, liaison to the Planning Commission, stated that this is the resubmittal of the planned unit development from the February 7th meeting. The Planning Commission had initial questions that the applicant answered with the resubmittal, however, the concerns over density, financing, location, and operation still remained.

Community Development Director Chanski stated that a planned unit development is still subject to the zoned uses.

Council Member O'Day stated that citizens should research these developments and note the feasibility of a sustained maintenance of these communities.

Council Member Johnson stated to Staff that he does not believe this project meets the requirements for a planned unit development.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND STUNEK TO UPHOLD THE PLANNING COMMISSIONS RECOMMENDATION TO NOT SUPPORT THE PLANNED UNIT DEVELOPMENT.

Consideration of Revised Parking Commission Recommendations

Community Development Director Chanski reviewed the changes made to the parking plan after the recommendations made in December 2021. Highlighted changes included changes to the leased parking lot rates and strict enforcement by the Police Department with increased parking time from 2 hours to 3 and adjusting the enforcement period to 7:00 a.m.-5:00 p.m. with elimination of grace period and business validation. Finally, the Parking Commission requests that the commission be reestablished as a standing committee that meets at least bi-annually.

Chief Bestul stated that this is an enforceable matter. The Police Department will be developing a strategy to enforce the adjusted parking times. He encouraged citizens to “walk a block” to free parking.

Council Member Johnson stated that he agrees with adjusting the lease lots to come in line with the market rate.

Council Member Erickson is concerned about the resources and time that this will take by the Police Department.

Mayor Badeaux stated that if the commission does indeed become a standing commission, clear direction and goals should be assigned.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND PRITSCHET, DULY CARRIED, TO ACCEPT THE REVISED PARKING PLAN AND DIRECT STAFF TO BEGIN THE NECESSARY PROCESS TO IMPLEMENT IT, INCLUDING RECONSTITUTING THE PARKING COMMISSION AS A STANDING COMMITTEE WITH THE UNDERSTANDING THAT THEY WILL BE RESPONSIVE TO CHANGE IN THE FUTURE.

Committee Recommendations- Recommended by Mayor Badeaux

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND PRITSCHET, DULY CARRIED, TO CONFIRM KEVIN YEAGER TO THE ECONOMIC DEVELOPMENT AUTHORITY AND HOUSING REDEVELOPMENT AUTHORITY.

Call for Applicants – Informational:

(Application Information at www.ci.brainerd.mn.us/boards/)

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

Cable TV Advisory Committee – 2 terms (Expire 2022) --1 term (Expire 2024)

Charter Commission – 1 term (Expire 2022) 1-term (Expire 2025)

Rental Dwelling License Board of Appeals – 3 terms (Expire 2022)

Mayor Recommended: (terms to expire 09/07 of said year)

Economic Development Authority (EDA) – 1 term (Expire 2022) – 1 term (Expire 2026)

Council President Recommended: (terms to expire 12/31 of said year)
Planning Commission—1 term (Expire 2023)

Ad Hoc Committees – Applicants Needed
Water Tower Fundraising Committee – Two positions available

Public Forum

The Chair opened public forum at 8:30 p.m.

No one came forward.

The Chair closed public forum at 8:31 p.m.

Staff Reports

Community Development Director Chanski stated that the Planning Commission open house and Planning Commission workshop will take place on Wednesday, February 23rd, at the Fire Department Training Room. Both of these events have been advertised in the Dispatch as well as social media.

Crow Wing County Commissioner Barrows, 12679 Nobel Fir Dr, Baxter, stated that he was appointed to the Sourcewell Executive Board and thanks everyone for their support. He always enjoys coming to the City Council meetings.

Administrator Bergman stated that she and Chief Bestul were on “Community Focus”. She attended the Public Utilities Commission meeting. The Commission approved the purchase of energy with AEP in concept. The Commission also reviewed the purchase of power agreements with BCV Digital, also known as B & D Power Solutions, and Just for Crypto. Two of their commissioners are on a crypto subcommittee to review these agreements.

City Engineer/Public Works Director Sandy gave a hats off to the Street and Parks Departments for keeping streets and rinks open during the large snow event.

Mayors Report

Mayor Badeaux stated the St. Patrick’s Day parade will be taking place downtown on March 12th. If you are interested in having a float in the parade, contact Brainerd Community Action. He welcomes all citizens to attend.

Council Member Reports

Member Erickson stated that he had the privilege to ride in Kirby Trickett with the Street Department. Upcoming committees he is attending Fire Advisory Board on March 3rd, Northland Arboretum Board March 3rd, and Planning Commission open house February 23rd at the Fire Department.

Member O'Day stated that the EDA will hold their meeting on March 3rd, he is hoping to have the final agreement for economic development services finalized at that meeting. Thanked everyone for being patient with their plow drivers. He suggested the City have a float in the parade.

Member Johnson tipped his cap to the Parks Department for their work on the ice rinks and Big Sev. The minimal projects done at the hill make a big difference for our community.

Chair Bevans asked City Attorney Langel to research whether or not all funds have to be dispersed due the Amendment to the Charter if an acceptable organization does not submit a proposal for one of the levy request for proposals on behalf of the Chair of the Charter Commission.

Adjourn to Closed Session Pursuant to Minnesota Statute 13D.05, subd. 3(c)(3) to Develop or Consider Offers for the Purchase of Property at 504 11th St S, 501 9th St S, 1202 Laurel St, 1120 Norwood St, 1114 Norwood St, 1108 Norwood St, and 1102 Norwood St, Brainerd, MN.-Approved

MOVED AND SECONDED BY COUNCIL MEMBERS PRITSCHET AND STUNEK, DULY CARRIED, TO ADJOURN TO CLOSED SESSION.

Council reconvened at 8:54 p.m.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND O'DAY, DULY CARRIED, TO PROCEED WITH EASEMENTS AS PRESENTED.

Adjourn to Planning Commission Open House and Workshop and also to the City Council Workshop- Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) on February 28th, 2022, at 6:00 pm in City Council Chambers-Approved

MOVED AND SECONDED BY COUNCIL MEMBERS PRITSCHET AND ERICKSON, DULY CARRIED, TO ADJOURN TO PLANNING COMMISSION OPEN HOUSE AND THE CITY COUNCIL WORKSHOP ON CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS (CSLFRF) ON FEBRUARY 28TH, 2022 AT 6:00 PM.

Jennifer Bergman
City Administrator

Pursuant to due call and notice thereof, the State and Local Relief Funds Discussion Workshop of the Brainerd City Council was called to order at 6:00 P.M. by Council President Bevans.

Upon roll call, the following members were noted present: Pritschet, Stenglein, Erickson, O'Day, Johnson, and Bevans. Mayor Badeaux was noted as present. Council Member Stunek was noted as absent.

Presentation and Discussion of Coronavirus State and Local Fiscal Recovery Funds (CLFRF)- Part of the American Rescue Plan Act of 2021 (ARPA)

Finance Director Hillman gave a brief overview of the \$1,468,098 in funds that will be received from the State and Local Fiscal Recovery Funds and the eligible uses. She presented Staff's brainstorming session of possible uses in 3 categories: Core Infrastructure, Future Capital, and "But for" Fiscal Relief Funds. None of the presented projects have been vetted for eligibility.

City Administrator Bergman requested guidance from the Council on the categories and how the Council would like to start determining how to allocate funding.

Council Discussion took place. All members had the chance to comment. Generally, all members agreed that capital and core infrastructure should be the focus as they are expenses that the City is already going to incur. However, members were interested in the possibility of funding childcare as well. All also agreed that there should be parks projects to consider that help to get youth outside, active, and encourage healthy habits.

Council directed staff to put a more specific list of projects with estimates and vetting through CliftonLarsonAllen to confirm the eligibility of use.

Adjourn

The Chair adjourned the workshop at 6:30 P.M.

Jennifer Bergman
City Administrator

ANDERSON AIRE LLC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
14156 THREE MILE RD	Mechanical	Active	MB740516	04/09/2022	2022-0052	12/31/2022

CULLIGAN SOFT WATER SERVICE CO

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
8240 INDUSTRIAL PAR	Water Conditioning Contr	Active	WC644193	12/31/2022	2022-0002	12/31/2022

DARWIN'S HEATING & AIR CONDITI

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
25733 SUNSET VALLEY	Mechanical	Active	MB725838	08/24/2022	2022-0051	12/31/2022

KORDIAK PLUMBING AND HVAC LL

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
1057 ROCK ELM TRL N	Mechanical	Active	MB725715	05/22/2023	2022-0053	12/31/2022
1057 ROCK ELM TRL N	Plumbing Contractor	Active	PC725714	12/31/2023	2022-0028	12/31/2022

NPL CONSTRUCTION COMPANY

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
8190 215TH ST W	Excavator	Active	IR652549	12/31/2023	2022-0017	12/31/2022

Total Licensees5

Population: All Records
Licensee.DateRegistered Between 2/17/2022 12:00:00 AM AND 3/3/2022 12:00:00 AM

2021

Annual Report

BRAINERD FIRE DEPARTMENT



A Message from the Fire Chief

Brainerd Fire Department had its busiest year in recorded history during 2021. The Department responded to 595 calls for service. The previous busiest year was in 2013 with 543 calls.

The men and women of Brainerd Fire Department provided the highest quality of service throughout 2021 and remain committed to serving our community. This annual report is a summary of the great work we accomplished together in 2021.

- ❖ Throughout 2021 we continued to navigate the everchanging environment of COVID-19. While we acknowledge the variants that exist, we remain vigilant in our proactive approach. This pandemic has reinforced the importance of remaining flexible and having a willingness to do what it takes to serve our community.
- ❖ The first half of 2021 presented an extremely high fire danger throughout the state. We received weekly updates with fire conditions as we prepared for the worsening drought. I had the opportunity to shadow two Type 2 Eastern Area Incident Management teams during two large wildland fires in Northern Minnesota. The ability to follow the Incident Commander and Operation Sections Chiefs was priceless.
- ❖ Two of our Brainerd firefighters joined a Minnesota crew and responded to Hurricane Ida in September in response to an Emergency Management Assistance Compact (EMAC) request. The crew assisted fire departments in the areas hardest hit by the storm.
- ❖ We made several capital investments in fire equipment, including a 2021 Custom Fire built Engine and a 2021 Polaris UTV with tracks. New SCBA and a Turn Out Gear Dryer was put into place in 2021. We replaced a 1972 outdoor warning siren on Graydon Avenue in Brainerd. These investments are all great additions to our resources and will help us better serve all the communities we protect.
- ❖ Training continues to be a high priority and our department participated in over 3,200 hours of firefighter training in 2021, including online training through Vector Solutions. Firefighter health and wellness remains a top priority. We continue to emphasize our physical fitness standards, participated in a resiliency program, and also in several wellness programs designed specifically for emergency services.

Brainerd Fire Department consists of 3 full time staff which includes the Fire Chief, Deputy Chief / Fire Marshal, and Fire Administrative Specialist, along with 36 Paid on-Call Firefighters.

As I reflect on 2021, I am proud of the men and women of Brainerd Fire Department. They are always willing to do what it takes to serve our community and I am grateful to be part of such an outstanding organization. Thank you for the continued opportunity to serve as your Fire Chief.

Tim Holmes, Brainerd Fire Chief



Emergency Response

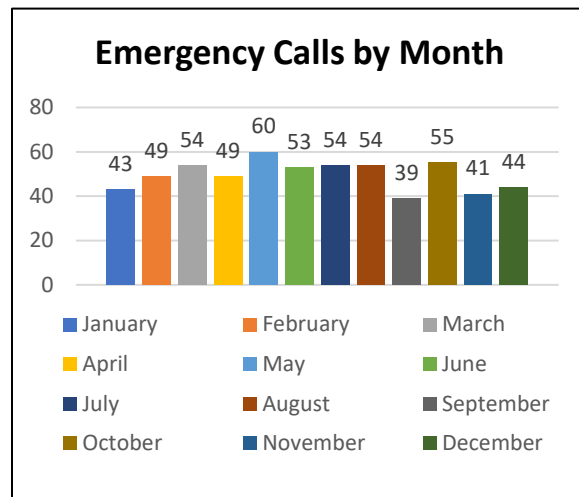
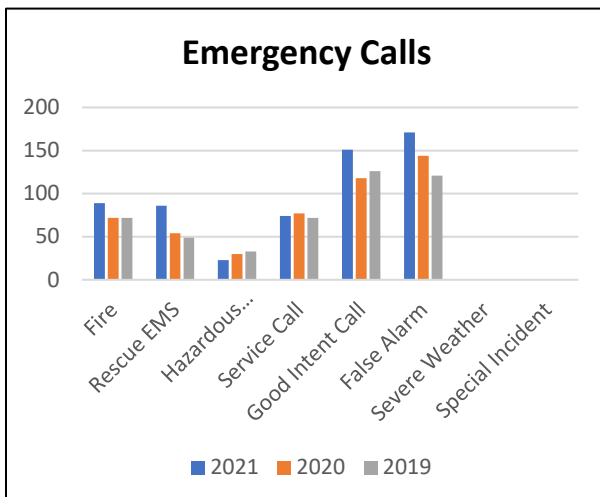
Brainerd Fire Department has a coverage area of 260 square miles, with a population of over 33,000 permanent residents. This coverage area includes the City of Brainerd, the City of Baxter, and townships: Crow Wing, Long Lake, Nokay Lake, Oak Lawn, St. Mathias and Unorganized / 1st Assessment.

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

A Fire Advisory Board, consisting of representatives from every city and township in the coverage area meets quarterly for department updates. Brainerd Fire Department worked with Long Lake Township to develop a reliable and useful water supply for their township. The new well is located at Paradise Beach Road and County Road 22. The pump is capable of delivering 300 GPM to refill our trucks.

Brainerd Fire Department has mutual aid agreements with 29 regional fire departments which protect 4,000 square miles. The Department is an active member of the Cuyuna Range Fire Chiefs and Firefighters Association and the Emergency Management Assistance Compact, which provides mutual aid between states during times of disaster.

Incident Type	Count	Percent of Total
Fire	89	14.96
Rescue & EMS	86	14.46
Hazardous Condition	23	3.86
Service Call	74	12.44
Good Intent Call	151	25.38
False Alarm	171	28.74
Severe Weather	1	.16
Total	595	
Mutual Aid Given	5	Crosslake, Garrison, Little Falls Cass County, Louisiana
Mutual Aid Received	2	Little Falls, Pillager



Emergency Response by City / Township

City of Brainerd

Incident Type	Count
Fire	26
Rescue & EMS	31
Hazardous Condition	13
Service Call	42
Good Intent Call	82
False Alarm	89
Severe Weather	0
Total	283

City of Baxter

Incident Type	Count
Fire	14
Rescue & EMS	25
Hazardous Condition	8
Service Call	18
Good Intent Call	37
False Alarm	65
Severe Weather	1
Total	168

Crow Wing Township

Incident Type	Count
Fire	6
Rescue & EMS	3
Hazardous Condition	1
Service Call	1
Good Intent Call	4
False Alarm	1
Severe Weather	0
Total	16

Long Lake Township

Incident Type	Count
Fire	3
Rescue & EMS	2
Hazardous Condition	0
Service Call	1
Good Intent Call	8
False Alarm	1
Severe Weather	0
Total	15

Nokay Lake Township

Incident Type	Count
Fire	3
Rescue & EMS	3
Hazardous Condition	0
Service Call	0
Good Intent Call	2
False Alarm	0
Severe Weather	0
Total	8

Oak Lawn Township

Incident Type	Count
Fire	12
Rescue & EMS	8
Hazardous Condition	0
Service Call	1
Good Intent Call	6
False Alarm	2
Severe Weather	0
Total	29

St. Mathias Township

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

Unorganized / 1st Assessment

Incident Type	Count
Fire	23
Rescue & EMS	14
Hazardous Condition	1
Service Call	6
Good Intent Call	11
False Alarm	13
Severe Weather	0
Total	68

Emergency Management

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

The outdoor warning siren on Graydon Avenue near the trail crossing in Brainerd was upgraded to increase coverage area and offer dependability to the area. The siren replaced was from 1972.



Chief Holmes and Crow Wing County Emergency Manager John Bowen presented a proposal at the 2021 Community Impact Funding through Sourcewell for 'Enhancements to the Crow Wing County Unmanned Aircraft Systems Program'. The program was awarded \$88,000 to purchase several new pieces of equipment and software used to track flights, training records and aircraft usage. Brainerd Fire Department has three members on the Crow Wing County UAS Team.

CROW WING COUNTY ALERT

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

PulsePoint

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

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



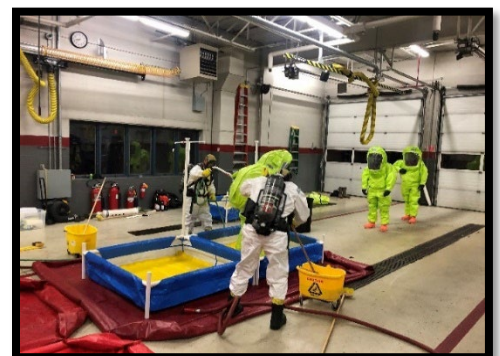
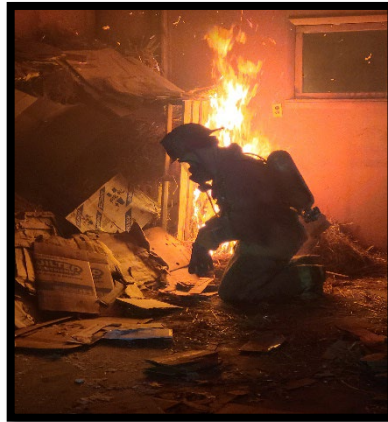
Training

The department trained 3,252 hours in 2021. Of these hours, 585 hours involved online training. Brainerd Fire Department began using Vector Solutions software for online training topics. Sessions include OSHA, Building Construction, Emergency Medical Services, Trenching, Driving, Pumping, Vehicle Stabilization and Alternative Fuel Vehicles. The Road to Resilience Program from The First Twenty was started and brought to us from Crow Wing Energized, who received a grant from Sourcewell for the program.

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

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

Certification Training	Certified Firefighters
Aircraft Rescue Fire Fighting	24
Emergency Medical Paramedic	1
Emergency Medical Responder	21
Emergency Medical Technician	16
Fire Apparatus Operator	26
Fire Inspector	8
Fire Instructor	25
Fire Investigator	2
Fire Officer	19
Hazardous Materials	24
Youth Fire Prevention Intervention	2

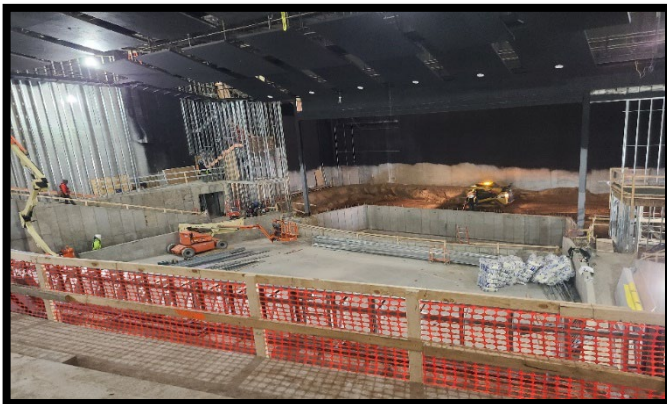


Fire Inspections

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

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

Type of Inspection	2021 Total
Child Seat Safety	3
Commercial Kitchen Exhaust Cleaning	100
Confined Space	26
Construction and Plan Review	2
Family Day Care / Foster Care	13
Fire Alarm Permit and Testing	255
Fire Safety	25
Fire Pump	16
Hood Suppression and Installation	178
Knox Box Installation	19
Licensing / Permits	61
Paint / Spray Booth Suppression	3
Special Suppression	16
Sprinkler Annual and Review	309
Tank Install / Removal	1
Tier II Reports	19
Total	1046



Activities

Brainerd Fire Department received \$3,700 from FM Global to purchase three iPads and mounting hardware for two frontline Engines and one frontline Tender.

The Minnesota Board of Firefighter Training and Education reimbursed Brainerd Fire Department \$28,490 for training expenses. The department received \$4,050 from the Brainerd American Legion for firefighter tactical gear. A donation from Culvers in the amount of \$1,117 assisted with the UTV build-up. An anonymous donation allowed the department to purchase two new gas monitors, and a new chainsaw was purchased from a donation from Dan and Amy Vleck. Brainerd Fire Relief Association donated \$3,101 for a fire hose washer, backpack blower, leaf blower, and a treadmill for the department. \$7,000 was received in local corporate donations for Fire Safety / Public Education materials.

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



In 2021, the department took delivery of Engine 21 and a Utility Terrain Vehicle. New Self-Contained Breathing Apparatus (SCBA) and a Turnout Gear Dryer was put into service in 2021.



Fire Safety Education

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

Type of Public Education	2021 Total Population Reached
Adults	4,200
Car Seat Checks	5
Children: Schools and Day Cares	4,600
Events: Open House, Touch a Truck, etc.	3,000
Fire Extinguisher Training	35
Total	11,840



Brainerd Fire Department held its Fire Safety Open House in October. The fire prevention theme was 'Learn the Sounds of Fire Safety', focusing on smoke detectors and carbon monoxide detectors.



Leadership



Tim Holmes
FIRE CHIEF
6 YEARS



Dave Cox
FIRE MARSHAL / DEPUTY CHIEF
5 YEARS



Elaine Kraemer
ADMINISTRATIVE SPECIALIST
20 YEARS



Joe Rubado
BATTALION CHIEF
25 YEARS



Jeff Schellin
BATTALION CHIEF
20 YEARS



Dave Read
SQUAD 1 CAPTAIN
13 YEARS



Rahn Findlay
SQUAD 2 CAPTAIN
8 YEARS



Matt Holmstrom
SQUAD 3 CAPTAIN
15 YEARS



Joe Enge
SQUAD 4 CAPTAIN
13 YEARS



James Norwood
SQUAD 5 CAPTAIN
8 YEARS

Firefighters



Josh Smith
19 YEARS



Todd Johnson
18 YEARS



Dennis Howard
16 YEARS



LaWayne Mann
16 YEARS



Cory Zeien
16 YEARS



Jay Bautch
15 YEARS



Joel Jacobson
13 YEARS



Sam Marohn
12 YEARS



Jeremy Powell
12 YEARS



Greg Amundson
10 YEARS



Chris Groenwold
10 YEARS



Jonathan LeMieur
10 YEARS



Brian Kargel
8 YEARS



Andrew Bickel
8 YEARS



Josh Stangel
6 YEARS



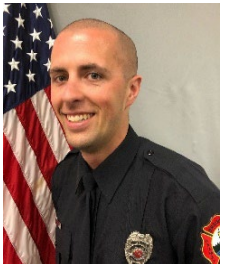
Erik Flowers
5 YEARS



Nick Haglin
4 YEARS



Steve Isle
5 YEARS



Paul Rosier
3 YEARS



Katie Grimsby
3 YEARS



Chris Wallace
3 YEARS



Clint Headley
2 YEARS



Erik Hidalgo
2 YEARS



Matt Ingman
2 YEARS



Robert Kramer
2 YEARS



Drew Beeson
1 YEAR



Randy Kalis
1 YEAR



Rick Lee
1 YEAR



Henry Praska
1 YEAR

Highlights

Promotions



Jeff Schellin to Battalion Chief 4



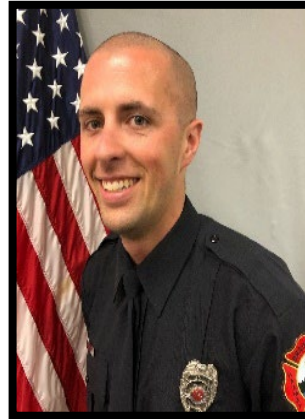
Dave Read to Captain 1

Retirement



Battalion Chief Daryl Rubbelke
28 Years of Service

Firefighter of the Year



Paul Rosier

Apparatus



Engine 21



Engine 3



Engine 4



Tender 1



Tender 3



Tender 4



Tower 20



Rescue 2



Zodiac Boat



UTV



Fire Chief



Deputy Chief / Fire Marshal

Mission and Vision Statement and Core Values

Mission

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

Vision

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



Core Values

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

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

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

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

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

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

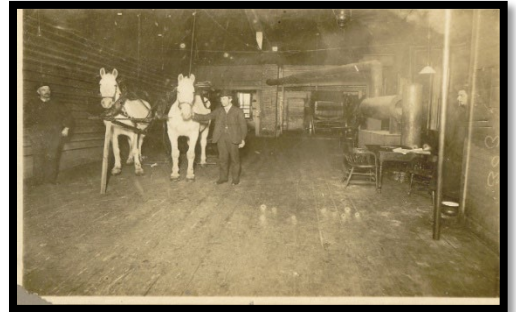


History

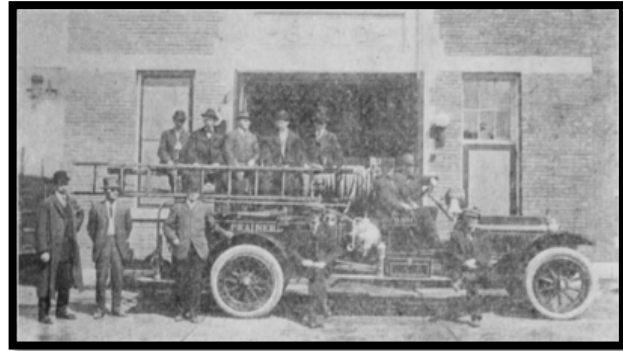


Brainerd Fire Department was organized February 13, 1872 in Askews Billiard Hall, with 37 men paying one dollar each to belong. The only source of water in town was three town wells. The usual manner of fighting a fire was with a bucket brigade in which pails of water was passed from hand-to-hand down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

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



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



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





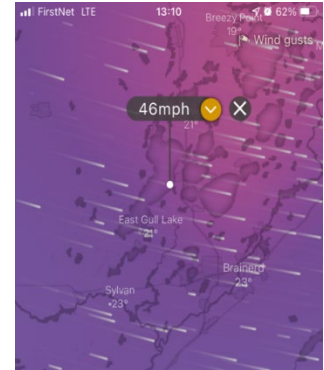
Brainerd Fire Department Monthly Report

February 2022

ACTIVITIES AND PUBLIC EDUCATION



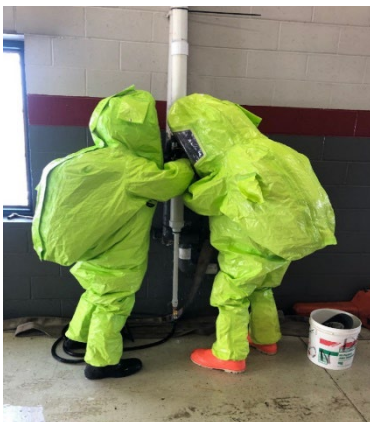
February has continued our trend of being above average in call volume. We responded to several fires, both structures and vehicles. We also responded to a 23 vehicle crash on State Hwy 371 in Nisswa. The multi vehicle crash was due to the extremely high winds and fresh snow blowing across Gull Lake at Hole in the Day Bay and across the highway.



To help celebrate our 150th Anniversary, we enjoyed a Firefighter's Ball. It was a formal event, and we all had a wonderful time. We are hoping to make this an annual event.



TRAINING AND STAFF DEVELOPMENT



Firefighters participated in EMS Refresher training, SCBA and RIT Drills, Search and Rescue, and HazMat Technician training. I am proud to say that we are one of the only departments in our region that has the equipment and training to respond to some technical hazardous materials incidents.



We completed our annual medical testing through Med-Compass. The testing includes EKG, lung capacity, hearing, and SCBA fit testing. We also did our annual inspection of turnout gear.

2/11/2022

Fire is in my blood.

This weekend, Sunday to be exact, our community commemorates the sesquicentennial of the Brainerd Fire Department. It also provides an opportunity to look back and honor the many men and women who have served our city for the last 150 years.

My great-great-grandfather Henry McGinn is among that esteemed list. Chief McGinn served the city of Brainerd as fire chief in the early 1900's. For 30 years, he proudly represented a fine group of men committed to protecting their city just as so many others had done for nearly three decades prior and have for 90-plus years since. I am honored to continue the tradition, representing 37 firefighters currently serving on the Brainerd Fire Department.

It goes without saying – times have certainly changed in the past 150 years. Since I accepted the opportunity to serve as your Brainerd Fire Chief nearly seven years ago, I have particularly enjoyed looking through historical records and photos and noting the sheer determination and commitment of those who came before me.

The Brainerd Fire Department was organized in 1872 by, ironically, 37 men paying one dollar to belong. The meeting happened on February 13 at the Askew Billiard Hall at Fifth and Front streets.

What began with buckets and a well, 15 years later became a two-story fire station on the north end of South Fifth Street. A few years later, horses joined the department and served for 20 years before being replaced by more “modern” equipment. A new fire station was built on Fifth Street in 1914 next to City Hall. Then, in 1982, the fire department moved into its current location at 23 Laurel Street near the Mississippi River. In 2004, a substation was built on Mill Avenue.

Today, as we look back on 150 years rich in history, this department proudly serves the cities of Brainerd and Baxter, as well as surrounding townships, with a dedicated department, highly advanced apparatus, and equipment ready to serve in any emergency.

I am honored to lead the Brainerd Fire Department into the future and can only dream that, someday, my great-great-grandchildren will have the opportunity to serve on this fine department and look back on the progress we have made over the years.

Chief Tim Holmes
Brainerd Fire Department





Brainerd Fire Department Monthly Report

February 2022

INSPECTIONS	
Family Child Care	1
Fire Alarm	26
Hood Suppression	40
Safety Inspection	2
Special Suppression	1
Sprinkler System	17
Tier II Review	11

BRAINERD FIRE COVERAGE AREA INCIDENT REPORT

Type of NFIRS Incident (National Fire Incident Reporting System)	Coverage Area Total Incidents (Includes City of Brainerd)
Fire	6
Rescue & Emergency Medical Service	7
Hazardous Condition	6
Service Calls	5
Good Intent Call	13
Alarm Activation	5
Severe Weather	0
TOTAL	42

Type of NFIRS Incident (National Fire Incident Reporting System)	City of Brainerd Total Incidents
Fire	0
Rescue & Emergency Medical Service	2
Hazardous Condition	4
Service Calls	1
Good Intent Call	7
Alarm Activation	2
Severe Weather	0
TOTAL	16



MEMO



TO: Mayor and City Council

FROM: City Administrator, Jennifer Bergman

DATE: March 7, 2022

RE: City Administrator Report

BPU Commission Meeting

BPU reviewed and approved the purchase of energy with AEP in concept. The BPU Commissioner Subcommittee for Crypto will work with BPU staff to finalize the agreement and bring it back for ratification with the full Board. The Commission also reviewed the purchase power agreements with VCV Digital (B&D Power Solutions) and Just for Krypto and will bring the agreements back for approval at a future meeting.

Brainerd Then and Now

Mayor Badeaux and I, along with Fert Faust and Julie Jo Larson, will be participating in a panel for the Lakes Area Unlimited Learning on Brainerd: Then and Now on March 14th.

MCMA Winter Workshop

I will be attending the Minnesota City/County Managers Association (MCMA) Winter Workshop on Friday, March 4th in Chaska.

City Hall Annex

We continue to work with the Region 5 Development Commission on the plans to remodel the annex. R5DC has prepared bidding documents and will release them in early March with a planned spring construction start date.

Charter Contributions RFP

The RFP's for event/community action, green space/arboretums and senior services were released on February 8th and are due back on March 10th. All submissions will be on the March 21st P&F agenda for review, consideration and recommendation for approval at the City Council meeting. We anticipate having the agreements on the April 4th agenda.



CITY ENGINEER/PUBLIC WORKS DIRECTOR DEPARTMENTAL REPORT
March 7, 2022 CITY COUNCIL MEETING

Recreation Report

Recreation

Adult Softball

Brainerd Early Bird Tournament 12 teams are committed, 7 registered.

Returning Adult Softball teams are given priority sign up until March 4. New teams are eligible to sign up on March 7.

Current registration spread is as follows:

Womens: 0

MS2: 2

MS1: 0

Masters/35+: 0

Coed: 1

Umpire Clinic

USA Softball – Adult Slow Pitch Umpire Clinic will take place on March 9, 2022, from 6 – 7 p.m. at the Fire Department Training Room, following USA instruction, staff will meet with local umpires and discuss our league rules from 7 – 8 p.m. This will be an effort to work on consistency across the board of league umpires, for that was one of our most low scoring feedback items from the Adult Softball Post Season Survey.

Youth Pond Hockey

Youth Pond Hockey concluded February 19, 2022. Staff went through pond hockey equipment as it was returned. We will be looking at a Minnesota Wild Grant come fall to potentially help us cover replacing or adding better quality equipment. Staff will also look into implementing a hockey board sponsorship program. This would be a dual-purpose hockey in winter and pickleball in summer advertising opportunity.

Adult 4 on 4 Pond Hockey

Adult 4 on 4 Tournament Championship night to take place on Tuesday, February 22 at Memorial Park & Bane Park.

Warming Houses

Ice has been great lately. Improvements to Memorial Park have been working tremendously. Looking at weather predictions for March, we are on track to close the warming houses as scheduled for the season on March 5.

Special Events

1. The Valentine's Day Skating Party took place on Sunday, February 13, 1:00-4:00 p.m. in Gregory Park. We had over 100 attendees. This was our special event assistant, Callie Bartholomaeus's first event. It was extremely helpful having an extra set of hands with serving and games.
2. Smooch a Pooch event took place on Monday, February 14, 3:30-5:30 p.m. at the Buster Dog Park.
3. "The Last Dance of Summer" has received verbal partnership commitments from the Brainerd Bee's/CLC, Hubbard Radio and the Brainerd Family YMCA. We will be adding a coed grass 4s volleyball tournament to the lineup of activities to take place that day. A special event page on our website has been added in support of this event.
4. Brainerd Parks and Recreation has partnered with the Mississippi Headwaters Board, Smiles for Jake, the Brainerd Family YMCA, and the Brainerd Historical Society for a special event taking place in Kiwanis Park, Rotary Park, and the Mississippi River on July 30, 2022. The premise of the event focuses on physical and mental health all while utilizing the Mississippi by kayak, canoe, paddle board to promote comradery, social connection, as well as education.

Field Banner Program

We have received \$5,450 to date in field banner advertising/park improvement funds. We have set up a page on our website for our banner program that displays the logos of current field banner sponsors, as well as detailing how the program works. Staff has been asked to look at a program where we pay for the banner and coordinate the creation, configuration, and delivery, this would most likely entail in a bidding out process. Reasoning for this request is several businesses "just don't have the time too coordinate", however "want to support the cause".

Parks Maintenance Report

Meeting with BBBA and Brainerd Bees

Staff has had meetings with both the Brainerd/Baxter Baseball Association and the Brainerd Bees to discuss the 2022 baseball season, field usage, agreement for usage of field maintenance equipment and hold harmless agreements, concessions, and other items related to the 2022 season. Staff will be coming to the Park Board in March with draft agreements for both organizations that would allow them to utilize Brainerd's equipment if need by on tournament weekends or during games if our field maintenance staff is stretched thin or unavailable. This is also an opportunity to write language into the agreements regarding capital upgrades to the fields and getting volunteer labor to do so. Both agencies sound willing to help provide services to the park system to help improve and maintain the facilities before, during, and after use.

Meeting with YMCA

Staff met with Shane Riffle of the YMCA to discuss his future goals and use of Jaycees Park to help inform and assist the Park Board in their decision making related to the park. Shane had a list of ideas or future goals for the programming that he shared with the group that staff can share at the meeting when discussion on Jaycees takes place.

Mississippi Landing Trailhead PMT

Staff and the PMT have been working with WSB to solidify some final design items for the MLT. The PMT met again on 2/7 to discuss lighting, park amenities, concrete textures/coloring, and other more intricate items within the park. WSB will be coming forward at this meeting to discuss letting a tree removal plan. The existence of Northern Long Eared Bats in this region forces our hand in removing trees during their migratory time before they begin nesting again. This will become part of the project costs but will be performed this winter/early spring while we are able to remove them without disturbance to the habitat for the bats. The Park Board has scheduled a special meeting to approve the plans and specifications to authorize bidding for the project on March 8, 2022, at 4:00 PM.

Parks Master Planning

The Park Board has decided to begin master planning for parks. They have scheduled the first park master planning session to take place on March 8, 2022, after the Special Park Board meeting. The first park they will be discussing is Jaycees Park. Jaycees has several improvements planned in the parks 30-year capital plan in the coming years. The Park Board wants to ensure that the improvements being made fit the vision that the Board, Council, and community has for that park. These sessions will be white-board type sessions and are open to the public. The master planning will consist of rendering of future improvements to each park that outline vision and not necessarily cost.

Memorial Park Project

The Park Board approved the final pay application for the Memorial Park Project on 3/1/2022. The project is now considered complete.

Ski Loons

The Park Board approved the master Dock Lease Agreement with the Ski Loons for the 2022 season. The agreement lasts from May 1, 2022, to April 30, 2023. The Park Board is bound to review the agreement before March 31 of each calendar year.

Maintenance Tasks Completed Month Prior

- Flooding rinks.
- Garbage runs daily.
- Dog park maintenance.
- Plowing all parks responsibilities after snow events.
- Baby changing station for Memorial Park.
- Repaired hydraulic seal on Western plow.
- Stick receptacles for Bane Park and Memorial Park.
- Ordering summer equipment.

- Insulation for Memorial Park rink to prevent melting.
- Signage for Big Sev at Hitch Wayne.
- Fixed skid loader blower.
- Built covers for outdoor speakers at Memorial Park.
- Ran cable for sound system at Memorial Park.
- Repaired ice edging machine.
- Took delivery of rink boards from Facebook purchase.
- Ordered rest room dividers for Gregory Park restroom repair.
- Picking up appliances for concessions.
- Took delivery of basketball stations and memorial benches for 2022 installation.

Streets Maintenance Report

Maintenance Tasks Completed Month Prior

Since the last large snow event in February, Street Department Staff have been working on widening out streets and removing/hauling snow with the snow blower and trucks to make room for any large snow events that may take place in the coming months. They have also worked on areas where city staff have received complaints about snow storage, bad site lines, sidewalks, and other high priority areas in need of removal of snow.

Public Works Addition Update

The interior remodel work at the Street Department has been completed. We do not anticipate the Parks Department staff moving until the fall or early winter at this time due to the addition not being constructed. The new unit heaters that were approved have been installed in the garage space in the street garage and are functioning.

Engineering Report

2022 Construction

Engineering staff have been extremely busy preparing for 2022 construction. This includes plan preparation, review by other agencies, and continued coordination with utility providers (cable, BPU, gas, etc.). A brief description of the proposed 2022 projects can be seen below:

North Brainerd Reconstruction Project

This includes the reconstruction of the following streets:

North 3rd Street – Washington Street to Holly Street

North 6th Street – Washington Street to Juniper Street

North 7th Street – Kingwood Street to Holly Street

Juniper Street – N 2nd Street to N 10th Street

On this agenda is the first step of assessment proceedings in which outline the feasibility and sets a public hearing for public comments at the April 4, 2022, meeting.

Cuyuna Lakes State Trail

Staff have been working with Minnesota Management and Budget and the Minnesota Department of Natural Resources on the bonding language in the Governor's Bonding Proposal. The language, as written, causes some issues with how the money is distributed to the City through a grant, rather than the money being appropriated to the DNR and the City reimbursed through its expenses. The city would like to continue working with the DNR through the process and would like to avoid the grants process through MMB. We have made resolution to the language, and it is not written correctly to follow this same process.

2022 Seal Coat Project

The 2022 seal coat project will include seal coating of numerous street segments that have been constructed in the last

couple of years. They include:

College Drive: CSAH 48 – Quince Street

4th Street South – S 6th Street to College Drive

10th Street SE – Willow Street and south to dead end

Brook Street – S 8th Street to 13th Street SE

10th Avenue NE – TH 210 to J Street NE

H Street – Mill Avenue to 13th Avenue NE

S 6th Street – Joseph Street to Greenwood Street

MnDOT is planning the reconstruction of S 6th Street from Joseph Street to Greenwood Street in 2022. This will be a full reconstruction of the section. The City Council gave municipal consent for this project at the February 20, 2021, City Council meeting. MnDOT has been working on finalizing the design. A cooperative construction agreement will be coming forward within the next month in which outlines the City of Brainerd's cost participation in project items such as signal work, aesthetic treatments, sidewalks, retaining walls, etc. The City advanced its State Aid funds to pay for the improvements and cost shares on the Trunk Highway.

Along with this project, the city will be constructing the remainder of Greenwood Street. MnDOT is re-aligning Greenwood Street back a way to come in perpendicular to the highway. The remainder that is remaining unpaved will be a short distance, and City staff have been working on a State Aid plan to finish the paving and for the construction of Greenwood Street in 2022. The Greenwood Street assessment proceedings have begun with the receipt of the feasibility report by the Council and a public hearing scheduled for April 4th, 2022.

The proposed layouts of this project are available upon request.

East River Road Reconfiguration

Along with the Mississippi Landing Trailhead project, the City Council elected to include the reconfiguration of East River Road in front of the park in the 2022 capital plan. This will include the inclusion of diagonal parking, pedestrian bump outs, and on-street trail re-alignment to fit the diagonal parking. Drawings of the proposed configuration are available upon request.

Safe Routes to School Award for Harrison Elementary Oak Street Improvements

The city was awarded \$500,000 in Safe Routes to School funds for the Improvements in front of Harrison Elementary. Staff anticipates bringing an RFP for design and construction services to the City Council to bring a consultant on board for the work, to take place in 2023.

Other 2022 Maintenance Projects

Other minor maintenance projects performed in 2022 will include our annual crack sealing program, large patch program, and street striping.

Once the capital plan is approved for 2022 and beyond, staff will be updating the website with the most up to date information and plans to keep the public informed on current and future construction projects.

Buffalo Hills Gully Project

Staff continues the work with HRGreen to scope and design repairs to the large gully that has formed between Buffalo Hills Lane and Rotary Park. The survey and preliminary scoping elements have been completed, and a conceptual option has been developed in which includes piping the stormwater a distance (approximately 2/3 of the way to Rotary Park) and then out letting the pipe to a riprapped channel near Rotary Park. This will solve the issues related to the erosion in the channel and provide a long-term improvement and stable channel that is easily maintainable.

A public meeting was held on February 24th, 2022, from 6:30 PM – 7:30 PM about this project. 5 residents abutting the gully attended and provided feedback to staff and the group about the project and access. Staff is continuing to move forward with the project, as the feedback was all positive from residents.

Historic Water Tower

Staff has been working with the Water Tower Committee and LHB to finalize plans for the Historic Water Tower roof and

prepare for bidding of the project. The plans and specifications are on this agenda to go out for bid.

City Hall Annex

Paul Sandy and Shawn Strong have been working with Region 5 on the development and plans of the Annex remodel. It is anticipated that the RFP for the building will go out soon to general Contractors to submit pricing for the project. Current plans are available upon request.

Other Items of Interest

- Staff continued scoping out improvements for 2022 construction at Kiwanis Park with TWM Architecture. A presentation to the Park Board will be had at the March 22 meeting.
- CEAM Legislative Committee – Have had many meetings with CEAM Executive Committee. Bills currently of interest that effect cities are:
 - [HF 3256](#)– Has many items included in the draft language including street improvement districts, planning and zoning changes, right-of-way widths, park dedication fees, etc.
 - [HF 2994](#) - \$50 million appropriation to Active Transportation Program
 - [HF 3216](#) – Local Road Improvement Program advisory committee membership amended. Adding member(s) to committee to represent townships
 - [SF 3081](#) (Newman) State general sales tax revenue related to motor vehicle repair and replacement parts allocation exclusively to fund roads
 - [HF 3317](#) (Davids) (no companion bill) Automated speed enforcement prohibited
 - Lots of talk about IJA appropriations and what will be dedicated to local unit of government projects with the bipartisan infrastructure bill.
- City Engineer/Public Works Director Sandy will be participating in a day of interviews in St. Paul for the MnDOT Assistant Division Director for State Aid for Local Transportation Division. MnDOT typically invites the current City Engineers Association and County Engineers Association President to sit in on the interviews and selection committee for the position. The date of the interviews is currently March 16.
- City Engineer/Public Works Director Sandy attended 8 hours of Bridge Inspection Refresher Training that is required to maintain the program administrator status for the city.

Transit Report

- Working on data migration of Routematch to the Cloud. Computers that have RouteMatch were updated. Routematch now works a lot faster that the data is in the cloud, and more testing continues to take place daily.
- Fleet tablet replacements due to current tablets age and condition.
- Transit Operations Specialist is now completing all verification and reporting of data.
- Transit ridership continues its upward trend of growth after the pandemic.
- Transit bus that was ordered in 2020 should finally be delivered this spring. 2021 bus is still unknowns with continued manufacturing shortages.



HR DIRECTOR REPORT

In this report:

- Union Negotiations
- Special Notes
- NeoGov
- Personnel Update
- Wellness Committee
- Sourcewell Insurance Pool

Union Negotiations

The IUOE Street Department Union grievance was withdrawn by the Union.

The USW (Hydro) 2022-2024 Union Contract is fully signed.

Met with an employee and an IBEW Adm Support Union rep to discuss the wage grid and the initial step placement process/guidelines.

Special Notes

There are currently six City/BPU/HRA employees with Family & Medical Leave Act (FMLA) issues.

I'm happy to report that there has been a significant decline in the past two weeks regarding COVID-19 related concerns/absences.

Finalized an agreement for the City to provide HR services to the HRA. The agreement is included on the March 7th Council meeting for consideration.

On March 1st, supervisors were planning to attend a mandatory Responsible Suspicion Training regarding drug and alcohol abuse and our policies on those items. Unfortunately the trainer was ill on that day and the training will be re-scheduled.

After almost 42 years of service, BPU Accounting Supervisor Julie Batters will be retiring later this month. Julie's retirement party will be held on March 25th at BPU from 2:30 - 4:30 pm.

NeoGov

We are in the process of upgrading our NeoGov online applicant tracking system to include a new onboarding module so new employees can complete required employment forms online prior to starting. This enhancement also allows applicant data to be imported into payroll. We will start with the City's payroll system and see if this may work for BPU and HRA as well.

Personnel

New Hires for City/BPU/HRA:

Callie Bartholomaus - Special Event Assistant (2/13)
Janey Ziegler - CSO (2/16)
Brittney Boser - HR Assistant (2/28)

Farewell to:

Mike Foote - HRA Maintenance Supervisor (3/9)

Current Job Opportunities:

Full-time:

HRA Maintenance Specialist (interviews are being held)

Interns and seasonal/temporary positions:

Business Office Intern (BPU)
Code Compliance Inspector
Communications Intern
Community Development Intern
Concession Workers
Downtown Maintenance
GIS/IT Intern
GIS/IT Intern - Tree Inventory
Parks Seasonal Maintenance Workers
Parks Weekend Custodial Worker
Police Intern
Street Department Seasonal Laborers
Umpires - Adult Softball

We currently have two employees absent due to work-related medical issues. This includes a Paid on-call Firefighter that was recently injured.

Our new HR Assistant Brittney Boser started on 2/28. Brittney had to "hit the ground running" on a variety of projects. Brittney has already been very instrumental helping get our 2022 summer jobs posted as noted under

Wellness Committee

February Lunch 'N Learn (2/16): 2022 Wellness Activities

A Community Wellness Grant was submitted to Crow Wing Energized Grant for a water bottle filling station at City Hall for employee and public use.

Sourcewell Insurance Pool

Attended the following virtual Sourcewell Health Insurance Pool meetings:

- * Wellness Committee meeting on February 16th
- * Executive Committee meeting on February 23rd.
- * A question and answer webinar on February 23rd regarding Sourcewell's new Pool Membership Agreement and Bylaws.



Brainerd City Council Agenda Request

Requested Meeting Date: 02/22/2022

Title of Item: Community Member of the Month

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) *provide copy of published hearing notice ☐ Direction Requested ☒ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading
Submitted by: David Chanski	Department: Comm. Dev
Presenter (Name & Title): Mayor Badeaux	Estimated Time Needed: 5 minutes
Summary of Issue: Dawn Stienka is the new owner of Coco Moon. She officially purchased the business from its previous owner Lorie at the beginning of the year. Dawn worked for Coco Moon for 15 years and stepped into place to continue the popular downtown business. She is the February Community Member of the Month for her dedication to downtown.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☐ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	



COMMUNITY MEMBER OF THE MONTH

THE BRAINERD CITY COUNCIL AWARDS

Dawn Stienka

Dedication to Downtown

Dave Badeaux
Mayor

David Chanski
Community Development Director



Brainerd City Council Agenda Request

Requested Meeting Date: March 7, 2022

Title of Item: Conduct Dangerous Dog Hearing

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Jennifer Bergman	Department: Administration
Presenter (Name & Title): City Attorney, Animal Control Officer, and Dog Owner	Estimated Time Needed: 5 Minutes
Summary of Issue: On October 18th, the City Council declared three dogs as dangerous: Ava, Brownie and Wendy who are owned by Angela Blakemore. Subsequently, the City Council passed a motion on a 4-1 vote to allow the owners seven days to remove the dogs from the City of Brainerd, provide proof they have done so; further, that the dogs will be subject to immediate seizure by Animal Control if they are found in the City (see attached). On February 24, the Brainerd Police were called to a house in Brainerd. Two of the dogs had gotten into a fight and Ms. Blakemore attempted to intervene resulting in injuries to her that required medical attention. All three dogs were seized by Animal Control.	
Alternatives, Options, Effects on Others/Comments: Section 900.25, Subd. 4 (C) states that if the Council determines that the animal is dangerous, it will then order the owner to deliver said animal to the Animal Control Officer for the purpose of euthanizing said animal unless the owner provide an alternative proposal, acceptable to the City Council which may include the permanent removal of the animal from the City of Brainerd. The Council's motion allowed the dog owners to remove all three dogs from the City limits. Section 900.27 Subd. 4 states that if an owner of an animal has subsequently violated the provision with the same animal, the animal must be seized by the Enforcement Officer. The owner may request a hearing (see attached). Angela Blakemore has requested a hearing (see attached). If the owner is found to have violated the provisions for which the animal was seized, the Enforcement Officer shall order the animal destroyed in a proper and humane manner and the owner shall pay for the costs of confining the animal.	
Recommended Action/Motion: Conduct the hearing and make a determination if the owner violated the Council's order.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

Becky Chisholm, 1423 Pine St, PID 41250812, formally objected to the assessments on her property. She stated that she was unaware when she purchased the property that it would be assessed, and she simply cannot afford to pay for the assessment. Ms. Chisholm formally submitted an objection to the assessment.

Dexter Hanson, 1008 Rosewood St, PID 41250624, 41250623, 41250619, formally objected to the assessments on his three properties.

The Chair closed the public hearing at 8:37 p.m.

City Engineer/ Interim Public Works Director Sandy stated that Greg Blume, 1119 13th St, PID 41250961 & 41250960, formally contested his assessments on his properties.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND PRITSCHET TO ADOPT RESOLUTION ADOPTING ASSESSMENT- 20-05 20-06- MADISON STREET AND SE BRAINERD CONSTRUCTION PROJECT, LESS THE SIX PROPERTIES WHO CONTESTED THE ASSESSMENT; FURTHER, TO ADJOURN THE PUBLIC HEARING TO NOVEMBER 1, 2021, AT 7:30 PM.

RESOLUTION 61:21

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

Call for Applicants – Informational:

(Application Information at www.ci.brainerd.mn.us/boards/)

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

Cable TV Advisory Committee – 1 term (Expire 2021) – 2 terms (Expire 2022)

Charter Commission – 1 term (Expire 2022)

Rental Dwelling License Board of Appeals – 3 terms (Expire 2022)

Transportation Advisory Committee (TAC) – 1 term (Expire 2022)

Mayor Recommended: (terms to expire 09/07 of said year)

Economic Development Authority (EDA) – 1 term (Expire 2027) – 1 term (Expire 2026)

Council President Recommended: (terms to expire 12/31 of said year)

Police & Fire Civil Service Commission – 1 term (Expire 2023)

Ad Hoc Committees – Applicants Needed

Water Tower Fundraising Committee – Two positions available

New Business

Dangerous Dog Hearing

Administrator Bergman stated that the City received a request from Angela Blakemore for a hearing regarding her dogs Ava, Brownie, and Wendy, pursuant to Brainerd City Ordinance 900.25.

Attorney Langel stated the procedure of the hearing. He also explained the options that the City Council has if the dogs are determined to be dangerous.

Angela Blakemore, 515 2nd Ave NE, stated that she asked for the hearing because her dogs were provoked and are good dogs. She stated that she was not present at the time of the incident.

Thomas Schutt, 12627 Lower Sylvan Rd, Pillager, stated that he has taken the dogs on the same walk off leash once or twice a week all summer. He typically checks to see if there are others out with their dogs prior to taking the dogs for a walk. He restated the events that led up to and took place that led to the dogs being impounded. He believes the dogs are not dangerous.

Mike O'Brien, Animal Control Officer, passed evidence to the Council from the incident to view. He stated the facts of the incident were constructed from the statements from both Mr. Schutt and the owners of the deceased dog. Ms. Blakemore could not provide record of current rabies vaccination. Therefore, the dogs were seized by animal control. Mr. O'Brien also read the statement of the owners of the deceased dog.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND PRITSCHET, DULY CARRIED, TO DECLARE ALL THREE DOGS AS DANGEROUS.

Chair Bevans stated he would be voting no, because he believes the dogs should be euthanized immediately for the safety of all.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND PRITSCHET TO ENFORCE THE ORDINANCE, ALLOW THE OWNERS SEVEN DAYS TO REMOVE THE DOGS FROM THE CITY OF BRAINERD, AND PROVIDE PROOF THAT THEY HAVE DONE SO; FURTHER THAT THE DOGS WILL BE SUBJECT TO IMMEDIATE SEIZURE BY ANIMAL CONTROL IF THEY ARE FOUND IN THE CITY.

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

Resolution- Declaring Costs to be Assessed, Ordering Preparation of Proposed Assessment, and Ordering a Public Hearing on Proposed Assessment- Nuisance Abatements- Approved

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND O'DAY TO ADOPT RESOLUTION DECLARING COSTS TO BE ASSESSED, ORDERING PREPARATION OF PROPOSED ASSESSMENT, AND ORDERING A PUBLIC HEARING ON PROPOSED ASSESSMENT- NUISANCE ABATEMENTS; FURTHER TO SET THE PUBLIC HEARING FOR NOVEMBER 1, 2021, AT 7:30 PM.

RESOLUTION 62:21

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

Public Forum

The Chair opened public forum at 9:12 p.m.

- E) The pen or kennel must be located in the animal owner's backyard and be at least five (5) feet from any property line.

Subd. 3. Unprovoked. Unprovoked shall mean the condition in which the animal is not purposely excited, stimulated, agitated, or disturbed.

Subd. 4. Procedure/Hearing. The procedure to seize an animal that appears to be dangerous shall be as follows

- A) Notify the owner, by registered mail that the animal appears to be dangerous. The notice shall specify the dates, times, places and parties or animals bitten. Said notice shall also apprise the owner of the animal that he or she may request a hearing before the City Council by notifying the City Administrator within ten (10) days after the receipt of the notice.
- B) If the owner does not request a hearing within ten (10) days of said notice, the Enforcement Officer shall immediately take possession of the animal and euthanize same.
- C) If the owner of the animal requests a hearing as to the dangerous nature of the animal, the City Administrator shall place the matter before the City Council at its next regular meeting. The owner may present evidence in opposition to the designation of the animal as dangerous. The Animal Control Officer shall present evidence to the City Council that supports the determination that the animal is dangerous. Following the hearing, the Council shall make a determination of the facts and issue an order as to whether or not said animal is properly characterized as dangerous. If the Council determines that the animal is dangerous, it will then order the owner to deliver said animal to the Animal Control Officer for the purpose of euthanizing said animal, unless the owner provides an alternative proposal, acceptable to the City Council which may include the permanent removal of the animal from the Brainerd City limits.

(Amended Ord. 1043 – 1998, Ord. 1325 – 2008)

900.27 Dangerous Animal Requirements. Subdivision1. Requirements. If the City Council does not order the destruction of an animal that has been declared dangerous, the City Council may, as an alternative, order any or all of the following:

- A) That the owner provide and maintain a proper enclosure for the dangerous animal as specified in Section 900.25, Subd. 2;
- B) Post the front and the rear of the premises with clearly visible warning signs, including a warning symbol to inform children, that there is a dangerous animal on the property as specified in Minnesota Statutes Sections 347.50-347.56;

- C) Provide and show proof annually of public liability insurance in the minimum amount of \$300,000.00;
- D) If the animal is a dog and is outside the proper enclosure, the dog must be muzzled and restrained by a substantial chain or leash (not to exceed six feet in length) and under the physical restraint of a person sixteen years of age or older. The muzzle must be of such design as to prevent the dog from biting any person or animal, but will not cause injury to the dog or interfere with its vision or respiration; and,
- E) Any or all additional requirements permitted under Minnesota Statutes Sections 347.50-347.56.

Subd. 2. Seizure. The Enforcement Officer shall immediately seize any dangerous animal if the owner does not meet any of the above requirements imposed by the City Council within fourteen days after the date notice is sent to the owner that the animal is dangerous.

Subd. 3. Reclaiming Dangerous Animals. A dangerous animal seized under Subsection 900.27, Subd. 2, may be reclaimed by the owner of the animal upon payment of impounding and boarding fees, and presenting proof to animal control that each of the requirements under Subsection 900.27, Subd. 1 is fulfilled. An animal not reclaimed under this Section within fourteen (14) days may be disposed of as provided under Section 900.21 and the owner is liable to the City of Brainerd for all costs incurred in confining the animal and having the animal destroyed including, but not limited to, reimbursement of all of the City's legal fees and court costs.

Subd. 4. Subsequent Offenses. If an owner of an animal has subsequently violated the provisions under Section 900.25 with the same animal, the animal must be seized by the Enforcement Officer. The owner may request a hearing as provided for in Section 900.25. If the owner is found to have violated the provisions for which the animal was seized, the Enforcement Officer shall order the animal destroyed in a proper and humane manner and the owner shall pay the costs of confining the animal. If the person is found not to have violated the provisions for which the animal was seized, the owner may reclaim the animal under the provisions of Subsection 900.27, Subd. 3. If the animal is not yet reclaimed by the owner within fourteen days after the date the owner is notified that the animal may be reclaimed, the animal may be disposed of as provided under Subsection 900.09 and the owner is liable to the animal control for the costs incurred in confining, impounding and disposing of the animal.

900.29 Basic Care. All animals shall receive from their owners or keepers kind treatment, housing in the winter, and sufficient food and water for their comfort. Any person not treating their pet in such a humane manner will be subject to the penalties provided in this Section.

900.31 Pound. The Council shall designate an official pound either within or without the City limits of Brainerd to which animals found in violation of this Section shall be taken for safe treatment, and if necessary, for destruction.

3/02/22

RECEIVED

MAR 03 2022

CITY OF BRAINERD
ADMINISTRATION

Brainerd Animal Control
225 E River rd
Brainerd, MN 56401
(218) 820-6288

3/1/2022

Nathan Scott
515 2nd Ave NE
Brainerd, MN 56401

Dear Nathan:

As you are aware Brainerd Animal Control responded to a complaint on 02/24/2022 to your home at 515 2nd Ave Ne in Brainerd, MN. When we arrived we found that your 3 dogs (Ava, Brownie, and Wendy) were involved in a fight inside your home. These dogs were all 3 declared dangerous by Brainerd Animal Control on 09/30/2021, and during the 10/18/2021 Brainerd City Council meeting the city council voted unanimously to affirm the decision that all 3 dogs be declared dangerous.

Furthermore, the Brainerd City Council also ordered you to remove the dogs from the city of Brainerd within 7 (seven) days and should they ever be found in the city limits again Brainerd Animal Control is to seize them immediately. As you are aware Brainerd Animal Control did seize all 3 dogs and we are holding them.

As provided by Brainerd City Code 900.27 Subd 4. (Subsequent Offenses) If an owner of an animal has subsequently violated the provisions under Section 900.25 with the same animal, the animal must be seized by the Enforcement Officer. The owner may request a hearing as provided for in Section 900.25. If the owner is found to have violated the provisions for which the animal was seized, the Enforcement Officer shall order the animal destroyed in a proper and humane manner and the owner shall pay the costs of confining the animal. If the person is found not to have violated the provisions for which the animal was seized, the owner may reclaim the animal under the provisions of Subsection 900.27, Subd. 3. If the animal is not yet reclaimed by the owner within fourteen days after the date the owner is notified that the animal may be reclaimed, the animal may be disposed of as provided under Subsection 900.09 and the owner is liable to the animal control for the costs incurred in confining, impounding and disposing of the animal.

I have attached the request for hearing forms to this letter. If you wish to request a hearing with the Brainerd City Council you must sign and return these forms to me within 10 days of receipt.

Sincerely,


Michael O'Brien
Brainerd Animal Control

**BRainerd POLICE DEPARTMENT
DANGEROUS DOG REQUEST FOR HEARING**

(To Be Completed by Dog Owner)

Date of Request: 03/02/2022

OWNER:

Full Name: Nathane William Scott
(First, Middle, Last)

Date of Birth: 04/16/1995

Address: 515 2nd Ave NE

Home Phone #: _____

City/State/Zip: Brainerd MN 56401

Alternate/Cell Phone #: 218-537-8570

ANIMAL:

Name of Animal: Wendy

Date Seized (if applicable): 02/24/2022

Breed: Pitbull / Lab mix Color(s): Black/white Markings: _____

Return completed form to the Brainerd Police Department.

Pursuant to Brainerd City Ordinance 900.25:

- A request for a hearing must be made within 10 days of receipt of notice of that the animal appears to be dangerous.
- If the owner of the animal requests a hearing as to the dangerous nature of the animal, the City Administrator shall place the matter before the City Council at its next regular meeting. The owner may present evidence in opposition to the designation of the animal as dangerous. The Animal Control Officer shall present evidence to the City Council that supports the determination that the animal is dangerous.
- Following the hearing, the Council shall make a determination of the facts and issue an order as to whether or not said animal is properly characterized as dangerous.
- If a request for hearing is made, the owner must immediately comply with the requirements of Minnesota State Statute 347.52, paragraphs (a) and (c), until such time as the Council makes a determination.
- If the Council affirms the dangerous dog declaration, the owner will have 14 days from the receipt of the decision to comply with all other requirements of Minnesota State Statutes 347.51, 347.515 and 347.52 and/or Brainerd City Ordinance 900.27.
- All costs incurred for confining, impounding and/or disposing of the animal are the responsibility of the owner, except to the extent that a court or hearing officer finds that the seizure or impoundment was not substantially justified by law.

I hereby request a hearing as to the dangerous nature of the animal.

Nathane Scott

Signature of Dog Owner/Representative

Date

03/02/22

FOR OFFICE USE ONLY:

Received by: _____ Date Received: _____ ICR #: _____

Date Notice was Served: _____

Date to City Administrator: _____

Date of Next Regular Council Meeting: _____

**BRAINERD POLICE DEPARTMENT
DANGEROUS DOG REQUEST FOR HEARING**

(To Be Completed by Dog Owner)

Date of Request: 03/02/2022

OWNER:

Full Name: Nathan William Scott Date of Birth: 04/16/1995
(First, Middle, Last)
Address: 515 2nd Ave NE Home Phone #: _____
City/State/Zip: Brainerd, MN 56401 Alternate/Cell Phone #: 218-537-8570

ANIMAL:

Name of Animal: Brownie Date Seized (if applicable): 02/24/2022
Breed: Pitbull / Lab mix Color(s): DK Brn Markings: _____

Return completed form to the Brainerd Police Department.

Pursuant to Brainerd City Ordinance 900.25:

- A request for a hearing must be made within 10 days of receipt of notice of that the animal appears to be dangerous.
- If the owner of the animal requests a hearing as to the dangerous nature of the animal, the City Administrator shall place the matter before the City Council at its next regular meeting. The owner may present evidence in opposition to the designation of the animal as dangerous. The Animal Control Officer shall present evidence to the City Council that supports the determination that the animal is dangerous.
- Following the hearing, the Council shall make a determination of the facts and issue an order as to whether or not said animal is properly characterized as dangerous.
- If a request for hearing is made, the owner must immediately comply with the requirements of Minnesota State Statute 347.52, paragraphs (a) and (c), until such time as the Council makes a determination.
- If the Council affirms the dangerous dog declaration, the owner will have 14 days from the receipt of the decision to comply with all other requirements of Minnesota State Statutes 347.51, 347.515 and 347.52 and/or Brainerd City Ordinance 900.27.
- All costs incurred for confining, impounding and/or disposing of the animal are the responsibility of the owner, except to the extent that a court or hearing officer finds that the seizure or impoundment was not substantially justified by law.

I hereby request a hearing as to the dangerous nature of the animal.

Nathan Scott
Signature of Dog Owner/Representative

03/02/22
Date

FOR OFFICE USE ONLY:

Received by: _____ Date Received: _____ ICR #: _____
Date Notice was Served: _____
Date to City Administrator: _____ Date of Next Regular Council Meeting: _____

**BRAINERD POLICE DEPARTMENT
DANGEROUS DOG REQUEST FOR HEARING**

(To Be Completed by Dog Owner)

Date of Request:

03/02/2022

OWNER:

Full Name:

NATHAN William Scott

(First, Middle, Last)

Date of Birth:

04/16/1995

Address:

515 2ND AVE NE

Home Phone #:

City/State/Zip:

Brainerd, MN 56401

Alternate/Cell Phone #:

218-537-8570

ANIMAL:

Name of Animal:

Ava

Date Seized (if applicable):

02/24/2022

Breed:

Pitbull / Lab mix

Color(s):

lt Bm

Markings:

Return completed form to the Brainerd Police Department.

Pursuant to Brainerd City Ordinance 900.25:

- A request for a hearing must be made within 10 days of receipt of notice of that the animal appears to be dangerous.
- If the owner of the animal requests a hearing as to the dangerous nature of the animal, the City Administrator shall place the matter before the City Council at its next regular meeting. The owner may present evidence in opposition to the designation of the animal as dangerous. The Animal Control Officer shall present evidence to the City Council that supports the determination that the animal is dangerous.
- Following the hearing, the Council shall make a determination of the facts and issue an order as to whether or not said animal is properly characterized as dangerous.
- If a request for hearing is made, the owner must immediately comply with the requirements of Minnesota State Statute 347.52, paragraphs (a) and (c), until such time as the Council makes a determination.
- If the Council affirms the dangerous dog declaration, the owner will have 14 days from the receipt of the decision to comply with all other requirements of Minnesota State Statutes 347.51, 347.515 and 347.52 and/or Brainerd City Ordinance 900.27.
- All costs incurred for confining, impounding and/or disposing of the animal are the responsibility of the owner, except to the extent that a court or hearing officer finds that the seizure or impoundment was not substantially justified by law.

I hereby request a hearing as to the dangerous nature of the animal.

Signature of Dog Owner/Representative

Nathan Scott

Date

03/02/22

FOR OFFICE USE ONLY:

Received by:

Date Received:

ICR #:

Date Notice was Served:

Date to City Administrator:

Date of Next Regular Council Meeting:

**CITY OF BRAINERD
SAFETY AND PUBLIC WORKS COMMITTEE
AGENDA**

March 7, 2022

6:45 PM

WebEx Teleconference Call-In Information Call Toll-

Free: 1-844-992-4726

Access Code: 2480 062 2019

1. Approve Event/Street Application - 2022 St. Patrick's Day Parade
2. Approve Plans and Specifications and Authorize Bidding - Brainerd Historic Water Tower Roof Replacement
3. Create Visual Quality Working Group for 2025 Highway 210 Reconstruction Project
4. Consideration of Proposed Section 320 Amendment Language



Brainerd City Council Agenda Request

Requested Meeting Date: March 7, 2022

Title of Item: Approve Event/Street Closure Application - 2022 St. Patrick's Day Parade

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer/Public Works Director Sandy	Department: All
Presenter (Name & Title): City Engineer/Public Works Director Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is an event/street closure application for the 2022 St. Patrick's Day festivities and parade, to be held on March 12, 2022 from 11:30 am - 2:00 pm.	
Alternatives, Options, Effects on Others/Comments: The event consists of a medallion hunt (in which begins a few days before the parade), a kids costume contest hosted by the VFW, and a parade in downtown. The applicant, through the application, has indicated there will be a need for power and amplified sound. Fliers and banners will be distributed to the downtown businesses so that they are aware of the event. The applicant is requesting the closure of downtown streets per the attached map on the event application, including S 7th, Front Street, S 9th Street, and Laurel Street. The sidewalks will remain open during the event. The Police Chief has indicated that he will have some staffing available for the event to assist with closures and any other items that come up during the festivities.	
Recommended Action/Motion: Staff recommends approval of the attached application under the conditions that the applicant submit traffic control 1-week prior to the event and that the applicant submit the required insurance per the event application prior to the event.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	



SPECIAL EVENT APPLICATION

Date of Application: 2/17/2022

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

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FEB 17 2022

**CITY OF BRAINERD
ADMINISTRATION**

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

Name of event: 2022 St. Patrick's Day Parade

Organizer Information

Organizer's Name: Steve Shepherd/Dave Badeaux
Organizer's Address: 315 S. 6th Street / 321 S. 7th Street
Event Contact Person: Steve Shepherd
Event Contact Daytime Phone: 218-839-5837
Event Contact E-mail Address: mixn14u@gmail.com
Contact Name/Number Day of Event: Same
For Profit/Nonprofit Status (type): 501c3 Brainerd Community Action

Applicant information (if different from the event organizer):

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

Event Information

Event Details (list each date separately)

Event Date	Start Time	End Time	Event Location(s) – see locations listed below
3/12/2022	11:30am	2:00pm	See Route Map

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

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

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

Description of Activities

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

Medallion hunt starting a few days prior to parade

12pm - Kids Costume contest at VFW

1pm - Parade

Site Information

Electrical usage

☐

Yes

☐

No

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

Amplified Sound

☒

Yes

☐

No

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

Restrooms provided

☐

Yes

☒

No

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

Company contracted for restrooms: _____

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

Signs, banners, and/or posters/flyers

☒

Yes

☐

No

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

8.5 x 11 color flyers to be distributed to downtown businesses

1/2 sheet flyers will be distributed to schools

Trash Receptacle Disposal

☐

Yes

☒

No

Company contracted for trash receptacle disposal: _____

Additional Event Information

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

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

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

Street Closure Request Information

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

Please see route map.

Date and time for beginning of street closures: **3/12/22 11:30 am**

Date and time for reopening of streets: **3/12/22 2:00 pm (completion of parade)**

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

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

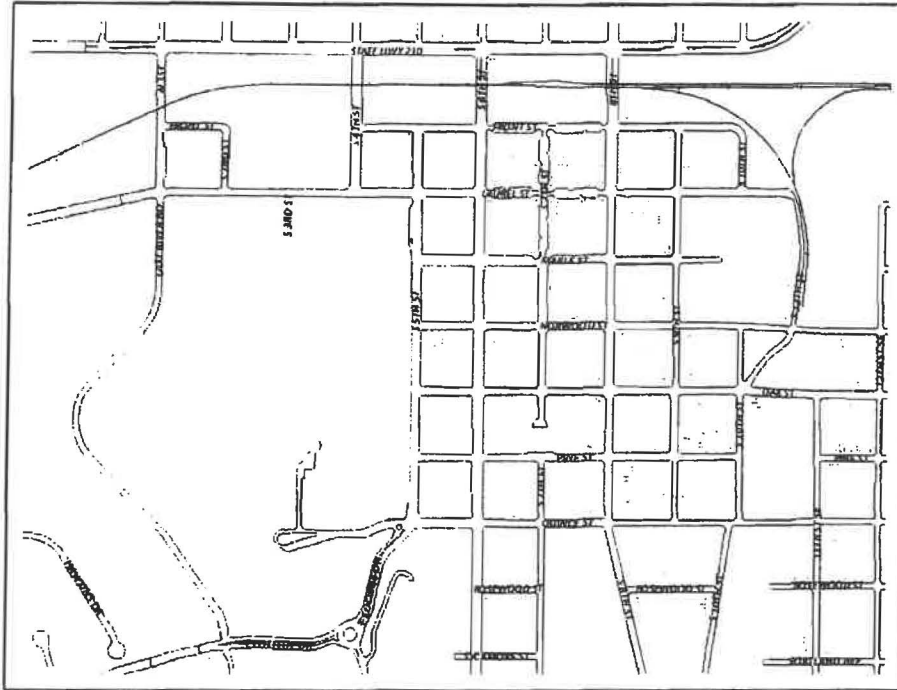
While the City continues to treat downtown as a venue for events, event plans must be balanced with the interests and needs of property owners.

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

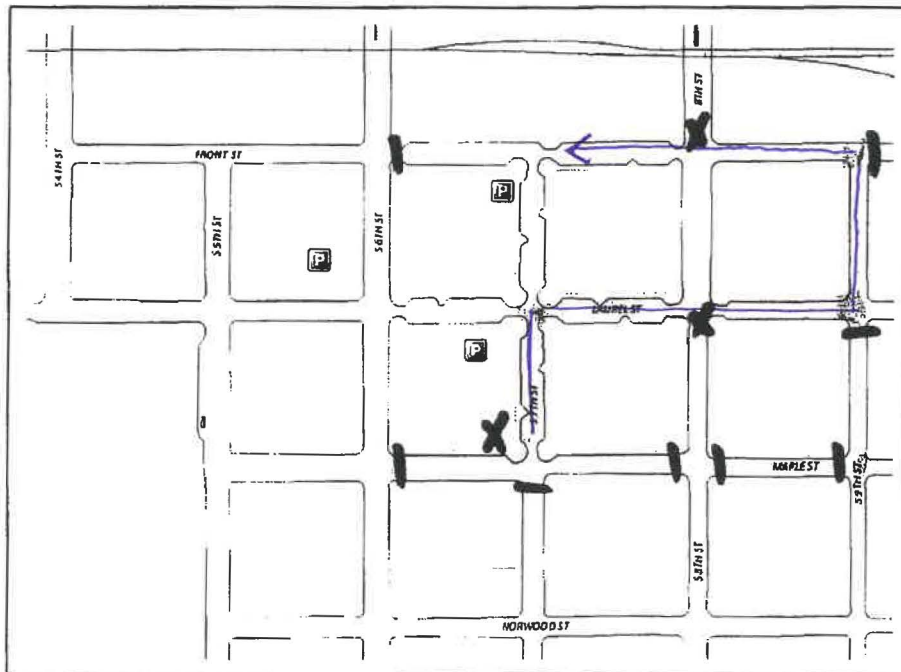
For information regarding a street closure, please contact the City Engineering office at 218-828-2307 or engineer@ci.brainerd.mn.us.

Route Maps

Greater Downtown Area



Historic Downtown Area



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

Hold Harmless Agreement and Insurance Information

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

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

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

Signature of Event Applicant

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



Signature of Applicant

Dave Badeaux

Print Name

Contacts, Permits, and Fees Checklist

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

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

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

Contact Information

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

For Official Use Only

Department Sign-offs Required

Department	Date/Initials	Comments
Brainerd Public Utilities	<u>ok, 2/24</u>	<u>None</u>
City Administration	<u>ok, 2/24</u>	<u>None</u>
Engineering Department	<u>ok, 2/24</u>	<u>Please request traffic control 1-week prior to event.</u>
Fire Department	<u>ok, 2/24</u>	<u>None</u>
Fire Support/EMS	<u>ok, 2/24</u>	<u>None</u>
Parks Department	<u>ok, 2/24</u>	<u>None</u>
Planning Department	<u>ok, 2/24</u>	<u>None</u>
Police Department	<u>ok, 2/24</u>	<u>CSO's and officers will be around to assist with road closures.</u>

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

Please request traffic control 1-week prior to the event.

Please submit required insurance before the event takes place.

Certification of Street Closure Approval

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



Brainerd City Council Agenda Request

Requested Meeting Date: March 7, 2022

Title of Item: Approve Plans and Specs, Authorize Bidding-Brainerd Historic Water Tower

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer/Public Works Director Sandy	Department: Engineering
Presenter (Name & Title): City Engineer/Public Works Director Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request are the plans and cost estimate for the roof replacement plans that includes other improvements to stairs, lighting, and windows.	
Alternatives, Options, Effects on Others/Comments: Staff is looking for authorization to bid this project. As you recall, the Historic Water Tower Committee and City staff applied for a large grant for the replacement of the roof on the water tower and other element repairs such as stairs, lights, and windows. The City was awarded \$162,043 from the Minnesota Historical Society. The Council authorized a grant match in this amount with the funds set aside in the capital plan for the water tower. Total project estimated cost is \$324,086, in which would utilize the full grant and match from the City.	
Recommended Action/Motion: Staff recommends approval of the plans and specifications as presented and authorize bidding. Bid opening is planned for Friday, April 8, 2022 at 10:00 AM.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

Brainerd Water Tower Cost Estimate 9/10/2021**QTY****UNIT****COST per Unit****Subtotal****PHASE 1: Scope Item 1 - Roof**

Remove approximately 6' of waterproofing and brick liner at interior of bowl	785	SF	\$12.00	\$9,420.00
New Structural columns, beams, and TJI joists	1	EA	\$55,000.00	\$55,000.00
New roofing, flashing, counterflashing, and insulation to create positive drainage	1360	SF	\$20.00	\$27,200.00
Plywood roof deck	1360	SF	\$2.50	\$3,400.00
New roof hatch	1	EA	\$1,350.00	\$1,350.00
Roof Drain	1	EA	\$500.00	\$500.00
Fixed ladder with fall arrest kit and extendable safety post	1	EA	\$2,500.00	\$2,500.00
New downspouts to roof drain below	40	LF	\$20.00	\$800.00
Access and Material Delivery	1	EA	\$50,000.00	\$50,000.00

Phase 1 Construction Total \$150,170.00

Construction Administration Design Services (5% of Construction Costs) \$7,508.50

Mobilization (5% of construction budget) \$7,508.50

General Conditions (10% of construction budget) \$15,017.00

Contingencies (10% of construction budget) \$15,017.00

Phase 1 Grand Total \$195,221.00

PHASE 2: Scope Item 2 - Stairs

Misc. structural improvements	1	EA	\$4,500.00	\$4,500.00
Prep and paint entire stairs and ladder to bottom of bowl	1,285	SF	\$25.00	\$32,125.00

Scope Item 2 Total \$36,625.00

PHASE 2: Scope Item 3 - Windows

Petrographic mortar testing	1	EA	\$2,000.00	\$2,000.00
Repoint brick surrounds	135	SF	\$45.00	\$6,075.00
Rehabilitate windows	12	EA	\$1,200.00	\$14,400.00
Lift cost	1	ea	\$10,000.00	\$10,000.00

Scope Item 3 Total \$32,475.00

PHASE 2: Scope Item 4 - Lighting

Install new lighting at dome and shaft	18	EA	\$1,400.00	\$25,200.00
Reinstall existing flag lighting at new roof	1	EA	\$1,155.00	\$1,155.00

Scope Item 4 Total \$26,355.00

Phase 2 Construction Total \$95,455.00

Construction Administration Design Services (5% of Construction Costs) \$4,772.75

Mobilization (5% of construction budget) \$9,545.50

General Conditions (10% of construction budget) \$9,545.50

Contingencies (10% of construction budget) \$9,545.50

Phase 2 Grand Total \$128,864.25

ALL PHASES GRAND TOTAL \$324,086

PROJECT TEAM

CLIENT	ARCHITECT	STRUCTURAL ENGINEER
CITY OF BRAINERD 501 LAUREL STREET BRAINERD, MN 56401 PHONE: (21) 828-2307 CONTACT: PAUL SANDY CITY ENGINEER PSANDY@CI.BRAINERD.MN.US	LHB, INC. 701 N WASHINGTON AVE SUITE 201 MINNEAPOLIS, MN PHONE: (612) 766-2811 CONTACT: MIKE LOVATO, AIA MIKE.LOVATO@LHBCORP.COM	MATTSON MACDONALD YOUNG BASSETT CREEK BUSINESS CENTER 901 NORTH 3RD ST, SUITE 100 MINNEAPOLIS, MN 55401 PHONE: (612) 827-7825 CONTACT: KEN GREEN KENG@MATTSONMACDONALD.COM

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



BRAINERD WATER TOWER

PHASE 1 NEW ROOF AND IMPROVEMENTS

624 WASHINGTON ST, BRAINERD, MN 56401

BID SET 3/2/2022



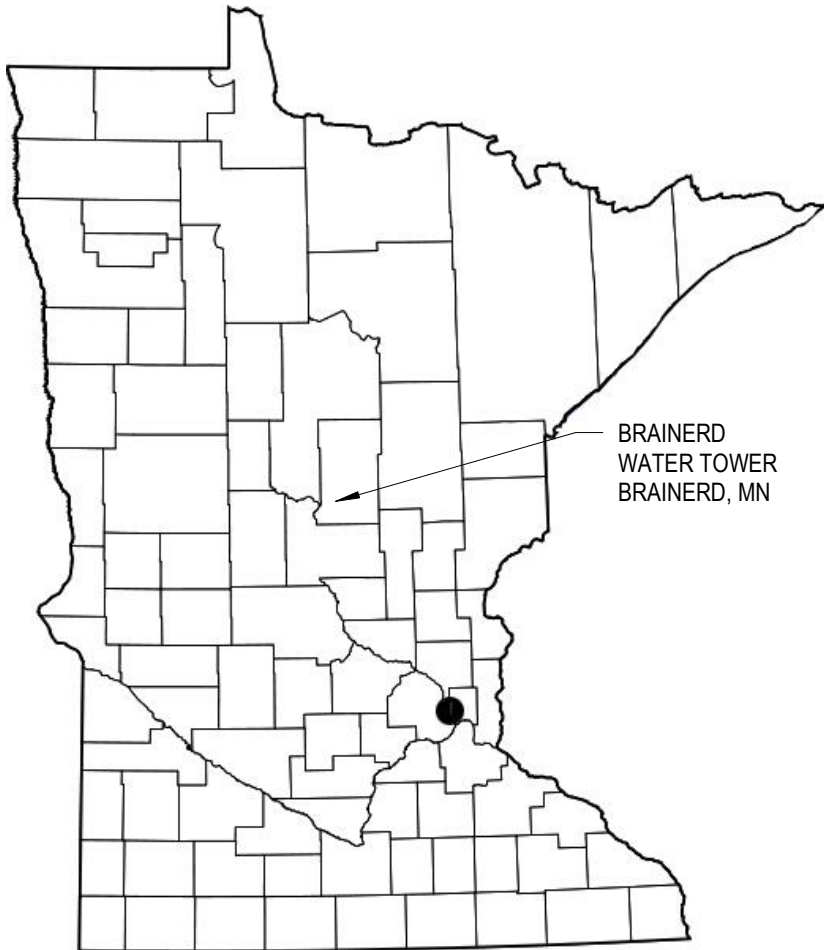
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CLIENT:
CITY OF BRAINERD

501 LAUREL STREET
BRAINERD, MN 56401

STATE MAP



SHEET INDEX

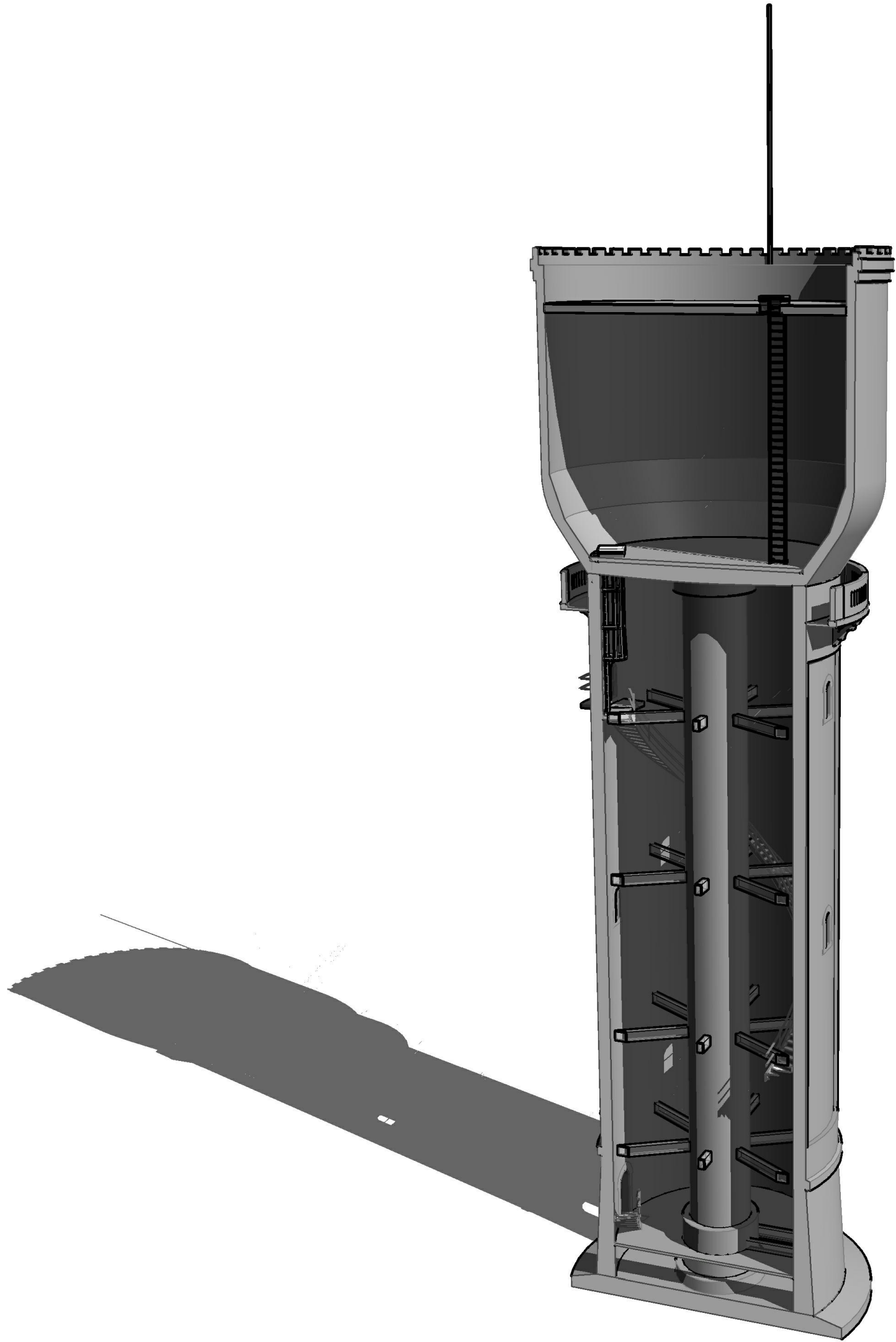
#	SHEET NAME
G001	PROJECT TITLE SHEET
G002	NOTES, LEGENDS, & ABBREVIATIONS
A101	PLANS
A201	EXTERIOR ELEVATIONS
A301	BUILDING SECTION
A601	PHASE 2 WINDOW REPAIRS
A501	EXTERIOR DETAILS
S0.00	STRUCTURAL NOTES
S0.01	SPECIAL INSPECTIONS AND STRUCTURAL ABBREVIATIONS
S1.00	BOWL PLANS
S2.00	DETAILS AND SECTIONS

PROJECT PHASING

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

PHASE 2) WINDOW REHABILITATION, PAINTING OF STEEL STAIRS, AND LIGHTING.

LOCATION MAP



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

6	3/2/2022	BID SET
5	9/10/2021	LARGE GRANT APP.
4	7/9/2021	LARGE GRANT PREAPP.
3	5/14/2021	90% MNHS REVIEW
NO	DATE	ISSUED FOR

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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 Architect under the laws of the State of Minnesota.

Signature: _____

Typed or Printed Name: MICHAEL LOVATO

Date: 3/2/2022 Reg. No.: 56482

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PROJECT NAME:
BRAINERD WATER
TOWER NEW ROOF &
IMPROVEMENTS

624 WASHINGTON ST,
BRAINERD, MN 56401

DRAWING TITLE:
PROJECT TITLE SHEET

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

G001

REFERENCE INDICATORS

ROOM NAME	ROOM NAME/ NUMBER
101A	
22	KEYNOTES
1	REVISION NUMBER
1	REFERENCE TAG
G0.01	
SHEET NUMBER	
	SECTION REFERENCE
	BUILDING SECTION REFERENCE
	EXTERIOR ELEVATION REFERENCE
	INTERIOR ELEVATION REFERENCE
	WINDOW/ LOUVER TAG
101A.1	DOOR TAG
	WALL/ PARTITION TYPE. SEE PARTITION TYPES FOR ADDITIONAL INFO
	ELEVATION INDICATOR

MATERIALS

	FACE BRICK
	CAST-IN-PLACE CONCRETE
	CONCRETE BLOCK
	CONCRETE BLOCK (LARGE SCALE)
	WOOD STUD PARTITION
	METAL STUD PARTITION
	BATT INSULATION
	EXTERIOR RIGID INSULATION
	PLYWOOD
	WOOD BLOCKING
	FINISH WOOD
	GYPSUM BOARD OR PLASTER
	METAL
	STONE
	EXISTING

PROJECT GENERAL NOTES

- A. ALL WORK SHALL BE PERFORMED IN STRICT CONFORMANCE WITH LAWS, ORDINANCES, RULES, CODES AND REGULATIONS OF GOVERNMENT AUTHORITIES HAVING JURISDICTION.
- B. THE GENERAL CONTRACTOR, ASSOCIATED SUBCONTRACTORS, AND ALL OF THEIR SUBORDINATES (REGARDLESS OF THE TRADE INVOLVED) SHALL FAMILIARIZE THEMSELVES WITH ALL INFORMATION LOCATED WITHIN THE COMPLETE CONSTRUCTION DOCUMENT SET (ALL DRAWINGS AND SPECIFICATIONS) PRIOR TO CONSTRUCTION.
- C. CONTRACTOR(S) SHALL MAINTAIN CURRENT RECORD DRAWINGS ON SITE AT ALL TIMES.
- D. BEFORE COMMENCEMENT OF WORK, THE CONTRACTOR AND ASSOCIATED SUBCONTRACTORS SHALL VERIFY ALL DIMENSIONS AND CONDITIONS SHOWN IN THE CONTRACT DOCUMENTS. THIS INCLUDES REVIEW AND VERIFICATION THAT DIMENSIONS, LOCATIONS, AND REQUIREMENTS SHOWN ON THESE PLANS ARE ACCEPTABLE FOR INSTALLATION AND PROPER USE OF THEIR RESPECTIVE SYSTEMS, MATERIALS AND EQUIPMENT. ANY DEVIATIONS, DISCREPANCIES, AND/OR CONFLICTS SHALL BE REPORTED IN WRITING TO THE ARCHITECT.
- E. PRIOR TO COMMENCEMENT OF ANY OPERATION, EACH CONTRACTOR SHALL EXAMINE WORK PERFORMED BY OTHERS TO WHICH THEIR WORK ADJOINS OR IS APPLIED, AND REPORT TO THE ARCHITECT ANY CONDITIONS PREVENTING SATISFACTORY ACCOMPLISHMENT OF THEIR WORK. STARTING WORK OF ANY OPERATION SHALL INDICATE ACCEPTANCE OF CONDITIONS.
- F. COORDINATE ALL WORK INDICATED BY CIVIL, ARCHITECTURAL, MECHANICAL, ELECTRICAL, PLUMBING, FIRE PROTECTION, AND STRUCTURAL WORK SHOWN BY ONE TRADE MAY AFFECT ANOTHER.
- G. ALL CONSTRUCTION SCHEDULING AND SEQUENCING SHALL BE COORDINATED WITH THE OWNER PRIOR TO BEGINNING WORK.
- H. GENERAL CONTRACTOR IS RESPONSIBLE FOR PROJECT SECURITY. CONTRACTOR SHALL BECOME FAMILIAR WITH & COMPLY WITH OWNER'S PROCEDURES FOR MAINTAINING A SECURE SITE & BUILDING.
- I. COORDINATE ALL SHOP DRAWING SUBMITTALS, INCLUDING THE PRODUCT AND EQUIPMENT SIZES, SPECIFICATIONS AND MANUFACTURERS INSTALLATION INSTRUCTIONS, WITH THE PLANS IN THE DOCUMENTS. NOTIFY THE ARCHITECT IMMEDIATELY IF THERE ARE ANY DISCREPANCIES, CONFLICTS, OR ADDITIONAL REQUIREMENTS THAT NEED CLARIFICATION AND/OR FURTHER DIRECTION.
- J. DRAWINGS ARE NOT TO BE SCALED. DIMENSIONS GOVERN, LARGE SCALE DETAILS GOVERN OVER SMALL SCALE. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS AND FIELD CONDITIONS PRIOR TO COMMENCEMENT OF WORK, AND SHALL NOTIFY ARCHITECT IMMEDIATELY IF ANY CONFLICTS OR DISCREPANCIES OCCUR.
- K. MATERIALS AND NOTES COMMON TO SEVERAL DRAWINGS MAY BE NOTED ON ONLY ONE DRAWING. CONTRACTORS SHALL BE RESPONSIBLE FOR ENTIRE SET OF DOCUMENTS. REVIEW SPECIFICATIONS FOR INSTRUCTIONS NOT SHOWN ON DRAWINGS.
- L. REFERENCES SHOWN ON DRAWINGS DO NOT NECESSARILY INDICATE ALL LIKE CONDITIONS AND DO NOT LIMIT APPLICATION OF DRAWING OR DETAIL WHERE SPECIFIC DIMENSION, DETAILS, OR DESIGN INTENT CANNOT BE DETERMINED. CONSULT THE ARCHITECT PRIOR TO PROCEEDING WITH WORK.
- M. CONTRACTOR SHALL ARRANGE TO ACCOMMODATE "NOT IN CONTRACT" WORK. WHEN INFORMATION IS INADEQUATE, REQUEST FURTHER INSTRUCTIONS BEFORE PROCEEDING.
- N. CONTRACTOR SHALL PERFORM HIGH QUALITY WORK. MATERIALS INSTALLED TO UNIFORM ACCURATE FIT SO THEY MEET WITH NEAT, STRAIGHT LINES, FREE OF OPEN SEAMS OR OVERLAPS. INSTALL EXPOSED MATERIALS APPROPRIATELY LEVEL, PLUMB AND AT ACCURATE RIGHT ANGLES, OR FLUSH WITH ADJOINING MATERIALS. WORK OF EACH TRADE SHALL MEET OR EXCEED ALL NATIONAL STANDARDS PUBLISHED BY THE TRADE.
- O. COORDINATE WITH ALL SUBCONTRACTORS, ANY REQUIRED OPENINGS, INCLUDING THOSE NOT INDICATED IN THE CONSTRUCTION DOCUMENT.
- P. WHERE ACCESS PANELS ARE REQUIRED FOR EQUIPMENT, UTILITIES, OR DEVICES, THOSE PANELS SHALL BE INSTALLED WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE DRAWINGS. WHEN INSTALLED IN A FIRE RATED ASSEMBLY, THE ACCESS PANEL MUST BE FIRE RATED TO MATCH THE RATING OF THAT ASSEMBLY. VERIFY ALL PANEL LOCATIONS WITH ARCHITECT AND OWNER BEFORE INSTALLING.
- Q. CONTRACTOR SHALL MAINTAIN CLEAN AND PRESENTABLE WORK AND STORAGE AREAS, AND SHALL NOT ALLOW ANY MATERIAL AS A RESULT OF DEMOLITION OR CONSTRUCTION TO ACCUMULATE.
- R. CONTRACTOR SHALL TAKE CARE TO PROTECT NEWLY INSTALLED MATERIALS.
- S. PRIOR TO FINAL INSPECTION OF AND ACCEPTANCE OF THIS PROJECT, THE CONTRACTOR SHALL HAVE PROJECT AREA FREE FROM ALL CONSTRUCTION DEBRIS, SCRAPS, MATERIAL, AND EQUIPMENT.
- T. UPON COMPLETION OF WORK, CONTRACTOR SHALL REMOVE ALL CONSTRUCTION DEBRIS. ALL AREAS AFFECTED BY THE PROJECT SHALL BE DELIVERED CLEAN, WHOLE, TIGHT, AND FIT FOR IMMEDIATE OCCUPANCY.
- U. THE CONTRACTOR SHALL ACCEPT THE PROJECT SITE AS IT EXISTS. ALL EXISTING DIMENSIONS AND EXISTING CONDITIONS WHETHER OR NOT SPECIFICALLY NOTED ON THE DRAWINGS SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO THE COMMENCEMENT OF ANY WORK. NOTIFY THE ARCHITECT IMMEDIATELY OF ANY CONFLICTS OR DISCREPANCIES.
- V. GENERAL CONTRACTOR SHALL TAKE PRECAUTIONS TO MAINTAIN & PROTECT EXISTING EQUIPMENT, SYSTEMS & FINISHES WHICH ARE TO REMAIN. ANY DAMAGES TO SUCH EQUIPMENT, SYSTEMS & FINISHES SHALL BE IMMEDIATELY REPAIRED IN A MANNER ACCEPTABLE TO THE OWNER'S REPRESENTATIVE. IF SATISFACTORY REPAIRS CANNOT BE MADE, CONTRACTOR SHALL REPLACE EQUIPMENT, SYSTEMS & FINISHES WITH LIKE NEW QUALITY ACCEPTABLE TO THE OWNER. ALL REPAIRS & REPLACEMENT COSTS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- W. THE ARCHITECTURAL DRAWINGS SHOW PRINCIPAL AREAS AND LIMITS OF CONSTRUCTION WHERE WORK MUST BE ACCOMPLISHED UNDER THIS CONTRACT. INCIDENTAL WORK MAY BE NECESSARY IN AREAS NOT SHOWN ON ARCHITECTURAL DRAWINGS DUE TO CHANGES AFFECTING ELECTRICAL, MECHANICAL AND PLUMBING ALONG WITH OTHER SYSTEMS. THIS INCIDENTAL WORK SHALL BE PART OF THIS CONTRACT, AND ALL TRADES SHALL INSPECT THESE AREAS, ASCERTAIN WORK REQUIRED AND DO THE WORK IN ACCORDANCE WITH CONTRACT REQUIREMENTS AT NO ADDITIONAL COST.
- X. ADJACENT AREAS WILL BE OCCUPIED FOR THE DURATION OF DEMOLITION AND CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING SAFE ACCESS AND EGRESS IN COMPLIANCE WITH ALL APPLICABLE CODES AND REGULATIONS. CONTRACTOR SHALL COORDINATE SCHEDULING OF DISRUPTIVE ACTIVITIES WITH THE OWNER.
- Y. CONTRACTORS TO PROVIDE TEMPORARY PARTITIONS AND DUST CONTROL AT ALL LOCATIONS WHERE WORK OCCURS IN CORRIDORS AND/OR CANNOT BE CONTAINED WITHIN ROOMS.
- Z. CONTRACTOR SHALL PATCH AND REPAIR ANY AND ALL FLOORS, WALLS, BASE, CEILING, ETC. IN A WORKMANSHIP-LIKE MANNER TO MATCH THE SURROUNDING SURFACE AREAS WHERE THERE IS DAMAGE BECAUSE OF REMOVAL OR REPLACEMENT OF EXISTING CONSTRUCTION.
- AA. OWNERS LIFE SAFETY AND INFORMATION TECHNOLOGY SYSTEMS SHALL REMAIN FUNCTIONAL THROUGHOUT THE DURATION OF DEMOLITION AND CONSTRUCTION ACTIVITIES. SERVICES TO ADJACENT AREAS SHALL NOT BE DISRUPTED UNLESS COORDINATED IN ADVANCE WITH THE OWNER PER SPECIFICATION REQUIREMENTS.
- BB. REPLACE DAMAGED SOD/SOIL DUE TO CONSTRUCTION RELATED ACTIVITIES WITH BLACK DIRT AND NEW SOD TO ACHIEVE A UNIFORM SURFACE AND APPEARANCE.
- CC. ALL CONTRACTORS AND SUBCONTRACTORS TO COMPLY WITH MINNESOTA STATE (OR OTHER OWNER REQUIRED) STANDARD SPECIFICATIONS AND STANDARD PROCEDURES.
- DD. ALL ELECTRICAL, MECHANICAL, PLUMBING, AND FIRE PROTECTION WORK IS DESIGN-BUILD. COORDINATE REQUIREMENTS WITH ARCHITECTURAL DRAWINGS AND TENANT. (OR OWNER).

ABBREVIATIONS

A AB Absolute AC Acoustic ACBD Acoustic Board ACT Acoustical Ceiling Tile ADDM Addendum ADJ Adjacent ADJ Adjoining ADJ Adjustable AFF Above Finished Floor AHU Air Handling Unit ALT Alternate ALUM Aluminum AP Access Panel APPROX Approximate ARCH Architect AWT Acoustical Wall Treatment	B BB Bulletin Board BD Board BITUM Bituminous BLDG Building BLK Block BLKG Blocking BM Bench Mark, Beam BMU Burnished Masonry Unit BOT Bottom BRG Bearing BUR Built-Up Roofing	C CAB Cabinet CB Catch Basin CI Cast Iron CJ Control Joint CT Ceramic Tile CEM Cement CEMPLAS Cement Plaster CHBD Chalk Board CG Corner Guard CL Center Line CLG Ceiling CLR Clear CMU Concrete Masonry Unit CO/COOR Contracting Officer (Rep) COL Column COMP Composition CONC Concrete CONF Conference CONT Continuous CONTR Contractor CPT Carpet CSG Casing CUH Cabinet Unit Heater	D DBL Double DEMO Demolition DET Detail DF Drinking Fountain DIA Diameter DIM Dimension DISP Dispenser DN Down DR Door DR Drain DS Down Spout DT Drain Tile DW Dishwasher DWG Drawing	E (E) Existing EA Each EF Each Face EFIS Exterior Finish Insulation EJ Expansion Joint EL Elevation ELEC Electrical ELEV Elevator ENCL Enclosure EQ Equal EW Each Way EWIC Elec. Water Cooler EXP Expansion, Exposed EXPMATL Expansion Material EXT Exterior EXIST Existing	F FD Floor Drain FDTN Foundation FE Fire Extinguisher FEC Fire Extinguisher Cabinet FIN Finish FLR Floor FP Fireproofing FR Frame FT Foot FTG Footing FWC Fabric Wall Covering	G GA Gage GALV Galvanized GB Grab Bar GEN General GI Galvanized Iron GL Glass GLU LAM Glued Laminated Wood GYP Gypsum	H HC Hollow Core HD Hand Dryer HDB Hardboard DET Detail HDW Hardware HDWD Hardwood HNDRL Handrail HM Hollow Metal HORIZ Horizontal HT Height	I, J, K ID Inside Diameter INSUL Insulation INT Interior JAN Janitor JST Joist JT Joint	L LAV Lavatory LF Linear Feet (Foot) LINO Linoleum LKR Locker LOC Location, Locate	M MATL Material MAX Maximum MECH Mechanical MET/MTL Metal MEZZ Mezzanine MFR Manufacturer MH Manhole MK BD Marker Board MIN Minimum, Minute MIRR Mirror MISC Miscellaneous MO Masonry Opening MR Moisture Resistant MTG Mounting	N N North (N) New NA Not Applicable NIC Not in Contract NTS Not To Scale NO Number	O OC On Center OD Outside Diameter OFF Office OPNG Opening OPP Opposite OH Overhead ORIG Original	P PC Portland Cement PBD Particle Board PERF Perforated PL Plate PLAS Plaster PLAM Plastic Laminate PLYWD Plywood PREFIN Prefinished PTD Paper Towel Dispenser PTH Paper Towel Holder PT Paint	Q QT Quarry Tile	R R Riser, Radius, Range RAD Radiator RB Resilient Base RD Roof Drain REC Recessed REF Refrigerator REINF Reinforced REQD Required RESIL Resilient RM Room RO Rough Opening RS Rough Sawn RTF Rubber Tile Flooring	S S South SAT Suspended Acoustical Tile SC Solid Core SCHED Schedule SECT Section SD Soap Dispenser SGD Sliding Glass Door SGT Structural Glazed Tile SHTHG Sheathing SIM Similar SND Sanitary Napkin Dispenser SPEC Specification SQ FT Square Foot SS Stainless Steel STL Steel STOR Storage STRUCT Structural SUSP Suspended SV Sheet Vinyl	T T Tread, Toilet TB Towel Bar TD Towel Dispenser TEL Telephone TEMP Tempered TER Terrazzo TKBD Tack Board T&G Tongue and Groove T.O. Top of TPD Toilet Paper Dispenser TYP Typical	U UNEX Unexcavated UNFIN Unfinished UNO Unless Noted Otherwise UR Urinal	V VB Vinyl Base VCT Vinyl Composition Tile VERT Vertical VIF Verify in Field VWF Vinyl Wall Covering	W, X, Y, Z W West W/ With W/O Without WC Water Closet WD Wood WDW Window WGL Wire Glass WH Water Heater WH Welded Wire Mesh WWM Wrought Iron
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SYMBOL CHARACTERS

@	At
∠	Angle
—	Channel
—	Center Line
—	Flow Line
—	Plate
—	Feet
—	Inches
#	Number
—	Smoke
—	Square
∅	Round, Diameter



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CLIENT:

CITY OF BRAINERD

501 LAUREL STREET
BRAINERD, MN 56401

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

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3	5/14/2021	90% MNHS REVIEW
NO	DATE	ISSUED FOR

NO	DATE	REVISION
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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 Architect under the laws of the State of Minnesota.

Signature: _____

Typed or Printed Name: MICHAEL LOVATO

Date: 3/2/2022 Reg. No.: 56482

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PROJECT NAME:

BRAINERD WATER
TOWER NEW ROOF &
IMPROVEMENTS

624 WASHINGTON ST,
BRAINERD, MN 56401

DRAWING TITLE:

NOTES, LEGENDS, &
ABBREVIATIONS

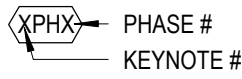
DRAWN BY: Author
CHECKED BY: Checker
PROJ. NO: 190190
DRAWING NO:

G002

GENERAL SHEET NOTES

- A. GENERAL NOTES APPLY TO ALL DRAWING SHEETS.
- B. PROTECT ALL AREAS AND FEATURES ADJACENT TO WORK.
- C. COORDINATE ARCHITECTURAL DRAWINGS WITH DRAWINGS BY STRUCTURAL. NOTE: SYMBOLS USED IN PLANS BY OTHER DISCIPLINES MAY DIFFER FROM ARCHITECTURAL SYMBOLS.

KEYED SHEET NOTES

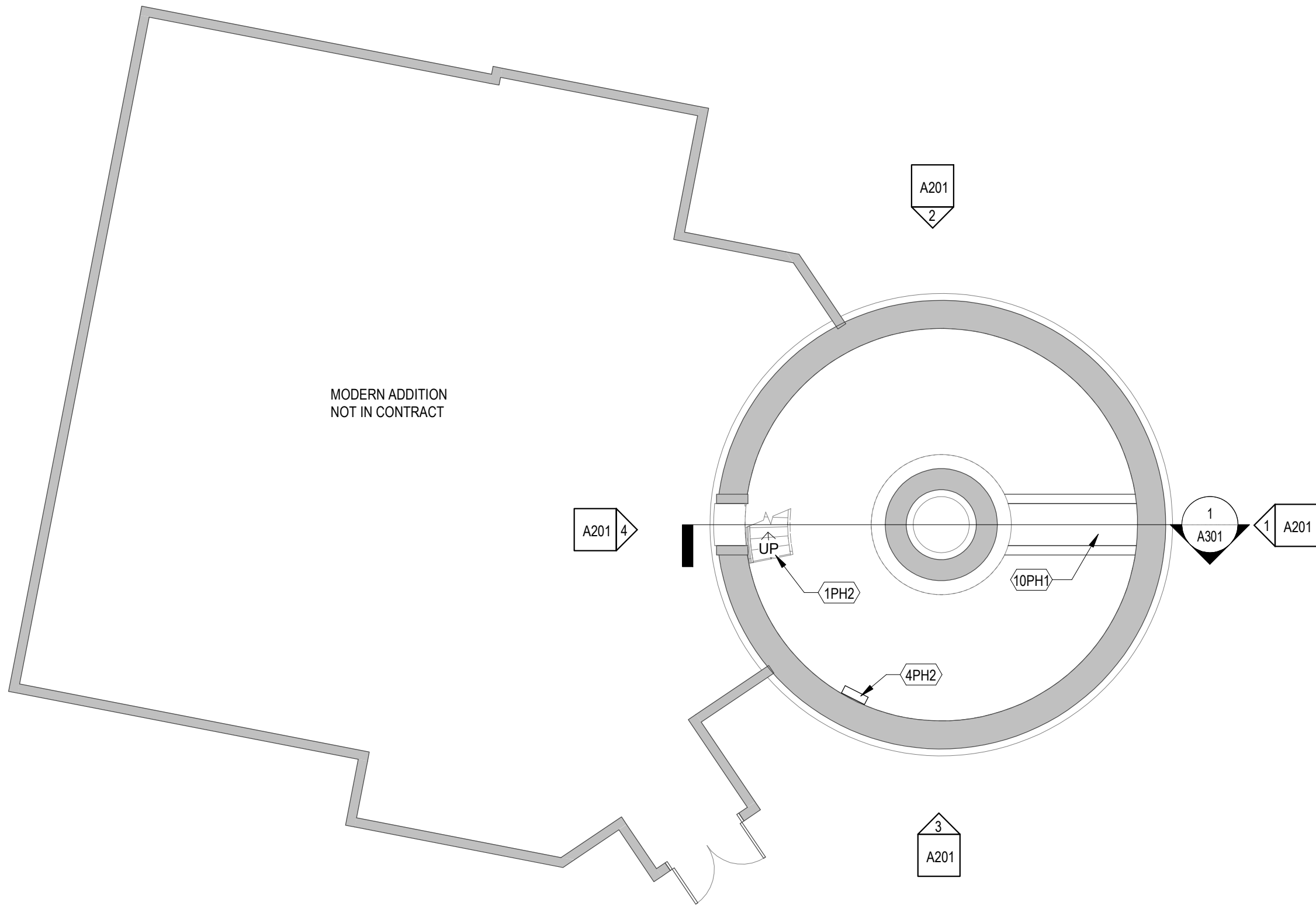


PHASE 1

- 1PH1 REMOVE (E) BRICK BOWL LINER AND UNDERLYING BITUMINOUS WATERPROOFING TO BELOW (N) ROOF LEVEL AT ENTIRE PERIMETER.
- 2PH1 (N) MEMBRANE ROOF. SLOPE 1/4" PER FOOT TO DRAIN. PROVIDE SHT METAL FLASHING AT ALL PENETRATIONS. PROVIDE SHT MTL FLASHING IN REGLET & COUNTERFLASHING AT ENTIRE PERIMETER.
- 3PH1 (N) 30" x36" ROOF HATCH WITH SKYLIGHT. BILCO GS-50 OR SIMILAR.
- 4PH1 EXISTING FLAG POLES TO REMAIN.
- 5PH1 (E) ROOF HATCH TO REMAIN.
- 6PH1 (N) DRAINPIPE. AFFIX TO NEAREST NEW STRUCTRAL COLUMN. DRAIN INTO (E) ROOF DRAIN.
- 7PH1 (N) STL COLUMN. SEE STRUCTURAL DRAWINGS.
- 8PH1 (N) ROOF ACCESS LADDER.
- 9PH1 (N) ROOF DRAIN. PROVIDE GUTTER TO (E) ROOF DRAIN BELOW.
- 10PH1 (E) VAULT CONTAINING CAST IRON RISER ELBOW. PROVIDE (N) DRAIN LINE FROM END OF CAST IRON RISER AND PROVIDE DRAIN TILE TO DRAIN ROOF TO ADJACENT LANDSCAPE.
- 11PH1 STL ROOF FRAMING. SEE STRUCTURAL DRAWINGS.
- 12PH1 (E) BOWL ACCESS LADDER TO REMAIN.
- 13PH1 (N) OVERFLOW DRAIN.
- 14PH1 SALVAGE FLAGPOLE LIGHTING FOR POTENTIAL REPLACEMENT DURING PHASE 2.

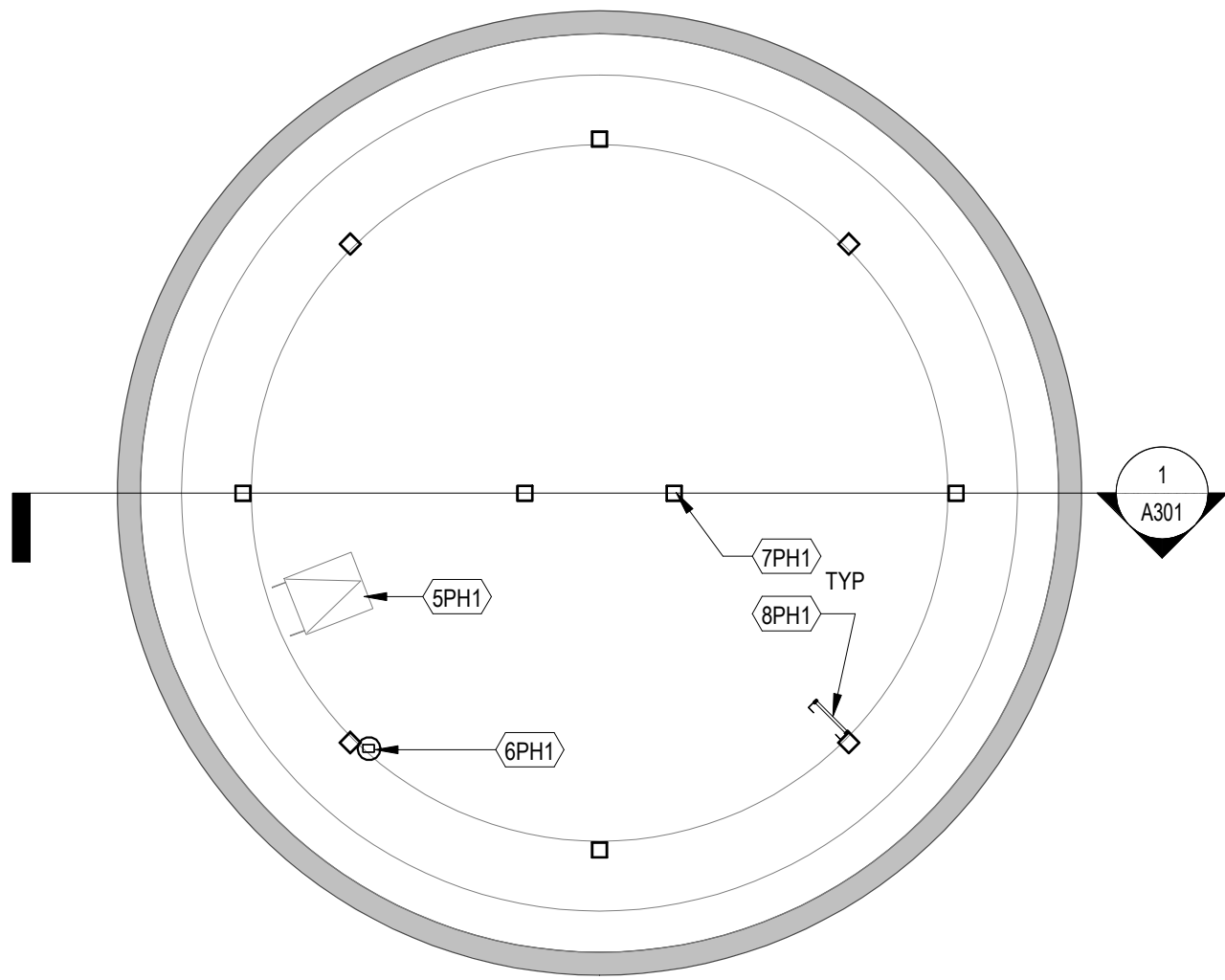
PHASE 2

- 1PH2 (E) STL STAIRS. PREP AND PAINT TO MATCH ORIGINAL. REPAIR AS INDICATED IN STRUCTURAL DRAWINGS.
- 2PH2 REMOVE AND REHABILITATE WOOD CASEMENT WINDOW. REPOINT BRICK SURROUND. SEE WINDOW SCHEDULE.
- 3PH2 PROVIDE LIGHTING AT UNDERSIDE OF NEW ROOF AND ALONG INTERIOR STAIRWAY
- 4PH2 MODIFY EXISTING ELECTRICAL PANEL AS REQUIRED TO ACCOMMODATE NEW LIGHTING
- 5PH2 REINSTALL SALVAGED FLAGPOLE LIGHTING OR REPLACE WITH NEW LIGHTING.



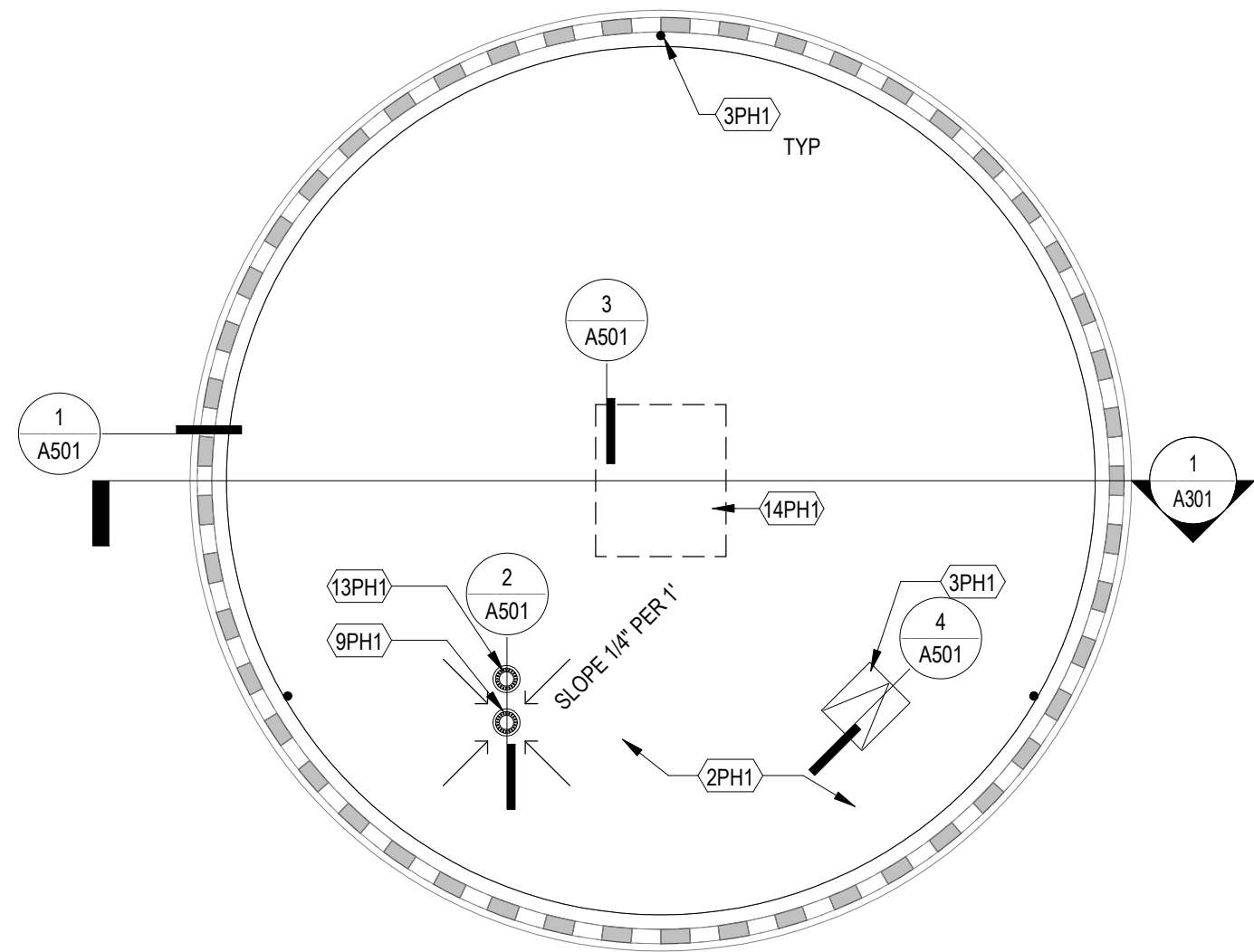
1 GROUND LEVEL FLOOR PLAN

1/8" = 1'-0"



2 BOWL LEVEL PLAN

1/8" = 1'-0"



3 ROOF LEVEL PLAN

1/8" = 1'-0"



0'-0" 4'-0" 8'-0" 16'-0"



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CLIENT:

CITY OF BRAINERD

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Typed or Printed Name: MICHAEL LOVATO

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DRAWING TITLE:

PLANS

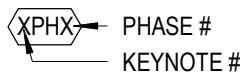
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CHECKED BY: Checker
PROJ. NO: 190190
DRAWING NO:

A101

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- C. COORDINATE ARCHITECTURAL DRAWINGS WITH DRAWINGS BY STRUCTURAL. NOTE: SYMBOLS USED IN PLANS BY OTHER DISCIPLINES MAY DIFFER FROM ARCHITECTURAL SYMBOLS.

KEYED SHEET NOTES



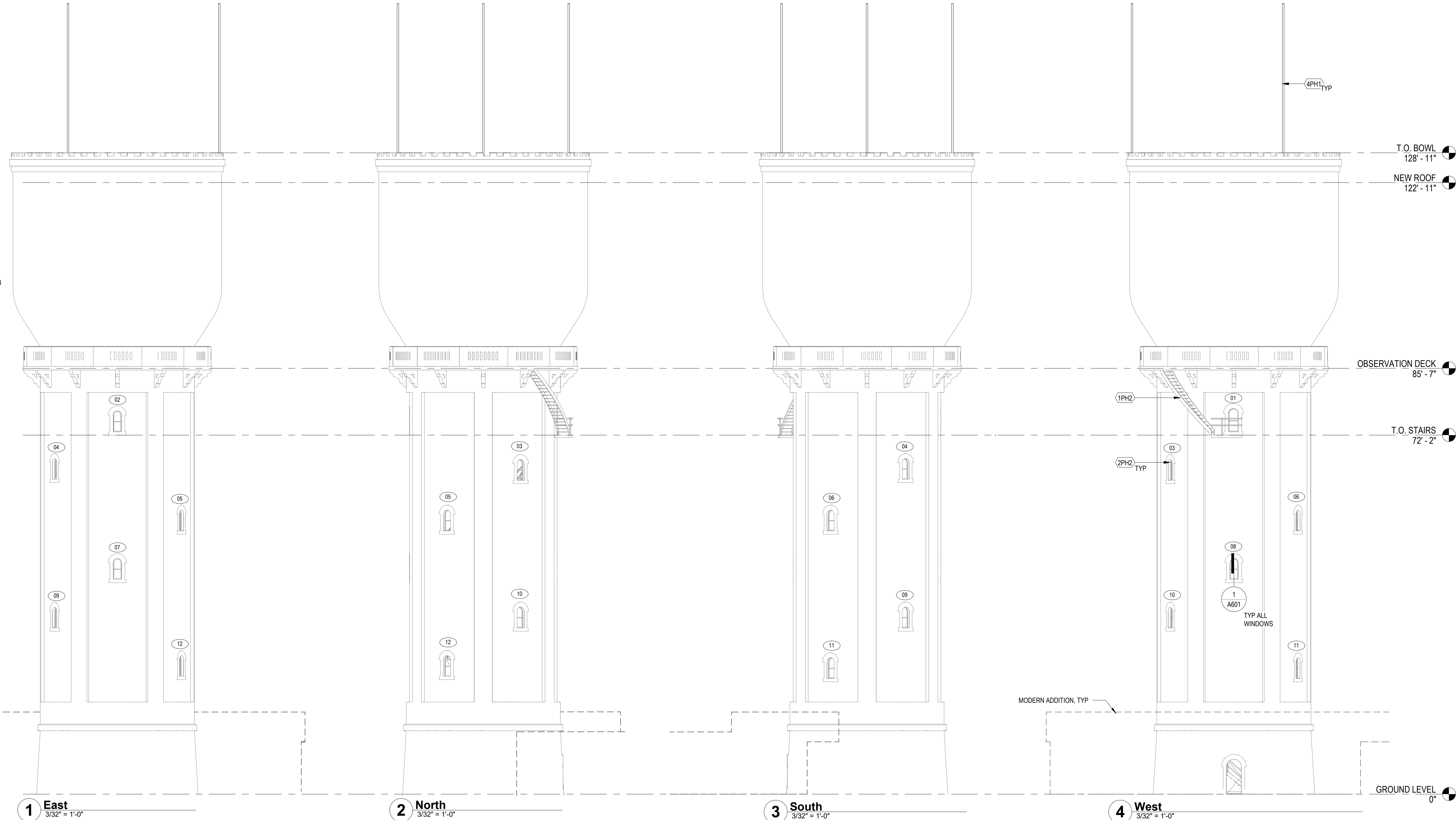
PHASE 1

- 1PH1 REMOVE (E) BRICK BOWL LINER AND UNDERLYING BITUMINOUS WATERPROOFING TO BELOW (N) ROOF LEVEL AT ENTIRE PERIMETER.
- 2PH1 (N) MEMBRANE ROOF. SLOPE 1/4" PER FOOT TO DRAIN. PROVIDE SHT METAL FLASHING AT ALL PENETRATIONS. PROVIDE SHT MTL FLASHING IN REGLET & COUNTERFLASHING AT ENTIRE PERIMETER.
- 3PH1 (N) 30" x36" ROOF HATCH WITH SKYLIGHT. BILCO GS-50 OR SIMILAR.
- 4PH1 EXISTING FLAG POLES TO REMAIN.
- 5PH1 (E) ROOF HATCH TO REMAIN.
- 6PH1 (N) DRAINPIPE. AFFIX TO NEAREST NEW STRUCTRAL COLUMN. DRAIN INTO (E) ROOF DRAIN.
- 7PH1 (N) STL COLUMN. SEE STRUCTURAL DRAWINGS.

- 8PH1 (N) ROOF ACCESS LADDER.
- 9PH1 (N) ROOF DRAIN. PROVIDE GUTTER TO (E) ROOF DRAIN BELOW.
- 10PH1 (E) VAULT CONTAINING CAST IRON RISER ELBOW. PROVIDE (N) DRAIN LINE FROM END OF CAST IRON RISER AND PROVIDE DRAIN TILE TO DRAIN ROOF TO ADJACENT LANDSCAPE.
- 11PH1 STL ROOF FRAMING. SEE STRUCTURAL DRAWINGS.
- 12PH1 (E) BOWL ACCESS LADDER TO REMAIN.
- 13PH1 (N) OVERFLOW DRAIN.
- 14PH1 SALVAGE FLAGPOLE LIGHTING FOR POTENTIAL REPLACEMENT DURING PHASE 2.

PHASE 2

- 1PH2 (E) STL STAIRS. PREP AND PAINT TO MATCH ORIGINAL. REPAIR AS INDICATED IN STRUCTURAL DRAWINGS.
- 2PH2 REMOVE AND REHABILITATE WOOD CASEMENT WINDOW. REPOINT BRICK SURROUND. SEE WINDOW SCHEDULE.
- 3PH2 PROVIDE LIGHTING AT UNDERSIDE OF NEW ROOF AND ALONG INTERIOR STAIRWAY
- 4PH2 MODIFY EXISTING ELECTRICAL PANEL AS REQUIRED TO ACCOMMODATE NEW LIGHTING
- 5PH2 REINSTALL SALVAGED FLAGPOLE LIGHTING OR REPLACE WITH NEW LIGHTING.



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BRAINERD, MN 56401

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3	5/14/2021	90% MNHS REVIEW
NO	DATE	ISSUED FOR

NO	DATE	REVISION
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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 Architect under the laws of the State of Minnesota.

Signature:

Typed or Printed Name: MICHAEL LOVATO

Date: 3/2/2022 Reg. No.: 56482

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PROJECT NAME:

BRAINERD WATER
TOWER NEW ROOF &
IMPROVEMENTS

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DRAWING TITLE:

EXTERIOR ELEVATIONS

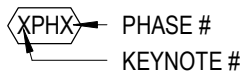
DRAWN BY: Author
CHECKED BY: Checker
PROJ. NO: 190190
DRAWING NO:

A201

GENERAL SHEET NOTES

- A. GENERAL NOTES APPLY TO ALL DRAWING SHEETS.
- B. PROTECT ALL AREAS AND FEATURES ADJACENT TO WORK.
- C. COORDINATE ARCHITECTURAL DRAWINGS WITH DRAWINGS BY STRUCTURAL. NOTE: SYMBOLS USED IN PLANS BY OTHER DISCIPLINES MAY DIFFER FROM ARCHITECTURAL SYMBOLS.

KEYED SHEET NOTES

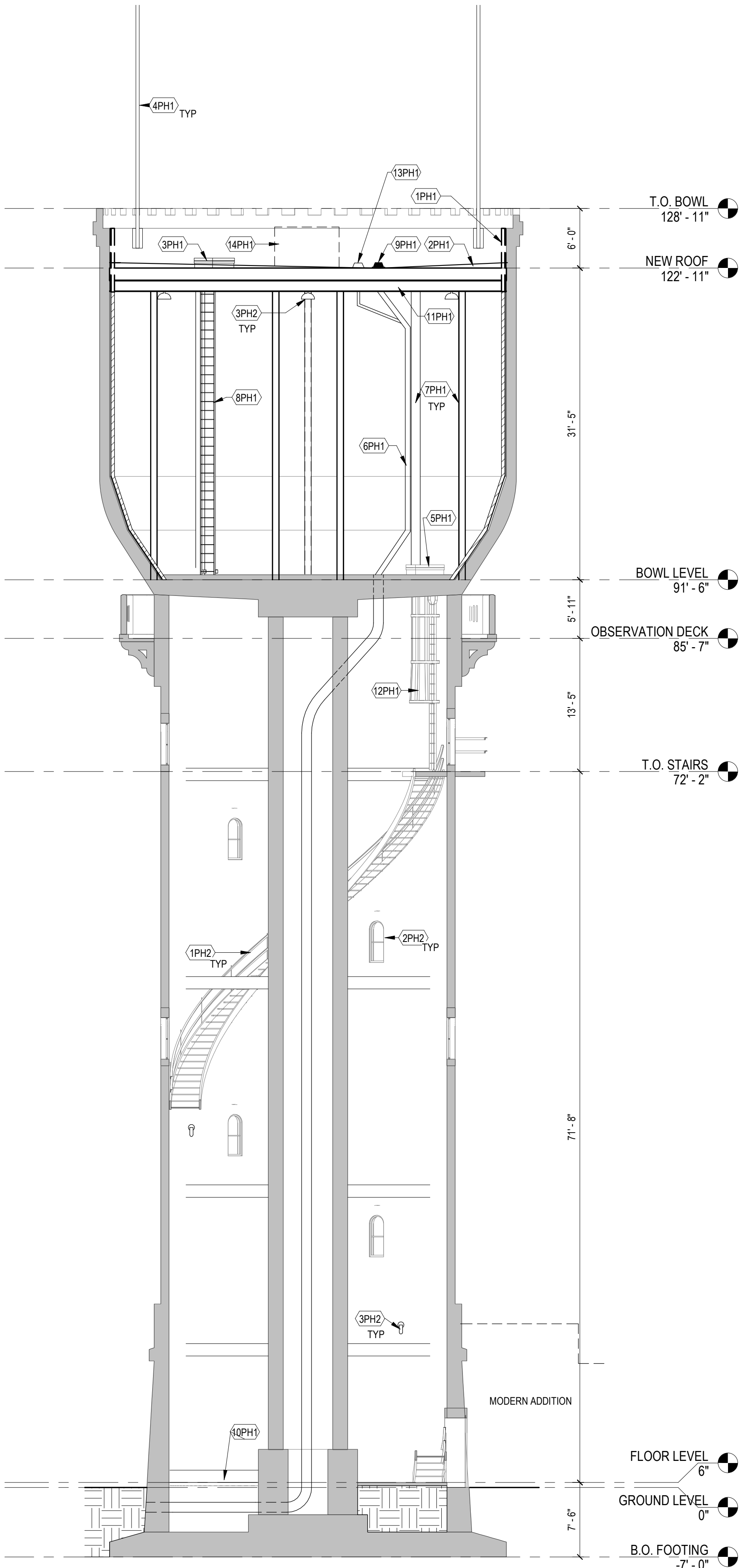


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- 5PH2 REINSTALL SALVAGED FLAGPOLE LIGHTING OR REPLACE WITH NEW LIGHTING.



1 EAST WEST SECTION LOOKING SOUTH

1/8" = 1'-0"



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Signature: _____

Typed or Printed Name: MICHAEL LOVATO

Date: 3/2/2022 Reg. No.: 56482

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PROJECT NAME:

BRAINERD WATER
TOWER NEW ROOF &
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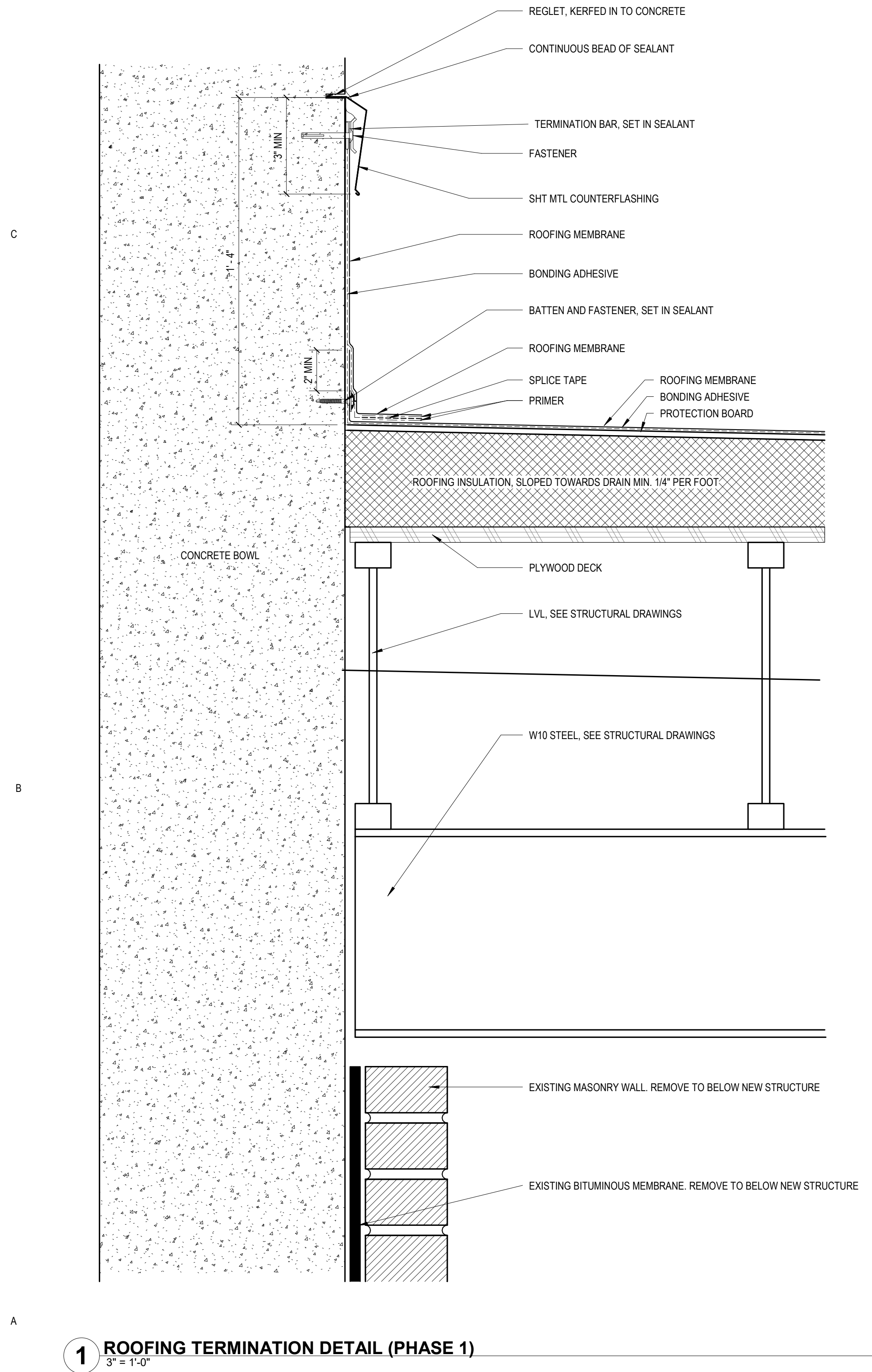
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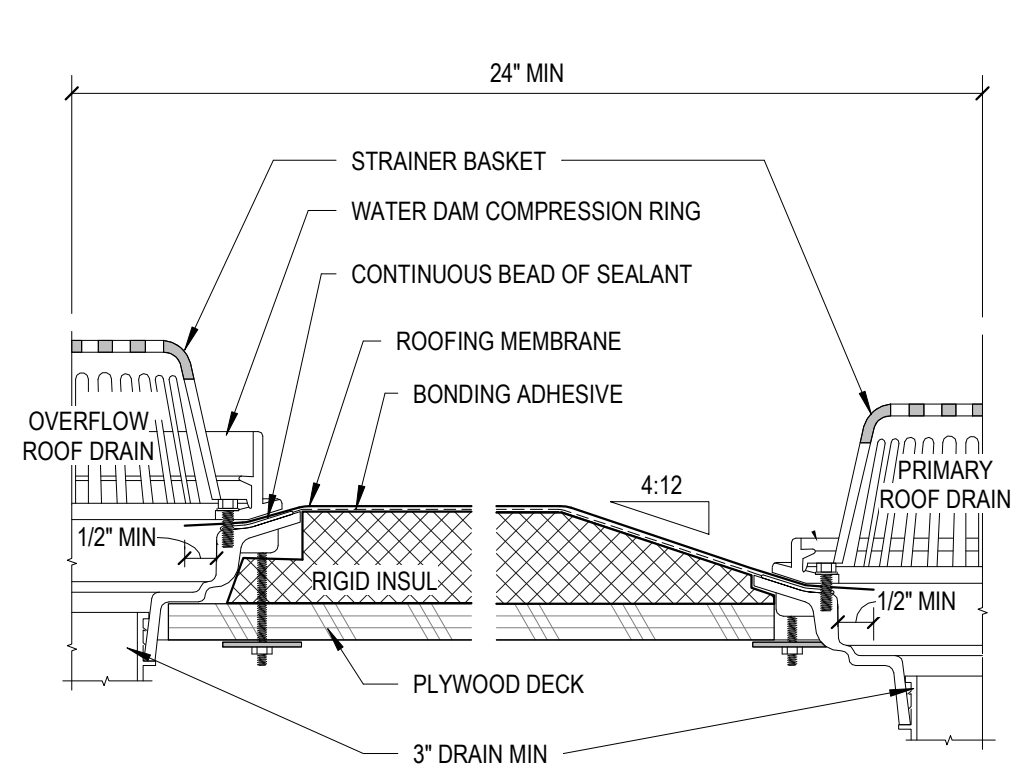
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DRAWING NO:

A301

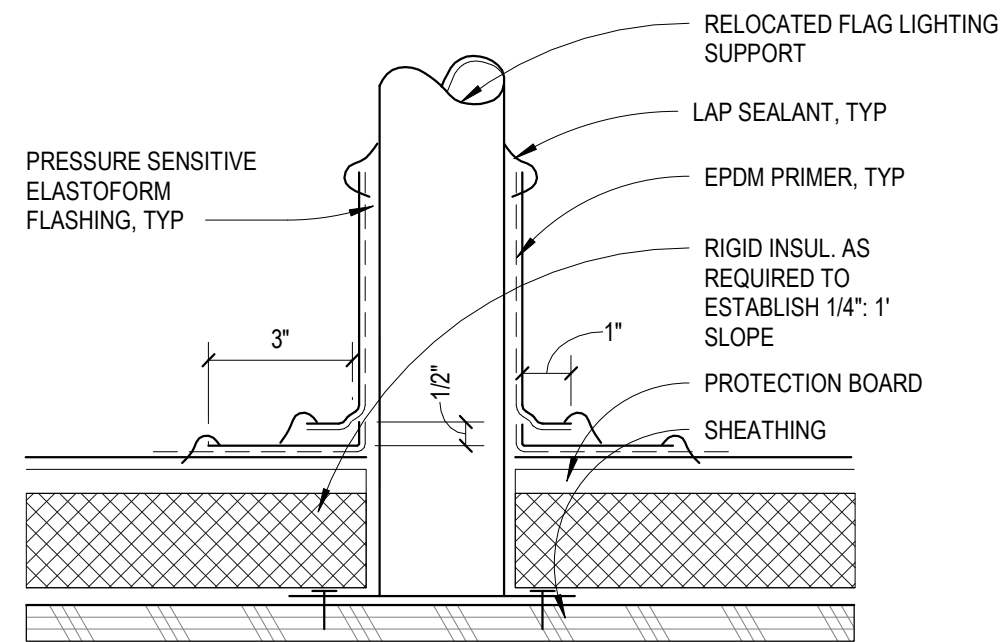
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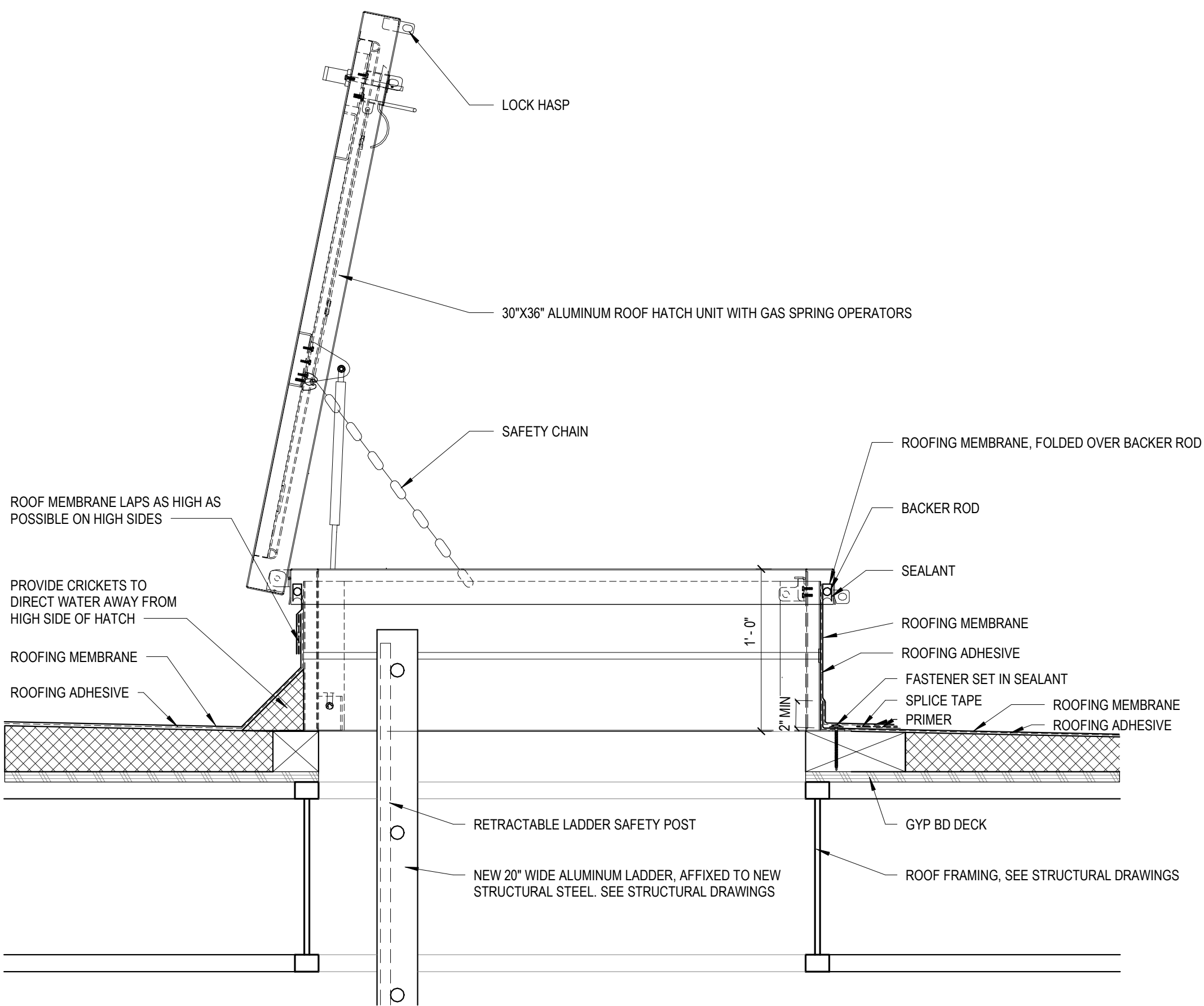
1 ROOFING TERMINATION DETAIL (PHASE 1)
3" = 1'-0"



2 ROOF DRAIN (PHASE 1)
3" = 1'-0"



3 ROOF PENETRATION DETAIL (PHASE 1)
3" = 1'-0"



4 ROOF HATCH (PHASE 1)
1 1/2" = 1'-0"



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PROJECT NAME:
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IMPROVEMENTS**

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

DRAWING TITLE:
EXTERIOR DETAILS

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

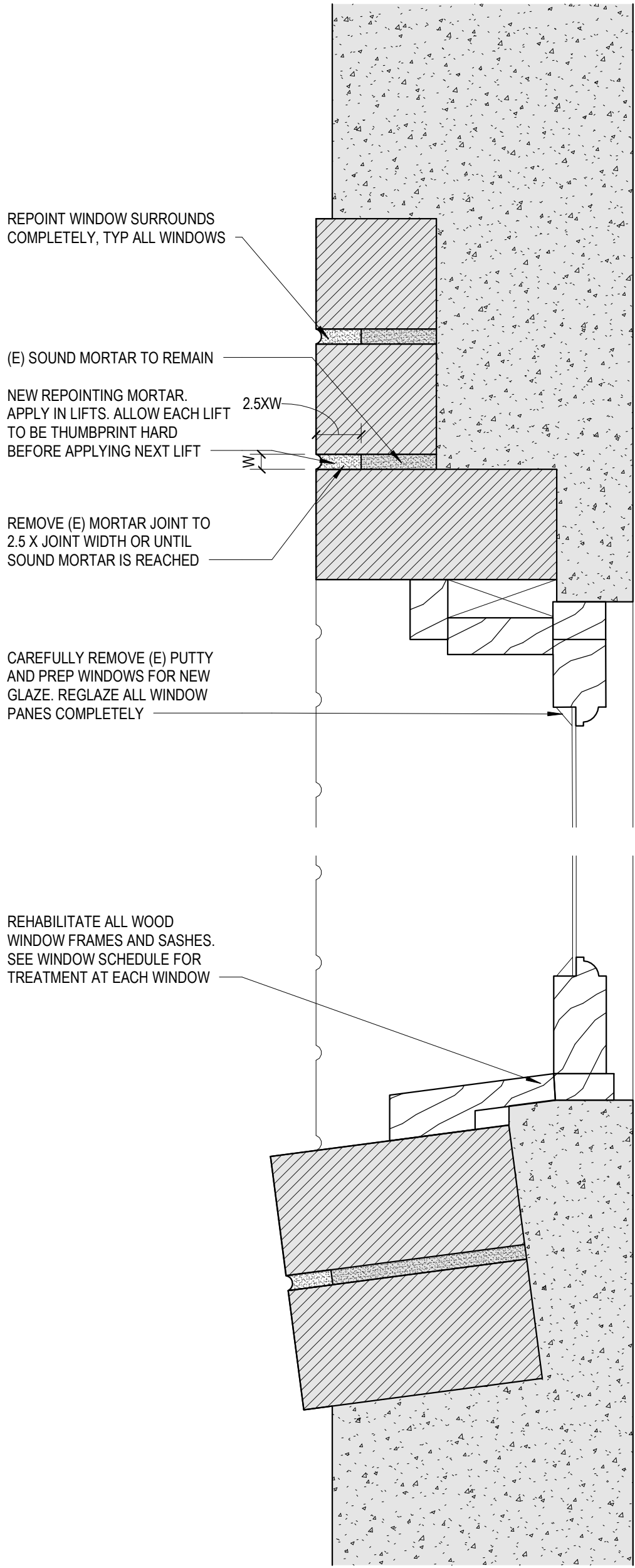
A501

A

B

C

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



1 TYPICAL WINDOW SECTION (PHASE 2)
3" = 1'-0"

WINDOW REPAIR NOTES (PHASE 2)

ABBREVIATIONS

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

GENERAL NOTES

- A. WINDOW SIZES INDICATED ARE NOMINAL. VIF ACTUAL SIZE.
B. CONTRACTOR TO SURVEY WINDOWS AND VERIFY SCOPE PRIOR TO WORK.
C. ALL EXISTING WINDOW SASHES AND FRAMES ARE WOOD. STORM WINDOWS ARE AS SCHEDULED.
D. REPLACE ALL TYPE FF STORM WINDOWS WITH NEW TYPE DD STORM WINDOWS.
E. PATCH, SCRAPE, PRIME, AND PAINT ALL WOOD WINDOWS AND TRIM.
F. REPAIR OR RESTORE (E) WOOD STORMS, SASHES AND FRAMES, REPLACING GLAZING COMPOUND. REPAIR DETERIORATED WOOD WITH EPOXY CONSOLIDANT. IF AN ENTIRE PORTION OF A WINDOW COMPONENT MUST BE REPLACED, USE A WOOD DUTCHMAN. IF A COMPONENT IS TOO DETERIORATED TO USE A DUTCHMAN, THEN REPLACE ENTIRE RAIL, STILE, ETC. MATCH EXISTING MATERIALS, DIMENSIONS, PROFILES, AND FINISHES.
G. (E) WINDOW LITES TO REMAIN UON. IF A WINDOW LITE MUST BE REPLACED, MATCH HISTORIC GLASS APPERANCE AND SURFACE QUALITY.
H. A QUALIFIED LEADED GLASS SPECIALIST SHALL PERFORM ALL WORK RELATED TO DECORATIVE LEADED GLASS WINDOWS.
I. ALL WINDOWS TO BE PAINTED TO MATCH EXISTING.
J. SEE DETAIL 4/A&8.02 FOR WEATHERSTRIPPING DETAIL.

REPAIR CLASS

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

REPAIR CLASS I: ROUTINE MAINTENANCE

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

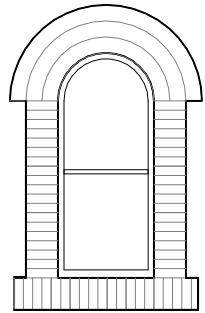
REPAIR CLASS II: STABILIZATION (WOOD IS SPLIT, CHECKED, SHOWS SIGNS OF ROT)

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

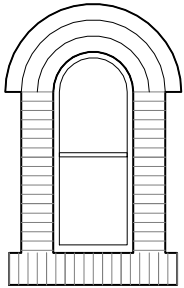
REPAIR CLASS III: SPLICES AND PARTS REPLACEMENT

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

WINDOW TYPES



TYPE A
LARGE CASEMENT



TYPE B
SMALL CASEMENT



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PROJECT NAME:

BRAINERD WATER
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IMPROVEMENTS

624 WASHINGTON ST,
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DRAWING TITLE:

PHASE 2 WINDOW
REPAIRS

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

A601

Unless noted otherwise on the plans and/or in the details, these notes shall apply. If there are discrepancies between the plans/details and these notes, the contractor must conform to the more stringent requirements, unless clarified with the Structural Engineer of Record (SER) prior to work.

Structural Steel	HSS Rectangular and Square – ASTM A500 Gr. B, $F_y = 46$ ksi; or ASTM A1085 HSS Round – ASTM A500 Gr. B, $F_y = 42$ ksi; or ASTM A1085 Misc. structural steel – ASTM A992, $F_y = 50$ ksi Misc. structural steel – ASTM A36, $F_y = 36$ ksi
Structural Steel Fasteners	Connection bolts – ASTM F3125, $F_u = 120$ ksi, Type 1 Anchor rods – ASTM F1554, Gr. 36, $F_y = 36$ ksi Threaded rods – ASTM A36, $F_y = 36$ ksi
Structural Lumber	2x lumber - #2 Hem-Fir or Spruce Pine Fir (SPF graded by NLGA) Treated lumber - #2 Southern Yellow Pine or equal Laminated Vener Lumber (LVL) $E = 2,000,000$ psi minimum $F_b = 2,600$ psi minimum Laminated Strand Lumber (LSL) studs, beams, and blocking $E = 1,550,000$ psi minimum $F_b = 2,325$ psi minimum

Risk Category	II
Roof	
Dead load	20 psf
Live load	20 psf
Snow load	
Ground snow, p_g	60 psf
Flat roof snow load, p_r	45 psf
$C_e = 0.9, C_t = 1.2, I_s = 1.0, C_s = 1.0$	
Rain intensity, i	3.25 in/hr

Minnesota Building Code (2020)
Minnesota Conservation Code for Existing Buildings (2020)

International Building Code (IBC-2018)
International Existing Building Code (IEBC-2018)
American Society of Civil Engineers/Structural Engineering Institute (ASCE/SEI 7-16)
American Institute of Steel Construction Manual (AISC 360-16)
American Welding Society – Structural Welding Code – Steel (AWS D1.1-20, D1.3-18, D1.4-18)
American Forest & Paper Association – National Design Specifications for Wood Construction with 2018 Supplement (ANSI/AWC – NDS-2018)

The contractor is solely responsible for site safety including all temporary precautionary measures and safety programs. Site observation visits by the SER do not include review of the contractor's safety precautions.

Submit all submittals for all materials and/or products in a given system at one time.
The contractor shall review and stamp all submittals prior to the SER's review.
Stamp will include: Signature or initials certifying that all materials and/or products are in accordance with the requirements of the design documents.
Allow ten (10) business days for review and response for each submittal for review excluding delivery time to and from the Contractor.
When revised for resubmission, identify all changes made since previous submission.
SER shall not be responsible for delays caused by rejection of inadequate shop drawings.
Submittals not requested will not be recognized or processed.
All engineering design and associated calculations provided by others and submitted to the SER for review must bear a certification stamp and signature of a qualified professional engineer who is licensed in the state in which the project is located.
The following items are to be issued as deferred submittals per 2020 Minnesota State Building Code Section 1300.0130:
Engineered wood I-joists
Structural steel connections
Metal stairs and guardrails.

Contractor shall verify all dimensions and conditions on site with the plans before construction begins. All discrepancies must be reported immediately. Location, dimensions and details of recesses, depressions, openings, and equipment supports must be verified by reference to architectural, civil, electrical, and mechanical drawings.

Contractor shall verify all dimensions, elevations, and details of the existing structure where they affect the new structural work. Notify architect and SER if there are any deviations from the contract documents.

Contractor shall field verify dimensions and elevations prior to fabrication of structural members.

Remove and replace existing architectural, electrical, mechanical, structural, civil, or miscellaneous items as necessary.

General Contractor shall be responsible for temporary shoring of the existing construction until the new construction is in place and properly anchored in final form.

Shoring loads for existing structure not shown in documents to be determined by an engineer licensed in the state in which the project is located.

Shoring must be designed and the final design must be submitted to SER per Submittal Section for review.

All structural members are designed for in-place loads. Contractor is responsible for bracing, without overstressing, all structural elements as required at all stages of construction until completion of this project.

Provide temporary lateral support for all walls until adequately braced by the permanent structure.

Provide required temporary bracing for structural steel until permanent bracing and walls are in place.

Verify size and location of all openings with architectural and mechanical drawings. Openings in floor and roof not shown on structural drawings must be placed between structural members.

The structure has been designed using an assumed allowable soil bearing pressure of 2000 psf on virgin soil or compacted granular fill for footings.

Any discrepancies in the assumed allowable soil bearing pressure must be reported immediately.

If verified conditions differ from assumed capacities, redesign of the foundation system, size and reinforcing of footings, walls and retaining walls may be required.

The contractor shall verify the location of existing underground utilities, tanks and other obstacles prior to beginning excavation.

Structural steel must be designed, fabricated, and erected according to the specifications of the American Institute of Steel Construction (AISC).

Roof structure has been designed for ponding in accordance with the IBC, section 1611. Overflow drains are required and roof supports must not have ballast stops higher than the roof ballast. See the architectural and/or mechanical drawings.

Naturally occurring camber in beams to be set with the camber up.

Structural steel supplier must supply all cap plates, bearing assemblies, base plates, stiffeners, splices and connections.

All welding to match filler materials in accordance with the rules of the American Welding Society (AWS D1.1) Structural Welding Code.

All welders shall be certified by the rules of the American Welding Society.

Steel beams to have minimum 5/16" x 3/4" beam height web stiffeners each side at all bearing locations and when supporting columns above.

Field weld all steel beams to concrete or masonry bearing plates full length each face with 1/4" fillet.

Steel beam lintels to have 5/16" thick bottom plate welded to the bottom flange with 1/4" x 2" fillet weld at 12" OC each face staggered.

All structural steel exposed to weather must be galvanized.

Galvanized structural steel must be hot-dipped to G60 per ASTM C955 or equivalent.

Modification of structural steel members in the field is not permitted without prior approval by the SER.

Provide standard connections per the AISC 360 Steel Construction Manual.

Provide certified calculations for non-standard connections by a qualified Professional Engineer who is licensed in the state where the project is located.

Connections shown in details without plate, bolt or weld call-outs are for understanding of geometry and represent engineers' concept. Steel supplier is to design for reactions shown on drawings and per structural notes. Deviations from connections shown are acceptable.

Provide minimum 2 bolt connections.

Refer to Architectural Drawings View additional connection requirements for exposed to view connections. Concealed connections are to be completely contained within finishes.

Connections which require additional capacity or have special reaction requirements are noted on the drawings similar to $V = 75 \text{ k}$ for Shear, $P = 10 \text{ k}$ for Axial and $M = 25 \text{ k-ft}$ for Moments.

All forces given are service load reactions.

Typically provide bolted connections for field installation and welded or bolted shop connections.

Provide 3/4" diameter A325-N bolts in standard or short slotted holes for shear connections.

Structural steel supplier must provide all components for OSHA requirements.

Design assumes lumber is free of significant splits and checks. Contractor must visually inspect lumber during installation.

All lumber must be grade stamped and provide the following information: grading agency, mill number or name, grade of lumber, species or species grouping or combination designation, rules under which graded, where applicable, and condition of seasoning at time of manufacture.

Lumber grading rules and wood species must conform to Voluntary Product Standard PS 20-10 as published by the Department of Commerce. Grading rules must be from an agency certified by the Board of Review of the American Lumber Standards Committee.

All lumber must be seasoned to a moisture content of 19% or less, with the indication of "S-Dry" on the grade stamp.

All lumber must be protected from the elements and stored on site per suppliers requirements.

Sill plates and all other lumber in contact with concrete or masonry, or within 8" of finished grade must be preservative treated wood. In crawlspaces or unexcavated areas within the building foundation, wood must be preservative treated for joists within 18" of exposed ground and/or girders within 12" of exposed ground.

Preservative treated wood must be in accordance with the American Wood Protection Association, Standard U1.

All fasteners and hangers in contact with treated lumber must be G185 hot dipped galvanized or equal.

Beams and headers must be fully supported across the width of the member. Bear each end on all support studs or columns noted on plan with a minimum 3" bearing length.

Beams or headers made of multiple 2x piles with 1/2" spacer must be nailed together with 16d nails (162 x 3 1/2") at 16" along each end and 12" apart for each lumber pile.

Wood joists must bear the full width of supporting members (stud wall, beams, etc.)

Beams and joists not bearing on supporting members must be framed with prefabricated metal hangers.

Space joist bridging at a maximum of 8'-0" OC.

Double all joists under parallel partitions.

Minimum nailing to be in accordance with Table 2304.9.1 of IBC.

Lumber joists and studs shall not be notched without prior approval of the SER unless otherwise shown on the drawings.

All plywood and OSB must be installed per APA standards, including the use of construction adhesive for fastening to floor joists.

Performance requirements, adhesive bond performance, panel construction, workmanship, dimensions, tolerances, marking, and moisture content of Wood-based Structural-use Panels must conform to Voluntary Product Standard PS 2-10 published by the Department of Commerce.

All engineered LVL, LSL, and PSL lumber must meet the minimum design properties listed in the Material Strengths section of these notes.

Protect engineered lumber from the elements and store per manufacturer recommendations.

All engineered lumber intended for exterior use must be PSL lumber with Wolmanized preservative protection and meet the minimum design properties as listed in the Material Strengths section of these notes.

All fasteners and hangers in contact with treated engineered lumber must be G185 hot dipped galvanized or equal.

Engineered lumber headers and beams must have a minimum 3" length of bearing at each end and be supported fully across their width.

Fasten multiple piles of engineered lumber beams or headers together as per manufacturer recommendations, with a minimum of 2 rows of TrussLOK, SDS or SDW screws spaced at 16" OC, maximum, staggered on each face. Screws to penetrate all piles of multi-ply members.

Provide solid vertical blocking at all joint spaces below engineered lumber columns. Provide matching columns to foundation at lower levels below engineered lumber columns.

Engineered lumber beams and joists not bearing on supporting members must be framed with prefabricated metal hangers.

I-joist members noted on drawings are manufactured by the Weyerhaeuser Company. Alternate manufacturer products with equal design properties may be used with prior approval of the SER. Notching or cutting of I-joist flanges is not permitted.

Web openings are subject to the strict limitations indicated by the joist manufacturer.

I-joists must bear the full width of supporting members.

Engineered lumber I-joists not bearing on supporting members must be framed with prefabricated metal hangers.

Install web stiffeners, blocking between members, and nail to supporting members as per manufacturers' recommendations.

Protect I-joists from the elements and store per manufacturer recommendations.

Roof sheathing must be minimum 23/32" Performance Category panels rated per APA for the spacing of the supporting members. A minimum 40/20 span rating is recommended. Provide panel clips, one between each support, for supports spaced greater than 16" OC.

Panel clips meeting APA standard PS 1 or PS 2 and Exterior Exposure 1 grade.

Panels must be continuous over two or more spans and the long panel dimension must be perpendicular to supports.

Fasten roof sheathing with 8d common nails (0.131" diameter x 2 1/2") spaced at 6" OC at supported edges and 12" OC at intermediate supports.

Locate nails a minimum of 3/8" from edge of panel.

Leave an 1/8" gap at all end and edge joints to allow for expansion.

Design of roof sheathing assumes that the roof will be properly installed and ventilated.

Refer to APA publication N335M "Proper Installation of APA Rated Sheathing for Roof Applications."

Nails shall conform to ASTM F1667 including supplement S1.
All nails are common type unless noted otherwise
Prefabricated steel connectors noted on drawings refer to Simpson Strong-Tie hangers, clips, post bases, hold downs, etc. with specified product number.
USP connectors may be submitted as a substitution to the SER for approval.
Install prefabricated metal connectors in strict accordance with the manufacturer's recommendations.

Structural Wood Screws (SWS) noted in the drawings refer to high-strength, self-tapping wood screws. The table below defines SWS by diameter with a list of acceptable manufacturer products. The following criteria apply:

- Minimum Yield Strength: 160,000 psi (carbon steel)
- Conforms to ASTM A510 and/or has values published by third-party testing such as ICC
- Power-coated or otherwise treated for corrosion protection.
- Acceptable products by Size (length varies per manufacturer)

Type Noted	Acceptable Products
#12 SWS	FastenMaster TimberLOK, FastenMaster HeadLOK, Simpson SDWH
#14 SWS	FastenMaster LedgerLOK, FastenMaster FlatLOK, Simpson SDWS
Ledger SWS	FastenMaster FlatLOK 5", Simpson SDWS-22600DB, MiTek MSWH5

Install Structural Wood Screws per manufacturer's recommendations.
Install Ledger Structural Wood Screws within 3/16" of the centerline of wall studs or fasten ledger to blocking.
All substitute products for use as structural wood screws must be submitted to the SER for approval.

Adhesive and mechanical anchors must be provided and installed in strict accordance with the manufacturer's instructions and the design documents.

Refer to the special inspections table for inspection requirements.

All horizontal and upwardly inclined installations that resist sustained tension loads must be performed by certified adhesive anchor installers.

Provide anchor type and size as indicated on the drawings with length identification markings conforming to ICC ES AC01 or ICC ES AC193.

Concrete Screw Anchors are a single-use item. Do not remove and reinstall anchors nor install new anchors in previously used holes.

For exposed exterior applications, use anchoring systems with stainless steel, hot-dip galvanized, or mechanical galvanized (Class 55 min per ASTM B695) accessories.

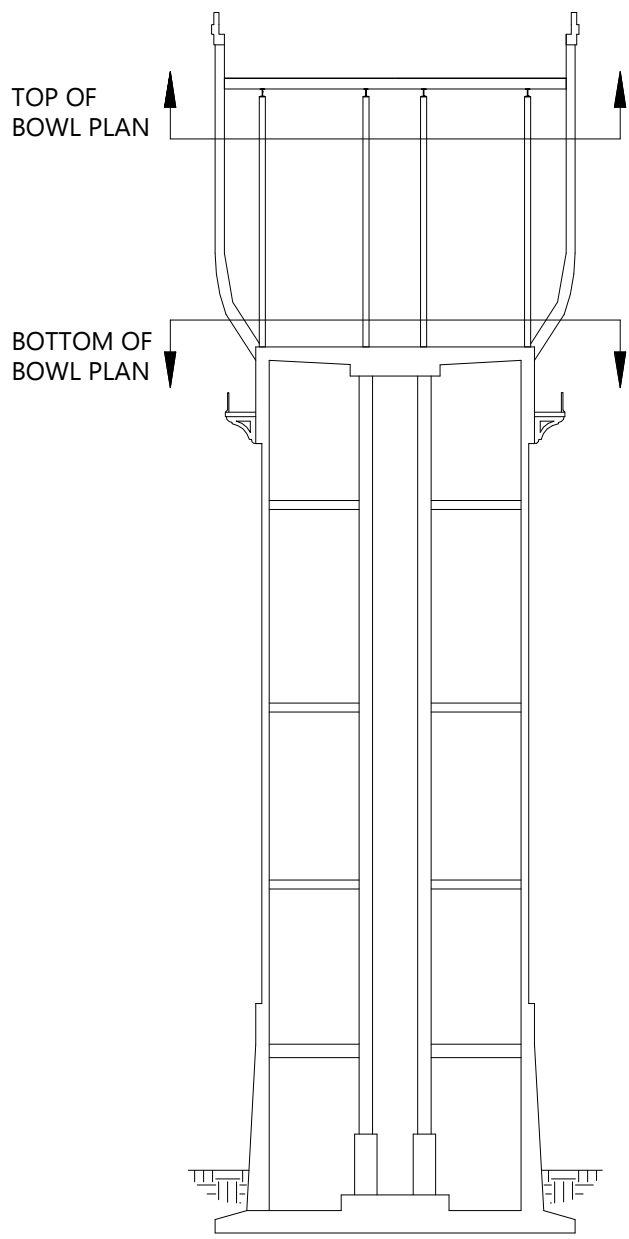
Adhesive anchoring systems:

- Concrete:
 - Hilti HIT HY-200 (A or R)
 - Hilti HIT-RE 500 V3
- Masonry:
 - Hilti HIT HY-200 (A or R) for grouted CMU only
 - Hilti HIT HY-270

Mechanical anchoring systems

- Concrete and grouted CMU:
 - Hilti Kwik Bolt 1 or 3 or Simpson STRONG-BOLT 2 expansion anchor
 - Hilti Kwik HUS-EZ (CRG) or Simpson Titen HD screw anchor

Alternate anchoring system may be submitted to the SER for approval. Reference drawings for additional information and requirements.



STRUCTURAL PLAN VIEW DIAGRAM
NOT TO SCALE

CITY OF BRAINERD		
BRAINERD, MN		
THIS SQUARE APPEARS 1/2"x1/2" ON FULL SIZE SHEETS		
1	3/2/2022	Bid
NO	DATE	ISSUED FOR
NO	DATE	REVISION

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

Signature: _____

Typed or Printed Name: _____

Date: 07/02/2021 Reg. No.: _____

COPYRIGHT 2015 BY LHB, INC. ALL RIGHTS RESERVED.

PROJECT NAME:
BRAINERD WATER
TOWER, FRAMING
OPTIONS

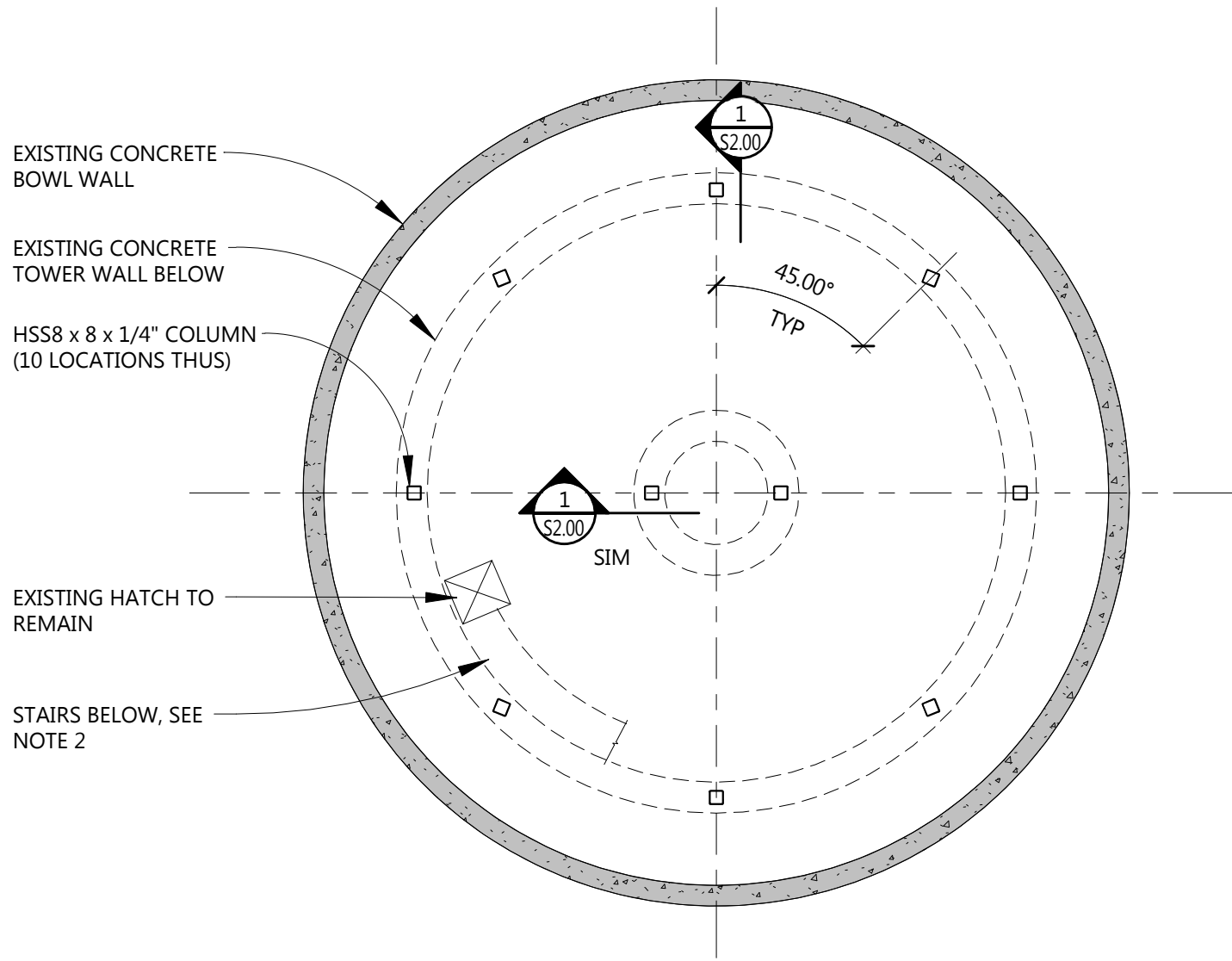
BRAINERD, MN

DRAWING TITLE:

STRUCTURAL NOTES

FILE: XXX
DRAWN BY: CAB
CHECKED BY:KJG
PROJ. NO: 20210
DRAWING NO:

\$0.00



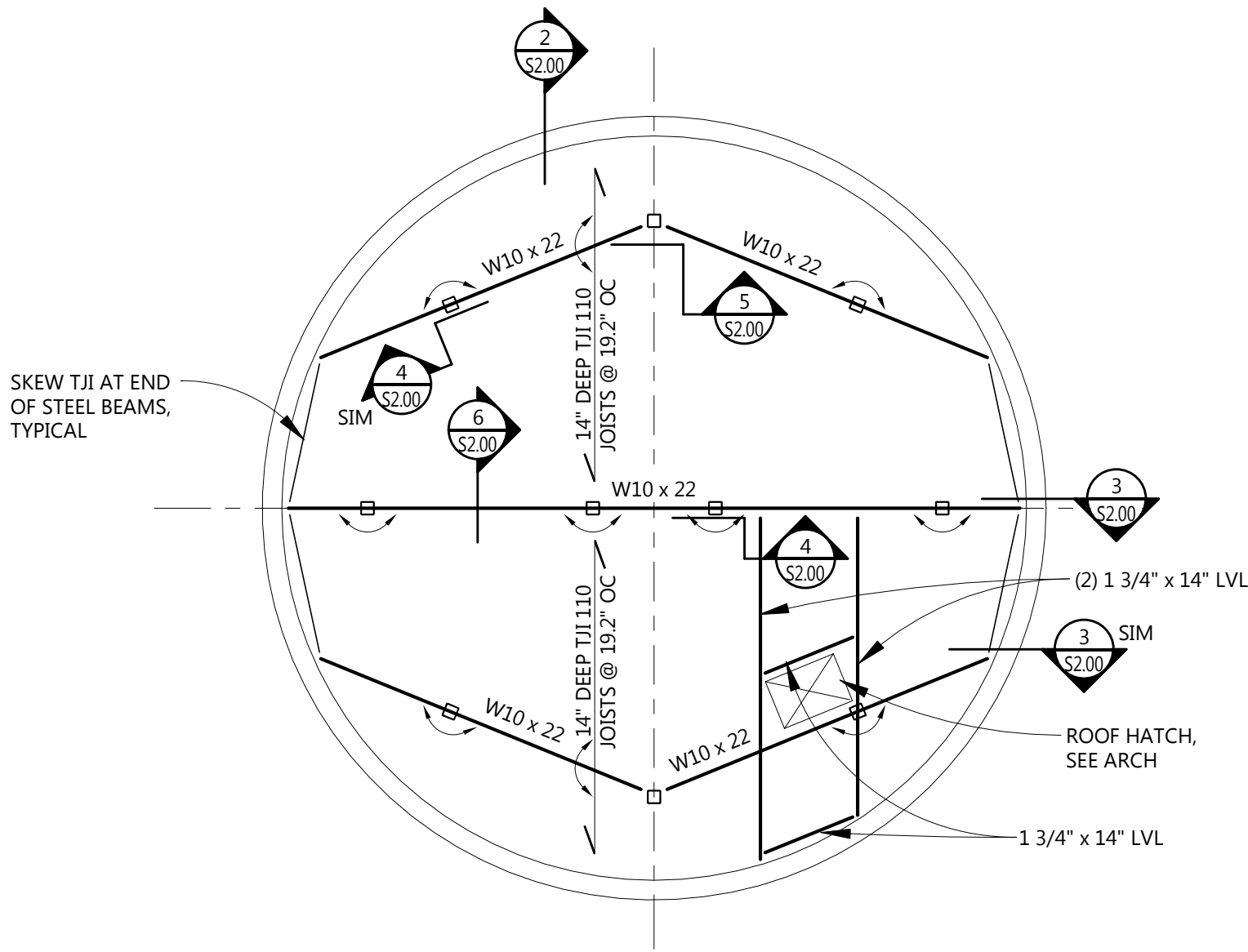
1
S1.00

BOTTOM OF BOWL PLAN

1/8" = 1'-0"

PLAN NOTES (TYPICAL UNLESS NOTED OTHERWISE):

1. CONTRACTOR SHALL VERIFY ALL DIMENSIONS, ELEVATIONS, AND DETAILS OF EXISTING STRUCTURE WHERE THEY AFFECT STRUCTURAL WORK. NOTIFY ARCHITECT AND STRUCTURAL ENGINEER OF RECORD IF THERE ARE ANY DEVIATIONS FROM CONTRACT DOCUMENTS. CONTRACTOR SHALL FIELD VERIFY DIMENSIONS AND ELEVATIONS PRIOR TO FABRICATION OF STRUCTURAL MEMBERS.
2. CLEAN AND PREP EXISTING STEEL TO BE REPAINTED (SEE ARCH). AFTER CLEANING, IF ANY SECTIONS OF STEEL HAVE LOSS GREATER THAN 20% OF THE ORIGINAL THICKNESS, BY EXAMINATION OF ADJACENT AREAS, STRENGTHEN PER DETAIL 8/S2.00.
3. NOTIFY ENGINEER OF LOOSE OR DAMAGED CONNECTIONS. ADDITIONAL DETAIL WILL BE DEVELOPED IN CONJUNCTION WITH THE CONTRACTOR FOR REPAIR.



2
S1.00

TOP OF BOWL PLAN

1/8" = 1'-0"

PLAN NOTES (TYPICAL UNLESS NOTED OTHERWISE):

1. CONTRACTOR SHALL VERIFY ALL DIMENSIONS, ELEVATIONS, AND DETAILS OF EXISTING STRUCTURE WHERE THEY AFFECT STRUCTURAL WORK. NOTIFY ARCHITECT AND STRUCTURAL ENGINEER OF RECORD IF THERE ARE ANY DEVIATIONS FROM CONTRACT DOCUMENTS. CONTRACTOR SHALL FIELD VERIFY DIMENSIONS AND ELEVATIONS PRIOR TO FABRICATION OF STRUCTURAL MEMBERS.
2. MARKS THUS: " " INDICATE SPAN DIRECTION OF FRAMING MEMBERS.
3. MARKS THUS: " " INDICATE FRAMING TO BE CONTINUOUS OVER SUPPORT.
4. TOP OF STEEL ELEVATION (TSE) = 127'-2".
5. ROOF SHEATHING SHALL BE 23/32" PERFORMANCE CATEGORY PLYWOOD/OSB (MINIMUM). ATTACH SHEATHING TO ROOF FRAMING MEMBERS w/ 10d NAILS @ 6" OC AT PANEL EDGES AND @ 6" OC AT INTERMEDIATE SUPPORTS.
6. ROOF MEMBERS SUPPORTED w/ HANGERS REQUIRE ADDITIONAL NAILING FOR INCREASED UPLIFT RESISTANCE.



**PERFORMANCE
DRIVEN DESIGN.**

LHBcorp.com

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



**Mattson
Macdonald
Young** structural engineers
Bassett Creek Business Center
901 North 3rd Street, Suite 100
Minneapolis, MN 55401
612-827-7825 voice
612-827-0805 fax

CLIENT:
CITY OF BRAINERD

BRAINERD, MN

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

1	3/2/2022	Bid
NO	DATE	ISSUED FOR

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

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

Signature: _____

Typed or Printed Name: _____

Date: 07/02/2021 Reg. No.: _____

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PROJECT NAME:

**BRAINERD WATER
TOWER, FRAMING
OPTIONS**

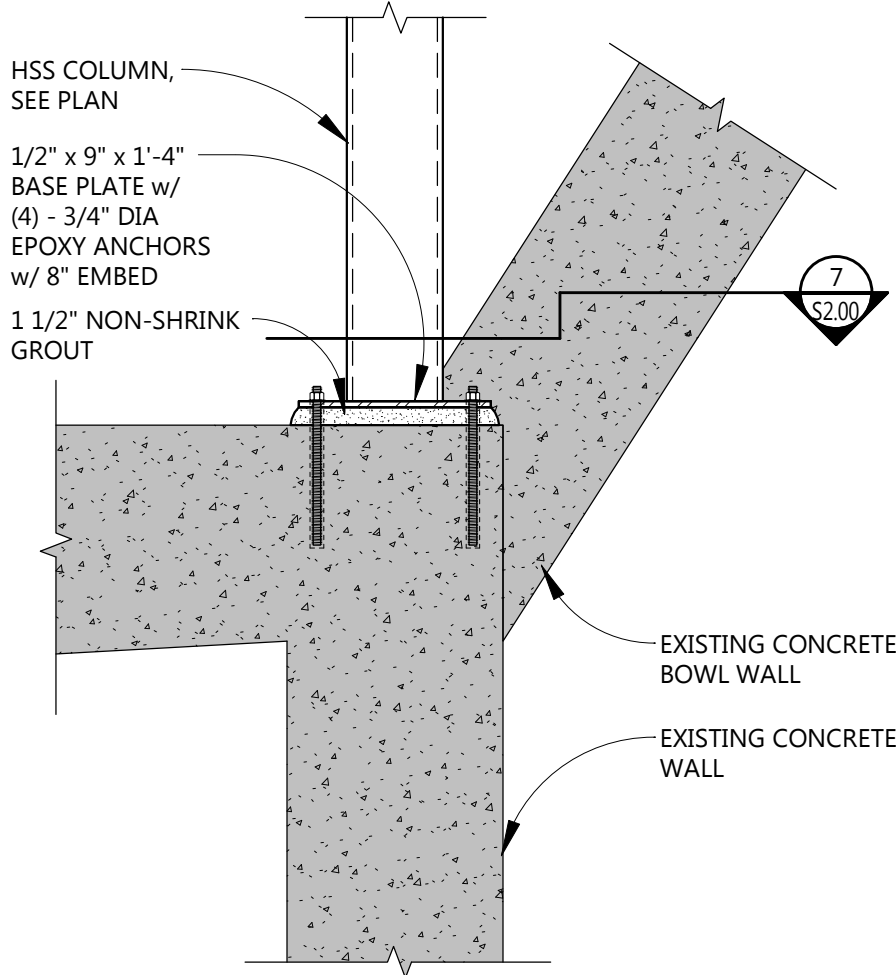
BRAINERD, MN

DRAWING TITLE:
BOWL PLANS

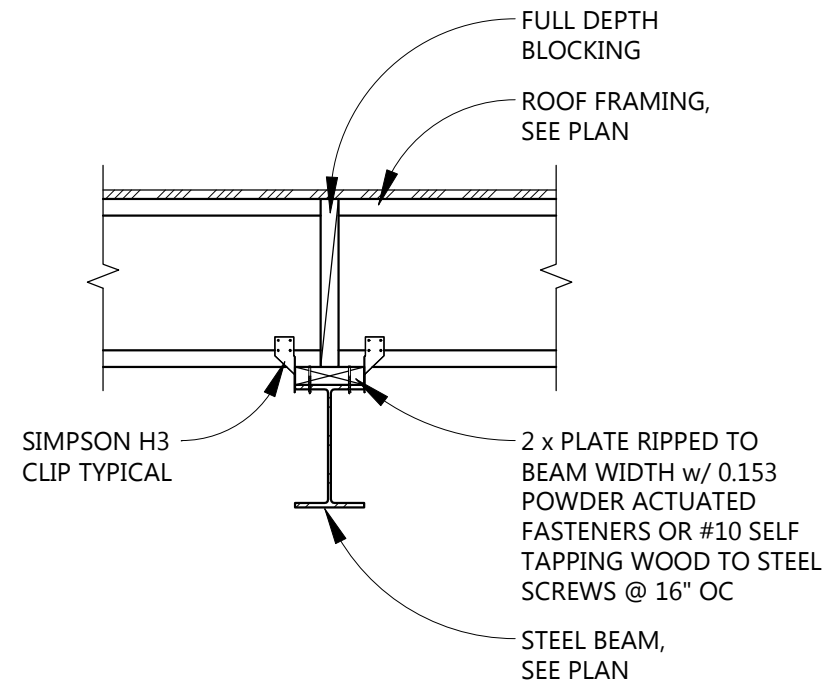
FILE: XXX
DRAWN BY: CAB
CHECKED BY:KJG
PROJ. NO: 20210
DRAWING NO:

\$1.00

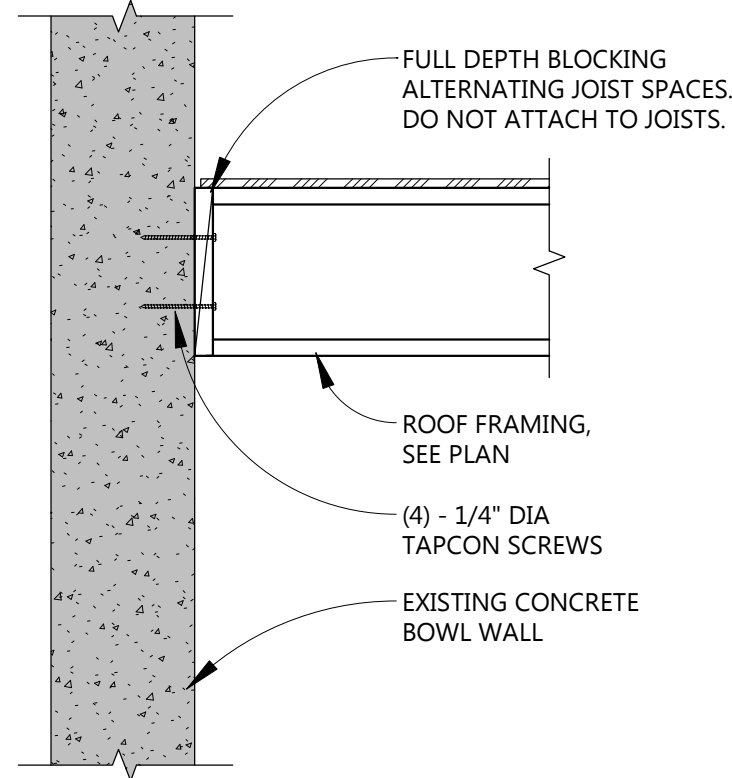
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9/7/2021 1:14:43 PM



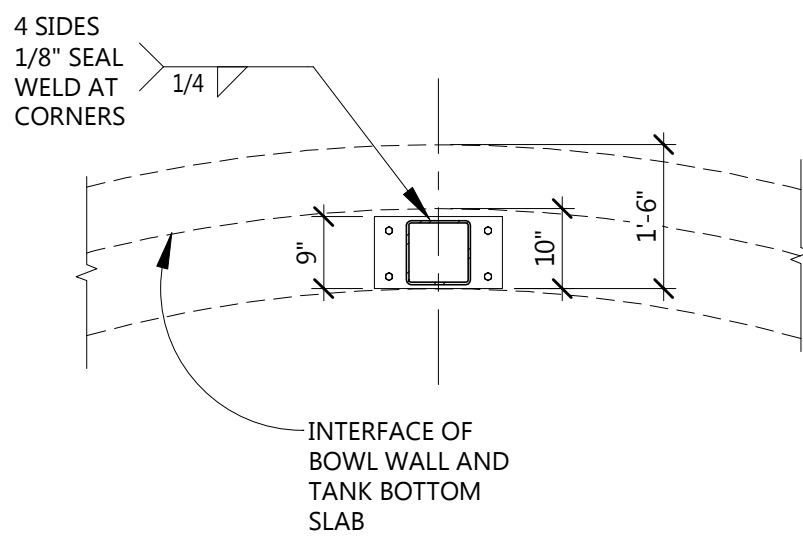
1 SECTION
S2.00 3/4" = 1'-0"



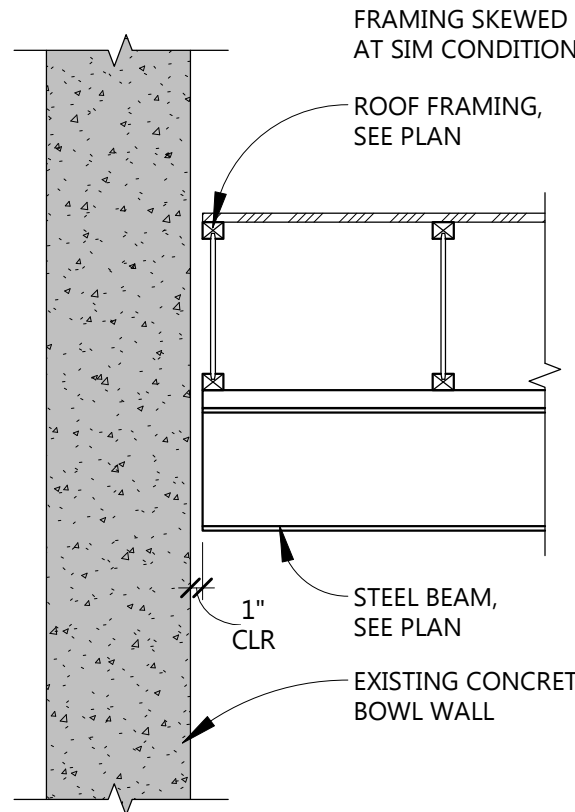
6 SECTION
S2.00 3/4" = 1'-0"



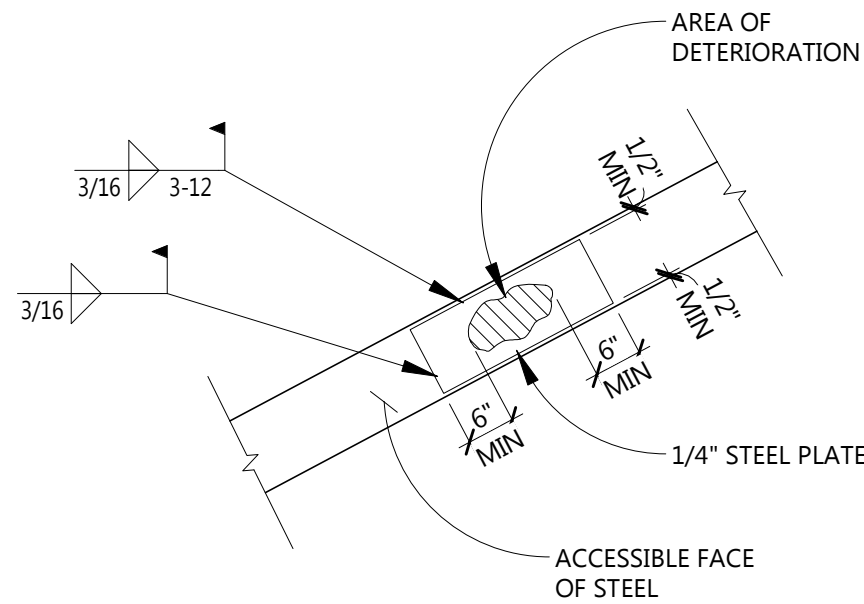
2 SECTION
S2.00 3/4" = 1'-0"



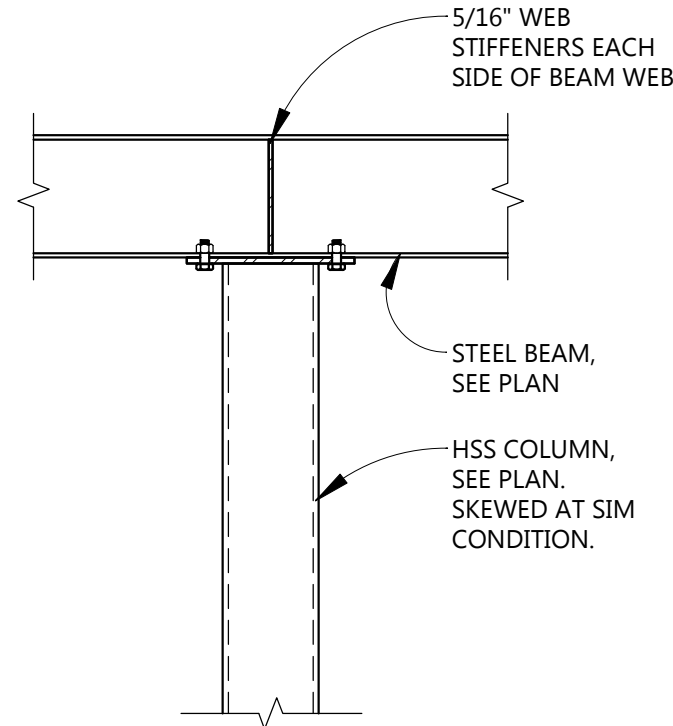
7 PLAN DETAIL
S2.00 1/2" = 1'-0"



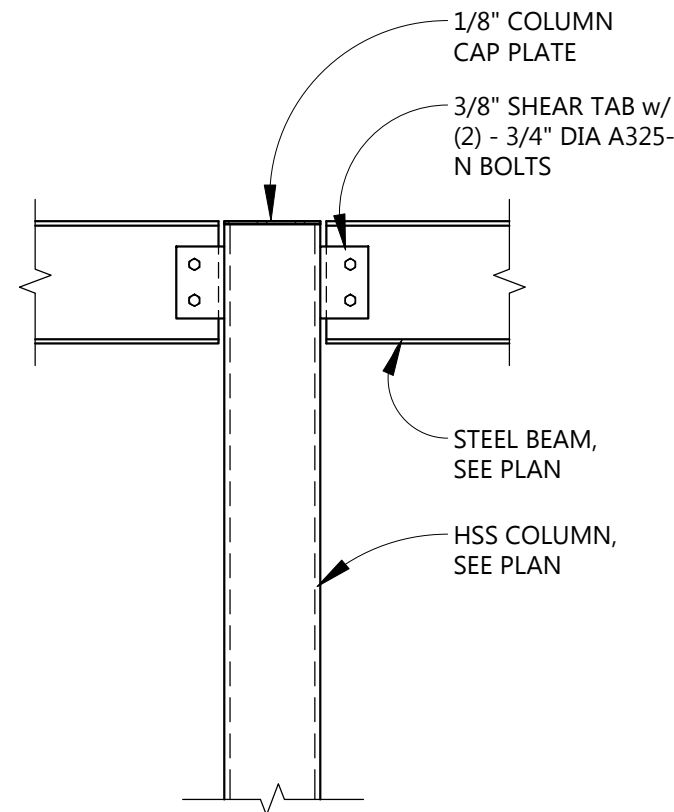
3 SECTION
S2.00 3/4" = 1'-0"



8 PLAN DETAIL
S2.00 1/2" = 1'-0"



4 SECTION
S2.00 3/4" = 1'-0"



5 SECTION
S2.00 3/4" = 1'-0"



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CLIENT:
CITY OF BRAINERD

BRAINERD, MN

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

1	3/2/2022	Bid
NO	DATE	ISSUED FOR
NO	DATE	REVISION

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

Signature: _____

Typed or Printed Name: _____

Date: 07/02/2021 Reg. No.: _____

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PROJECT NAME:

BRAINERD WATER
TOWER, FRAMING
OPTIONS

BRAINERD, MN

DRAWING TITLE:
DETAILS AND SECTIONS

FILE: XXX
DRAWN BY: CAB
CHECKED BY:KJG
PROJ. NO: 20210
DRAWING NO:

S2.00

5203099

MINNESOTA HISTORICAL SOCIETY
MINNESOTA HISTORICAL AND CULTURAL HERITAGE GRANT AGREEMENT

<u>Account No.</u>	<u>Fiscal Year</u>	<u>Object Code</u>	<u>MNHS Grant No.</u>	<u>Amount</u>
02484	2022	5260	2107-26191	\$162,043.00 grant
				\$162,043.00 match

This agreement is made by and between the Minnesota Historical Society, 345 Kellogg Boulevard West, Saint Paul, Minnesota 55102, hereinafter called the SOCIETY, acting through its Director, and City of Brainerd, 501 Laurel Street Brainerd, Minnesota 56401 herein called the GRANTEE.

WHEREAS, the Minnesota Legislature, under Minnesota Session Laws 2021, First Special Session Chapter 1, Article 4, Section 2, Subdivision 4, approved funding to the SOCIETY for Statewide Historic and Cultural Heritage Grants for the purpose of supporting history programs and projects operated or conducted by or through local, county, regional, or other historical or cultural organizations; or for activities to preserve significant historic and cultural resources such as that which is contemplated by GRANTEE, and

WHEREAS, the GRANTEE and its project *Preservation of the Brainerd Historic Concrete Water Tower* meets the eligibility criteria for funding under the grants program; and

WHEREAS, the SOCIETY'S Governing Board approved a grant recommended for funding by the Historical Resources Advisory Committee on December 9, 2021.

NOW THEREFORE, in consideration of the award of the grant, the GRANTEE agrees to administer said grant in accordance with the following policies and procedures:

I. PROJECT DESCRIPTION

- A. The project period for this activity is from January 01, 2022 to June 01, 2023.
- B. The project will be carried out in accordance with the provisions of the *Minnesota Historical and Cultural Heritage Grants Manual*. The project will also be carried out in accordance with the GRANTEE'S Minnesota Historical and Cultural Heritage Grants Program Grant Application. Page 1 of the application is included as Attachment A, and the entire application is hereby incorporated by reference.
- C. The official Scope of Work Form as approved by the SOCIETY supersedes the GRANTEE's grant application scope of work form and is included as Attachment C and hereby incorporated by reference. All work on the project will be in conformance to the Secretary of the Interior's Standards for the Treatment of Historic Properties.
- D. The official project budget as approved by the SOCIETY supersedes the GRANTEE'S grant application budget and is included as Attachment B and hereby incorporated by reference.
- E. Only the items set forth in the Approved Project Budget (Attachment B) may be charged against the grant project.
- E. Any project expense not specifically approved in the Approved Project Budget will not be allowed except upon prior written request by the GRANTEE and prior written approval by the SOCIETY.
- F. Changes in the Approved Project Budget may not exceed twenty (20) percent of any line item. Changes occurring after the project begins that exceed twenty (20) percent of any line item will not be allowed except upon prior written request by the GRANTEE and prior written approval by the SOCIETY.

req 3399

G. Changes in the Project Completion Date will not be allowed except upon prior written request by the GRANTEE and prior written approval by the SOCIETY.

H. No grant funds may be used to pay indirect costs, commonly referred to as overhead.

II. ASSURANCES

A. The GRANTEE understands that this agreement is funded by a grant financed by the State of Minnesota.

B. The GRANTEE agrees that this project will be administered and conducted in accordance with the following:

- a. Minn. Stat. 129.17 for Arts and Cultural Heritage Fund;
- b. Minn. Stat. 16B.98 for Grants Management;
- c. Secretary of the Interior's Standards for Archaeology and Historic Preservation;
- d. History and Architecture Survey Manual (June 2017) and the SHPO Manual for Archaeological Projects in Minnesota (July 2005).
- e. Minn. Stat. Chap. 177.41-44 regarding prevailing wage rates and contracts and corresponding Rules 5200.1000 to 5200.1120.

C. The Grantee agrees that work will be carried out by project personnel who meet the Secretary of the Interior's Professional Qualifications Standards (as published in the Federal Register of September 29, 1983).

D. Pursuant to Minnesota Session Minnesota Session Laws 2021, First Special Session Chapter 1, Article 4, Section 2, Subdivision 4, the GRANTEE must give consideration to Conservation Corps Minnesota and Northern Bedrock Conservation Corps, or an organization carrying out similar work.

E. The GRANTEE agrees to sign a Letter of Agreement Governing Use of Historic Site assuming responsibility to maintain the historic property in a satisfactory manner for a specified number of years after the grant-funded project is completed. For grants up to \$50,000, a five (5) year letter of agreement is required and for grants greater than \$50,000, a ten (10) year letter of agreement is required.

F. The GRANTEE shall hold the SOCIETY and the State of Minnesota harmless from any loss, damage, or expense including reasonable attorneys' fees and other costs of defense, arising as the result of any claim, action, complaint, proceeding, or litigation of any kind whatsoever, directly or indirectly brought about as a result of the funded project.

G. The GRANTEE agrees that in hiring of common or skilled labor for the performance of any work on the grant project that no contractor, material supplier or vendor shall, by reason of race, creed, color, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age, discriminate against any person or persons who are citizens of the United States, or resident aliens, who are qualified and available to perform the work to which the employment relates.

H. The GRANTEE agrees no contractor, material supplier or vendor shall, in any manner, discriminate against, or intimidate, or prevent the employment of any person or persons identified in the preceding paragraph, or on being hired, prevent or conspire to prevent, the person or persons from the performance of work under any contract on account of race, creed, color, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age.

I. This Agreement may be canceled or terminated by the SOCIETY, and all money due, or to become due hereunder may be forfeited for a second or any subsequent violation of the terms of this section.

- J. The GRANTEE assures that no part of the project budget will be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device intended or designed to influence in any manner a member of the Minnesota Legislature, to favor or oppose, by vote or otherwise, any legislation or appropriation by the Legislature, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation. This shall not prevent communicating to members of the Minnesota Legislature on the request of any member or to the Legislature, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.
- K. Both parties agree that if intellectual property is created in project, the parties will discuss the allocation of ownership and use rights.
- L. Copyright to copyrightable materials, including computer software, resulting from this project shall vest in the GRANTEE with a non-transferable royalty-free license to the SOCIETY for its non-commercial use. The GRANTEE shall grant the SOCIETY an option to license any such material(s) it wishes to develop for commercial purposes on terms and conditions, including a royalty, as the parties hereto agree in a subsequent writing.
- M. Except for (a) the above limitation, (b) the GRANTEE's right to control publication of its own research results, (c) patented and patent-pending property and (d) the GRANTEE's confidential information, the SOCIETY will have the free, irrevocable, non-exclusive unlimited right to use any research results collected in project by both the GRANTEE and the SOCIETY for any purpose worldwide.
- N. The GRANTEE agrees to include the Arts and Cultural Heritage logo on any and all communications, websites, and promotional materials associated with the approved project. The logo can be found at <http://www.legacy.leg.mn/legacy-logo/legacy-logo-download>.
- O. The GRANTEE agrees to post a sign in a prominent location while restoration/preservation project work is in progress substantially incorporating the following acknowledgment:

"This project has been financed in part with funds provided by the State of Minnesota from the Arts and Cultural Heritage Fund through the Minnesota Historical Society."
- P. The GRANTEE agrees that any publicity releases, informational brochures, public reports, publications, and public information relating to approved projects must acknowledge funding assistance from the State of Minnesota from the Arts and Cultural Heritage Fund. Any written materials shall include the following:

"This publication was made possible in part by the people of Minnesota through a grant funded by an appropriation to the Minnesota Historical Society from the Minnesota Arts and Cultural Heritage Fund."

III. PROCEDURES FOR CONTRACTING SERVICES AND MATERIALS

- A. Any services and/or materials that are expected to cost \$20,000 or more must undergo a formal notice and bidding process. Evidence of the process along with copies of the bids received must be included in the GRANTEE's financial records for the project.
- B. Any services and/or materials that are expected to cost between \$10,000 and \$19,999 must be scoped out in writing and offered to a minimum of three (3) bidders. The GRANTEE must maintain financial records that verify the cost was competitively based on at least three written quotes submitted in response to written specifications.
- C. Any services and/or materials that are expected to cost between \$5,000 and \$9,999 must be competitively based on a minimum of three (3) verbal quotes. The GRANTEE must maintain financial records that verify the cost was competitively based on at least three verbal quotes.

- D. For contracting services, the GRANTEE will follow the requirements of Minn. Stat. Chap. 177.41-44 regarding prevailing wage rates and contracts and corresponding Rules 5200.1000 to 5200.1120.

IV. PAYMENT SCHEDULE

- A. The total obligation of the SOCIETY for all compensation and reimbursements to the GRANTEE under this grant agreement will not exceed **\$162,043.00**.
- B. Grantee must obtain and supply matching funds as indicated in the approved budget (Attachment B) or for any project overages necessary to complete the approved project.
- C. GRANTEE will receive payments from the SOCIETY in accordance with the following for up to eighty percent (80%) of the grant award.

Project Milestone:	Payment Percentage
Execute Grant Agreement	30
1. Submit a revised budget to reflect work involving the flag pole, flag pole lighting, and roof hatch will be funded with the City's match dollars. (Upload to Milestone/Condition 1 report in the SOCIETY'S grants portal, https://mnhs.fluxx.io . Reviews may take up to 30 working days. Incomplete materials, or revisions to already submitted requests, restart the review clock.)	20
2. Submit structural drawings of the stair repairs for review before beginning construction. (Upload to Milestone/Condition 1 report in the SOCIETY'S grants portal, https://mnhs.fluxx.io . Reviews may take up to 30 working days. Incomplete materials, or revisions to already submitted requests, restart the review clock.)	20
3. Grantee must conduct a site visit to review the project progress with the Grants Office when at least 50% of the work has been completed. To schedule a site visit, upload proposed dates and times at least 30 days prior to the proposed visit. (Upload to Milestone/Condition 3 report in the SOCIETY'S grants portal, https://mnhs.fluxx.io .)	10
D. Reimbursement. A total of twenty percent (20%) of the grant funds will be released as the final payment after work is complete and financial documentation and the project completion report, have been reviewed and accepted by the SOCIETY.	

V. FINANCIAL DOCUMENTATION AND FINAL REPORTING

- A. The GRANTEE will submit a completed final report including documentation for project expenditures and project products on or before July 01, 2023. (Work on the project must be concluded by June 01, 2023)
- B. The final report must be completed electronically in the Minnesota Historical Society's Grants Portal (<https://mnhs.fluxx.io>).
- The financial documentation for project costs to be uploaded with the final report shall include acceptable types of documentation such as: (1) copies of paid invoices/receipts, (2) copies of project personnel timesheets (if applicable), (3) copies of in-kind and/or donated services timesheets (if applicable), and (4) copies of donated materials forms.
 - The Final Products to be uploaded with the final report are: Detailed photographs of completed work and copy of completed architect's punch list or completed Scope of Work form.

- C. **Unexpended Funds.** The Grantee must promptly return any unexpended funds that have not been accounted in the financial documentation to the SOCIETY at grant closeout.

VI. AUDIT

- A. The GRANTEE must maintain records and accounts consistent with generally accepted accounting principles, and to provide for such fiscal control as is necessary to assure the proper disbursing of and accounting for grant funds. The GRANTEE must maintain records and accounts for this project on file for a minimum of six (6) years after approval of the Final Report.
- B. The GRANTEE agrees to maintain records to document any matching funds claimed as part of the project. The GRANTEE further agrees to secure reasonable written proof of the value of Staff or Volunteer Labor, and for Donated Materials contributed to the project.
- C. The GRANTEE agrees that accounts and supporting documents relating to project expenditures will be adequate to permit an accurate and expeditious audit. An audit may be made at any time by the SOCIETY, its designated representatives, or any applicable agency of the State of Minnesota.

VII. AMENDMENTS AND CANCELLATION

A. Amendments

Any significant variations from proposed work, costs, and/or time frames described in this agreement which are experienced or anticipated during the course of the project and any significant problems, delays, or adverse conditions which materially affect planned performance should be submitted in writing to Grants Office, Minnesota Historical Society, 345 Kellogg Boulevard West, Saint Paul, Minnesota 55102.

The SOCIETY will respond in writing, either approving or not approving the changes, and may amend the agreement if deemed necessary. Variations which are not known until the conclusion of the project may be submitted with the Financial Documentation; however, the GRANTEE understands that costs may be disallowed if changes are not approved. Any amendments to this agreement shall be in writing, and shall be executed by the same parties who executed the original agreement or their successors in office.

B. Cancellation

The SOCIETY may withhold, cancel, or revoke in whole or in part the grant amount if it determines that the GRANTEE has materially breached any term or condition of this agreement. GRANTEES will be given a 30-day notice. In lieu of cancellation, GRANTEES may be given proposed remedies to ensure successful completion of the project.

In addition, both parties may mutually agree to cancel the agreement if they determine that the project will not produce beneficial results commensurate with further expenditure of funds or because of circumstances beyond the control of either party. In the event of cancellation, the SOCIETY may withhold proceeds of the Grant; demand that the GRANTEE return any already disbursed proceeds to the Finance Commissioner; and seek any additional legal or equitable remedy(ies).

Finally, the GRANTEE hereby acknowledges that the proceeds of the Grant are being financed in part with funds provided by the State of Minnesota and administered through the SOCIETY, and that, per Minnesota Session Laws 2021, First Special Session Chapter 1, Article 4, Section 2, Subdivision 4, the funding will be canceled to the extent a court determines that the appropriation, or portion thereof, unconstitutionally substitutes for a traditional source of funding.

I have read the above agreement and agree to abide by all of its provisions. Upon execution, this Agreement controls all activities during the project period.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed on the date(s) indicated below intending to be bound thereby.

MINNESOTA HISTORICAL SOCIETY
345 KELLOGG BOULEVARD WEST
SAINT PAUL, MINNESOTA 55102



Carolyn Veese-Egbide
Grants Manager

1/7/12
(date)

CITY OF BRAINERD
501 LAUREL STREET,
BRAINERD, MINNESOTA 56401



signature (authorized official)

Mary Green-Toussaint 1-23-2012

Mary Green-Toussaint
Contract Manager

(date)

Jennife Bergman
(print name)

City Administrator
(print title)

(date)



MINNESOTA HISTORICAL AND CULTURAL HERITAGE PROGRAM

City of Brainerd

G-MHCG-2107-26191 | \$ 162,043 | MN Historical and Cultural

Preservation of the Brainerd Historic Concrete Water Tower

APPLICANT INFORMATION

Program Organization: City of Brainerd
 Project Director: David Chanski
 Authorized Officer: Paul Sandy
 Applicant County: Crow Wing
 Applicant Organization Type: Local/Regional Government

Governance/Board Members:

Mr. David Bedeaux (Mayor), Mr. Kelly Bevans (City Council President), Mr. Kevin Stunek (City Council), Mr. Tad Erickson (City Council), Mr. Mike O'Day (City Council), Mr. David Pritschet (City Council), Ms. Tiffany Stenglen (City Council), Mr. Gabe Johnson (City Council)

PROJECT INFORMATION

Project Title: Preservation of the Brainerd Historic Concrete Water Tower

Brief Project Summary:

Purpose of this grant is to construct a new roof, renovate the stair/windows, and lighting/flagpole enhancements per the revised LHB Architectural Plans per grant # G-MHCG-1907-32544.

MINNESOTA HISTORICAL SOCIETY
MINNESOTA HISTORICAL AND CULTURAL HERITAGE GRANTS
APPROVED PROJECT BUDGET

Grantee: City of Brainerd

MNHS Grant #: 2107-26191

Project: Preservation of the Brainerd Historic Concrete Water Tower

	Budget Item	Amount Requested	Grant Amount	Match
1.	Roof - Phase 1 - Construction	\$75,085.00	\$75,085.00	\$75,085.00
2.	Roof - Phase 1 - Construction Administration	\$3,754.25	\$3,754.00	\$3,754.25
3.	Roof - Phase 1 - Mobilization and General Conditions	\$11,262.75	\$11,262.00	\$11,262.75
4.	Roof - Phase 1 - Contingencies	\$7,508.50	\$7,508.00	\$7,508.50
5.	Steel Stairs - Phase 2	\$18,312.50	\$18,312.00	\$18,312.50
6.	Windows - Phase 2	\$16,237.50	\$16,237.00	\$16,237.50
7.	Lighting - Phase 2	\$13,177.50	\$13,177.00	\$13,177.50
8.	Phase 2 - Construction Administration	\$2,386.75	\$2,386.00	\$2,386.75
9.	Phase 2 - Mobilization and General Conditions	\$9,545.50	\$9,545.00	\$9,545.50
10.	Phase 2 - Contingencies	\$4,772.75	\$4,772.00	\$4,772.75
11.				
12.				
	TOTAL		\$162,043.00	\$162,043.00

Scope of Work Form
MNHS Grants Office

FOR OFFICE USE ONLY
Grantee: City of Brainerd
Grant No.: 26191
Attachment: C

PROPERTY NAME: Brainerd Water Tower
PROPERTY ADDRESS: 624 Washington St, Brainerd, MN 56401

DATE: 9/10/2021
NRHP LISTING No.: 74001014

ITEM NO: 1	FEATURE: PHASE 1 Roof	CONST. DATE: 1920	FUNDING SOURCE(S): ☐ GRANT ☐ OTHER	BUDGET ITEM No.:
DESCRIBE EXISTING FEATURE AND ITS CONDITION The tower originally featured a domed reinforced concrete roof. In the late 1920s the bowl had begun leaking badly and a bituminous water proofing layer was installed at the interior of the bowl. A single wythe brick liner was installed over the waterproofing. The water tower was decommissioned in 1958. In 1973 preservation efforts began at the tower, which included removing the roof of the bowl to ease maintenance. Since then, the masonry liner and waterproofing have deteriorated and allowed water to become trapped between the waterproofing and the concrete walls of the bowl. This has led to significant spalling, with large chunks of concrete delaminating from the exterior of the bowl and falling to the ground. Additionally, water infiltrates the shaft of the tower through the existing hatch at the bowl. This has caused corrosion at the steel stair inside the tower. DESCRIBE WORK AND IMPACT ON EXISTING FEATURE The top 4' of the brick liner and waterproofing will be removed. A flat membrane roof and necessary structural supports will be installed at approximately 6' below the top of the crenelations. This will preserve the appearance of the tower as it has been since 1973. It will prevent water from becoming trapped against the concrete walls of the bowl and from traveling through the hatch at the bottom of the bowl. It will halt the deterioration of the brick liner. It will ease access and maintenance to the flag poles and flag pole lights that have become an important feature of the water tower since the 1970s. PHOTOS: 1-10 DRAWING SHEET NO. A3.01, S1,2 D'D'L DOCUMENTATION:				
UPDATES AFTER PROJECT IS COMPLETED				

ITEM NO: 2	FEATURE: PHASE 2 Steel Stairs	CONST. DATE: 1920	FUNDING SOURCE(S): ☐ GRANT ☐ OTHER	BUDGET ITEM No.:
DESCRIBE EXISTING FEATURE AND ITS CONDITION The existing steel stairs within the tower are generally in fair condition. They appear to be fundamentally structural stable, but have rusted in some locations and are slumping slightly about half way up the stairway. Similar conditions are present at the exterior stairs that lead to the observation ring. DESCRIBE WORK AND IMPACT ON EXISTING FEATURE Stairs will be scraped and rust will be removed. Limited structural reinforcement will be installed. A paint analysis will be conducted to determine the original paint color used on the stairs. Stairs will be prepped, primed, and painted to match the original color. PHOTOS: 11-14 DRAWING SHEET NO. A3.01 D'D'L DOCUMENTATION:				
UPDATES AFTER PROJECT IS COMPLETED 1/51.00, 8/2.00				

ITEM NO: 3	FEATURE: PHASE 2 Windows	CONST. DATE: 1920	FUNDING SOURCE(S): ☐ GRANT ☐ OTHER	BUDGET ITEM No.:
DESCRIBE EXISTING FEATURE AND ITS CONDITION Original wood windows are in fair to poor condition, with some dry rot and missing wood material. Brick window surrounds are in need of repointing. DESCRIBE WORK AND IMPACT ON EXISTING FEATURE Windows will be carefully removed. Epoxy repairs will be used to restore areas of minor to medium levels of deterioration to wood members. Dutchman repairs will be used in areas of medium to heavy deterioration. Original glass will be removed and reinstalled with new glazing putty. Where glass is broken, it will be replaced to match the existing glass surface appearance. Paint analysis will be conducted to determine original paint color of windows. Windows will be prepped, painted to match original, & reinstalled. Window surrounds will be repointed. A mortar test will be conducted to determine original mortar composition. Masonry will be repointed with mortar to match original in consistency, texture, color, & tooling. PHOTOS: 15-19 DRAWING SHEET NO.: A2.01, A6.01 L DOCUMENTATION:				
UPDATES AFTER PROJECT IS COMPLETED				

Scope of Work Form

MNHS Grants Office

FOR OFFICE USE ONLY
Grantee: City of Brainerd
Grant No.: 26191
Attachment: C

PROPERTY NAME: Brainerd Water Tower
PROPERTY ADDRESS: 624 Washington St, Brainerd, MN 56401

DATE: 9/10/2021
NRHP LISTING NO.: 74001014

ITEM NO: 4	FEATURE: PHASE 2 Lighting	CONST. DATE: Unknown	FUNDING SOURCE(S): ☐ GRANT ☐ OTHER	BUDGET ITEM NO.:
DESCRIBE EXISTING FEATURE AND ITS CONDITION The stairs at the interior do not have lighting. Installation of the new roof will require new lighting within the bowl. The existing flagpole lighting was removed in phase 1. DESCRIBE WORK AND IMPACT ON EXISTING FEATURE New lighting will be installed to illuminate the stair walking surface and the interior of the bowl. Either reinstall original flagpole lighting or provide new lighting. PHOTOS: 11, 20 DRAWING SHEET NO.: A3.01 ADD'L DOCUMENTATION:				
UPDATES AFTER PROJECT IS COMPLETED				

ITEM NO:	FEATURE:	CONST. DATE:	FUNDING SOURCE(S): ☐ GRANT ☐ OTHER	BUDGET ITEM NO.:
DESCRIBE EXISTING FEATURE AND ITS CONDITION DESCRIBE WORK AND IMPACT ON EXISTING FEATURE PHOTOS: DRAWING SHEET NO.: ADD'L DOCUMENTATION:				
UPDATES AFTER PROJECT IS COMPLETED				

ITEM NO:	FEATURE:	CONST. DATE:	FUNDING SOURCE(S): ☐ GRANT ☐ OTHER	BUDGET ITEM NO.:
DESCRIBE EXISTING FEATURE AND ITS CONDITION DESCRIBE WORK AND IMPACT ON EXISTING FEATURE PHOTOS: DRAWING SHEET NO.: ADD'L DOCUMENTATION:				
UPDATES AFTER PROJECT IS COMPLETED				

MINNESOTA HISTORICAL SOCIETY
LETTER OF AGREEMENT GOVERNING USE OF HISTORIC SITE

This agreement is made on the 01 day of December, 2021, by the City of Brainerd (hereinafter referred to as the GRANTEE), and in favor of the State of Minnesota acting through the Minnesota Historical Society's Heritage Preservation Office (hereafter referred to as the SOCIETY), for the purpose of preservation of a certain property known as the: City of Brainerd Historic Water Tower hereinafter the Property.

The City of Brainerd Historic Water Tower, listed on the National Register of Historic Places, is comprised of grounds, collateral, appurtenances, and improvements and is located at Washington and South 6th Street, Brainerd, in Crow Wing County.

In consideration of the sum of \$ 162,043 given to the GRANTEE through the Minnesota Historical and Cultural Heritage Grants Program through the SOCIETY from the State of Minnesota (MNHS Grant Number: 2107-26191), the GRANTEE hereby agrees to the following for a period of ten (10) years:

1. The GRANTEE agrees to assume the cost of the continued maintenance and repair of said Property so as to preserve the architectural, historical, or archaeological integrity of the same in order to protect and enhance those qualities that made the property eligible for listing on the National Register of Historic Places.
2. The GRANTEE agrees that no visual or structural alterations will be made to the property without prior written permission of the SOCIETY.
3. The GRANTEE agrees that the SOCIETY, its agents or designees shall have the right to inspect the property at all reasonable times in order to ascertain whether or not the conditions of this agreement are being observed.

This agreement shall be enforceable in specific performance by a court of competent jurisdiction.

MINNESOTA HISTORICAL SOCIETY
345 KELLOGG BOULEVARD WEST
SAINT PAUL, MINNESOTA 55102

CITY OF BRAINERD
501 LAUREL STREET,
BRAINERD, MINNESOTA

Mary Green-Toussaint 1-23-2022
Mary Green-Toussaint (date)
Contract Manager

[Signature]
signature (authorized official)

Jennifer Bergman
(print name)

City Administrator
(print title) (date)



Brainerd City Council Agenda Request

Requested Meeting Date: March 7, 2022

Title of Item: Create Visual Quality Working Group for 2025 Highway 210 Reconstruction

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer/Public Works Director Sandy	Department: Engineering
Presenter (Name & Title): City Engineer/Public Works Director Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: As part of the Highway 210 Corridor Study, staff have been working with MnDOT and have begun discussing aesthetics and what is required of MnDOT from a visual quality standpoint.	
Alternatives, Options, Effects on Others/Comments: Staff would like to get a standing work group of City Council and corridor business members (possible 3 City Council, mayor, 3 business owners, and City staff) to discuss this with and make recommendations to the full council. An example of the document that comes from this group can be seen attached to this document. Being there are already 3 members of the council on the PMT, the council may want to consider the other members that have not been a part of this process as much for this working group.	
Recommended Action/Motion: Staff would like the Council to nominate a working group for visual quality to work with MnDOT staff and consultant engineers on the creation of the Visual Quality Manual for the Highway 210 Corridor.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	



TH 135 BIWABIK URBAN DESIGN

Visual Quality Manual

Biwabik, MN

January 2020

TH 135 Biwabik Urban Design

January 2020

PREPARED FOR



City of Biwabik, MN
321 Main Street
Biwabik, MN 55708



Minnesota Department of Transportation
1123 Mesaba Avenue
Duluth, MN 55811

PREPARED BY



Wideth Smith Nolting
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(320)762-8149
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WSB & Associates
701 Xenia Avenue South
Suite 300
Minneapolis, MN 55416
(763)541-4800
wsbeng.com

I hereby certify that this report was prepared by me or under my direct supervision and that I am a duly licensed Landscape Architect under the laws of the State of Minnesota.

Robert A. Slipka, III, PLA
44337 January 30, 2020
License No. Date

Acknowledgments

The MN Department of Transportation gratefully acknowledges the participation and assistance of the City of Biwabik's Main Street Project Task Force along with city staff and locally elected officials in the preparation of this document.

The instrumental support and technical assistance of Widseth Smith Nolting, along with WSB, in the preparation of this document is also hereby noted.

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Chapter One: Introduction

1.1 PURPOSE OF THE VISUAL QUALITY MANUAL

The purpose of this Visual Quality Manual (VQM) is to establish visual quality requirements for the reconstruction of approximately 2.25 miles of Trunk Highway (TH) 135 through the town of Biwabik and surrounding areas. The planned project passes within the city limits of Biwabik, including the eight blocks that make up Biwabik's historic Main Street. This segment of TH 135 is part of a larger roadway reconstruction project totaling approximately 24 miles from TH 53 (Virginia) to Tower. In addition to the roadway rehabilitation, this project will include new sidewalk pavement, street lighting, landscape enhancements, and the replacement of city water, sewer, and storm sewer utilities along Main Street.

This VQM is written as documentation of the design process to date, including important decisions about the project's overall planning and character as determined by the design team, MnDOT, Biwabik's residents, and City Council. The VQM is also intended to be used as a reference document, meant to guide the stakeholders and professionals engaged in this project on how to proceed through final design and construction. To this end, the VQM serves two main purposes:

- To provide project background and context, as well as highlight the public decision-making process.
- To identify minimum design requirements and objectives for the project associated with visual quality goals.

Ultimately, this VQM contains criteria and objectives that will be used to determine compliance with project requirements as the process moves into final design and construction. The requirements and recommendations included in the VQM are primarily visual in nature. As such, the format of this VQM is based heavily on the graphic content that has been generated to communicate the design concepts and aesthetic character throughout the planning process.

1.2 COMPLETE STREETS OVERVIEW AND OBJECTIVES

The Biwabik Main Street project follows MnDOT's Complete Streets Policy and is one of the first Complete Streets projects in the state to be implemented in a rural community. The philosophy of the Complete Streets Policy is to better accommodate the safety and accessibility needs of all users of the street, including pedestrian and bikers, in addition to vehicular transportation. This is achieved in part through the use of traffic calming measures such as narrowed lane widths, curb bump-outs at street intersections, and enhanced landscaping. The goals and benefits of this approach are summarized as follows:

- Improved pedestrian, bicyclist, and motorist safety.
- Increased modal options that promote active living while improving transportation capacity and mobility.
- Improved mobility and access for more than a third of our population that cannot or does not drive a motor vehicle.
- Improved public and environmental health.
- Increased consumer savings.
- Increased economic activity, competitiveness, and property values.
- Improved "quality of life" through more livable and sustainable transportation, environments, communities, commerce, and growth.

Once complete, Biwabik's Main Street will provide increased accessibility to local businesses, improve the ease of maintenance for the City and adjacent property owners, and support the role of the community as the entrance to Giant's Ridge and the East Iron Range.

1.3 PROJECT BACKGROUND

The Biwabik Main Street project is a partnership between MnDOT and the City of Biwabik to renew the look and feel of Main Street while preserving the unique Bavarian character of the town. The project was driven by MnDOT's larger reconstruction of TH 135, the need to replace city utilities under the highway, and to provide a route through town for the proposed expansion of the regional Mesabi Bike Trail. Initial overall planning of the Biwabik Main Street project sought to coordinate and integrate the objectives of these three separate, yet intersecting efforts to provide a comprehensive vision and implementation plan for the corridor.

MnDOT TH 135 Reconstruction (SP 6912-79)

Planning for a full depth reconstruction of TH 135 began in 2016, with construction anticipated during the summer of 2020. As a Trunk Highway, the design and construction process is facilitated by MnDOT. This includes state funding for the replacement of Main Street through the City of Biwabik and cost sharing for additional features such as sidewalks, lighting, and landscaping.

Biwabik Infrastructure Repair and Improvement Program

The City of Biwabik has undertaken the task of replacing the City's aging network of sanitary sewer lines, watermain, streets, and alleys as a multi-phase infrastructure project. The replacement of utilities underneath Main Street has been identified as Phase 4 of the Biwabik Infrastructure Repair and Improvement Program and is scheduled to occur at the same time TH 135 is being reconstructed by MnDOT.

Mesabi Non-Motorized Trail

Since 2016, the St. Louis and Lake County Regional Rail Authority (RRA) has been working to design, designate, and implement a non-motorized trail along TH 135. This would include extending the existing trail east of Biwabik, through town and continuing west within the TH 135 Right of Way toward the town of Gilbert.

TH 135: Biwabik Urban Design

In September of 2016, the Biwabik City Council and Public Utility Commission decided to work jointly with Main Street businesses and the residents of Biwabik to shape their common interests, concerns and ideas in order to work effectively with MnDOT. A work plan was developed between the City and MnDOT to guide the project approach and scope. A Main Street Project Task Force (MSPTF) was created with members appointed jointly by City Council and Biwabik Public Utilities Commission. The four tasks below were identified by the group members:

- Task 1 – Gathering the Needs and Ideas for Main Street
- Task 2 – Creating a Design and Developing Consensus
- Task 3 – Funding and Financing Options
- Task 4 – Community Outreach and Engagement

Following the creation of the MSPTF, a consultant was brought on by MnDOT to further facilitate the Visual Quality Process, engage in community development and provide final design services. Engineering firm Widseth Smith Nolting (WSN) was selected to provide transportation engineering services, in partnership with WSB's Landscape Architecture Group.

1.4 PROJECT GOALS AND TIMELINE

- Refresh and modernize the look and feel of Main Street.
- Maintain and reinforce the 'Bavarian Theme' of the community.
- Capitalize on and support the role of the community as the entrance to Giants Ridge and the East Iron Range.
- Support the business community in a unique and cooperative manner to enhance visibility and access.
- Improve the ease of future state and local maintenance operations.

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Chapter Two: Preliminary Design Concepts

2.1 CORRIDOR DESIGN ZONES

Beginning in September 2016, the Task Force started meeting on a regular basis to develop the project goals and scope of work. As part of this process, three 'design zones' were identified within the 2.25-mile corridor.

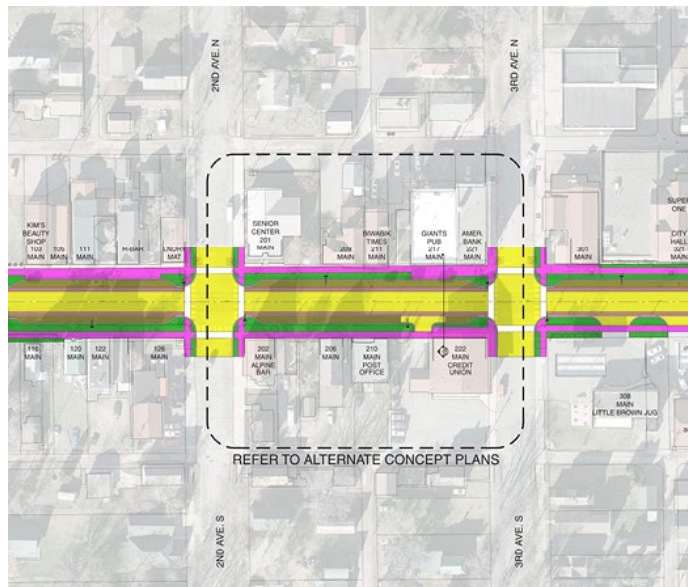
- Zone 1 – From CR 715 to 1st Avenue (West Gateway)
- Zone 2 – From 1st Avenue to 8th Avenue (Main Street)
- Zone 3 – From 8th Avenue to CR 138 (East Gateway)

Overall Project Area:



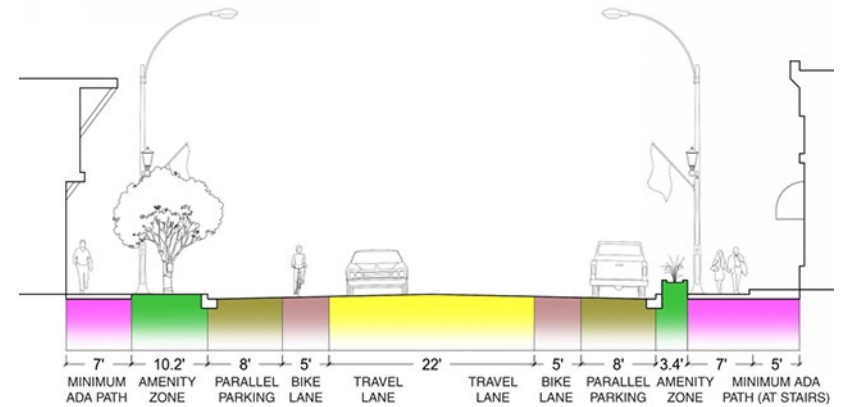
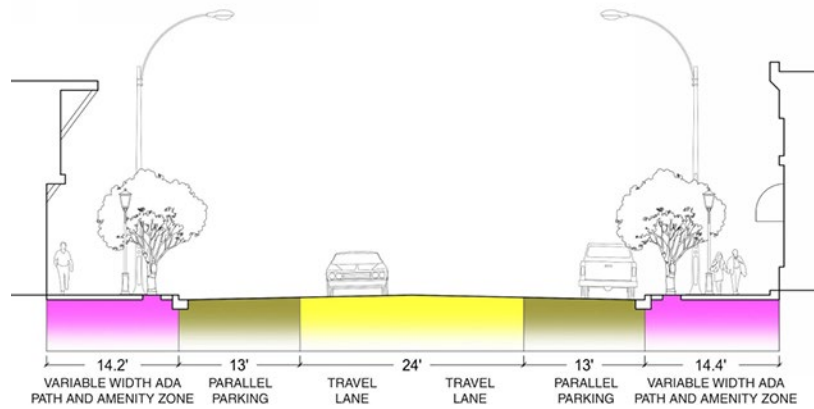
2.2 MAIN STREET – TYPICAL PLAN / SECTION STUDY

As part of the Completes Street Process, typical plans and sections were developed to provide the Task Force with comparative options of how the Main Street corridor could be redeveloped. Focus was placed on pedestrian and bike traffic with parking and vehicular traffic as a secondary area of focus. Following input gathered from the Task Force, a total of three different templates were developed to help exemplify the various alternatives that the right-of-way could be developed to accommodate the varying user groups. The templates were developed for the block between 2nd Avenue and 3rd Avenue which is one of the key blocks for residents in the downtown area.



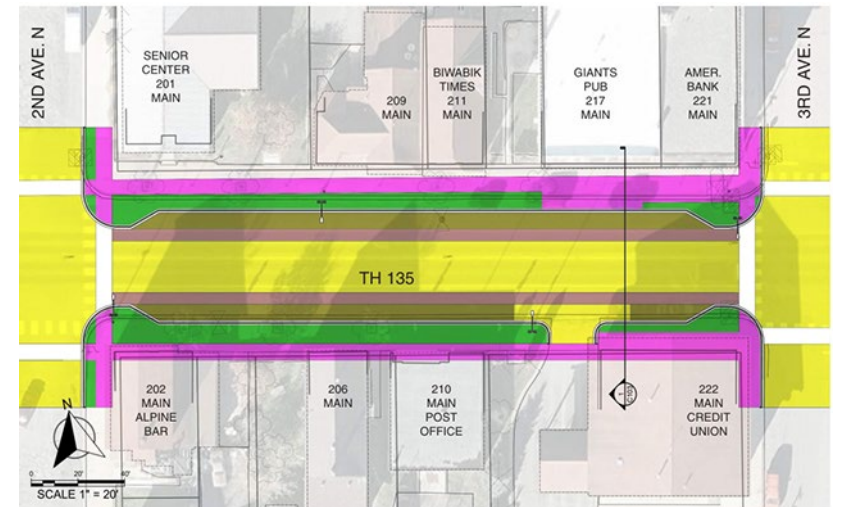
The existing roadway utilized a 24-foot drive lane with 13-foot parallel parking on both sides. This left approximately 14 feet for sidewalks, plantings, and other amenities. The three proposed options include 11-foot drive lanes, 8-foot to 10-foot parallel parking, on and off-road bike lanes, amenity zones, and sidewalks meeting ADA requirements including ramps at building entrances where ADA could be accommodated. The following pages show the existing conditions and three templates that were reviewed and discussed with the Task Force Group.

TH 135: Biwabik Urban Design



Existing Conditions

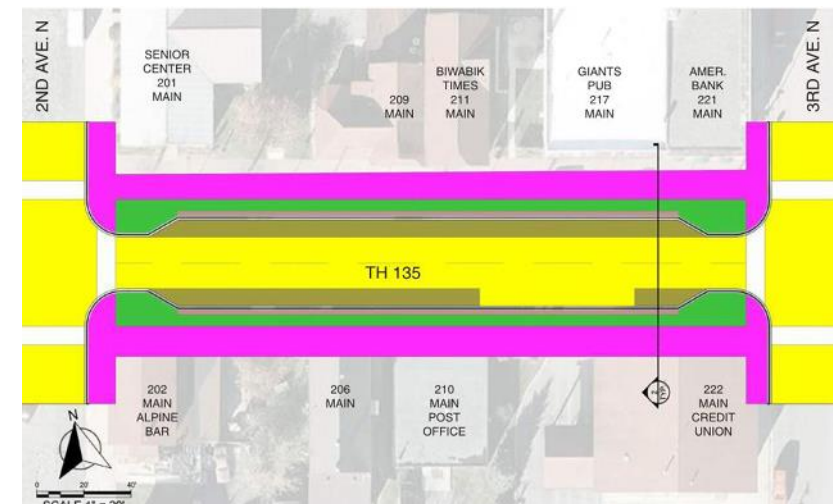
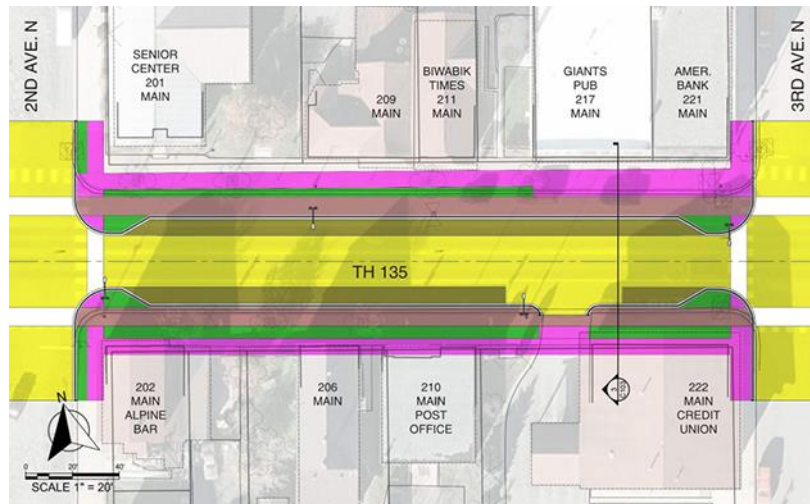
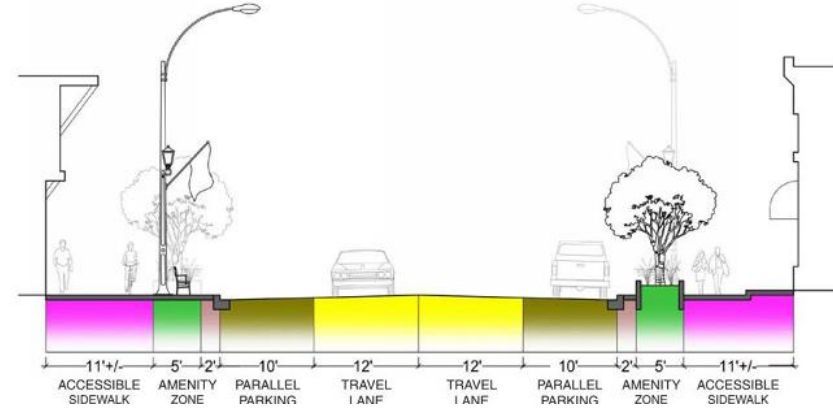
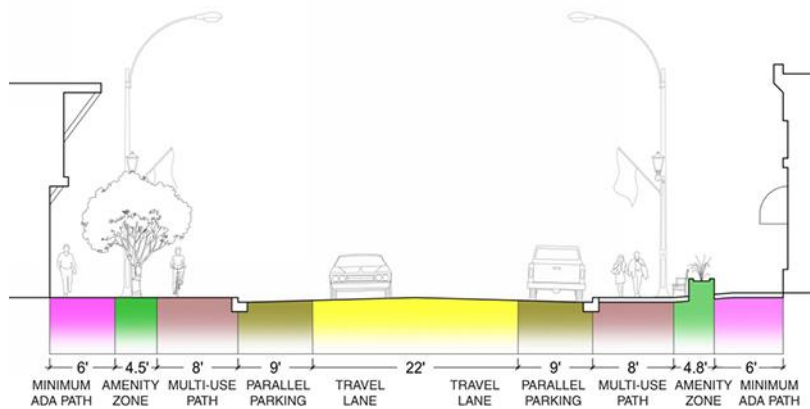
- Two 12' travel lanes
- 13' wide parallel parking on both sides
- Fully paved amenity zone – variable width
- Accessibility issues / building entrance steps



Option 1

- Travel lanes reduced to 11' width with 5' bike lanes
- Parallel parking reduced to 8' width each side
- Planting / amenity zone behind curb – variable width
- 7' wide accessible path at building frontage (add 5' parallel ramp where required by building FFE)

TH 135: Biwabik Urban Design



Option 2

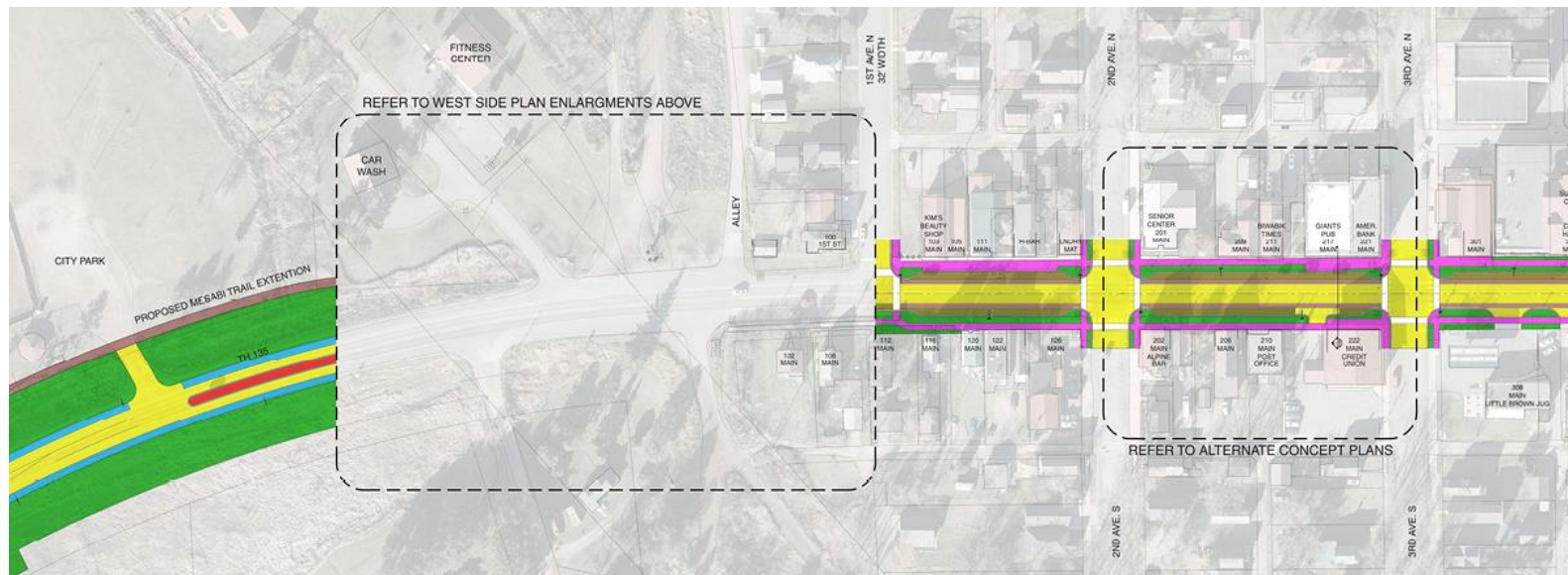
- Travel lanes reduced to 11' width
- Parallel parking reduced to 9' width each side
- 8' wide multi-use path behind curb, each side
- 4.5' wide planting / amenity zone
- 6' wide accessible path at building frontage

Option 3

- Travel lanes reduced to 12' width
- Parallel parking reduced to 10' width each side
- 2' wide transitional pavement behind curb, each side
- 5' wide planting / amenity zone
- 11' wide accessible path at building frontage

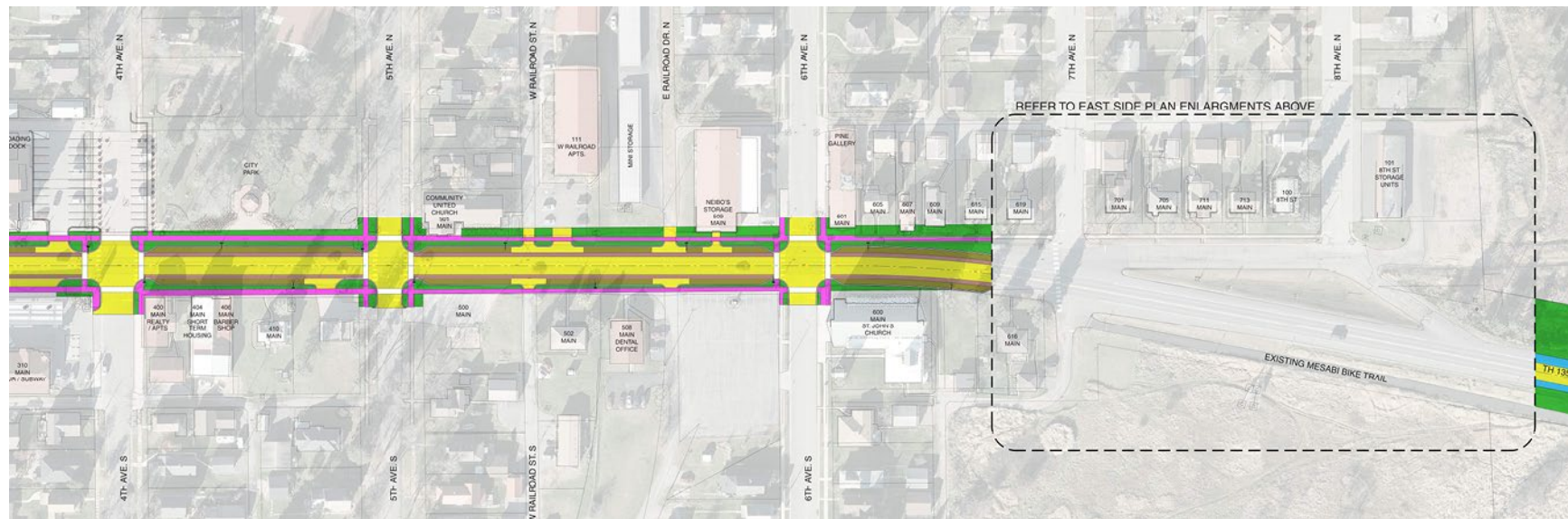
2.3 MAIN STREET – PREFERRED CONCEPT PLAN

Following the Complete Streets Study and exploration of the design templates, the next step in the process was to prepare a concept plan utilizing the preferred design template for Zone 2. The preferred design template included 12-foot drive lanes, 10-foot parallel parking, and 18-foot pedestrian zone which includes the Pedestrian Access Route (PAR) and amenity zone. Bumpouts were also included at most intersections to minimize crosswalk lengths. In conjunction to the development of the preferred concept plan, alternative options for the layout and alignment of three Main Street intersections were also developed for the 4th Avenue Intersection, Mesabi Annex Realignment on the west side of Biwabik, and the 7th and 8th Avenue intersection.



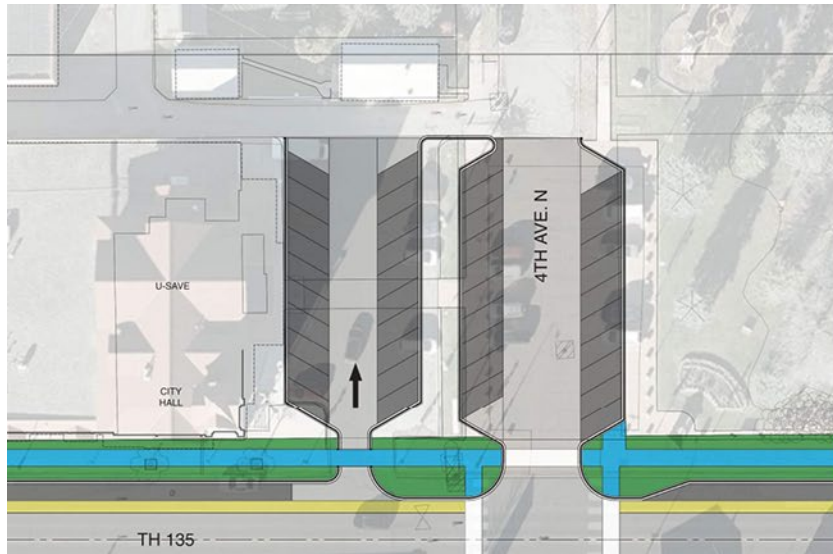
Western half of Main Street

TH 135: Biwabik Urban Design



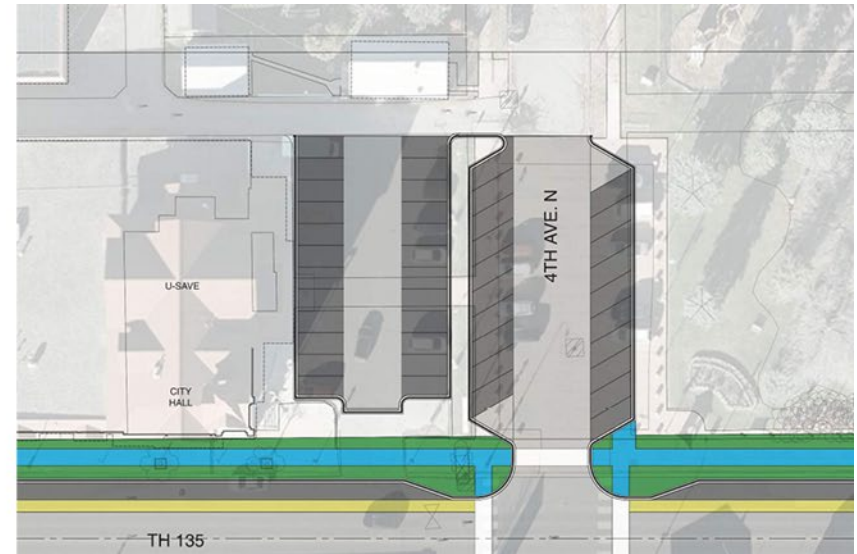
Eastern half of Main Street

2.4 FOURTH STREET ACCESS AND PARKING OPTIONS



Option 1

- Realign 4th Ave. N. centerline
- Provide one-way access to west parking lot in addition to angle parking in lieu of 90-degree parking
- Provide angle parking on 4th Ave. N. in lieu of 90-degree parking
- Add center walkway between parking bays
- Add bumpouts along Main Street for pedestrian safety



Option 2

- Realign 4th Ave. N. centerline
- Provide hammerhead to west parking lot to minimize curb cuts
- Provide angle parking on 4th Ave. N. in lieu of 90-degree parking
- Add center walkway between parking bays
- Add bumpouts along Main Street for pedestrian safety



2.5 MESABI ANNEX REALIGNMENT OPTIONS

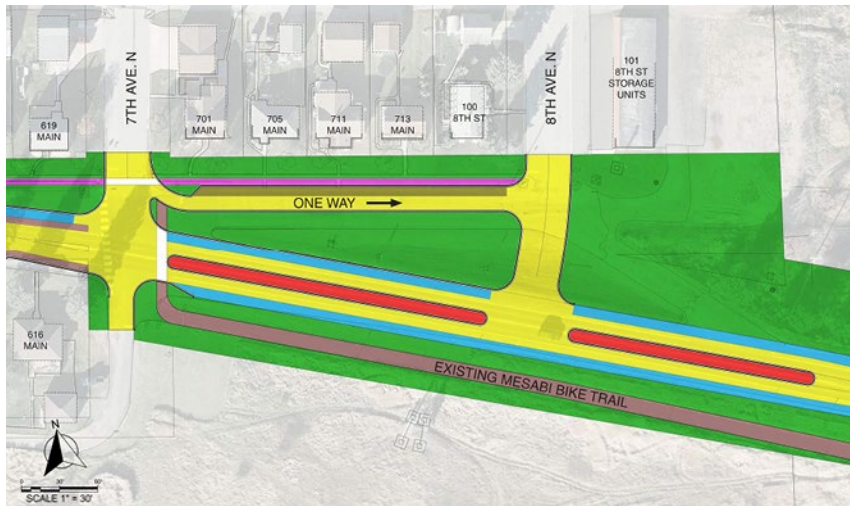
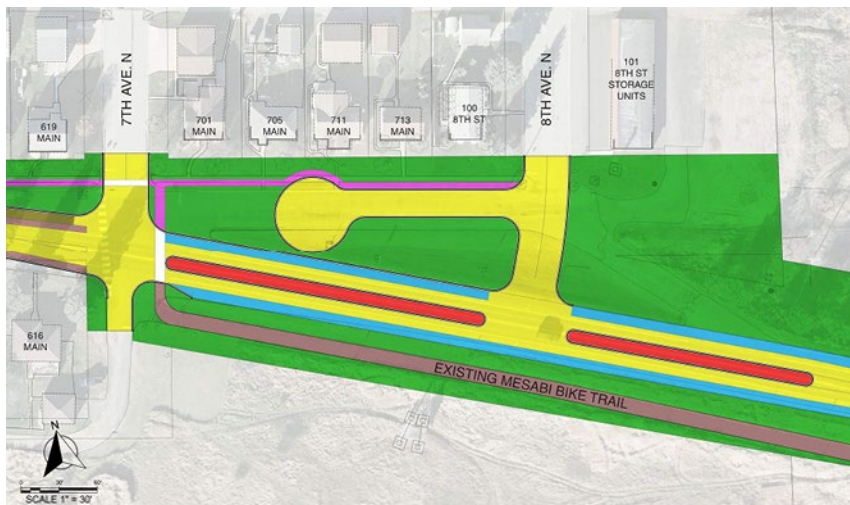
Option 1

- Convert existing ally to full street
- Provide commercial access drive from new street west to serve existing businesses
- Consolidate and limit access to Main Street to single four-way intersection at existing alley
- Extend trail north to 1st Street for thru-traffic
- Connect trail to proposed sidewalk / streetscape on north side of Main Street
- Provide gateway medians and enhanced landscaping in ROW



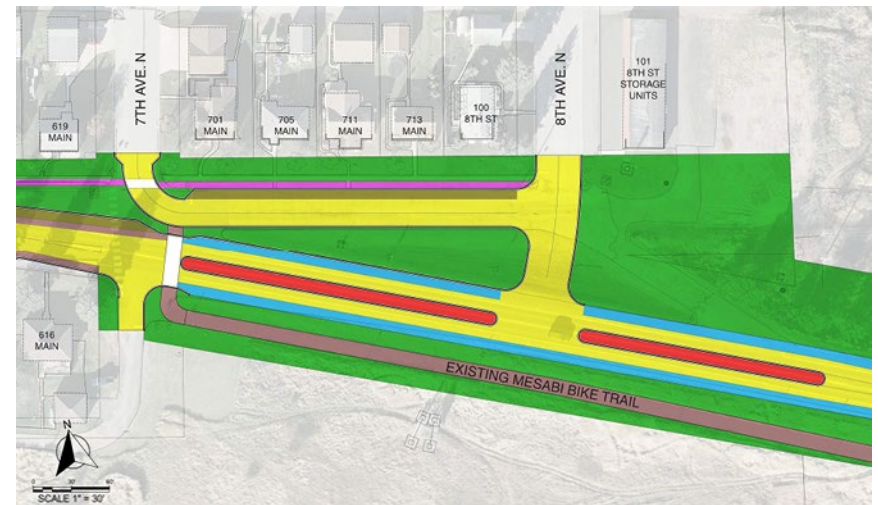
Option 2

- Terminate existing alley short of Main Street
- Provide direct commercial access drive from Main Street to serve existing businesses
- Consolidate and limit access to Main Street to single four-way intersection at existing Car Wash entrance
- Connect alley to new commercial access drive off Main Street
- Extend trail north to 1st Street for thru-traffic
- Connect trail to proposed sidewalk / streetscape on north side of Main Street
- Provide gateway medians and enhanced landscaping in ROW

Option 1Option 2

2.6 REALIGNMENT OPTIONS FOR 7TH AND 8TH AVENUE

The 7th Avenue and 8th Avenue Intersection was the third intersection along Main Street that required the development of design options for consideration. To help strengthen the entry experience on the east side of Biwabik, a center median was added along with other green space for plantings and a monument sign. Access to existing homes was a necessity. It was desired to remove one of the intersections to help with traffic flow entering and exiting Biwabik. Three options were developed and explored by the Task Force as well as by residents living in the special study area. Ultimately, a version of Option 3 was selected as part of the final design process.

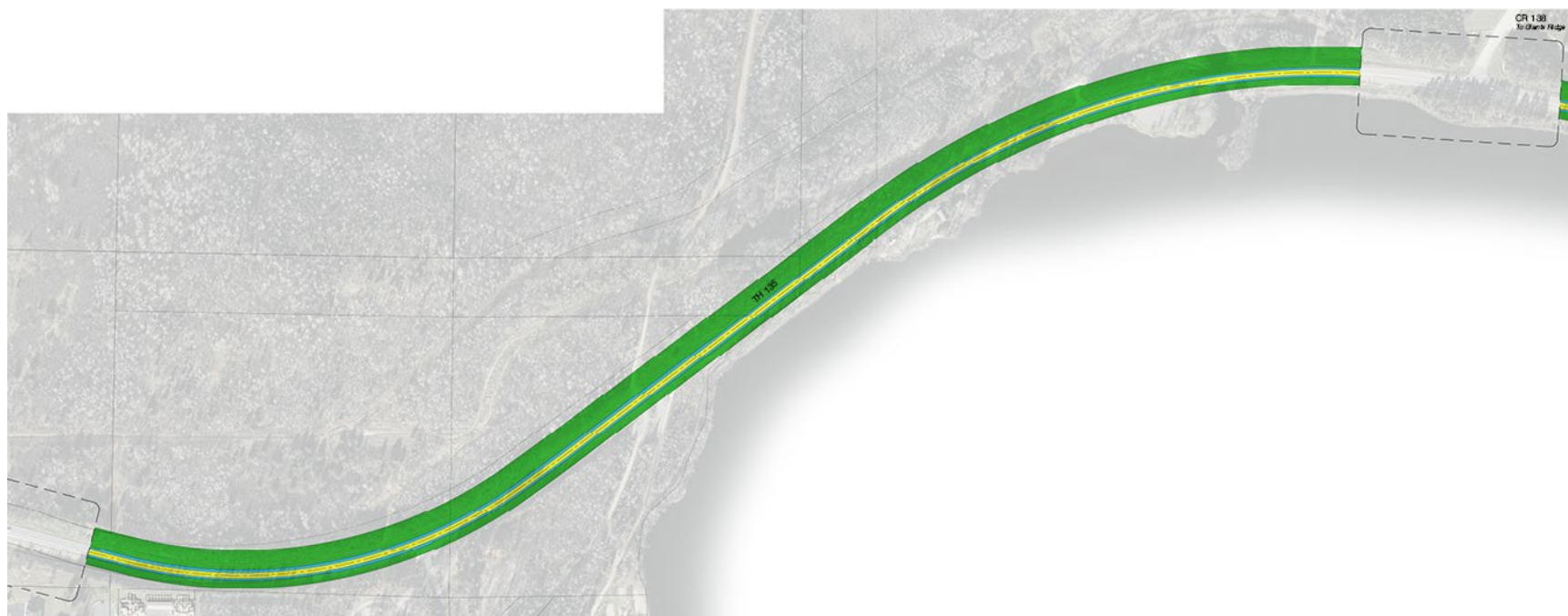
Option 3

2.7 OVERALL PREFERRED CONCEPT PLAN

Following the development of the Main Street Preferred Concept Plan, focus was placed on the eastern and western segments of TH 135 which would serve as the gateways to Main Street. It was determined that several intersections along the TH 135 east gateway corridor would require special review and design considerations. One intersection was the TH 135 and CR 4 intersection, which carries most traffic to Biwabik from the south. The other intersection was the TH 135 and CR 138 intersection, which serves as the entry point to Giants Ridge Resort, a regional ski and golf destination point. The Overall Preferred Concept Plan focused on allocating green space for plantings, new lighting, monument signs, and other amenity treatments to help reduce traffic speeds upon entering the Main Street corridor as well as create a more welcoming entrance for visitors.

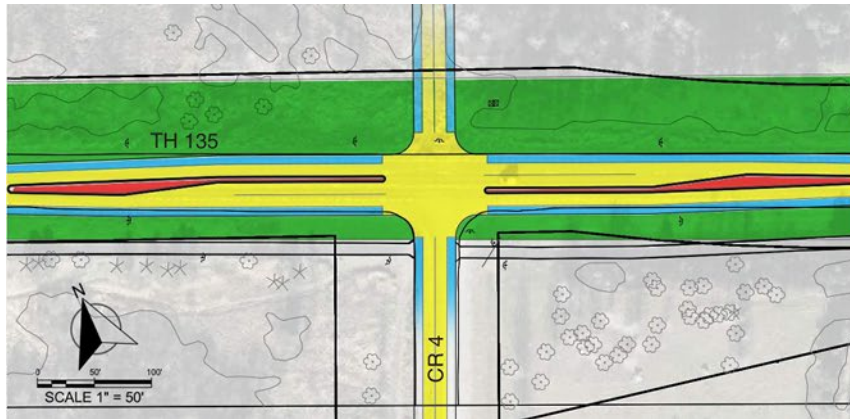


West Gateway, Main Street, and portion of East Gateway (west of CR 4 Intersection)



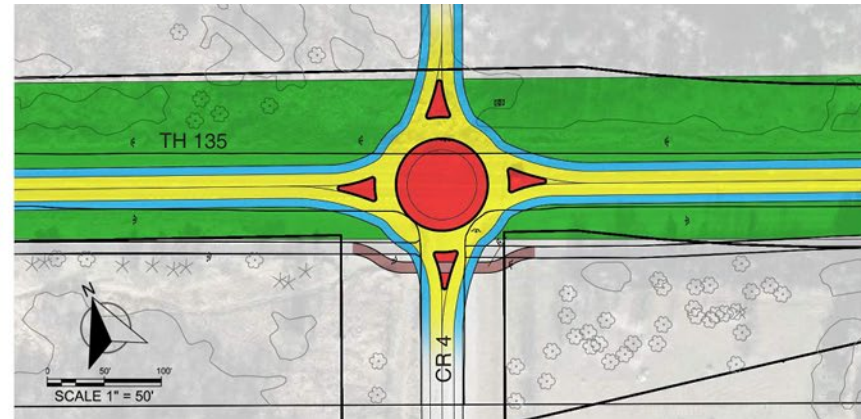
East Gateway between CR 138 and CR 4

2.8 CR 4 INTERSECTION OPTIONS



Option 1

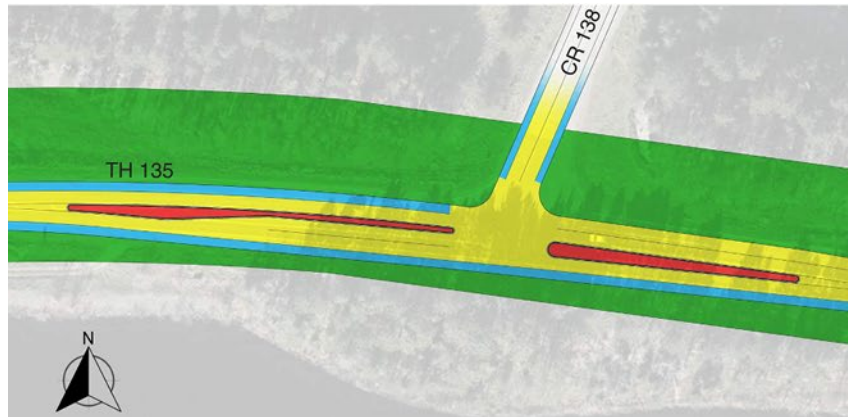
- Add center medians and turn lanes along TH 135
- Add lighting to the east and west of the intersection
- Provide paved shoulders for added driver security
- Minimize plantings in the area to ensure sight distances are maintained
- Provide north extension of CR 4 which may be a future expansion by the County



Option 2

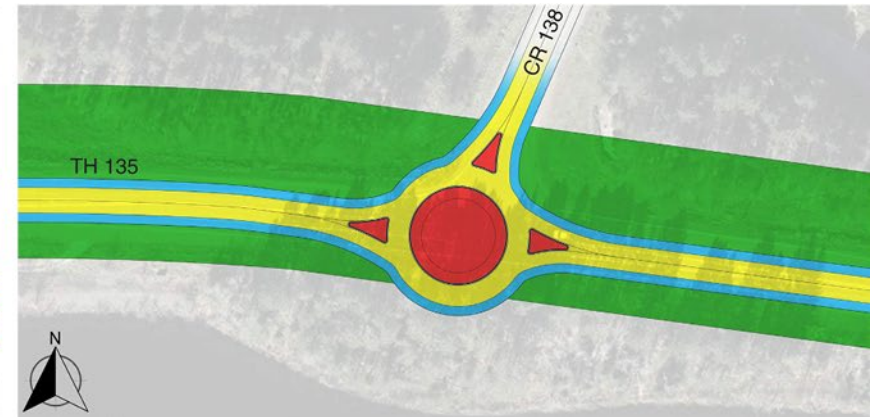
- Add a roundabout to reduce traffic speed and provide safer movement for crossing / turning traffic
- Adjust trail crossing to ensure safe pedestrian and bike crossing
- Add lighting to the east and west of the intersection
- Provide paved shoulders for added driver security
- Plantings could be used in the area as long as sight distances are maintained
- Provide north extension of CR 4 which may be a future expansion by the County

2.9 CR 138 INTERSECTION OPTIONS



Option 1

- Add center medians and turn lane along TH 135
- Provide paved shoulders for added driver security
- Minimize plantings in the area to ensure sight distances are maintained
- Provide north extension of CR 4 which may be a future expansion by the County
- Giants Ridge could add monument sign and/or plantings to create a more grand entrance



Option 2

- Add a roundabout to reduce traffic speed and provide safer movement for crossing / turning traffic
- Provide paved shoulders for added driver security
- Plantings could be used in the area as long as sight distances are maintained
- Giants Ridge could add monument sign and/or plantings to create a more grand entrance

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Chapter Three: Corridor Masterplan Development

3.1 MAIN STREET – ALTERNATIVE CONCEPTS

After gathering and reviewing information obtained during the Complete Streets Phase and Preliminary Design Phase, feedback was utilized in developing Main Street Design Alternatives. These alternatives began with program features previously identified and desired to be incorporated in the newly developed Main Street Project. These program features included such items as bumpouts at key intersections, ADA access to Main Street Buildings, landscaping improvements, amenity zones to help promote tourism, new roadway lighting, decorative lighting, decorative pavements, and site furnishings.

Four alternatives were developed to demonstrate a varying range of amenity zones, landscape treatments, and pedestrian zones. As part of this study, rough costs were also developed to aid in making both visual preferences as well as cost associated decisions. The following four concepts can be summarized as such:

Concept One – Basic

- Raised planters with shrubs and groundcover
- Large portable planters mid-block
- Medium level of decorative pavements
- Site furnishings at bumpout nodes and benches located mid-block

Concept Three – Medium Heavy

- Tree grates with ornamental trees
- Large portable planters mid-block
- Higher level of decorative pavement
- Site furnishings through mid-block

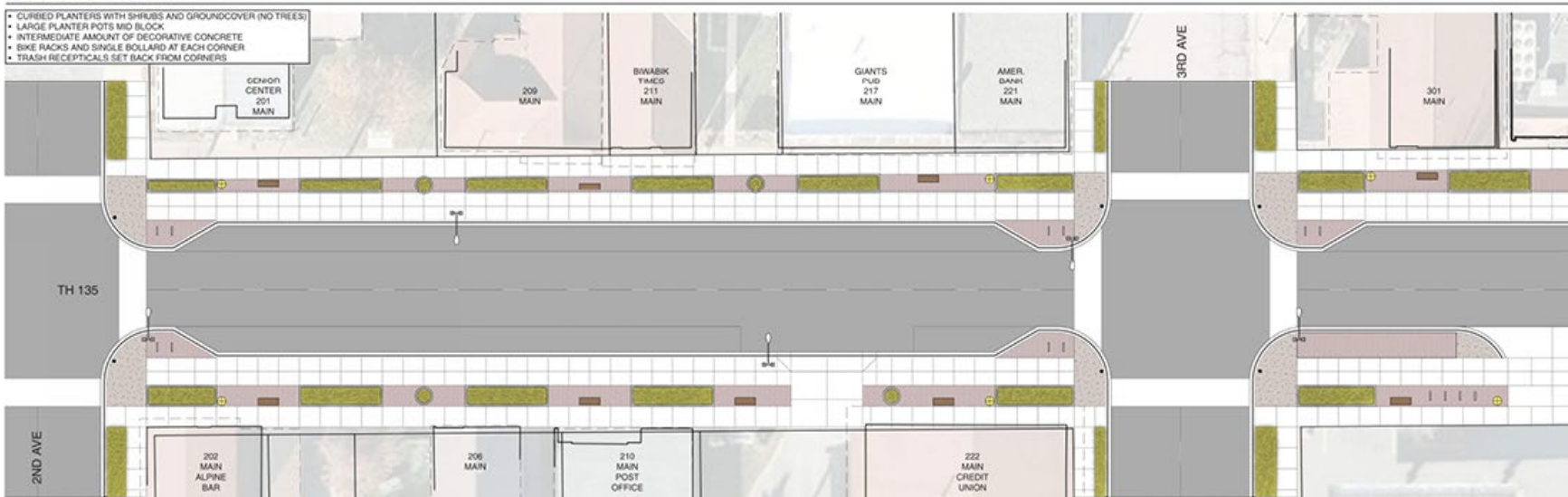
Concept Two – Moderate

- Raised planters with shrubs, groundcover, and ornamental trees at mid-block
- Shade trees located at bumpout nodes
- Medium level of decorative pavements
- Site furnishings at bumpout nodes and benches located mid-block

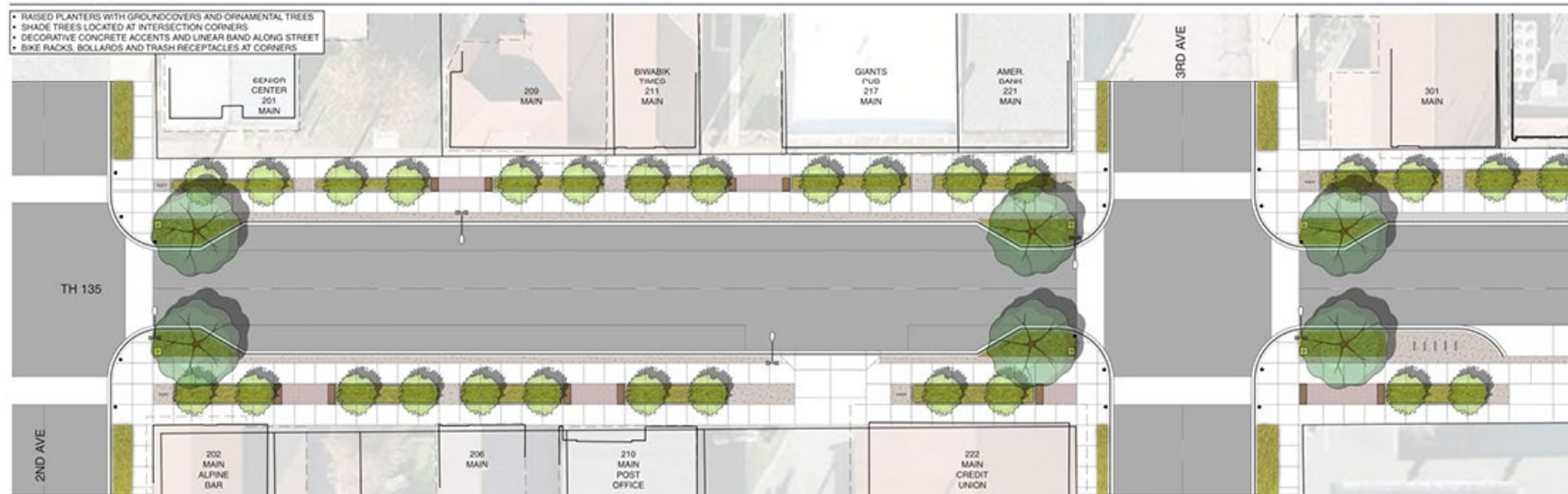
Concept Four – Heavy

- At-grade planters with shrubs, groundcover, and ornamental trees at mid-block
- Shade trees located at bumpout nodes
- Higher level of decorative pavements
- Designated bike parking areas along the corridor with other site furnishings at both bumpout nodes and mid-block

CONCEPT ONE



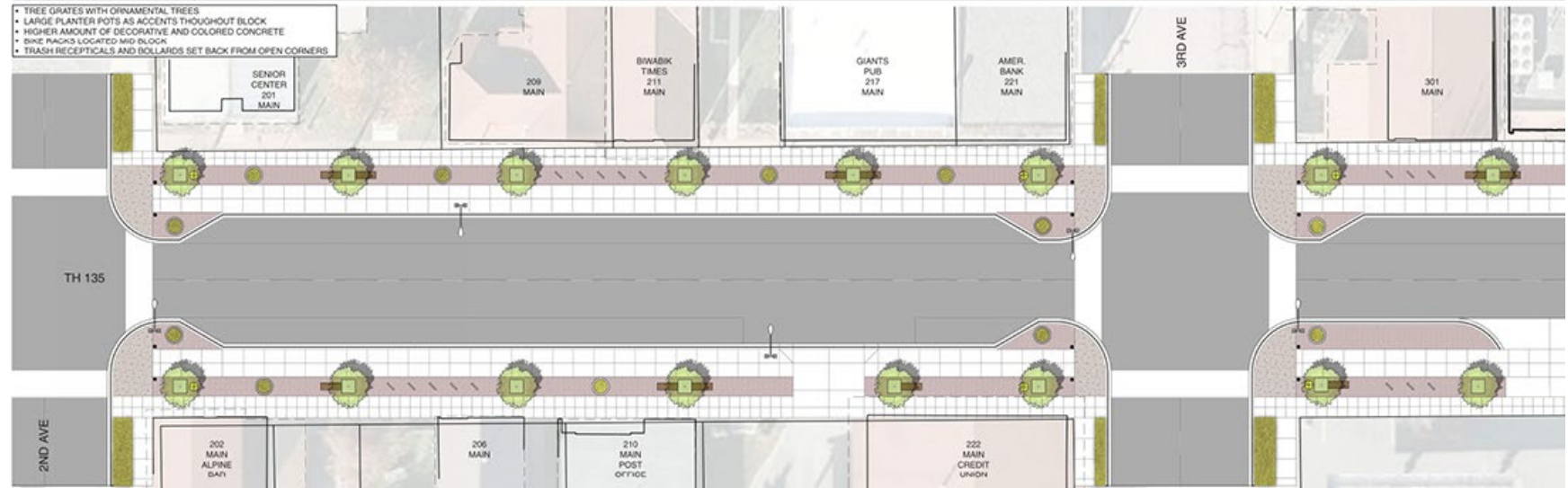
CONCEPT TWO



Chapter Three: Corridor Masterplan Development

CONCEPT THREE

- TREE GRATES WITH ORNAMENTAL TREES
- LARGE PLANTER POTS AS ACCENTS THROUGHOUT BLOCK
- HIGHER AMOUNT OF DECORATIVE AND COLORED CONCRETE
- BIKE RACKS LOCATED MID-BLOCK
- TRASH RECEPTACLES AND BOLLARDS SET BACK FROM OPEN CORNERS



CONCEPT FOUR

- AT-GRADE PLANTERS WITH GROUNDCOVERS AND ORNAMENTAL TREES
- SHADE TREES LOCATED AT INTERSECTION CORNERS
- DECORATIVE CONCRETE ACCENTS AND LINEAR BANDS PERPENDICULAR TO STREET
- LARGER BIKE PARKING AREAS LOCATED AT SELECT LOCATIONS ALONG STREET
- BOLLARDS LOCATED AT CROSSWALKS AND TRASH RECEPTACLES AT LIGHT POLE LOCATIONS



3.2 MAIN STREET – PREFERRED DESIGN CONCEPT

After reviewing the four alternative concepts with the design team, a blending of elements was done to create a Preferred Design Concept. This one-block template was the guide for the Main Street design approach moving forward with any design decisions. It included some smaller mid-block raised planters with ornamental trees, decorative pavement at all areas outside the pedestrian access route, some shade trees at the intersection bumpouts, several portable planters mid-block, and a mix of site furnishings both at the intersection bumpouts and mid-block.

PREFERRED DESIGN CONCEPT



- RAISED PLANTERS WITH GROUNDCOVERS AND ORNAMENTAL TREES
- SHADE TREES LOCATED AT ALTERNATING INTERSECTION CORNERS
- LARGE PLANTER POTS MID-BLOCK
- DECORATIVE CONCRETE AT INTERSECTION PEDESTRIAN RAMPS AND AROUND RAISED PLANTERS
- PAVERS OR STAMPED CONCRETE ALTERNATE BETWEEN PLANTING AREAS
- UNINHIBITED ACCESS TO SIDEWALK BETWEEN EACH PARALLEL PARKING STALL
- BIKE RACKS, BENCHES AND TRASH RECEPTACLES AT CORNERS



LEGEND

	PAVEMENT TYPE 1 - STANDARD CONCRETE		BENCH
	PAVEMENT TYPE 2 - COLORED / STAINED CONCRETE		BIKE RACKS
	PAVEMENT TYPE 3 - DECORATIVE PAVEMENT		TRASH RECEPTACLE
	PLANTING BED AREA - SHRUBS / PERENNIALS		RAISED PLANTER POT
			CURBED / RAISED PLANTING BED

Chapter Three: Corridor Masterplan Development

3.3 COMMUNITY IDENTITY

Throughout the design process, it was emphasized by both City staff and the task force that the cultural history of the community should tie into the final design. The City takes great pride in the Bavarian design elements which range from the buildings and their architectural design standards to the red sidewalks that line the Main Street corridor. Spaces were allocated during the development of the design concepts for features to be incorporated during the final design phase or designated for future improvements when funds allowed. This included, but was not limited to, another entry sign on the east side of town to match the existing west entry sign, decorative pavements, special light poles, and custom seating elements.



Bavarian Architectural Style



Existing Community Identity



TH 135: Biwabik Urban Design



Traditional Style Site Furnishings



Bavarian Signage



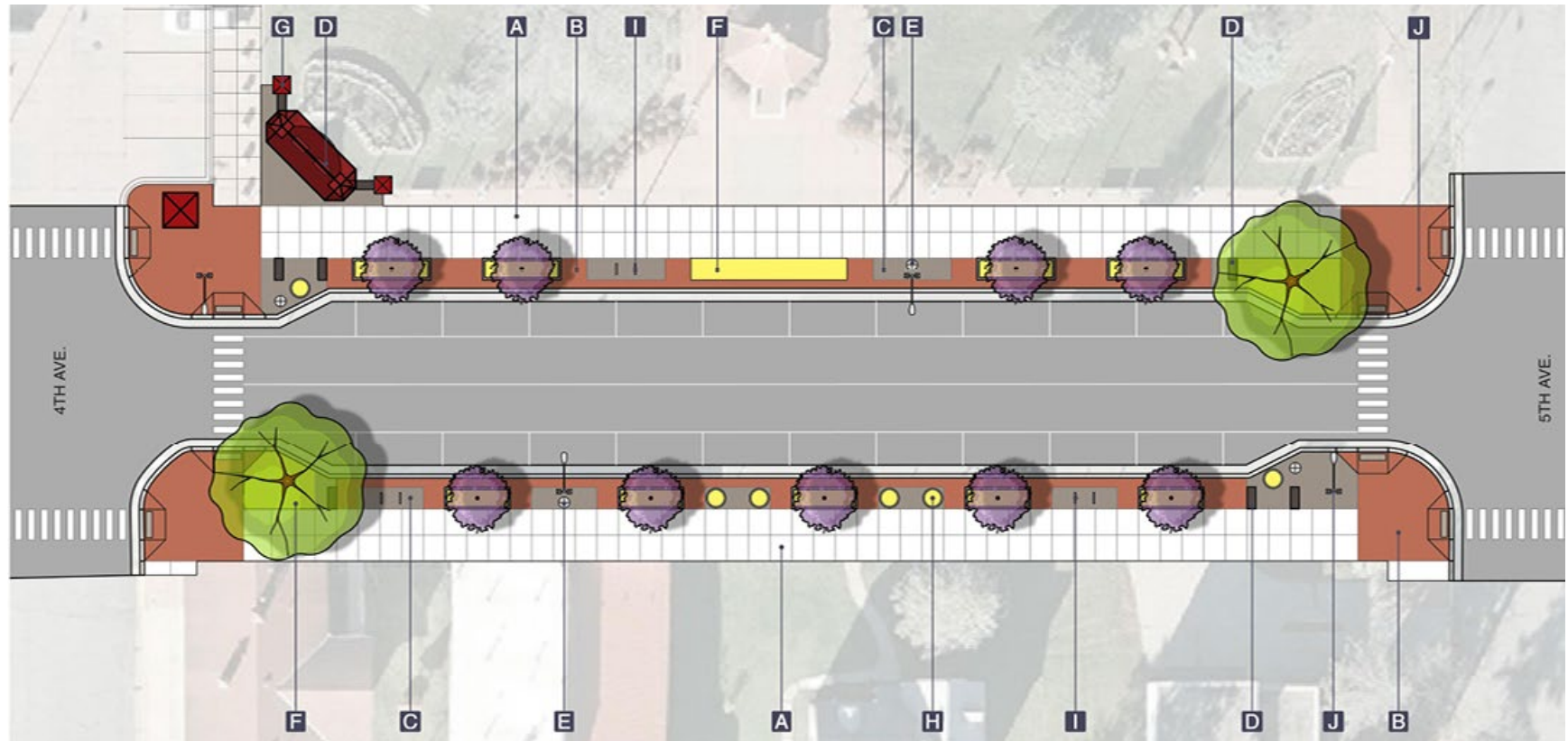
Raised Planting Beds



Chapter Three: Corridor Masterplan Development

3.4 VISUAL QUALITY DESIGN ELEMENTS AND MATERIALS

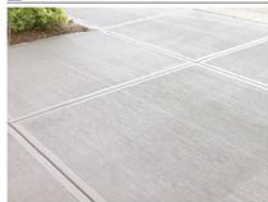
As part of the Bavarian design theme, new amenities proposed in the corridor should have a matching style and character to tie to and complement the City's existing design standards and preferred material palettes. The red colored concrete would be utilized in the new design for the amenity zone outside the primary pedestrian access route. Additional decorative pavement would be used for key amenity areas like bike rack zones, seating areas, and portable planter areas. Planting areas were reduced in size but maintained a mix a shade and ornamental trees. Benches and trash receptacles were also located for future inclusion when funds would be available. Again, all amenities would be carefully reviewed and selected by City staff to ensure the preservation of the City's Bavarian architectural style.



TH 135: Biwabik Urban Design

PAVEMENT

A PAVEMENT TYPE I



STANDARD CONCRETE

B PAVEMENT TYPE II



COLORED CONCRETE



STAINED CONCRETE

C PAVEMENT TYPE III



STAMPED CONCRETE (COLORED)



BRICK PAVERS



CONCRETE PAVERS

SITE FURNISHINGS

D SEATING



TRADITIONAL BENCH



STONE SEATWALL



CUSTOM SWING

E SEATING



RECYCLED PLASTIC

F WASTE RECEPTACLES



LANDSCAPE ELEMENTS

F PLANTING BEDS



FORMAL



NATURALISTIC

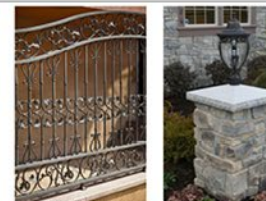


PLANT MASSING

G ARCHITECTURAL



STONE WALL



WROUGHT IRON



STONE COLUMNS



WAYFINDING AND SIGNAGE

H PLANTERS



PRECAST CONCRETE



STEEL



RECYCLED PLASTIC

I BIKE RACKS



HITCH POST



DECORATIVE RACK



LOOP

J SIGN POSTS AND LIGHT BASES



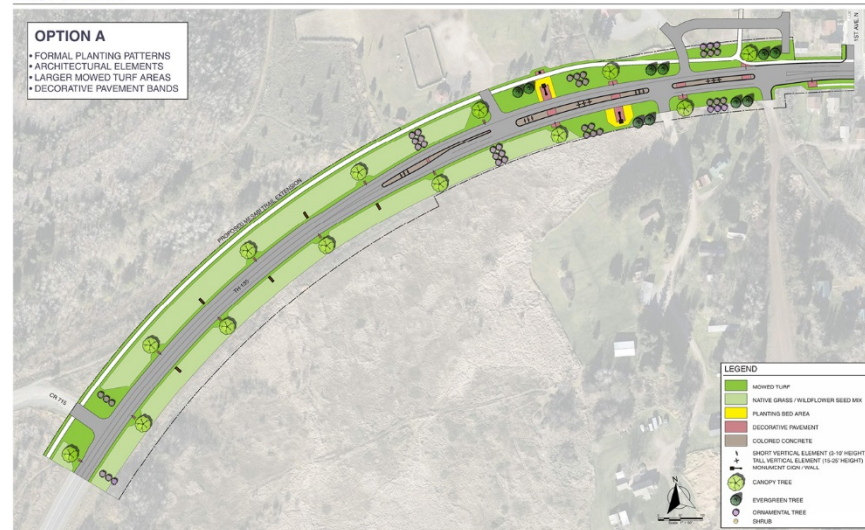
DECORATIVE STEEL

Chapter Three: Corridor Masterplan Development

3.5 GATEWAYS – ALTERNATIVE CONCEPTS

One key design element was gateway features at both the east and west entrances of town. These would serve as a warm and inviting entry into town as well as serve as a warning to motorists that they should reduce traffic speeds. The design alternatives focused on landscape treatments along the corridor, center islands to help create an inviting entrance into town as well as help reduce traffic speeds, landscaping around the existing monument sign, roadway lighting, and a new monument sign at the east gateway entrance. Two alternatives were developed as shown below demonstrating two varying landscape applications.

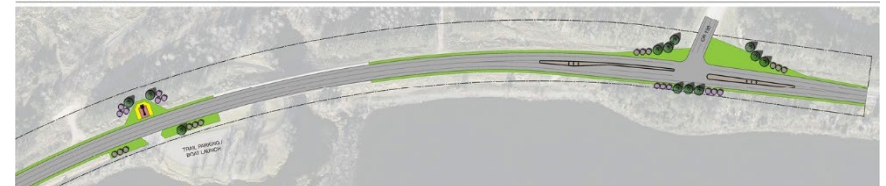
WEST GATEWAY



EAST GATEWAY



OUTER GATEWAY



Option A

- Formal plantings
- Architectural elements
- Large mowed turf areas
- Decorative pavement in medians and landscaping

TH 135: Biwabik Urban Design

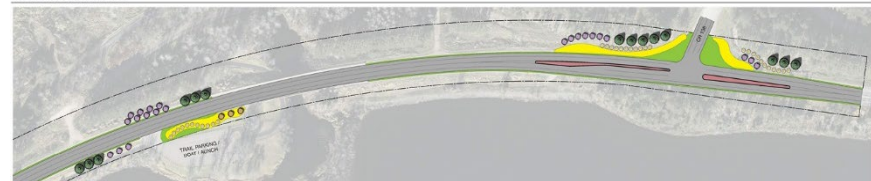
WEST GATEWAY



EAST GATEWAY



OUTER GATEWAY



Option B

- Tree and shrub groupings
- Reduced areas of mowed turf
- Plantings in medians
- Decorative pavements at ends of medians

Chapter Three: Corridor Masterplan Development

3.6 WEST GATEWAY – PREFERRED DESIGN CONCEPT

Of the two alternative concepts, the preferred design focused heavily on more densely utilized landscape treatments along the corridor. Additional landscaping would be utilized around the existing monument sign. Specialized areas with larger landscaped beds would occur at the City's edge to aid in creating a more welcoming feature. It was also preferred that landscaping within the newly added center medians be done to not only create a more welcoming gateway into the City, but create a visual element of motorist to aid in reduced traffic speeds prior to entering Biwabik contrary to how traffic enters the City currently. Lighting is also proposed to extend beyond the city limits to also announce to drivers that they are entering Biwabik and should begin to reduce speeds and promote a more safe pedestrian environment.

WEST GATEWAY





The image above helps portray what the west gateway could look like at the existing monument sign. A center median with turn lane will provide added landscaping, traffic calming, and protection to motorists turning on and off the road. Additional landscaping at the existing monument sign along with newly added stone walls help reinforce the entry gateway experience and gateway beautification. The proposed Mesabi Trail extension is also shown on the north side of the right-of-way which is planned for implementation in the near future.

Chapter Three: Corridor Masterplan Development

3.7 EAST GATEWAY – PREFERRED DESIGN CONCEPT

The east gateway was divided into two sections, the east gateway and outer east gateway. The first section focuses on the immediate gateway zone at the eastern edge of Biwabik creating a similar feel and effect as the west gateway. Like the west gateway, the east gateway will use design elements to both reduce motorist speeds as well as create a “front door” to Biwabik with the addition of a monument sign and landscaping. The monument sign will mimic the west gateway’s existing sign along with stone walls in the adjacent landscaping. With a similar design to the west gateway, the east gateway will also include center medians for traffic flow and landscape purposes. In addition, tree plantings and roadway lighting will be used in this gateway as well.

Several modifications were also proposed with the roadways within the east gateway. The matrix of roadways and intersections within the 7th Avenue North and 8th Avenue North corridor will have improvements made to make traffic movements safer for motorist and pedestrians. In addition to roadway improvements, trail crossing improvements are also proposed for the existing Mesabi Trail. Currently there is no delineated crossing at the east gateway so a proposed crossing will also be included.

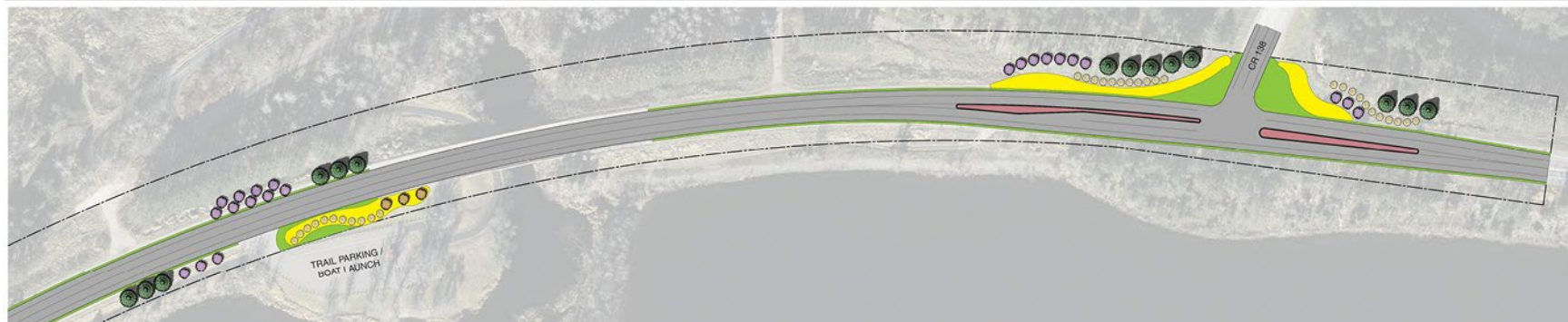
EAST GATEWAY



TH 135: Biwabik Urban Design

The outer east gateway extends from just outside the eastern limits of Biwabik, through the CR 4 intersection, extending to the CR 138 intersection which leads to Giants Ridge. The CR 4 intersection has been analyzed under a separate traffic study project with a potential extension to the north. Whether or not this occurs, it was discussed that the passing lane to the east of this intersection be removed and protected turn lanes be added. This extended east gateway will also provide a greater connection between Biwabik, Giants Ridge, and Vermilion Trail Park. Tourist that visit either of these destinations are connected by the Mesabi Trail to the City of Biwabik. Creating not only safe roadways for drivers needs to be taken into consideration, but equally so the trail users that travel along the same corridor. The area is fairly well forested with native trees, but additional plantings have been incorporated at key areas to create points of interest at specific intersections and driveways.

OUTER GATEWAY



Chapter Three: Corridor Masterplan Development



The image above portrays what the east gateway could potentially look like. A new monument sign to replicate the existing sign at the west gateway would be included. Center medians will provide added landscaping and traffic calming to the east gateway entrance of Biwabik. Landscaping will be included around the monument sign as well as stone walls to continue to reinforce the entry gateway experience and landscape beautification. The existing Mesabi Trail along the south right-of-way would be preserved with an improved crossing at the eastern edge of the city limits.

3.8 FINAL MAIN STREET PLANS / PERSPECTIVES

This visual quality process was one that began with City staff, MnDOT staff, and stakeholder group. Special meetings were held with businesses and residents that occupy the Main Street corridor to get input and feedback as it directly relates to them. Through a series of design exercises and workshops, preferences were defined and prioritized. Special consideration was given for utility improvements that are both planned and currently under construction, extension of the Mesabi Trail and how it might be incorporated into the design, preservation of culturally sensitive facilities within the corridor, traffic calming and pedestrian safety, and visual appearance for residents and visitors of Biwabik. As the design process created a preferred design concept and vision, additional plan enlargements and perspective images were developed to help convey a look and feel for the proposed corridor improvements. The graphics provided were near final images used for the large format open house. The purpose of the open house was to gain support from the larger community as it relates to the proposed improvements of Main Street. The proposed plans were widely supported, and minor refinements were made based upon feedback from the community as follow up comments from City staff, stakeholder group, and MnDOT staff.



Perspective of 3rd Avenue North intersection looking toward the east



Perspective of pedestrian zone outside the post office looking east



Perspective of pedestrian zone looking west toward
4th Avenue North and City Hall



Perspective of 4th Avenue North intersection looking toward the west



Final rendered enlargement plan from about 1st Avenue North to 4th Avenue North showing extents of improvements for hardscaping, landscaping, lighting, and site furnishings.

TH 135: Biwabik Urban Design

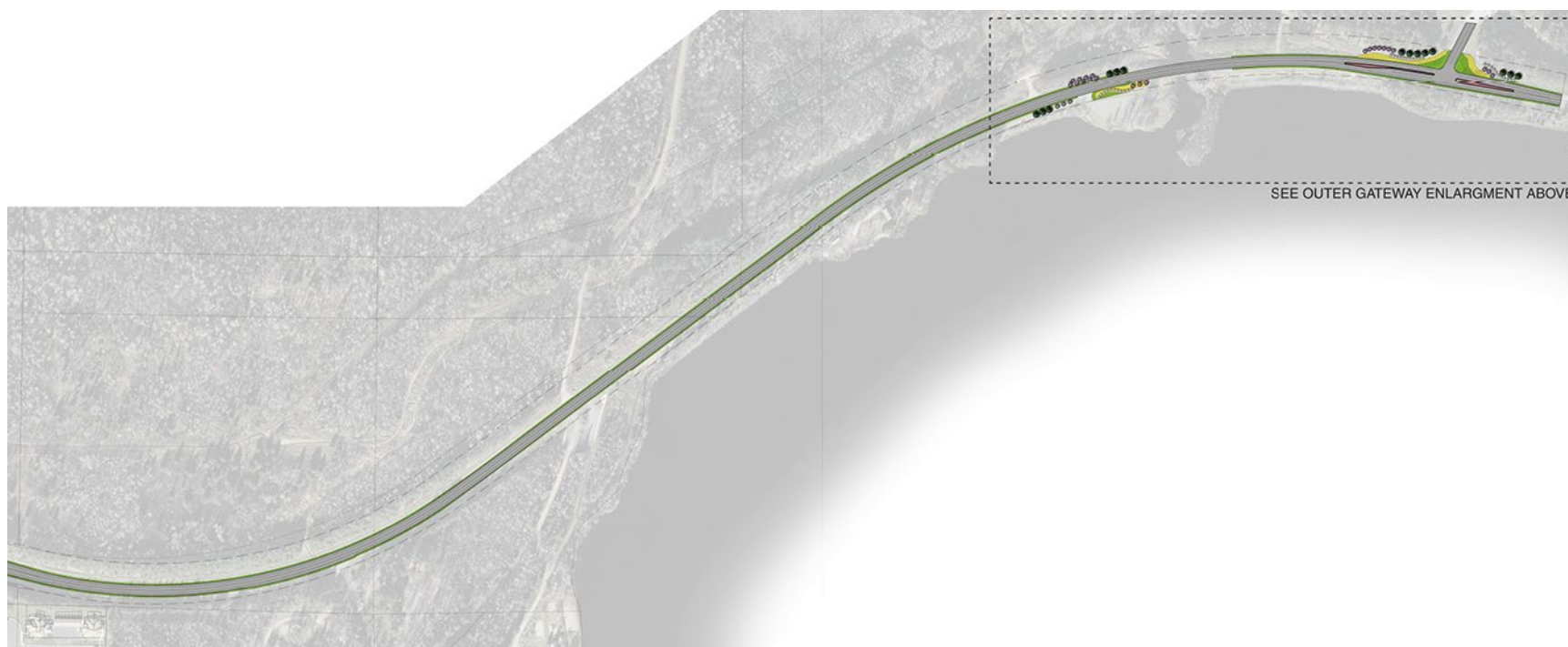


Final rendered enlargement plan from about 4th Avenue North to 8th Avenue North showing extents of improvements for hardscaping, landscaping, lighting, and site furnishings.

OVERALL CORRIDOR PLAN



Final rendered plan of Main Street and adjacent west gateway and east gateway to CR 4 intersection.



Final rendered plan of east gateway from CR 4 intersection to the CR 138 intersection.



Brainerd City Council Agenda Request

Requested Meeting Date: March 7, 2022

Title of Item: Consideration of Revised Section 320 Amendment Language

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☒ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Community Development Director	Department: Community Development
Presenter (Name & Title): David Chanski, CDD	Estimated Time Needed: 5 minutes
Summary of Issue: During the City Council workshop on January 24, staff lead Council through a discussion on code enforcement. At the conclusion of that discussion, the consensus was to proceed with complaint driven enforcement only. Additionally, significant issues regarding blight, property maintenance, and nuisance abatement should be brought before the Safety & Public Works Committee for direction. SPW made comment on February 22 on the proposed language and directed staff to incorporate their comments and bring back a revised draft. Staff has taken this direction and made the desired revisions to the amendments to the amendment language.	
Alternatives, Options, Effects on Others/Comments: A red-lined version of Section 320 is attached. The primary changes come under Section 320.07, which is the Administrative Offenses; Schedules of Fines and Fees subdivision. Additionally, a minor amendment to Section 320.05 has been made to remove City Planner and add Community Development Director and Assistant Planner to the list of authorized positions to issue compliance letters and administrative citations. Once the proposed language has been approved, staff will bring back an ordinance to formally adopt these changes at the next City Council meeting.	
Recommended Action/Motion: Motion to approve the proposed changes to Section 320 of the City Code and direct staff to draft the subsequent ordinance amendment.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

Section 320 – Administrative Citations

Section 320.01 Purpose. The City Council determines that there is a need for alternative methods of enforcing the City Codes. While criminal fines and penalties have been the most frequent enforcement mechanism, there are certain negative consequences for both the City and the accused. The delay inherent in that system does not ensure prompt resolution. Citizens resent being labeled as criminals for violations of administrative regulations. The higher burden of proof and the potential of incarceration do not appear appropriate for most administrative violations. The criminal process does not always regard City Code violations as being important. Accordingly, the City Council finds the use of administrative citations and the imposition of civil penalties is a legitimate and necessary alternative method of enforcement. This method of enforcement is in addition to any other legal remedy that may be pursued for City Code violations.

Section 320.03 Alternative Methods of Enforcement. This administrative enforcement procedure seeks to gain compliance with certain provisions of the City Code prior to any formal criminal or civil court action. The administrative hearing process provided for in this Section shall be in addition to any other legal or equitable remedy available to the City for City code violations, except that if a determination is made by the hearing officer pursuant to the hearing process detailed in Section 320.19 that a violation did not occur, the City may not then proceed with criminal prosecution of the same act or conduct.

Section 320.05 Authority to Issue Order to Correct Letters and Administrative Citations. The following City employees and agents are authorized to issue compliance letters and administrative citations for violations of the City Codes:

- 1) Licensed peace officers, the Crime Prevention Specialist, and Community Service Officers of the Brainerd Police Department;
- 2) City Building Official;
- 3) Building Inspectors;
- 4) Housing Inspector;
- 5) Animal Control Officer;
- 6) City Engineer;
- 7) Community Development Director~~City Planner~~;
- 7) Assistant Planner;
- 8) Fire Chief, or Fire Inspector of the Brainerd Fire Department

Section 320.07 Administrative Offenses; Schedules of Fines and Fees.

Subd. 1 A violation of any provision of the City Code is an administrative offense which may be subject to an administrative citation and civil penalties pursuant to this ordinance. ~~Each day a violation exists constitutes a separate offense.~~

~~Subd. 2 An administrative offense may be subject to a civil penalty not exceeding \$2,000.~~

~~Subd. 23 The City Council shall adopt by resolution a schedule of recommended fines for offenses initiated by administrative citation. The schedule of fines for offenses initiated by administrative citation shall be:~~

- ~~- 1st Citation: \$100~~
- ~~- 2nd Citation: \$200~~
- ~~- 3rd Citation: \$300~~

The City Council is not bound by this ~~that~~ schedule when a matter is appealed for administrative review.

~~Subd. 3 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 be then referred as a recommendation to the City Council for final approval.~~

Subd. 4 The City Council may adopt a schedule of fees to be paid to administrative hearing officers.

~~Subd. 5 The City Council shall adopt written procedures for administering the administrative citation program. The Administration of the administrative citation program shall be conducted solely on a complaint driven basis. Offenses of a nature that may result in bodily harm, damage to property, or significant blight may be brought before the Safety & Public Works Committee without a complaint for determination whether to implement the administrative citation program. The determination of the Safety & Public Works Committee shall be then referred as a recommendation to the City Council for final approval.~~

Section 320.09 Order to Correct; Administrative Citations. Upon the reasonable belief that an administrative offense has occurred, the City officials listed in Section 320.05 shall serve on the violator an order to correct the violation. If compliance is not achieved within the timeline prescribed in the order to correct the violation, the official is authorized to issue an administrative citation. Violations relating to property maintenance and violations of the Zoning Code, with the exclusion of violations relating to signs and off-street parking, shall be corrected within thirty (30) days of the date of the order to correct. All other violations of the Code shall be corrected within ten (10) days of the date of the order to correct.

An administrative citation shall be presented in person or by first class mail to the person responsible for the violation. Service shall be deemed complete upon depositing the citation in

the U.S. Mail, properly addressed to last known address of the person to be served and postage prepaid. The citation shall state the following: date, time and nature of the offense, citing the relevant portion of the City Code that was allegedly violated, the amount of the scheduled civil fine, and the manner for paying the fine, a statement that the City Code violation and the amount of the administrative civil penalty may be contested to be heard before an independent hearing officer by notifying the City Administrator or designated representative in writing within 10 days of the date of the citation, and a statement that failure to pay the administrative civil penalty may result in it being assessed against the property as provided in Minnesota Statutes Chapter 429.

Section 320.11 Exceptions to Issuance of Order to Correct Letter. For violations of the following sections, the City shall not be required to issue a compliance letter and may proceed directly to the issuance of an administrative citation as provided in Section 320.09.

- 1) Repeat Offender. If the same owner commits a subsequent violation within 12 months after a compliance letter has been issued for the same or similar offense.
- 2) License Violations. For any license violations, including not having a license.
- 3) Traffic or Parking Violations. For traffic or parking violations issued under Sections 1300, 1305, 1310 and 1315 including obstruction of fire hydrants or fire lanes.
- 4) Animal Violations. For any violations of City Code Section 900.03 (Running at Large) or City Code 900.21 (Dangerous Dogs).
- 5) Noise Violations. For any violation of City Code Section 2014 (Noise Related Issues).

Brainerd City Code

320.13

Section 320.13 Reasonable Extensions. Following service of the compliance letter, the City shall attempt to work with the owner to resolve the violation, including but not limited to responding to reasonable extensions for compliance.

Section 320.15 Payment of Penalty and Correction of Violation. If the owner pays the administrative civil penalty and corrects the City Code violation, no further action will be taken against the owner or the owner's real property for that same violation. If payment is made but correction is not accomplished, a subsequent administrative citation may be issued, criminal proceedings may be initiated, or any other proceedings or remedies available in order to enforce correction of the violation. If no payment is made and no correction of the violation is made, the City may assess the administrative civil penalty against the property owner pursuant to Minnesota Statutes Chapter 429, issue a subsequent administrative citation and commence a new administrative process, initiate criminal proceedings, or initiate other enforcement action authorized by law, or a combination hereof.

Section 320.17 Request for Hearing. An owner or occupant may contest the administrative citation and the amount of the fine by requesting a hearing, in writing, within 10 days of the date of the citation, to the City Administrator or designated representative.

Section 320.19 Administrative Hearing Procedures.

Subd 1. Hearing Officers. The City Council will periodically approve a list of lawyers, from which the City Administrator will select a Hearing Officer to hear and determine a matter for which the hearing is requested. The person who has requested the hearing has the right to request, no later than 15 days before the date of the hearing, that the assigned Hearing Officer be removed from the case. One such request for each case will be granted by the City Administrator. A subsequent request must be directed to the assigned Hearing Officer who will decide whether the Hearing Officer can fairly and objectively review the case. If such a finding is made, the Hearing Officer shall remove himself or herself from the case, and the City Administrator shall assign another Hearing Officer. The Hearing Officer is not a judicial officer, but is a public officer as defined by Minnesota Statutes, Section 609.415. The Hearing Officer shall not be a current or former employee of the City of Brainerd.

Subd 2. Notice of Hearing. Notice of the hearing must be served in person or by first class mail to the person responsible for the violation no less than 20 days in advance of the scheduled hearing, unless a shorter time is accepted by both parties. Service shall be deemed complete upon depositing the Notice of Hearing in the U.S. Mail, properly addressed to last known address of the person to be served and postage prepaid.

Subd 3. Payment for Cost of Hearing. The cost of the hearing shall be borne solely by the non-prevailing party. The City shall provide an estimate of the cost of the hearing at the time of the request for hearing. The City Council has the authority to reduce the non-prevailing party's costs where that party can demonstrate indigency by clear and convincing evidence.

Proof of indigency can be demonstrated by the party's receipt of means tested governmental benefits or a demonstrated lack of assets or current income. Such proof shall be presented to the City Council for determination subsequent to the hearing. However, the Hearing Officer at the time of the hearing shall make specific findings as to whether or not the party is indigent with said findings presented to the City Council. In all cases, where the party requesting the hearing is unable to attend and fails to request a continuance of the hearing at least 48 hours in advance of the scheduled hearing, all costs incurred by the City attributable to the hearing shall be charged to the requesting party.

Subd 4. Hearing Procedures. At the hearing, the parties shall have the opportunity to present testimony and question any witnesses, but strict rules of evidence shall not apply. The Hearing Officer shall record the hearing and receive testimony and exhibits and the full record of the hearing shall be kept. The Hearing Officer shall receive and give weight to evidence, including hearsay evidence, which possesses probative value commonly accepted by reasonable and prudent people in the conduct of their affairs.

Subd 5. Authority of Hearing Officer. The Hearing Officer has the authority to determine that a violation did or did not occur, to dismiss a citation or impose the scheduled fine or to reduce, stay or waive a scheduled fine either unconditionally or upon compliance with appropriate conditions. When imposing a penalty for a violation, the hearing officer may consider any or all of the following:

- 1) The duration of the violation;
- 2) The frequency or recurrence of the violation;
- 3) The seriousness of the violation;
- 4) The history of the violation;
- 5) The violator's conduct after issuance of the notice of hearing;
- 6) The good faith effort of the violator to comply;
- 7) The economic impact of the penalty on the violator;
- 8) The impact of the violation upon the community;
- 9) Any other factors appropriate to a just result.

Subd 6. Fines for Continuing Violations. The Hearing Officer may exercise discretion to impose a fine for more than one day of a continuing violation but only on a finding that the violation caused a serious threat of harm to the public health, safety, or welfare, or the accused intentionally and unreasonably refused to comply with the Code requirement. The Hearing Officer's decision and supporting reasons for continuing violations must be in writing.

Subd 7. Decision of the Hearing Officer. The Hearing Officer shall issue a decision in writing to both parties within 10 days of the hearing. Any fines or penalties imposed must be paid no later than 30 days of the date of the Hearing Officer's order. If the fine is not paid, the City may assess the civil penalty against the owner's property pursuant to Minnesota Statutes Chapter 429. If the Hearing Officer determines that no violation occurred, the City may not proceed with criminal prosecution for the same act or conduct. The decision of the Hearing Officer is final and may only be appealed to the Minnesota Court of Appeals by petitioning for a writ of certiorari pursuant to Minnesota Statute Section 606.01.

Section 320.21 Payment of fines. Prior to any assessment for unpaid fines, the City shall seek payment of the fines by notifying the owner of the property in writing of the fine imposed.

Section 320.23 Assessment Procedure. Unpaid fines including an administrative charge of \$25.00 plus interest of the total balance will be assessed pursuant to Minnesota Statutes, Chapter 429, against the property of the owner charged with the violation. For uncorrected or continued violations, the City will correct the violation and assess the charges for doing so.

(Added Ord. 1191 – 2003, Ord. 1356 - 2010)

**CITY OF BRAINERD
PERSONNEL AND FINANCE COMMITTEE
AGENDA**

March 7, 2022

7:00 PM

WebEx Teleconference Call-In Information

Call Toll-Free: 1-844-992-4726

Access Code: 2489 681 2883

1. Fire Department Relief Association – 2021 Annual Report Update
2. Consider Approval of an Agreement between the City of Brainerd and the Brainerd HRA to provide HR Services
3. Ratify the Hiring of 2022 Engineering Interns
4. Authorize Final Payment on Lum Park Master Plan
5. Consideration of Crow Wing Historical Society Donation Request
6. Fire Contract Formula for 2023 – Informational
7. Update on the Request for Funds to be Returned from Lakes Area Media Collaborative



Brainerd City Council Agenda Request

Requested Meeting Date: March 7, 2022

Title of Item: Fire Department Relief Association - 2021 Annual Report Update

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Connie Hillman	Department: Finance
Presenter (Name & Title): Joe Enge/Matt Holmstrom	Estimated Time Needed: 5 Minutes
Summary of Issue: At the August 16, 2021 Council meeting the Council made a motion to authorize staff to sign the Fire Relief Association annual reports and to increase the pension benefit to \$14,750 per year of service, from \$12,000 a year. The report showed that the fund balance was at 105% and could support the increase with no required contribution from the City. A portion of the report is attached. The Relief Association was notified in January of this year that the State made a actuarial change to the rate of return used on the report to 7-8%. This affected 13 Relief Association and only 3 of them in a negative way. The Brainerd Relief Association was one of the 3 that it affected in a negative way. Using a rate of return of 7-8% resulted in a required municipal contribution of \$88,273.	
Alternatives, Options, Effects on Others/Comments: Mr. Enge spent many hours researching this issue and talking with the State. The State's response was the City already signed off on the report and nothing else needed to be done. This didn't sit well with the Relief Association as it is not how the City and the Relief Association has done business in the past. In the end Mr. Enge was allowed to update a couple other assumption, resulting in a required municipal contribution for 2022 of \$30,252. The City does contribute the Police & Fire PERA rate (17.70%) on the gross payroll to the Relief Association. The Relief Association members also redirect \$3 of their hourly wage to the Relief Association. The 2022 budgeted contribution to the Relief Association, including the \$3 redirection, is \$61,850 (\$34,866 P&F PERA Rate on gross payroll of \$170,000, and \$26,984 redirection). Granted this is all based on the number of runs etc., but the City can use the entire amount paid to the Relief Association, including the member's \$3 redirection, to meet the required municipal contribution for 2022. The actual 2021 contribution to the Relief Association was just over \$67,000.	
Recommended Action/Motion: Authorize Staff to sign the revised annual reports that show a required municipal contribution for 2022 of \$30,252.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ 30,252 <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i> The 2022 budgeted payment to the Relief Association including the \$3 per hour redirection is \$61,850.	

OFFICE OF THE STATE AUDITOR

Financial Projections

	2021	2022	
Total Active Member Liabilities	3,684,295	4,038,431	
Total Deferred Member Liabilities	1,182,663	1,241,797	
Total Unpaid Installments	0	0	
Grand Total Special Fund Liability	A. 4,866,958	B. 5,280,228	
Normal Cost (Cell B minus Cell A)			C. 413,270

Projection of Net Assets for Year Ending December 31, 2021

Special Fund Assets at December 31, 2020 (FIRE-20 Form ending assets) 1 4,601,973

Projected Income for 2021

Fire State Aid (2020 fire state aid of \$169,999 may be increased by up to 3.5%)	D. 169,999
Supplemental State Aid (actual 2020 supplemental state aid)	E. 37,525
Municipal / Independent Fire Dept. Contributions	F.
Interest / Dividends	G. 130,000
Appreciation / (Depreciation)	H. 190,000
Member Dues	I.
Other Revenues	J.
Total Projected Income for 2021 (Add Lines D through J)	2 527,524

Projected Expenses for 2021

Service Pensions (fill in individual pension amounts below)	K. 0
Names:	\$ Amounts:
Other Benefits	L.
Administrative Expenses	M. 17,207

Total Projected Expenses for 2021 (Add Lines K through M) 3 17,207

Projected Net Assets at December 31, 2021 (Add Lines 1 and 2, subtract Line 3) 4 5,112,290

Projection of Surplus or (Deficit) as of December 31, 2021

Projected Assets (Line 4)	5 5,112,290
2021 Accrued Liability (Page 4, cell A)	6 4,866,958
Surplus or (Deficit) (Line 5 minus Line 6)	7 245,332

Form SC-21

Brainerd Fire Relief Association

OFFICE OF THE STATE AUDITOR

Calculation of Required Contribution

Deficit Information - Original			Deficit Information - Adjusted		
Year Incurred	Original Amount	Amount Retired as of 12/31/2020	Original Amount	Amount Retired as of 12/31/2021	Amount Left to Retire 1/1/2022
2012	0	0			
2013	0	0			
2014	0	0			
2015	0	0			
2016	0	0			
2017	0	0			
2018	0	0			
2019	0	0			
2020	0	0			
2021					
Totals			0		0

Normal Cost	8	413,270
Projected Administrative Expense	9	17,809
Amortization of Deficit (Total of Original Amount column x 0.10)	10	0
10% of Surplus	11	24,533
Fire and Supplemental State Aid	12	207,524
Member Dues	13	0
5% of Projected Assets at December 31, 2021	14	255,615
Required Contribution (Add Lines 8, 9 and 10, subtract Lines 11, 12, 13 and 14. If negative, zero is displayed.)	15	0
No required contribution due in 2022.		

OFFICE OF THE STATE AUDITOR

Financial Projections

	2021	2022	
Total Active Member Liabilities	3,826,996	4,311,728	
Total Deferred Member Liabilities	1,182,663	1,241,797	
Total Unpaid Installments	0	0	
Grand Total Special Fund Liability	A. 5,009,659	B. 5,553,525	
Normal Cost (Cell B minus Cell A)			C. 543,866

Projection of Net Assets for Year Ending December 31, 2021

Special Fund Assets at December 31, 2020 (FIRE-20 Form ending assets) 1 4,601,973

Projected Income for 2021

Fire State Aid (2020 fire state aid of \$169,999 may be increased by up to 3.5%)	D.	169,999	
Supplemental State Aid (actual 2020 supplemental state aid)	E.	37,525	
Municipal / Independent Fire Dept. Contributions	F.		
Interest / Dividends	G.	100,587	
Appreciation / (Depreciation)	H.	606,217	
Member Dues	I.		
Other Revenues	J.		
Total Projected Income for 2021 (Add Lines D through J)	2	914,328	

Projected Expenses for 2021

Service Pensions (fill in individual pension amounts below)	K.	0	
Names:	\$ Amounts:		
Other Benefits	L.		
Administrative Expenses	M.	17,207	

Total Projected Expenses for 2021 (Add Lines K through M) 3 17,207

Projected Net Assets at December 31, 2021 (Add Lines 1 and 2, subtract Line 3) 4 5,499,094

Projection of Surplus or (Deficit) as of December 31, 2021

Projected Assets (Line 4)	5	5,499,094
2021 Accrued Liability (Page 4, cell A)	6	5,009,659
Surplus or (Deficit) (Line 5 minus Line 6)	7	489,435

Form SC-21

Brainerd Fire Relief Association

OFFICE OF THE STATE AUDITOR

Calculation of Required Contribution

Deficit Information - Original			Deficit Information - Adjusted		
Year Incurred	Original Amount	Amount Retired as of 12/31/2020	Original Amount	Amount Retired as of 12/31/2021	Amount Left to Retire 1/1/2022
2012	0	0			
2013	0	0			
2014	0	0			
2015	0	0			
2016	0	0			
2017	0	0			
2018	0	0			
2019	0	0			
2020	0	0			
2021					
Totals			0		0

Normal Cost

8

543,866

Projected Administrative Expense

Enter 2020 Admin Exp here:

9

17,207

17,809

Amortization of Deficit (Total of Original Amount column x 0.10)

10

0

10% of Surplus

11

48,944

Fire and Supplemental State Aid

12

207,524

Member Dues

13

0

5% of Projected Assets at December 31, 2021

14

274,955

Required Contribution (Add Lines 8, 9 and 10, subtract Lines 11, 12, 13 and 14. If negative, zero is displayed.)

15

30,252

The required contribution must be made during 2022.



Brainerd City Council Agenda Request

Requested Meeting Date: March 7, 2022

Title of Item: Consider Approval of an Agreement to Provide HR Services to the HRA

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Kris Schubert & Eric Charpentier	Department: Human Resources & Brainerd HRA
Presenter (Name & Title): Kris Schubert, HR Director	Estimated Time Needed: 2 minutes
Summary of Issue: For many years, the Brainerd Housing and Redevelopment Authority (HRA) employees have been covered under the City's health insurance policy and ancillary benefits with the HRA paying the City a fee for the HR Department to assist their employees with those benefits. In 2021, the Brainerd HRA requested that the City assist the HRA with more Human Resources (HR) duties including consultation and assistance in connection with staffing, performance management, development of compensation plans, benefits, and job evaluation.	
Alternatives, Options, Effects on Others/Comments: Included in the 2022 budget was a fee charged to the HRA for said services based on the budgeted wage and benefits for the City's HR Director and the new HR Assistant in the amount of \$21,909. The attached agreement clarifies the services that City Staff will be asked to provide as well as establishes the annual fee for said services going forward based on the number of full-time employees employed by each entity.	
Recommended Action/Motion: Motion to approve the attached Joint Powers Agreement between the City of Brainerd and the Brainerd Housing and Redevelopment Authority for Human Resources Services.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☒ Yes ☐ No <u>Please Explain:</u>	

**JOINT POWERS AGREEMENT BETWEEN THE CITY OF BRAINERD
AND THE BRAINERD HOUSING AND REDEVELOPMENT AUTHORITY
FOR HUMAN RESOURCES SERVICES**

This Agreement is entered into by and between the City of Brainerd, a Minnesota municipal corporation, and the Brainerd Housing and Redevelopment Authority (HRA), a Minnesota public body, corporate and politic, pursuant to Minn. Stat. § 471.59.

1. Purpose. The purpose of this Agreement is to enable the City to provide human resources services to the HRA and for the HRA to secure such services from the City.
2. Term. The term of this Agreement shall commence on January 1, 2022 and shall continue until terminated pursuant to this Agreement.
3. Services to be Provided by the City. The City agrees to provide human resources services to the HRA. These services include, but are not limited to, consultation and assistance in connection with staffing, performance management, development of compensation plans, benefits, and job evaluation. The City also agrees to permit HRA employees to participate in the City's training programs on the same terms as City employees.
4. Status of HRA Employees. All persons hired by the HRA, including those hired with the consultation and/or assistance of the City, are and shall remain employees of the HRA. HRA retains the exclusive authority to make all decisions in respect to staffing, performance management, the compensation plan and job evaluation, as well as all decisions respecting the relationship between HRA and its employees. Nothing in this Agreement shall be construed to create the relationship of employer and employee between the City and any HRA employee.
5. Responsibility of City as Employer. As the employer of the Human Resources Director and other staff within the City's Human Resources Department, the City is solely responsible for all payments and benefits to these City employees.
6. Payment for Human Resources Services. In consideration for the services rendered under this Agreement, the HRA shall pay the City \$21,909 for calendar year 2022. Unless otherwise agreed to by written amendment to this Agreement, the future annual cost to the HRA for said services shall be calculated by adding together the budgeted wages and benefits for the City's HR Director and HR Assistant and a fee allocated to the HRA based on the percentage of full-time employees employed by each entity. Payment shall be made quarterly.

7. Data. The City and HRA agree to abide by the Minnesota Government Data Practices Act and all other applicable state and federal laws, rules and regulations relating to data practices, data privacy and confidentiality.

The HRA agrees to provide the City with all such information, data and authorizations the City requires in order to provide services pursuant to this Agreement. The HRA agrees that it will be solely responsible for responding to data practices requests for HRA data in the possession of the City pursuant to this Agreement.

8. Miscellaneous Provisions.

- a. Compliance with Laws and Standards. The City of Brainerd and the Brainerd HRA agree to abide by all Federal, State or local laws, statutes, ordinances, rules and regulations now in effect or hereafter adopted pertaining to this Agreement or to the facilities, programs and staff for which the parties are responsible.
- b. Liability and Indemnification. Each party to the Agreement shall be liable for its own acts and the results thereof to the extent authorized by law and shall not be responsible for the acts of the other party, its officers, employees or agents. To the extent allowed by law, each party hereby agrees to defend and indemnify the other, its officers and employees against any and all liability, loss, costs, damages, expenses, claims or actions, including attorney's fees which the other, its officers and employees may hereafter sustain, incur or be required to pay, arising out of or by reason of any act or omission of the party, its agents, servants or employees, in the execution, performance, or failure to adequately perform its obligations pursuant to the Agreement.

It is understood and agreed that liability arising from the parties' acts or omissions is governed by the provisions of the Municipal Tort Claims Act, Minn. Stat. Chapter 466, and other applicable laws.

- c. Amendments. Any alterations, variations or modifications of the provisions of this Agreement shall be valid only when reduced to writing, approved by the parties' Board or Council, and signed by authorized representatives.
- d. Termination. This Agreement shall terminate upon 180 days' written notice of one party to the other.
- e. Disposition of Property. Upon termination of this Agreement, any property acquired as a result of activities undertaken pursuant to this Agreement and any surplus moneys shall be returned to the HRA.

f. Relationship of the Parties. Nothing contained in this Agreement is intended or shall be construed in any manner as creating or establishing a partnership, joint venture, or agency relationship between the parties. Nothing contained in this Agreement shall be construed to create the relationship of employer and employee between the City and the HRA's employees.

g. Notice. All notices and communications required by this Agreement shall be given in writing, by certified mail, as follows:

To HRA: Eric Charpentier
Executive Director
324 East River Road
Brainerd, MN 56401

To City: Jennifer Bergman
City Administrator
501 Laurel Street
Brainerd, MN 56401

h. Counterparts. The Agreement may be signed in one or more counterparts, each of which shall constitute an original and all of which, taken together, shall constitute one and the same agreement.

Brainerd Housing and Redevelopment Authority

Eric Charpentier
Executive Director

Dated: _____

City of Brainerd

Dave Badeaux, Mayor

Dated: _____

Attest:

Jennifer Bergman
City Administrator



Brainerd City Council Agenda Request

Requested Meeting Date: March 7, 2022

Title of Item: Ratify the Hiring of 2022 Engineering Interns

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Paul Sandy & Kris Schubert	Department: Human Resources
Presenter (Name & Title): Kris Schubert, HR Director	Estimated Time Needed: 1 minute
Summary of Issue: Staff has begun the hiring process for our summer employees. Two temporary Engineering Department Interns have been hired so far; therefore, Staff is requesting that the City Council ratify the hiring of 2022 Engineering Department Interns Isaiah Escobedo and Erik Desmith. Staff has applied for and was granted Sourcewell's Internship Reimbursement Program for one Engineering Intern. Sourcewell's program will reimburse the City up to \$12 per hour for Erik's employment.	
Alternatives, Options, Effects on Others/Comments: Pursuant to MN Statute, seasonal assignments are limited to 67 working days per calendar year or 100 working days per calendar year if the employees are under the age of 22, are full-time students enrolled in a nonprofit or public educational institution prior to being hired by the employer, and have indicated, either in an application for employment or by being enrolled at an educational institution for the next academic year or term, an intention to continue as students during or after their temporary employment.	
Recommended Action/Motion: Motion to ratify the hiring of our 2022 Engineering Interns as noted on the attached listing.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☒ Yes ☐ No The wages for these positions are included in the 2022 budget. <u>Please Explain:</u>	

2022 Interns/Temporary Employee List

			Date of	Hourly	Budgeted	Eligible for
	Name	Job Title	Hire	Rate	Wage	Sourcewell Funding
1	Isaiah Escobedo	Engineering Intern	5/10/2022	\$ 18.00	\$ 17.00	No-previous Sourcewell Intern
2	Eric Desmith	Engineering Intern	5/9/2022	\$ 16.00	\$ 17.00	Yes
Submitted for Consideration at March 7, 2022 Council Meeting						



Brainerd City Council Agenda Request

Requested Meeting Date: March 7, 2022

Title of Item: Authorize Final Payment on Lum Park Master Plan

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☒ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Jennifer Bergman/Connie Hillman	Department: Admin/Finance
Presenter (Name & Title): Jennifer Bergman/Connie Hillman	Estimated Time Needed: 5 Minutes
Summary of Issue: At the December 2, 2019 council meeting the Council authorized up to \$20,000 to be in the 2020 budget for a master plan of Lum Park in conjunction with the Region 5 Children's Museum (R5CM). At the March 16, 2020 council meeting, the Council authorized the City Administrator to enter into a proposal with Widseth for the Lum Park master plan. The proposal had a total cost of \$37,000, which \$20,000 would be paid by the City and \$17,000 by the R5CM. On November 2, 2020, the City and the R5CM ended their relationship as we could not come to agreement on the location of the museum. The City asked the Children's Museum to pay their portion of the master plan; however, the R5CM stated that they will not pay their portion since the museum will no longer be located in Lum Park.	
Alternatives, Options, Effects on Others/Comments: Widseth had already started the plan and reduced the price from \$37,000 to \$24,500. The Park Board decided to hire Widseth to provide design standards. The Lum Park master plan was the foundation to begin the discussions on the design standards and was an integral piece of the design standards. The fee from Widseth to complete the design standards was \$3,500 which was significantly lower due to work that had already been done on the Lum Park master plan. To date the City has paid \$22,050 for the Lum Park Master Plan.	
Recommended Action/Motion: Authorize final payment for the Lum Park Master Plan in the amount of \$2,450. The cost of the plan was \$4,500 more than budgeted.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ 2,450 Is this budgeted? ☐ Yes ☒ No The master plan was over budget by \$4,500. <u>Please Explain:</u>	

■ DESIGN STANDARDS GUIDELINES

■ CONCEPTUAL DESIGNS



LUM PARK MASTER PLAN

LUM PARK IS ONE OF BRAINERD'S MOST HISTORIC PARKS, LOCATED ON THE SHORES OF RICE LAKE. THE PARK PROVIDES ACCESS TO RICE LAKE, CAMPGROUND, DISC GOLF COURSE, PLAYGROUND EQUIPMENT, LARGE OPEN GREEN SPACE AND MATURE TREES. IN AN EFFORT TO MAINTAIN AND PRESERVE LUM PARK FOR FUTURE GENERATIONS, THE BRAINERD PARKS & RECREATION BOARD HAS DEVELOPED A MASTER PLAN FOR LUM PARK THAT PROVIDES A VISUAL FOR HOW THIS WILL BE ACHIEVED. THERE ARE SIX FEATURES TO THIS MASTER PLAN, WHICH INCLUDE THE FOLLOWING:

HISTORY

- THE HISTORIC ENTRANCE WILL ONCE AGAIN BECOME A PROMINENT ENTRY INTO THE PARK FOR PEDESTRIANS. THE HISTORIC STRUCTURE LOCATED IN THE NORTHEAST CORNER OF THE PARK WILL BE HIGHLIGHTED WITH INTERPRETIVE SIGNAGE THAT IS LOCATED WITHIN A SHELTERED GATHERING SPACE.

PEDESTRIAN CONNECTIVITY

- LUM PARK WILL BECOME MORE ACCESSIBLE DUE TO ACCESS PROVIDED BY THE PROPOSED EXPANSION OF THE CUYUNA BIKE TRAIL SYSTEM. THE SOUTHWEST PORTION OF THE PARK WILL NOW SERVE AS A TRAILHEAD TO ACCOMMODATE THE INCREASED CONNECTIVITY WITH PEDESTRIAN USE.

CAMPGROUND

- THE EXISTING CAMPGROUND AT LUM PARK WILL BE EXPANDED TO ACCOMMODATE ADDITIONAL CAMPERS AND POTENTIAL TENT SITES ALONG THE SOUTHERN PORTION OF THE PARK THAT WILL BE ADJACENT TO THE NEW CUYUNA BIKE TRAIL. EXPANSION OF THE EXISTING CAMPGROUND IS IN RESPONSE TO THE POPULARITY AND REVENUE THAT IS GENERATED.

PARK AMENITIES

- HORSHOE PITS, BAG TOSS, NEW PLAYGROUND EQUIPMENT, EXPANSION OF THE EXISTING DISC GOLF COURSE AND PAVILIONS INCLUDE THE NEW AND IMPROVED PARK AMENITIES. ONE EXAMPLE OF THIS IS THE REPLACEMENT OF THE BATH HOUSE WITH A LAKE SIDE PAVILION.

RICE LAKE

- A LARGE PORTION OF THE EXISTING PARKING ADJACENT TO THE LAKE WILL BE REPURPOSED INTO AN EXPANSION OF THE BEACH AREA. ACCESSIBLE PARKING WILL BE SALVAGED TO PROVIDE ACCESS FOR ALL USERS, HOWEVER PRIORITY FOR THIS AREA WILL BE PLACED ON ENGAGING WITH THE LAKE. STRATEGIC CLEARING OF VEGETATION ALONG THE LAKESHORE WILL PROVIDE UNOBSTRUCTED VIEWS OUT TOWARDS RICE LAKE.

SIGNAGE

- ADDITIONAL SIGNAGE WILL BE CONSTRUCTED AT THE INTERSECTION OF WONDERLAND PARK ROAD AND HIGHWAY 210 IN AN ATTEMPT TO INCREASE AWARENESS OF LUM PARK.

LUM PARK ROAD

- PENDING A SUCCESSFUL AWARD OF THE STATE PARK ROAD GRANT, LUM PARK ROAD WILL BE IMPROVED AND ENHANCED FROM THE ENTRANCE INTO THE PARK TO THE BOAT LANDING. ENHANCEMENTS WILL INCLUDE A PEDESTRIAN PATH ADJACENT TO THE ROAD FOR PEDESTRIAN SAFETY.





Brainerd City Council Agenda Request

Requested Meeting Date: March 7, 2022

Title of Item: Consideration of Crow Wing Historical Society Donation Request

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Connie Hillman	Department: Finance
Presenter (Name & Title): Finance Director Hillman	Estimated Time Needed: 5 Minutes
Summary of Issue: Please see the attached request from the Historical Society for a donation. Donations are usually prohibited unless there it is specifically authorized by statute or charter. Attached is information for the State Auditor's Officer, the League of MN Cities, and the State Revisor talking about donations which allow a donation to a historical society. The donation wasn't specifically budgeted, but could be paid out Special Projects (2022 budget is \$28,000) or the general unallocated account.	
Alternatives, Options, Effects on Others/Comments: There is not a donation request specified in the letter from the Historical Society. However, below is a short history of past donations to the Historical Society: 2006 - \$500 2008 - \$500 2011 - \$200 2012 - \$400 2013 - \$300 2014 - \$300 2017 - \$300 (paid for out of Special Projects budget line item) 2018 - \$300 (paid for out of Special Projects budget line item) 2019 - \$300 (paid for out of Special Projects budget line item) 2020 - \$0 No request? 2021 - \$500 (paid out of the Special Projects budget line item)	
Recommended Action/Motion: Authorize a \$500 donation to the Historical Society to be paid out of the Special Projects budgeted line item.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ <u>unknown</u> <i>Is this budgeted?</i> ☐ Yes ☒ No <i>Please Explain:</i>	

CROW WING COUNTY

HISTORICAL SOCIETY
MUSEUM & LIBRARY - EST. 1927

RECEIVED

FEB 18 2022

CITY OF BRAINERD
ADMINISTRATION

Email:
history@crowwing.us

Website:
www.crowwinghistory.org

Street Address:
320 Laurel Street
Brainerd, MN 56401

Phone:
(218) 829-3268

February 16, 2022

Jennifer Bergman
City of Brainerd
501 Laurel Street
Brainerd, MN 56401

Dear City of Brainerd:

Supporting history supports our community.

Each year the Crow Wing County Historical Society sends a letter of appeal to local cities and townships. We have appreciated generous donations that have advanced our mission. Since 1927, the Crow Wing County Historical Society has been collecting, preserving, and sharing the history of Crow Wing County. By supporting us, you are connecting the people of today with the people of the past.

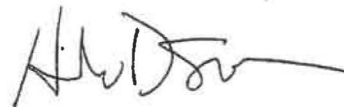
Our new focus is on relatable items and stories of local individuals that draw comparisons to current life. History provides a foundation for critical thinking, a sense of community, and inspiration for leadership. Local history provides a context for life and gives a sense of community pride. Teaching youth about our history can give them a sense of appreciation for what they have and where they live. Please help us make connections that will create proud, valuable citizens of Crow Wing County.

We thank you for your time and consideration of this opportunity. The Crow Wing County Historical Society is a 501(c)(3) non-profit organization and affiliated with and approved by the Minnesota Historical Society.

Respectfully yours,



Don Samuelson
President, Board of Directors



Hillary Swanson
Executive Director

P.S. Please call us for a private tour for your council or township board. We would love to show you what we have been working on and what your money will do for our community.



Listed on the
National Register
of Historic Places



REBECCA OTTO
STATE AUDITOR

STATE OF MINNESOTA OFFICE OF THE STATE AUDITOR

SUITE 500
525 PARK STREET
SAINT PAUL, MN 55103-2139

(651) 296-2551 (Voice)
(651) 296-4755 (Fax)
state.auditor@osa.state.mn.us (E-mail)
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Statement of Position Public Expenditures: Donations and Dues

Public entities are often asked to give funds to support various groups and activities. While the causes may be worthwhile, public entities need to be cautious when making any financial commitments involving public funds.

In most circumstances, public entities have no authority to give away public funds as donations. Generally, in order to spend money, a public entity must have authority to do so. Authority for an expenditure may be specifically stated in a statute or charter, or it may be implied as necessary to do what an express power authorizes. In addition, the expenditure must be for a "public purpose."

Gifts/Donations to Private Individuals/Organizations

Following these general principles, donations to people, non-profits, charities, or other groups are not permitted unless they are based upon specific statutory or charter authority. For example, the Minnesota Attorney General's Office has issued opinions finding that cities have no authority to donate city funds to organizations such as the Red Cross or the Boy Scouts.¹ The assumption is that a gift of public funds to an individual or private entity serves a private rather than a public purpose.

Before a public entity makes a contribution, it is important for that entity to determine that it has specific authorization to make the expenditure. Here are some examples of specific, statutorily authorized appropriations:

- **Artistic Organizations.** A county, city or town may appropriate money to support artistic organizations.²
- **Historical Causes.** A town or city may appropriate annually a specified amount to a county historical society so long as the society is affiliated with, and approved by, the Minnesota Historical Society.³ Cities have express authority to commemorate important and outstanding events in city history, and to appropriate money to collect, preserve and distribute its history data for future generations.⁴ The Attorney General's Office recognizes that a city can advance money to a

¹ See, for example, Op. Att'y Gen. 59-A-3 (May 21, 1948).

² Minn. Stat. § 471.941.

³ Minn. Stat. § 138.053.

⁴ Minn. Stat. § 471.93.

Reviewed: December 2014
Revised: April 2014

2007-1017

nonprofit to sponsor a centennial celebration.⁵

- **Prevention of Cruelty to Animals.** A county may appropriate money for maintenance and support of the local society for the prevention of cruelty to animals.⁶
- **Food Shelves.** Cities and counties may donate funds in the form of grants to food shelves providing food to the needy without charge.⁷
- **Senior/Youth Centers.** A county, city or town may appropriate money to support the facilities, programs, and services of a public or private, not-for-profit senior citizen center or youth center.⁸
- **Public Recreation Programs.** Counties, cities, towns and school districts may spend funds to operate programs of public recreation, recreational facilities, and playgrounds.⁹ These programs may be conducted independently or with any nonprofit organization.
- **Promotion.** A city or urban town may appropriate up to \$50,000 annually to an incorporated development society or organization of this State, for promoting, advertising, improving, or developing the economic and agricultural resources of the city or urban town.¹⁰ A city may appropriate money to advertise the city and its resources and advantages.¹¹ Similarly, a county may appropriate funds to a similar entity for promoting, advertising, improving or developing the economic and agricultural resources of the county.¹² The county statute does not contain an annual spending limit.
- **Employee Recognition.** Towns may spend funds to recognize volunteers, service efforts, and retiring town officers.¹³ Counties and cities may spend funds for preventive health and employee recognition services.¹⁴
- **Community Celebrations.** Towns may spend funds to host or support a community celebration.¹⁵ Cities or towns may spend funds on Memorial Day observances,¹⁶ and may appropriate money for county or district fairs,¹⁷ centennial and historical celebrations.¹⁸ Statutory cities may spend funds to provide free musical entertainment.¹⁹ The authority to purchase fireworks seems to be implied.²⁰

⁵ See Op. Att’y Gen. 59a-3 (Jan. 18, 1968) (citing Minn. Stat. § 471.93).

⁶ Minn. Stat. § 343.11.

⁷ Minn. Stat. § 465.039.

⁸ Minn. Stat. § 471.935.

⁹ See generally, Minn. Stat. §§ 471.15 to .1911. Minn. Stat. Minn. Stat. § 469.189., and 471.16, subd. 1.

¹⁰ Minn. Stat. § 469.191. In addition, Economic Development Authorities (EDAs) have authority to conduct activities advancing the city and its economic development, and to carry out other public relations activities to promote the city and its economic development. See generally, Minn. Stat. §§ 469.090-.1081 and Minn. Stat. § 469.1082 (county EDAs).

¹¹ Minn. Stat. § 375.83.

¹² Minn. Stat. § 469.189.

¹³ Minn. Stat. § 365.10, subd. 12 (but electors must approve).

¹⁴ Minn. Stat. § 15.46.

¹⁵ Minn. Stat. § 365.10, subd. 12 (but electors must approve).

¹⁶ Minn. Stat. § 465.50.

¹⁷ Minn. Stat. § 38.12.

¹⁸ Minn. Stat. § 471.93.

¹⁹ Minn. Stat. § 412.221, subd. 15.

²⁰ Minn. Stat. § 624.22, subd. 1(a) (2) (A municipality may stage a fireworks display after obtaining a permit).

As an alternative to a donation, a public entity may enter into a contract with an organization to accomplish tasks that the entity is authorized to perform by statute or charter. For example, a city could not give money to the Boy Scouts for a recycling program, but the city could enter a contract with the Boy Scouts to do part of its recycling program. The amount of money paid to the Boy Scouts must be related to the value of the services they provide to the city.

Memberships and Dues

There is no general authorization for cities to join “private” organizations; but there may be specific statutory or charter authority to join specific organizations. For example, cities and urban towns in Minnesota may pay dues to become members of the League of Minnesota Cities.²¹

Similarly, cities, counties, and towns may appropriate money for membership in county, regional, state, and national associations of a civic, educational, or governmental nature. These associations must have as their purpose the betterment and improvement of municipal governmental operations.²² This authorization also allows public entities to participate in the meetings and activities of these associations.

A school board may authorize and pay for the membership of the school district or of any district representative designated by the board in those local economic development associations or other community or civic organizations that the board deems appropriate.²³

The Attorney General’s Office has determined that local units of government may *not* pay dues to a local chamber of commerce²⁴. However, because cities and urban towns may appropriate up to \$50,000 to an incorporated development society or organization for promotional activities, a city or urban town could contribute to a local chamber of commerce for one of the purposes authorized by statute, such as promoting the city or urban town.²⁵ Counties have similar authority but do not have the \$50,000 monetary cap.²⁶ The use of public funds would be limited to statutorily authorized activities. As a result, the OSA recommends that counties, cities, and urban towns create and maintain documentation that shows the funds have been given for specific statutory purposes.²⁷

²¹ Minn. Stat. § 465.58.

²² Minn. Stat. § 471.96.

²³ Minn. Stat. § 123B.02, subd. 24.

²⁴ See Attorney General Letter dated June 27, 1997 (attached).

²⁵ Minn. Stat. § 469.191. An EDA has broader authority to join an official, industrial, commercial or trade association, or other organization concerned with one of the EDA’s authorized purposes.

²⁶ Minn. Stat. § 375.83.

²⁷ Documentation includes, but is not limited, to minutes, resolutions and contracts.



STATE OF MINNESOTA

OFFICE OF THE ATTORNEY GENERAL

RUBERT H. HUMPHREY III
ATTORNEY GENERAL

June 27, 1997

GOVERNMENT SERVICES SECTION
525 PARK STREET
SUITE 200
ST. PAUL, MN 55103-2106
TELEPHONE: (612) 297-2040

Hans B. Borstad
Staples City Attorney
208 North Fourth Street
Staples, MN 56479

Re: Staples Chamber of Commerce Membership

Dear Mr. Borstad:

I am in receipt of your letter asking whether the City of Staples is authorized to pay membership dues to the Staples Chamber of Commerce. After reviewing prior opinions of the Attorney General on this issue as well as the relevant Minnesota statutes, it is my opinion that, while the City of Staples would be authorized by statute to appropriate up to \$50,000 annually to the Staples Chamber of Commerce in certain circumstances, the City would not be permitted to contribute this money in the form of membership dues absent specific authority to do so in the City Charter.

It is well settled in this state that a municipal corporation has only such powers as are expressly conferred upon it by statute or its charter, or necessarily implied therefrom. It has no inherent power. Borgelt v. City of Minneapolis, 271 Minn. 249, 135 N.W.2d 438 (1965); see generally 13A Dunnell, Minn. Digest 2d Municipal Corporations § 3.01a (3rd Ed. 1981). This longstanding principle was relied upon by our office in Op. Atty. Gen. 63-b-1, May 11, 1944, which concluded that the City of New Ulm, a home rule charter city, was without authority, under state law or local charter provision, to subscribe and pay for one or more memberships in a civic and commerce association which was a reorganization of a businessmen's association. Similarly, in Op. Atty. Gen. 218r, February 24, 1949 (1950 Attorney General Report No. 103), we concluded that the Village of Buffalo (now a statutory city) could not join or pay dues to a local chamber of commerce since no such power was conferred upon it by statute. In connection with this issue, your letter refers to three statutes as potential sources of authorization to take the action you describe.

Minn. Stat. § 469.189 (1944), authorizes the governing body of certain cities to appropriate money to advertise the municipality, its resources and advantages. This Office has taken the position that there is a distinction between statutory authorization to appropriate and use money for a purpose, and authorization to contribute money to a body generally committed to advancing a purpose. See, e.g., Op. Atty. Gen. 59a3, January 15, 1959, wherein we determined that statutory authority for a city to "appropriate money" for purposes of historical preservation and observances permitted the city to contract with the county historical society for specific services, but not to donate funds to the society to expend in its own discretion. For the

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same reasons, we conclude that section 469.189 (1996) does not authorize the city to donate funds or purchase a "membership" in the local chamber of commerce.

Minn. Stat. § 469.191 (1996) provides:

A home rule or statutory city or town described in section 368.01, subdivision 1 or 1a, may appropriate not more than \$50,000 annually out of the general revenue fund of the jurisdiction to be paid to any incorporated development society or organization of this state for promoting, advertising, improving, or developing the economic and agricultural resources of the city or town.

It is our understanding that this section was first enacted in 1989 primarily to allow small rural towns to participate in an organization called the Minnesota Initiative Fund, an organization which received grants from the McKnight Foundation matching certain contributions from towns and cities. However, contemporaneous legislative history indicates an understanding by the legislature that this law would also allow a city or town to contribute up to \$50,000 annually to a local chamber of commerce. This seems to be a reasonable interpretation of the language of Minn. Stat. § 469.191, and it is my opinion that this provision would authorize the City of Staples to contribute up to \$50,000 annually to the Staples Chamber of Commerce.

Authority to contribute does not necessarily permit membership, however. In general, it has been our view that authority of local units of government are not authorized to form or join "private" organizations absent specific statutory authority. See, e.g., Op. Atty. Gen. 92a-30, January 29, 1986; 733, July 29, 1988. For example, Minn. Stat. § 144.581 (1996), which is mentioned in those opinions, authorizes hospital authorities to join and sponsor memberships in certain organizations.

In addition, the Legislature has addressed the authority of municipalities to provide for municipal membership in certain local, state and national associations. In addition, cities are expressly authorized by Minn. Stat. § 465.58 (1996) to pay annual dues in the League of Minnesota Cities and the expenses of delegates attending the meetings thereof. Neither of these sections would apply to your situation, however.

A broader grant of authority is found in Minn. Stat. § 471.96, subd. 1 (1996), which provides as follows:

The governing bodies of cities, counties, and towns are hereby authorized to appropriate necessary funds to provide membership of their respective municipal corporations or political subdivisions respectively in county, regional, state, and national associations of a civic, educational, or governmental nature which have as their purpose the betterment and improvement of municipal

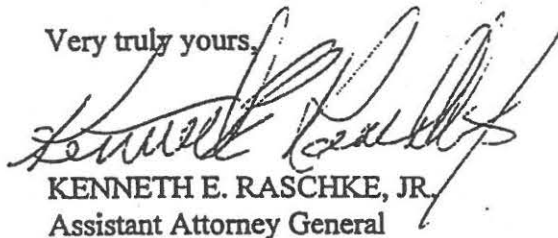
governmental operations. Cities, counties, and towns are also authorized to participate through duly designated representatives in the meetings and activities of such associations, and the governing bodies of cities, counties and towns respectively are authorized to appropriate necessary funds to defray the actual and necessary expenses of such representatives in connection therewith. For purposes of this section, the governing body of a town is the town board.

From our understanding of the nature of such organizations, it does not appear that chambers of commerce can be characterized as "associations of a civic, educational, or governmental nature which have as their purpose the betterment and improvement of municipal government operations" within the purview of this statute, even though their interests may include such objectives.

Subdivision 2 goes on to provide that the statute does not affect "any statutory, charter or common law power of cities" to provide for membership and participation in state and national associations. I am aware of no general statutory or common law power on the part of cities to provide for membership.

For the foregoing reasons, we conclude that the city lacks statutory authority to purchase membership in the local chamber of commerce. While it is possible that such authority might be contained in the City's Charter, your letter does not refer to any such charter provision, and we do not ordinarily undertake in our opinions to construe provisions of local charters. See Op. Atty. Gen. 629a, May 9, 1975.

Very truly yours,



KENNETH E. RASCHKE, JR.
Assistant Attorney General

(612) 297-1141

Minn. Stat. § 471.93. Section II-R, *Historical*.

Minn. Stat. § 471.935. Minn. Stat. §§ 471.15-.191. Office of State Auditor, Statement of Position: Expenditure of Public Funds to Schools and Senior Programs, Oct. 14, 2016.

Minn. Stat. § 412.221, subd. 34.

A.G. Op. 59-a-22 (Dec. 4, 1934).

MN State Auditor, Statement of Position Public Expenditure: Donations and Dues.

Minn. Stat. § 469.191.

Handbook, *Community Development and Redevelopment*.

Minn. Stat. § 465.03. Minn. Stat. § 465.04. Minn. Stat. § 471.895.

Accepting Donations, LMC Model Resolution.

3. Centennial and historical celebrations

The statutes do not specifically authorize cities to spend money for city centennial celebrations. An argument can be made, however, that cities may spend money on such local celebrations under a statute allowing cities to spend money to commemorate important historical events that occurred in the city. A later section of this memo discusses this authority in more detail.

H. Community centers

Any city may appropriate money to support the facilities, programs, and services of a public or private nonprofit senior citizen or youth center. No specific authority expressly allows cities to finance other community centers, but many cities have done so through the state recreation statutes.

I. Decorations

Statutory cities may spend money on decorations, signs, plaques, and attached accessories for public streets, buildings, and parks. Cities should use caution to ensure that decorations, such as those for the Christmas holidays, are not primarily religious in nature.

J. Donations

Cities often get asked to make donations to organizations operating for good causes. Generally, without express authority by charter or statute, cities do not have authority to appropriate or give away public funds as donations to any person, corporation or private institution. This does not mean, however, that a city can never contribute to an association or a corporation; but, to do so, the expenditure must further a public purpose and must be authorized by a statute or charter. Indeed, some statutes specifically allow support for certain organizations and causes.

For example, a specific state law exists that allows cities to give donations (of up to \$50,000 per year) to any incorporated developmental society or organization.

Also, various statutory economic development tools make it possible for cities to make certain contributions toward development and redevelopment. Again, cities should consult with their city attorneys or bond attorneys regarding allowable expenditures for development.

Cities may also accept gifts of real or personal property, including money, and use them in accordance with the terms prescribed by the donor. However, a city may not accept or use gifts for religious or sectarian purposes. A resolution accepting the gift and the donor's terms must receive an affirmative vote of two-thirds of the members of the council.

A.G. Op. 59-a-3 (May 21, 1948). A.G. Op. 218-r (Aug. 15, 1951). A.G. Op. 59-a-22 (Aug. 7, 1951). A.G. Op. 476-b-2 (Apr. 20, 1944). A.G. Op. 218-r (Feb. 10, 1942). A.G. Op. 476-b-2 (Apr. 29, 1954).
[Office of State Auditor, Statement of Position: Expenditure of Public Funds to Schools and Senior Programs, Oct. 14, 2016.](#)

[Minn. Stat. § 412.221, subd. 2.](#)

[Minn. Stat. § 349.213.](#)

[Minn. Stat. § 349.12.](#)

[Minn. Stat. § 471.941.](#)

[Minn. Stat. § 469.191.](#)
A.G. Op. (June 27, 1997) (informal letter opinion to Staples).
Section II-K, *Dues*.

1. Nonprofit organizations in general

The attorney general and the state auditor, over the years, have considered the question of whether cities can donate public funds to various groups. Public expenditures to the following groups or organizations do not have statutory authority and are invalid:

- Supporting the Boy Scouts.
- Sponsoring a local bowling team.
- Sponsoring a local kittenball team (like softball).
- Helping the American Legion build a Legion Hall.
- Supporting the Red Cross.
- Supporting a campaign to stop expansion of a neighboring city airport.
- Supporting schools.

Cities have other options to support nonprofits. For example, the city could use its contracting power to indirectly support nonprofits, such as contracting with a club to spend a Saturday cleaning up public grounds in exchange for money. Also, if a city maintains a fund created from gambling proceeds, those proceeds may be used for many types of charitable contributions that further a lawful purpose. The city should consult with its city attorney to ensure that the use of gambling proceeds complies with the statutory requirements of a lawful purpose expenditure.

2. Artistic organizations

Counties, cities, and townships may appropriate money to support artistic organizations. The governing body may divide the appropriation among multiple artistic organizations in proportions determined by the governing body.

An association, corporation, or other group that provides an opportunity for people to participate in the creation, performance, or appreciation of artistic activities qualifies as an “artistic organization”. The statute provides examples of “artistic activities” that cities can support; however, it, by no means, represents an exclusive list.

3. Incorporated development societies or organizations

State law authorizes cities “to appropriate not more than \$50,000 annually to any incorporated development society or organization of the state for promoting, advertising, improving, or developing the economic and agricultural resources of the city.”

Minn. Stat. § 465.039. Minn. Stat. § 465.037. Minn. Stat. § 469.191. Sections II-S, Hospitals and EMS and II-L, Economic development.

Minn. Stat. § 343.11.

Minn. Stat. § 465.90.

Minn. Stat. § 471.3459.

Donation of Surplus City Equipment to a Nonprofit Organization, LMC Model Policy.

Because of the limitations regarding donations, cities interested in donating up to \$50,000 in any given year to an incorporated development society or organization should consult their city attorney. For example, the attorney general’s office has opined that, while this authority allows a city to contribute up to \$50,000 annually to a chamber of commerce, it does not allow a city to become a member of the chamber of commerce, or to pay dues to it.

4. Community food shelves

Any city, town, or county may appropriate an amount to provide grants to nonprofit organizations that operate community food shelves and provide food to the needy without charge. Authority also exists to provide public money to support hospitals and certain economic development organizations. These circumstances are discussed in more detail in a later part of this memo.

5. Prevention of cruelty to animals

If a city has a society for the prevention of cruelty to animals (“SPCA”), it may appropriate monies, not otherwise appropriated, for the maintenance and support of that SPCA “in the transaction of the work for which they are organized”. However, no part of such an appropriation may go to pay the salary of any officer of the society.

6. Solicitation of donations by firefighters

Despite any law or ordinance to the contrary, any city may, by resolution, allow full-time firefighters employed by the city and while on duty, or volunteer firefighters serving the city while not on duty, to solicit charitable contributions from motorists.

A city that wishes to do this must follow certain strict requirements set forth in the statute, including restrictions on type of charitable organization, frequency and time frame of solicitations and proof of insurance.

7. Surplus city equipment

In 2016, the Minnesota Legislature passed a law allowing a “local government,” including statutory and home rule charter cities, to donate “surplus equipment” to a “nonprofit organization.” Surplus equipment includes equipment used by a local government public works department, and also includes cellular phones, emergency medical and firefighting equipment no longer needed by the local government (because the phones or equipment no longer meet industry standards for emergency medical services, police, or fire departments; have minimal value; or have no resale value).

A.G. Op. (June 27, 1997)
(informal letter opinion to
Staples). MN State Auditor,
Statement of Position Public
Expenditure: Donations and
Dues.

Minn. Stat. § 471.96.

Minn. Stat. § 465.58.

Minn. Stat. Ch. 469.

Minn. Stat. § 469.185.

Minn. Stat. §§ 116J.993-
.995.

Minn. Stat. § 469.191.

Minn. Stat. §§ 469.124-.134.
Minn. Stat. §§ 469.090-
.1082.
Minn. Stat. § 469.192. Minn.
Stat. §§ 469.1812-
.1816.

Before donating surplus equipment, a city must adopt a policy on how it will determine what qualifies as surplus eligible for donation and how it will select nonprofit organizations eligible to receive donations. One caveat worth mentioning—the policy “must address the obligations of the local government to disclose to the nonprofit that the surplus equipment may be defective and cannot be relied upon for safety purposes.”

K. Dues

According to the attorney general, cities cannot join or become members of “private” organizations, absent specific statutory authority—even if there is specific authority to contribute to the organization. Without authorization for membership, cities do not have authority to pay for membership.

All cities, counties, and towns may appropriate money for membership in county, regional, state, and national associations of a civic, educational, or governmental nature. The associations must have, as their purpose, the betterment and improvement of municipal governmental operations. This authorization also allows these public entities to participate in the meetings and activities of these associations.

All cities and urban towns in Minnesota may appropriate money to pay dues to become members of the League of Minnesota Cities.

L. Economic development

A number of statutes empower cities to provide money or real property for economic development purposes under various programs, including up to \$50,000 to an incorporated development society or organization discussed in II(J)(3) above.

An analysis of the economic development statutes and their requirements fall outside the scope of this memo; however, cities should know that, in certain circumstances, the statutes permit contributions for economic development.

The following list provides a broad summary of some of the more common tools available for encouraging development:

- Conveyance of city-owned land for a nominal amount to encourage business and industry, under certain conditions.
- “Business subsidies,” including contributions of personal property, real property and/or infrastructure.
- Grants to certain economic development organizations.
- Creation of development districts.
- Economic Development Authority programs.
- Economic development loans.
- Tax abatement.

138.053 COUNTY HISTORICAL SOCIETY; TAX LEVY; CITIES OR TOWNS.

The governing body of any home rule charter or statutory city or town may annually appropriate from its general fund an amount not to exceed 0.02418 percent of estimated market value, derived from ad valorem taxes on property or other revenues, to be paid to the historical society of its respective city, town, or county to be used for the promotion of historical work and to aid in defraying the expenses of carrying on the historical work in the city, town, or county. No city or town may appropriate any funds for the benefit of any historical society unless the society is affiliated with and approved by the Minnesota Historical Society.

History: 1963 c 129 s 1; 1973 c 123 art 5 s 7; 1973 c 773 s 1; 1983 c 315 s 1; 1988 c 719 art 5 s 84; 1989 c 277 art 4 s 11; 1994 c 505 art 3 s 4; 2008 c 158 s 1; 2013 c 143 art 14 s 16; 1Sp2019 c 6 art 4 s 3



Brainerd City Council Agenda Request

Requested Meeting Date: March 7, 2022

Title of Item: Fire Contract Formula for 2023 - Informational

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☒ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Connie Hillman	Department: Finance
Presenter (Name & Title): Finance Director Hillman	Estimated Time Needed: 5 Minutes
Summary of Issue: Each year at this time, staff prepares the proposed fire contract calculation for the following year. This information is used by the Townships that contract with Brainerd for fire service at their annual meetings in March, at which time they set their levy for 2023. This data will also be used by the City of Baxter and the City of Brainerd when we set our 2023 levy and budgets this fall.	
Alternatives, Options, Effects on Others/Comments: The attached calculation was provided and explained at the March 3, 2022 FAB meeting and follows the same formula as previous years. The factors used to allocate the costs payable in 2023 are: the 5 year average runs from 2017-2021; population is based on 2020 estimates, the most recent information available per the state demographer's website; 2021 estimated taxable market value payable in 2022; 2016 value of exempt buildings (updated by the County every 6 years). The City of Brainerd's overall funding share went from 42.84% to 42.70%, a decrease of \$747 from the 2022 assessment calculation. The overall 2023 assessment costs to be allocated increased by \$2,732 and is \$1,332,045.	
Recommended Action/Motion: Informational, no action needed.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☒ Yes ☐ No It will be part of the 2022 budget and levy process. <u>Please Explain:</u>	

CITY OF BRAINERD FIRE SERVICE DISTRICTS - PAYMENT CALCULATION FOR 2023 ASSESSMENT

2022 FIRE DEPT BUDGET, INCLUDING PAID ON-CALL AND PENSION	\$1,038,193
CAPITAL EQUIPMENT FUND - is a 5% increase over 2022 Assessment	\$120,331
BUILDINGS ONLY DEPRECIATION	\$63,405
DEBT SERVICE FOR FIRE ENGINE - Year 5 of 5	\$0
DEBT SERVICE FOR FIRE TENDER - Year 5 of 5	\$38,422
DEBT SERVICE FOR LADDER TRUCK - Year 4 of 7	\$71,694
TOTAL AMOUNT USED FOR CALCULATION	\$1,332,045

	5 YR AV # OF RUNS ('17 -'21)	<u>30%</u> % OF # OF RUNS	2020 POPULATION	<u>30%</u> % OF POP	(Asst '21 pay '22) VALUE OF BUILDINGS	<u>30%</u> % OF VALUE OF BLDGS	(Assessment '16) VALUE OF TAX EXEMPT BLDGS	<u>10%</u> % OF VALUE TAX EX BLDGS	% OF BUDGET	FUNDING SHARE
BRAINERD	243.60	52.05%	14,395	40.91%	563,521,794	25.01%	\$407,251,800	73.03%	42.695933%	\$568,729.04
BAXTER	116.20	24.83%	8,612	24.48%	719,591,863	31.94%	\$128,580,500	23.06%	26.678901%	\$355,374.96
CROW WING	16.00	3.42%	2,149	6.11%	130,803,940	5.81%	\$454,900	0.08%	4.607792%	\$61,377.87
LONG LAKE	12.00	2.56%	1,111	3.16%	99,044,936	4.40%	\$446,200	0.08%	3.043300%	\$40,538.13
NOKAY LAKE	7.80	1.67%	898	2.55%	57,715,462	2.56%	\$1,133,600	0.20%	2.054487%	\$27,366.69
OAK LAWN	17.80	3.80%	1,764	5.01%	114,996,271	5.10%	\$10,209,000	1.83%	4.359349%	\$58,068.49
ST. MATHIAS	4.40	0.94%	606	1.72%	36,220,529	1.61%	\$1,609,300	0.29%	1.309892%	\$17,448.35
UNORGANIZED	50.20	10.73%	5,649	16.06%	531,239,505	23.58%	\$7,939,400	1.42%	15.250346%	\$203,141.47
TOTAL	468.00	100.00%	35,184	100.00%	2,253,134,300	100.00%	\$557,624,700	100.00%	100.000000%	\$1,332,045.00
Last Year's Information	442.80		34,527		2,080,058,361		\$557,624,700			\$1,329,313.00
% Change	5.69%		1.90%		8.32%		0.00%			0.21%

	2023 ASSESSMENT	2022 ASSESSMENT	DIFFERENCE	% incr
BRAINERD	\$568,729.04	\$569,476.16	(\$747.12)	-0.13%
BAXTER	\$355,374.96	\$353,653.23	\$1,721.73	0.49%
CROW WING	\$61,377.87	\$61,725.48	(\$347.61)	-0.56%
LONG LAKE	\$40,538.13	\$38,981.27	\$1,556.86	3.99%
NOKAY LAKE	\$27,366.69	\$26,612.09	\$754.60	2.84%
OAK LAWN	\$58,068.49	\$59,069.13	(\$1,000.64)	-1.69%
ST. MATHIAS	\$17,448.35	\$17,356.95	\$91.40	0.53%
UNORGANIZED	\$203,141.47	\$202,438.68	\$702.79	0.35%
TOTAL	\$1,332,045.00	\$1,329,312.99	\$2,732.01	0.21%

FAB MEETING 03/3/2022 - E

Why the Change from 2022 to 2023 Assessment?

	Change Due to Cost	Change Due to Factors	Change Due to Service Area	Total Change
BRAINERD	\$1,170	(\$1,918)	\$0	(\$747)
BAXTER	\$727	\$995	\$0	\$1,722
CROW WING	\$127	(\$474)	\$0	(\$348)
LONG LAKE	\$80	\$1,477	\$0	\$1,557
NOKAY LAKE	\$55	\$700	\$0	\$755
OAK LAWN	\$121	(\$1,122)	\$0	(\$1,001)
ST. MATHIAS	\$36	\$56	\$0	\$91
UNORGANIZED	\$416	\$287	\$0	\$703
TOTAL	\$2,732	(\$0)	\$0	\$2,732



Brainerd City Council Agenda Request

Requested Meeting Date: March 7, 2022

Title of Item: Update on Request for Funds to be Returned from LAMC

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☒ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Connie Hillman	Department: Finance
Presenter (Name & Title): Finance Director Hillman	Estimated Time Needed: 1 Minute
Summary of Issue: At the August 16, 2021 the Council made a motion to formally request refund of unspent funds contributed to Lakes Media Collaborative be returned to the City. The attached letter was sent to Lakes Area Media Collaborative in September. Staff has not received a response to the letter or received the unspent funds.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: No action needed, this is an update.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☐ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

Joseph J. Langel
Direct Phone: (612) 225-6837
jjl@ratwiklaw.com



September 20, 2021

Dave Henschke
LAKES Media Collaborative
21535 Rose Lake Lane
Ironton, MN 56455

RE: City of Brainerd
Our File No. 4034-0170

Dear Mr. Henschke:

I am writing on behalf of the Brainerd City Council. As you know, you and the City have had some communications over the past several months about the status of LAKES Media and the funds that were provided to LAKES by the City. At its August 16th meeting, during the Council's discussion of the future of the City's PEG channel, the Council passed a motion to seek unspent funds contributed to LAKES Media. Those funds were provided to support public access television and are to be used for that purpose. The City would like to apply those funds towards the cost of public access television moving forward. This letter is a formal request for those funds.

Please contact me with any questions. I look forward to hearing from you.

Regards,



Joseph J. Langel

cc: Jennifer Bergman, City Administrator (via e-mail)

RRM: 421157

Over 30 Years of Service



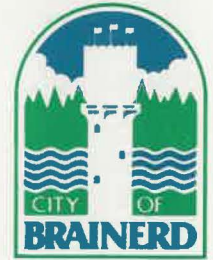
Brainerd City Council Agenda Request

Requested Meeting Date: March 7, 2022

Title of Item: Res-Receive Report and Call Hearing-Improvement 21-10-Greenwood St.

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☒ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer/Public Works Director Sandy	Department: Engineering
Presenter (Name & Title): City Engineer/Public Works Director Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is the feasibility report and a resolution in which receives the report and sets the public hearing for Improvement 21-10 - Greenwood Street Reconstruction.	
Alternatives, Options, Effects on Others/Comments: Staff will walk through the feasibility report and respond to any questions that the City Council may about the project at the meeting.	
Recommended Action/Motion: Staff recommends adopting the attached resolution receiving the feasibility report and setting the public hearing for Improvement 21-10 - Greenwood Street Reconstruction Project on April 4, 2022 at 7:30 PM.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

Mayor Badeaux
and Brainerd City Council Members



www.ci.brainerd.mn.us

RE: City Improvement 21-10 – Greenwood Street Reconstruction Project

Greenwood Street – 840-feet South of Woodland Hills Lane to Woodland Hills Lane

Dear Mayor Badeaux and City Council Members,

I am pleased to present this report for improvements as listed above. In conjunction with a Minnesota Department of Transportation Project on South 6th Street (Trunk Highway 371B), the City of Brainerd is participating in the project with the grading and surfacing of Greenwood Street.

Project Description

MnDOT intends on re-aligning Greenwood Street from South 6th Street to 840-feet south of Woodland Hills Lane. The realignment is being provided to create a 90-degree intersection at the highway crossing to allow for proper sight lines by motorists travelling on Greenwood Street. The city is participating in that construction with MnDOT by paying for the surfacing, including the aggregate base and the asphalt, which is most of the project costs. The city intends to finish the construction of Greenwood Street by effectively grading and surfacing the last 840 feet of roadway to Woodland Hills Lane, in which is a previously improved City Street. Greenwood Street is a Municipal State Aid Street (MSAS) and is therefore subject to being constructed to State Aid Standards as outlined in Minnesota Rule 8820.

Existing Traffic and Considerations during the Design

The feasibility of this construction was largely considered during the design process. City staff have been working through the design from preliminary survey to final design/plans and specifications and have evaluated feasibility throughout the process. It is the intent of this report to outline the existing and proposed project conditions that were considered during design and the feasibility analysis that occurred during this process.

Greenwood Street is functionally classified as a local street. It has a current average daily traffic of 180 vehicles/day in 2021. It is anticipated that the street will carry nearly 200 vehicles/day in 2041. Greenwood Street serves as a short-cut for vehicles travelling to and from Buffalo Hills Lane to South 6th Street (Trunk Highway 371B). Buffalo Hills Lane is classified as a local street but carries significantly higher traffic than Greenwood Street at 1,750 east of Greenwood Street and 1,400 west of Greenwood Street. South 6th Street (Trunk Highway 371B) is a Trunk Highway that carries 5,200 vehicles per day. It is anticipated that, if Greenwood Street is improved to a bituminous surface, that it may increase the use of the street dramatically over the coming years.

Existing Project Conditions

Greenwood Street is an existing gravel roadway. North of Woodland Hills Lane, it is constructed to a city standard with curb and gutter and a paved surface. The existing typical section generally consists of a 28-foot gravel road top with very little to no ditching due to the adjacent wetlands. The current alignment of Greenwood Street comes in at a skew at the intersection of South 6th Street (Trunk Highway 371B). With the MnDOT plans for reconstruction in 2022, this Greenwood Street intersection will be re-aligned to come in perpendicular to the highway to provide for better side distance in each direction for motorists.

City of Brainerd, 501 Laurel Street, Brainerd, MN 56401 218-828-2307

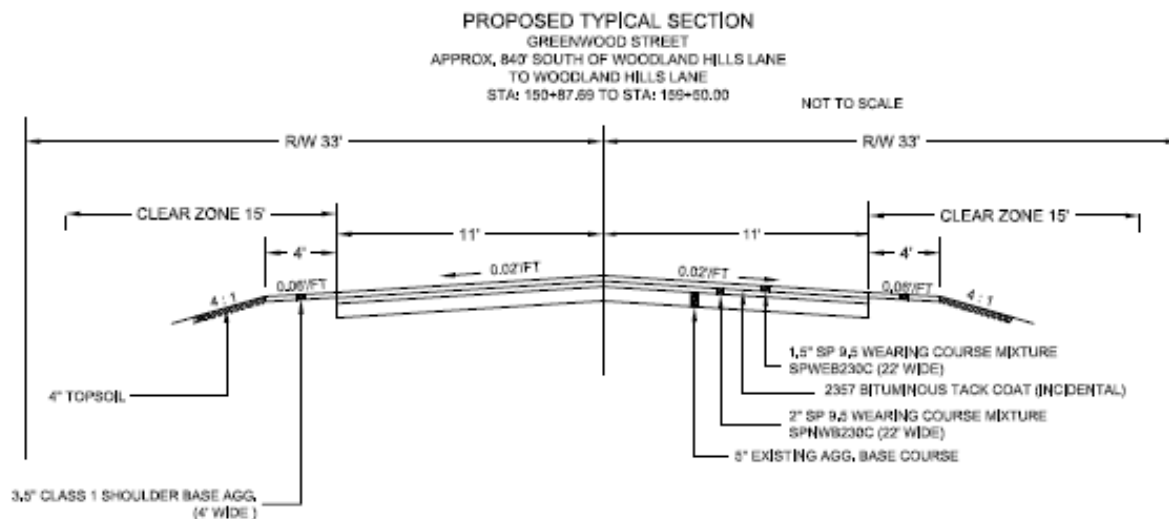
Greenwood Street has never been constructed to a city standard, and therefore, the City would assess for 100% of the street related costs for the construction of the proposed improvements per the City's Assessment Policy.

Proposed Project and Feasibility

Greenwood Street is a State Aid Street and is therefore eligible to use State Aid funds to finance the construction of the improvements. The city advanced funding for the construction of Greenwood Street in 2022. Therefore, the street must be constructed to meet State Aid Standards, as outlined in Minnesota Rule 8820. The minimum standards for construction can be seen in the below table:

Projected ADT (a)	Lane Width (b) feet	Shoulder Width (c) feet	In-slope (c) rise: run	Clear Zone (d) feet	Minimum Design Speed (e) mph	Sur- facing	Structural Design Strength (h) tons	Bridges to Remain (f) Width Curb to Curb feet
0-49	11-12	1	1:3	7	30	Agg.		22
50-149	11-12	3	1:4	9	40	Agg.		22
150-299	11-12	4	1:4	15	40	Agg./ Paved	7-ton/ 10-ton Staged (h)	28
300-749	11-12	4	1:4	15	40	Paved	10-ton Staged (h)	28
750-1499	11-12	4	1:4	25	40	Paved	10-ton Staged (h)	28
1500 and over	11-12	6(g)	1:4	30	40	Paved	10	30

Per the attached table, the typical section that is proposed for the segment of street falls in line with the Projected ADT of 150-299 and can be seen below:



Utilizing this typical section, the corridor was modeled to evaluate the impacts of the wider typical section and the greater depth of surfacing types on the street.

The proposed street section fits on the existing corridor well due to the existing width of the gravel surfacing and the width of the current shoulders seen on the roadway. There is de minimis impacts to the adjacent wetlands as seen through the plans in the typical sections. No extensions of culverts are needed with the proposed construction.

The surfacing plan provides for a 9-ton roadway, as specified in Minnesota Rule 8820 for Municipal State Aid Streets (MSAS). It includes 3.5" of bituminous asphalt and 5" of aggregate base class 5. The roadway strength was evaluated using an assumed subgrade R-Value of 70.

Proposed Project and Work Types

The intent of this section of the report is to give a broad overview of construction types for the proposed work on Greenwood Street:

- Aggregate Base
- Aggregate Shoulder
- Grading
- Bituminous Surfacing
- Concrete Curb and Gutter (at Woodland Hills Lane)
- Erosion Control and Stabilization

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 (based on the City's Assessment Policy)

Greenwood Street Reconstruction Project

Roadway	\$113,923
Storm Sewer	\$0
Sanitary Sewer	\$0
BPU (Watermain)	\$0
Assessable Costs	\$113,923
Total Construction and Engineering	\$113,923

Summary

The intended uses of these streets and this infrastructure is not anticipated to change over the life of these improvements, therefore the widths of streets, and other project elements are not proposed to change. No right-of-way acquisition is anticipated for this project and all improvements will utilize existing City right-of-way. The improvements will provide Brainerd constituents with upgraded road surfaces built to withstand heavier trucks, as required by State Aid Standards. With a de minimis impervious coverage change, and no changes to the stormwater conveyance systems, the proposed drainage elements will be the same as pre-project conditions. Run-off from the proposed construction will be improved from a water quality standpoint, as the gravel surfacing will be eliminated and replaced with bituminous surfacing. This improvement is feasible, cost effective due to relative simplicity of the project, the occurrence of other projects in the area (in which will drive

down construction costs and mobilization), and necessary due to the City's goals to maintain a suitable transportation network to serve the citizens and industry within the Brainerd city limits.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Paul Sandy". The signature is written in a cursive style with a long, sweeping underline.

Paul G. Sandy, P.E.
City Engineer/Public Works Director
City of Brainerd

RESOLUTION
NO. _____

RESOLUTION RECEIVING REPORT
CALLING HEARING ON IMPROVEMENT

WHEREAS, a report has been prepared by the City Engineer with reference to the improvement of the following described improvements:

IMPROVEMENT 21-10

Street Reconstruction

Greenwood Street from 840 feet south of Woodland Hills Lane to Woodland Hills Lane

This report was received by the Council on the 7th Day of March 2022.

WHEREAS, the statute provides that no such improvements shall be made until the Council shall have held a public hearing on such improvements following mailed notice and two publications thereof in the official newspaper stating time and place of the hearing, the general nature of the improvement, the estimated costs thereof, and the area proposed to be assessed, and that a reasonable estimate of the total amount to be assessed, and a description of the methodology used to calculate individual assessments for affected parcels (the "Impact of Assessments") has been made available at the hearing, all in accordance with law; and

WHEREAS, this City Council has heretofore discussed and made determinations about the Impact of Assessments:

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

1. The Council will consider the above-described improvement in accordance with the report and the assessment of abutting property for all or a portion of the cost of the improvements pursuant to Minnesota Statute Chapter 429 at an estimated total cost of \$114,000.
2. A public hearing shall be held on such proposed improvement on the 4th Day of April 2022, in the Council Chambers of the Brainerd 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 ____ day of _____, 2022

KELLY BEVANS
President of the Council

Approved this ____ day of _____, 2022

DAVE BADEAUX
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator



Brainerd City Council Agenda Request

Requested Meeting Date: March 7, 2022

Title of Item: Res-Receive Report and Call Hearing-Improvement 21-12-N. Brd. Recon.

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☒ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer/Public Works Director Sandy	Department: Engineering
Presenter (Name & Title): City Engineer/Public Works Director Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is the feasibility report and a resolution in which receives the report and sets the public hearing for Improvement 21-12 - North Brainerd Reconstruction Project.	
Alternatives, Options, Effects on Others/Comments: Staff will walk through the feasibility report and respond to any questions that the City Council may about the project at the meeting.	
Recommended Action/Motion: Staff recommends adopting the attached resolution receiving the feasibility report and setting the public hearing for Improvement 21-12 - North Brainerd Reconstruction Project on April 4, 2022 at 7:30 PM.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

Mayor Badeaux
and Brainerd City Council Members



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RE: City Improvement 21-12 – North Brainerd Reconstruction Project

North 3rd Street – Washington Street to Holly Street
North 6th Street – Washington Street to Juniper Street
North 7th Street – Kingwood Street to Holly Street
Juniper Street – North 2nd Street to North 10th Street

Dear Mayor Badeaux and City Council Members,

I am pleased to present this report for improvements as listed above. Generally, the improvements consist of approximately 17 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, sidewalk and pedestrian ramp upgrades, restoration, and other miscellaneous incidental items.

Project Description and Existing Conditions

This project is a large-scale reconstruction project in north Brainerd on streets that have fallen into general disrepair and have conditions that may not be acceptable for public use. There are also undersized storm sewer utilities along with undersized watermain that has fallen into disrepair that needs 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 in 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:

North 3 rd Street	Pavement 3.03/4.00, Curb 1.00/4.00 – Last Resurfaced in 1997 – Originally Constructed in 1918
North 6 th Street	Pavement 1.46/4.00, Curb 1.00/4.00 – Last Resurfaced in 1974 – Originally Constructed in 1910.
North 7 th Street	Pavement 2.46/4.00, Curb 1.50/4.00 – Last Resurfaced in 1974 – Originally Constructed in 1910.
Juniper Street	2 nd – 5 th : Pavement 2.67/4.00, Curb 1.00/4.00 – Last Resurfaced in 1988, Originally Constructed in 1914 5 th – 7 th : Pavement 2.69/4.00, Curb 2.00/4.00 – Last Resurfaced in 1985, Originally Constructed in 1975 7 th – 8 th : Pavement 2.67/4.00, Curb 1.00/4.00 – Last Resurfaced in 1988, Originally Constructed in 1914

City of Brainerd, 501 Laurel Street, Brainerd, MN 56401 218-828-2307

8th – 10th: Pavement 2.67/4.00, Curb 1.00/4.00 – Last Resurfaced in 1988, Originally Constructed in 1953

You will note that some of the above scores are a little higher than we would typically be recommending resurfacings. 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 worst 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. Underlying watermain needs were also taken into consideration with the help of Brainerd Public Utilities in identifying project limits and construction type (resurfacing/reconstruction) based on location of watermain under the street surface. Storm sewers within the project limits, being constructed during time periods where development was not as heavy as it is today, are severely undersized to the point where localized flooding occurs on smaller storm events. The storm sewer is a driving force for many of these streets, as a majority of the storm sewer was installed at original construction, in which happens to have occurred in the early 1910's, when Brainerd was in its infancy of development. As more impervious surfaces are added and more stormwater generated, along with the frequency of heavier rain events, localized flooding during events is occurring in most of these areas, according to the city's H & H Report.

All the streets proposed for reconstruction are functionally classified as local streets. Collector Streets in North Brainerd consist of Kingwood Street, North 4th Street, and North 8th Street. These proposed streets are all one block off these collector 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 streets through North Brainerd.

North 3rd Street serves St. Joseph's Hospital front door traffic. Other important, high traffic generating businesses or amenities on these streets include Gregory Park, Park United Methodist Church, Brainerd Christian Fellowship, Discovery Woods Montessori School, St. Paul's Episcopal Church, St. Francis of the Lakes Catholic School, and St. Francis Catholic Church.

This area of Brainerd has a high generation of pedestrian traffic. Most streets in this area have sidewalks on both sides of the streets. With the proximity of Gregory Park, the hospital, churches, and schools, the sidewalks along these streets and accessibility are important to this area. Many of the sidewalks within the project limits will be removed and replaced with the project, as some has fallen into disrepair.

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 or more in width, in which allows the full reconstruction of the street, replacement of undersized and old utilities, concrete sidewalk replacement, and restoration without the need for additional temporary easements or permanent right-of-way.

Removals – Most of the streets in the project area have underlying concrete surfacing under them. This was the preferred construction when the roadways were originally constructed. 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. Some existing storm sewer and watermain will be filled with sand and abandoned in place due to the inaccessibility of the utilities due to cutting across private property or the existence of large mature trees that are important to the community. Sidewalks, driveways, alley crossings, and other pavements outside of the street are all being 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. 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). The city is proposing its 7-ton residential design standard. With an assumed subgrade R-Value of 70, this equates to a typical section depth of 4 inches of aggregate base and 2 inches of bituminous asphalt. The city is proposing bump out pedestrian nodes at the intersections as outlined below:

North 6th Street – Kingwood Street and Juniper Street

Juniper Street – North 5th Street and North 7th Street.

North 7th Street – Ivy Street and Holly Street.

Most of these intersections abut Gregory Park, which is a large pedestrian traffic generator in north Brainerd. Pedestrian bump outs provide for shorter crossing distances and more sight lines for on-coming traffic for pedestrians.

The city is proposing the re-incorporation of the median on North 6th Street from just south of Kingwood Street to Juniper Street. This median was removed some time ago. This is the scenic entrance into North Brainerd, and the incorporation of this median will frame the Gregory Park fountain.

The one-way off Washington Street for the one block of North 6th Street is proposed to remain with this construction project.

Typical section drawings for the proposed sections were not available at the time of this report.

Utilities – Full storm sewer upgrades throughout the project limits are proposed to occur, along with full replacement and additions of existing watermain infrastructure within the project limits. Sanitary sewer castings are proposed to be replaced with the project. Water services to residences and businesses 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 will be replaced on a 1:1 basis, along with gaps in boulevard trees being added on the project. Many existing stumps that have not been removed throughout the years will also be removed as part of the construction project. 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. Most of the stormwater in this area is diverted to an existing pond at the corner of North 10th Street and Ivy Street. Impervious surfaces are likely to be reduced with the project construction due to the slight changes in typical sections and the re-introduction of a grass boulevard median on North 6th Street. 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 sub-cut costs and sidewalk costs to give an idea of the cost of those additional items that are necessary for the street construction:

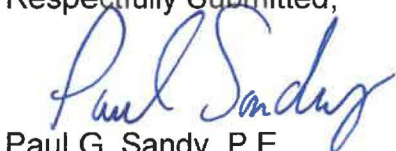
North Brainerd Reconstruction Project

Roadway	\$1,814,739
Storm Sewer	\$793,128
Sanitary Sewer	\$28,765
BPU (Watermain)	\$971,618
Sidewalk	\$627,718
Assessable Costs (not included in total)	\$825,178

Total Construction and Engineering	\$4,235,968
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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 pedestrian and vehicles. Underlying utilities proposed for replacement are undersized and in critical need for replacement. No right of way or expansion of existing streets is proposed, and environmental considerations have been addressed through design. The proposed project is feasible, cost effective, and necessary due to the elements outlined in this report and submitted to the Council as necessary according to Minnesota Statute 429.

Respectfully Submitted,



Paul G. Sandy, P.E.
City Engineer/ Public Works Director
City of Brainerd

RESOLUTION
NO. _____

RESOLUTION RECEIVING REPORT
CALLING HEARING ON IMPROVEMENT

WHEREAS, a report has been prepared by the City Engineer with reference to the improvement of the following described improvements:

IMPROVEMENT 21-12

Street Reconstruction

N 3rd Street – Washington Street to Holly Street
N 6th Street – Washington Street to Juniper Street
N 7th Street – Kingwood Street to Holly Street
Juniper Street – N 2nd Street to N 10th Street

This report was received by the Council on the 7th Day of March 2022.

WHEREAS, the statute provides that no such improvements shall be made until the Council shall have held a public hearing on such improvements following mailed notice and two publications thereof in the official newspaper stating time and place of the hearing, the general nature of the improvement, the estimated costs thereof, and the area proposed to be assessed, and that a reasonable estimate of the total amount to be assessed, and a description of the methodology used to calculate individual assessments for affected parcels (the "Impact of Assessments") has been made available at the hearing, all in accordance with law; and

WHEREAS, this City Council has heretofore discussed and made determinations about the Impact of Assessments:

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

1. The Council will consider the above-described improvement in accordance with the report and the assessment of abutting property for all or a portion of the cost of the improvements pursuant to Minnesota Statute Chapter 429 at an estimated total cost of \$4,235,968.
2. A public hearing shall be held on such proposed improvement on the 4th Day of April 2022, in the Council Chambers of the Brainerd 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 ____ day of _____, 2022

KELLY BEVANS
President of the Council

Approved this ____ day of _____, 2022

DAVE BADEAUX
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator



Brainerd City Council Agenda Request

Requested Meeting Date: March 7, 2022

Title of Item: Consideration for Request to Amend Greenhouse Ordinance

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Community Development Director	Department: Community Development
Presenter (Name & Title): David Chanski, CDD	Estimated Time Needed: 5 minutes
Summary of Issue: The City has received that attached request from Mr. Steve Zelinske, owner of Yesterday's Gone, requesting that the City Council amend the Zoning Code in a way to allow for greenhouses to be constructed with flexible, rolled material.	
Alternatives, Options, Effects on Others/Comments: Please see attached memo.	
Recommended Action/Motion: 1) Motion to direct staff to edit the proposed zoning code to allow for greenhouses to be constructed with flexible, rolled material. or 2) Do nothing	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

3/3/22

Council

I am writing regarding zoning code changes made to allow greenhouses in the B-3 District.

In 2020 I approached the city for permission to erect a commercial greenhouse in the B-3 District.

Although I appreciate the councils' actions. I find the restrictions on materials I can use to not be cost-effective.

The plans I submitted included the materials list of the manufactured structure I wish to erect. The structure I wish to erect calls for a double layered 6 mil Polyethylene film with baffles between the two layers for heating purposes. As it is our goal to operate year-round.

With the interim use permit stating that if the restaurant should cease operation, I need to remove the greenhouse within 60 days, building a solid Greenhouse is unimaginable.

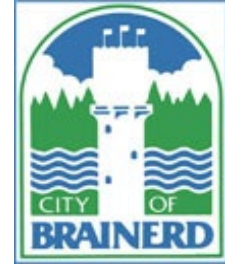
I am requesting that the council either change the ordinance to allow flexible rolled material or be less specific about the materials allowed. I am also requesting that greenhouses not be limited to restaurants and floral shops as the city classifies Yesterday's Gone as a bar.

Thank you for your consideration

Steve Zelinske

Proprietor of Yesterday's Gone

MEMO



TO: Mayor and City Council

FROM: David Chanski, Community Development Director

DATE: March 3, 2022

RE: Consideration for Request to Amend Greenhouse Ordinance

The Planning Commission recommended amending the Code back in 2020 when Mr. Steve Zelinske first requested to build a greenhouse to support the operations of Yesterday's Gone. Prior to the amendment, the proposed greenhouse would not have been allowed to be placed on the lot Mr. Zelinske proposed because it wasn't on the same lot as the Yesterday's Gone building. The Planning Commission recommended changing that language so he could place it on an adjacent, non-contiguous lot, which the Council adopted. The language as adopted can be found in [Section 515-62-5.A](#).

However, the Planning Commission during their discussion on September 19, 2020, and in their recommendation to the Council, were very specific about materials and, specifically, that flexible, rolled material not be used. The discussion they had was to avoid hoop house style greenhouses (the discussion can be found [here](#) on the City's YouTube page beginning at minute 40). Therefore, the ordinance references the material list on page 9 of [Section 515-17](#), which states that "flexible rolled material is not permitted."

Mr. Zelinske desires to construct a greenhouse with flexible rolled material and is requesting that the Ordinance be amended to allow flexible rolled material to be used. He has submitted an Interim Use Permit Application to construct his proposed greenhouse, which is set to be considered by the Planning Commission on March 16.

If the City Council is agreeable to allow flexible rolled material to be used on greenhouses, staff recommends that the Council direct staff to make that change in the new zoning code, which should come before the Council for its first reading on March 21 and adoption on April 4.

If the City Council does not accept Mr. Zelinske's request, per the opinion of the City Attorney, the Planning Commission will be obligated to recommend that Mr. Zelinske's Interim Use Permit Application be denied as his proposed greenhouse uses flexible, rolled material, which is currently prohibited by the Zoning Code and the proposed zoning code.