

CITY COUNCIL AGENDA

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Monday, August 1st, 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: 2492 696 7917

Attend by phone **Safety and Public Works Committee 6:45 PM**: 1-844-992-4726 Meeting
Access Code: 2480 318 9490

Attend by phone: **Personnel and Finance Committee 6:30 PM**: 1-844-992-4726 Meeting
Access Code: 2491 583 6840

Meeting is also televised on CTC Cable channel 8 and streamed live on
YouTube: www.youtube.com/CityOfBrainerdMN

Closed Session Closed Session Pursuant to MN Statutes 13D.05, Subd. 3(B) for
Attorney/Client Privilege to Discuss IAFF Lawsuit at 7:00 PM in the 2nd Floor Conference
Room.

1. Call To Order

2. Oath Of Office

William Bieser- Ward 1

Documents:

MA-Oath of Office.pdf

3. Roll Call

____ M. O'Day ____ K. Stunek ____ G. Johnson ____ D. Pritschet

____ T. Stenglein ____ T. Erickson ____ K. Bevans ____ Mayor
Badeaux

4. Pledge Of Allegiance

5. Approval Of Agenda - Voice Vote

6. Consent Calendar

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

A. Approval Of Bills

Documents:

080122 COUNCIL AP INV REGISTER.pdf

B. Approval Of Minutes

Documents:

2022-07-18 CC Draft.pdf

C. Approval Of Licenses

Contractor Licenses-

Documents:

20220801 Contractor Licenses.pdf

D. Department Activity Reports

Fire Chief

HR Director

Community Development Director

Documents:

Fire Chief Report.pdf

HR Directors Report August 2022 Mtg.pdf

CDD Report - Aug 1 2022.pdf

E. Resolution Accepting 2nd Quarter Donations

Documents:

RES xx_22 - 2nd Qtr Donations.pdf

7. 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 318 9490

Documents:

08-01 SPW Agenda.pdf

1. Approve Pay Application No. 1 - Final For Improvement 22-02 - 2022 Crack Seal Project

Documents:

SPW - Final Pay Estimate Imp 22-02.pdf

2. Direction On Active Code Enforcement Cases

Documents:

SPW - Direction on Active Code Enforcement Cases.pdf

B. Personnel And Finance Committee 6:30 PM

WebEx Teleconference Call-In Information

Call Toll-Free: 1-844-992-4726 Access Code: 2491 583 6840

Documents:

08-01 PF Agenda.pdf

1. Brainerd Fire Department Relief Association Annual Report

Documents:

Relief Association Annual Report.pdf

2. Accept The Resignation Of Paid On-Call Firefighter Stangel

Documents:

FF Stangel Resignation.pdf

3. Ratify The Hiring Of Paid On-Call Firefighters

Documents:

Ratify hiring of POC firefighters.pdf

4. Accept The Retirement Of Transit Coordinator Anders Stone

Documents:

PF- Retirement Stone.pdf

5. Approve The Promotion Of Chad Lardy To The Street Maintenance III Position

Documents:

PF - Promotion of Chad Lardy to Street Maintenance III.pdf

6. Approval Of The Revised Employee Policy Manual

Documents:

PF - Consider Approval of Revised EPM 8_1_2022.pdf

7. Discuss Additional Costs Of Clean-Up Day

Documents:

PF - Addl Clean-up Day Costs.pdf

8. Discussion Of Reporting Of Working Funds For 2023 Audit

Documents:

PF-Reporting for 2023 Audit.pdf

9. Discussion Of 2023 Budget Timeline & Set Budget Workshop

Documents:

PF-2023 Budget.pdf

10. Resolution Accepting Final Distribution Local Fiscal Recover Fund Established Under The American Rescue Plan Act

Documents:

PF-Res_Final ARPA Funds.pdf

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

Documents:

Update on LAMC.pdf

8. Unfinished Business

- A. **Consider Conditional Use Permit For Commercial Day Care Facility At 1002 Laurel Street**

Documents:

MA - CUP 1002 Laurel St.pdf

- B. **Consider Interim Use Permit For Warming Shelter At 1926 S 7th St.**

Documents:

MA - Interim Use Permit - Warming Shelter - 1926 S 7th St.pdf

- C. **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 – 2 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 – 1 position

9. New Business

A. Set Special Council Meeting To Canvas 2022 Primary Election Results

Documents:

[MA-Canvas Primary Results.pdf](#)

10. Public Forum

Time allocated for citizens to bring matters not on the agenda to the attention of the Council - Time limits may be imposed

11. Staff Reports

(Verbal: Any Updates since Packet)

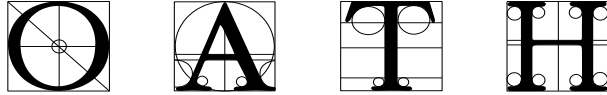
12. Mayor's Report

13. Council Member Reports

14. Adjourn To Closed Session Pursuant To MN Statutes 13D.03 To Discuss Labor Negotiation Strategy

MISSION

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



STATE OF MINNESOTA)
CITY OF BRAINERD) ss.
COUNTY OF CROW WING)

I, William Bieser, do solemnly swear that I will
support the Constitution of the United States, the
Constitution of the State of Minnesota, and that I
will faithfully discharge the duties of the office of
City Council of the
City of Brainerd, Minnesota, to the best of my
judgment and ability, so help me God.

William Bieser

Subscribed and sworn to before me this 1st day
of August, 2022.

Jennifer Bergman
City Administrator

07/28/2022 01:44 PM

User: pziemer

DB: Brainerd

INVOICE REGISTER REPORT FOR CITY OF BRAINERD

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EXP CHECK RUN DATES 08/01/2022 - 08/01/2022

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
BFG22-0001 72477	3 DEHNS LLC BD Bond Refund 101-0000-20200	07/20/2022 pziemer	08/03/2022	9,000.00 9,000.00	9,000.00	Open	N 08/03/2022
307674 72505	ACE HARDWARE CHAINSAW AIR FILTER 235-3100-42220	07/18/2022 pziemer	08/03/2022	10.99 10.99	10.99	Open	N 08/03/2022
307670 72506	ACE HARDWARE WASP AND HORNET KILLER - 501 MAPLE ST 235-3100-42220	07/18/2022 pziemer	08/03/2022	21.56 21.56	21.56	Open	N 08/03/2022
307745 72533	ACE HARDWARE WD 40 -ENG 401-9030-43430	07/20/2022 pziemer	08/03/2022	6.29 6.29	6.29	Open	N 08/03/2022
307778 72541	ACE HARDWARE DISPOSABLE PAINT TRAY 235-3170-42210	07/21/2022 pziemer	08/03/2022	15.68 15.68	15.68	Open	N 08/03/2022
307810 72542	ACE HARDWARE EVIDENCE SUPPLIES 225-2120-42210	07/21/2022 pziemer	08/03/2022	10.77 10.77	10.77	Open	N 08/03/2022
307847 72560	ACE HARDWARE EXPANDING FOAM 237-3190-42220	07/22/2022 pziemer	08/03/2022	34.16 34.16	34.16	Open	N 08/03/2022
307900 72610	ACE HARDWARE CLR FOR VACTOR 237-3190-42220	07/25/2022 pziemer	08/03/2022	26.99 26.99	26.99	Open	N 08/03/2022
307911 72616	ACE HARDWARE PEST CONTROL SUPPLIES 225-2120-42220	07/26/2022 pziemer	08/03/2022	23.37 23.37	23.37	Open	N 08/03/2022
307759 72663	ACE HARDWARE VOLTAGE DETECTOR- SHOP 230-5200-42220	07/20/2022 pziemer	08/03/2022	22.49 22.49	22.49	Open	N 08/03/2022

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307852 72664	ACE HARDWARE REPLACEMENT TRIM HEAD, LIQUID NAILS -pziemer 230-5200-42220	07/22/2022 REPAIR & MAINT	08/03/2022	26.28 26.28	26.28	Open	N 08/03/2022
307928 72671	ACE HARDWARE ACRYLIC SHEET - LMP 230-5200-42220	07/26/2022 pziemer REPAIR & MAINT	08/03/2022	26.99 26.99	26.99	Open	N 08/03/2022
307984 72675	ACE HARDWARE FLASHLIGHT - ENG MISC 401-9030-43430	07/28/2022 pziemer MISCELLANEOUS	08/03/2022	31.49 31.49	31.49	Open	N 08/03/2022
6574218688808 72499	ADVANCE AUTO PARTS TRACTOR 110 MOWER BELTS 235-3100-42220	07/05/2022 pziemer REPAIR & MAINT	08/03/2022	142.52 142.52	142.52	Open	N 08/03/2022
6574219988994 72521	ADVANCE AUTO PARTS TRUCKS 103,105, & 109 BATTERY TENDERS 235-3100-42220	07/18/2022 pziemer REPAIR & MAINT	08/03/2022	291.42 291.42	291.42	Open	N 08/03/2022
6574219989019 72522	ADVANCE AUTO PARTS TRUCK 103 HEAVY DUTY TRUCK BATTERIES 235-3100-42220	07/18/2022 pziemer REPAIR & MAINT	08/03/2022	190.92 190.92	190.92	Open	N 08/03/2022
6574220126100 72530	ADVANCE AUTO PARTS TRUCK 109 ONE MINUTE GASKET 235-3100-42220	07/20/2022 pziemer REPAIR & MAINT	08/03/2022	17.75 17.75	17.75	Open	N 08/03/2022
6574220217803 72536	ADVANCE AUTO PARTS PUMP FOR DOWNTOWN WATER TRUCK 401-1003-43430	07/21/2022 pziemer MISCELLANEOUS	08/03/2022	93.79 93.79	93.79	Open	N 08/03/2022
6574220789269 72611	ADVANCE AUTO PARTS COOLANT/ANTIFREEZE 235-3100-42220	07/26/2022 pziemer REPAIR & MAINT	08/03/2022	41.78 41.78	41.78	Open	N 08/03/2022
6574220789267 72612	ADVANCE AUTO PARTS ADVANCE AUTO PARTS THREAD LOCK 235-3100-42220	07/26/2022 pziemer REPAIR & MAINT	08/03/2022	22.81 22.81	22.81	Open	N 08/03/2022

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2530028315 72491	ARAMARK UNIFORM SERVICES RUGS AND OVERALLS 235-3100-43430	07/14/2022 pziemer	08/03/2022	81.62	81.62	Open	N 08/03/2022
	MISCELLANEOUS			81.62			
2530030927 72535	ARAMARK UNIFORM SERVICES RUGS AND OVERALLS 235-3100-43430	07/21/2022 pziemer	08/03/2022	113.45	113.45	Open	N 08/03/2022
	MISCELLANEOUS			113.45			
17321408 72531	AUTO VALUE - WEST TRUCK 109 STUD BOLTS AND WHEEL NUTS 235-3100-42220	07/20/2022 pziemer	08/03/2022	17.94	17.94	Open	N 08/03/2022
	REPAIR & MAINT			17.94			
36-1 72665	BEN WESTLUND STORM CLEANUP - DOG PARK 230-5200-42220	07/01/2022 pziemer	08/03/2022	2,700.00	2,700.00	Open	N 08/03/2022
	REPAIR & MAINT			2,700.00			
36-2 72666	BEN WESTLUND STORM DAMAGE - MEMORIAL PARK 230-5200-42220	07/01/2022 pziemer	08/03/2022	4,000.00	4,000.00	Open	N 08/03/2022
	REPAIR & MAINT			4,000.00			
36-3 72667	BEN WESTLUND STORM DAMAGE - LUM PARK 230-5200-42220	07/01/2022 pziemer	08/03/2022	3,500.00	3,500.00	Open	N 08/03/2022
	REPAIR & MAINT			3,500.00			
153209 72661	BILL'S GUN SHOP & RANGE TRAINING AMMO 225-2120-43330	07/26/2022 pziemer	08/03/2022	7,524.50	7,524.50	Open	N 08/03/2022
	PROFESSIONAL DEVELOPMENT			7,524.50			
1343609 72574	BJERGA FEED STORES GRASS SEED AND SELECTIVE HERBACIDE 235-3100-42220	07/22/2022 pziemer	08/03/2022	90.00	90.00	Open	N 08/03/2022
	REPAIR & MAINT			90.00			
7/21/22 72639	BOSER, BRITTNEY MILEAGE REIMB - HR BOOTCAMP 101-1400-43330	07/21/2022 pziemer	08/03/2022	40.13	40.13	Open	N 08/03/2022
	PROFESSIONAL DEVELOPMENT			40.13			
JUNE 22/STREETS 72555	BRAINERD PUBLIC UTILITIES 5/24/22 - 6/24/22 STREET DEPT UTILITy 235-3100-43381	07/01/2022 pziemer	08/03/2022	23,893.10	23,893.10	Open	N 08/03/2022
	BPU UTILITIES			23,893.10			

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JUNE 22/FD 72556	BRAINERD PUBLIC UTILITIES 5/24/22 - 6/24/22 FIRE DEPT UTILITIES 225-2220-43381	07/01/2022 pziemer BPU UTILITIES	08/03/2022	1,853.77 1,853.77	1,853.77	Open	N 08/03/2022
JUNE 22/PD 72557	BRAINERD PUBLIC UTILITIES 5/24/22 6/24/22 POLICE DEPT UTILITIES 225-2120-43381	07/01/2022 pziemer BPU UTILITIES	08/03/2022	3,499.59 3,499.59	3,499.59	Open	N 08/03/2022
JUNE 22/CH 72558	BRAINERD PUBLIC UTILITIES 5/24/22 - 6/24/22 CITY UTILITIES 101-1940-43381 101-9200-43381 236-3180-43381 401-1003-43380	07/01/2022 pziemer BPU UTILITIES BPU UTILITIES BPU UTILITIES UTILITIES	08/03/2022	2,082.30 1,865.39 82.74 36.00 98.17	2,082.30	Open	N 08/03/2022
JUNE 22/LIB 72559	BRAINERD PUBLIC UTILITIES 5/24/22 - 6/24/22 LIBRARY UTILITIES 211-5500-43381	07/01/2022 pziemer BPU UTILITIES	08/03/2022	1,810.72 1,810.72	1,810.72	Open	N 08/03/2022
JUNE 22/PARKS 72563	BRAINERD PUBLIC UTILITIES 5/24/22 - 6/24/22 PARKS DEPT UTILITIES 230-5200-43381 230-5280-43380 230-5280-43380 230-5280-43380	07/01/2022 pziemer BPU UTILITIES UTILITIES UTILITIES UTILITIES	08/03/2022	14,488.76 13,953.07 356.10 34.28 145.31	14,488.76	Open	N 08/03/2022
JUL 22 COBRA 72566	BRAINERD PUBLIC UTILITIES REMIT JULY 2022 COBRA 101-0000-22800	07/22/2022 pziemer OTHER LIABILITIES	08/03/2022	76.20 76.20	76.20	Open	N 08/03/2022
JUL 22 TAX 72676	BRAINERD PUBLIC UTILITIES REMIT JULY 2022 TAX SETTLEMENT 101-0000-20850	07/12/2022 pziemer DUE TO COMPONENT UNIT	08/03/2022	7,037.87 7,037.87	7,037.87	Open	N 08/03/2022
S 541 72532	BRAINERD TRUCK AND TRAILER LLC TRUCK 109 LOCKING REAR DIFFERENTIAL 235-3100-42220	07/20/2022 pziemer REPAIR & MAINT	08/03/2022	4,324.38 4,324.38	4,324.38	Open	N 08/03/2022
3RD QTR 22 72650	BREEZY POINT POLICE DEPARTMENT REMIT 3RD QTR 2022 TZD 225-0000-20800	07/27/2022 pziemer DUE TO OTHER GOVT UNITS	08/03/2022	3,484.44 3,484.44	3,484.44	Open	N 08/03/2022

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15541908-00 72511	BROCK WHITE CO LLC WINFAB - LANDSCAPE FABRIC MISC PARKS 230-5200-42220	07/08/2022 pziemer	08/03/2022	638.65 638.65	638.65	Open	N 08/03/2022
07/28/2022 72682	BROOKS, MARIBETH REFUND OVERPAY OF ASSESSMENTS 401-17- 401-0000-20300	07/28/2022 pziemer	08/03/2022	179.88 179.88	179.88	Open	N 08/03/2022
142058 72501	BS&A SOFTWARE BS&A ONLINE PERMIT SERVICE FEE 4/6/22 101-1800-43309	07/22/2022 pziemer	08/03/2022	160.00 160.00	160.00	Open	N 08/03/2022
917523674 72553	BSN SPORTS, LLC QTY 4 -ORANGE PLAYGROUND BALL-ADULT 230-5212-42210	07/07/2022 pziemer	08/03/2022	27.83 27.83	27.83	Open	N 08/03/2022
917523673 72554	BSN SPORTS, LLC QTY 4 ORANGE PLAYGROUND BALL-ADULT 230-5212-42210	07/07/2022 pziemer	08/03/2022	27.83 27.83	27.83	Open	N 08/03/2022
917611916 72681	BSN SPORTS, LLC QTY 2 - MAJOR LEAGUE BASE	07/19/2022 pziemer	08/03/2022	403.74	403.74	Open	N 08/03/2022
28938586 72576	CANON FINANCIAL SERVICE 8/1/22-8/31/22 FD COPIER LEASE 225-2220-43331	07/23/2022 pziemer	08/03/2022	80.69 80.69	80.69	Open	N 08/03/2022
200815 72492	CLAREY'S SAFETY EQUIPMENT SCREEN/CALIBRATION 225-2220-42220	07/15/2022 pziemer	08/03/2022	129.63 129.63	129.63	Open	N 08/03/2022
1324214 72654	CSG FORTE PAYMENTS INC CREDIT CARD READERS FOR PARKS SOFTWARE pziemer	07/20/2022	08/03/2022	809.60	809.60	Open	N 08/03/2022
TRX 98 PARKS 72498	CUB FOODS - BRAINERD CONCESSIONS - CHEESE 230-5204-42210	07/12/2022 pziemer	08/03/2022	19.98 19.98	19.98	Open	N 08/03/2022

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TRX 290 -PARKS							
72510	CUB FOODS - BRAINERD	07/15/2022	08/03/2022	27.23	27.23	Open	N
	CONCESSIONS - BUNS	pziemer					08/03/2022
	230-5204-42210	OPERATING SUPPLIES		27.23			
TRX 38 -PD							
72543	CUB FOODS - BRAINERD	07/21/2022	08/03/2022	11.17	11.17	Open	N
	SAFETY SUPPLIES	pziemer					08/03/2022
	225-2120-42209	SAFETY EQUIPMENT SUPPLIES		11.17			
21:16 PAY REQ 2							
72551	CUSTOM BUILDERS, INC	07/19/2022	08/03/2022	268,212.12	268,212.12	Open	N
	MSP LANDING TRAILHEAD PARK PROJECT P	pziemer					08/03/2022
	401-9030-45530-21:16	CAPITAL-PYMTS TO CONTRACTS		268,212.12			
22-9177							
72540	CWC RECORDER	07/20/2022	08/03/2022	92.00	92.00	Open	N
	QTY 2 - VARIANCE	pziemer					08/03/2022
	101-2400-43350	PRINTING/LEGAL PUBLICATION		92.00			
3RD QTR 22							
72651	CWC SHERIFF	07/27/2022	08/03/2022	260.76	260.76	Open	N
	REMIT 3RD QTR TZD 2022	pziemer					08/03/2022
	225-0000-20800	DUE TO OTHER GOVT UNITS		260.76			
1616931							
72497	DAHLHEIMER BEVERAGE	07/11/2022	08/03/2022	81.40	81.40	Open	N
	CONCESSIONS - POPCORN BOXES	pziemer					08/03/2022
	230-5204-42210	OPERATING SUPPLIES		81.40			
1620248							
72668	DAHLHEIMER BEVERAGE	07/18/2022	08/03/2022	66.00	66.00	Open	N
	SOAP DISPENSERS, CAN LINERS	pziemer					08/03/2022
	230-5200-42210	OPERATING SUPPLIES		66.00			
2428							
72578	DIGITAL HORIZONS	07/22/2022	08/03/2022	3,228.39	3,228.39	Open	N
	HUDDLE INSTALLATION - 2ND FLOOR CONF	pziemer					08/03/2022
	101-9200-43434	MEETING BROADCAST EXPENDITURES		3,228.39			
7/21/22							
72630	EAGLE ENGRAVING INC	07/21/2022	08/03/2022	107.00	107.00	Open	N
	PAR TAGS	pziemer					08/03/2022
	225-2220-42250	PERSONAL PROTECTIVE GEAR		107.00			
R100298							
72632	EAST SIDE OIL COMPANY	07/21/2022	08/03/2022	50.00	50.00	Open	N
	OIL FILTERS	pziemer					08/03/2022
	227-3230-43428	USED OIL RECYCLING EXPENSE		50.00			

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67221/CITY HALL 72655	ENVIROTECH AUGUST 22 CITY HALL JANITORIAL 101-1940-43300	07/27/2022 pziemer	08/03/2022	1,890.71 1,890.71	1,890.71	Open	N 08/03/2022
67221/FD 72656	ENVIROTECH AUG 2022 FIRE DEPT JANITORIAL 225-2220-43300	07/27/2022 pziemer	08/03/2022	254.95 254.95	254.95	Open	N 08/03/2022
67221/PD 72657	ENVIROTECH AUG 2022 POLICE DEPT JANITORIAL 225-2120-43300	07/27/2022 pziemer	08/03/2022	1,344.39 1,344.39	1,344.39	Open	N 08/03/2022
67221/STREETS 72658	ENVIROTECH AUG 2022 STREET DEPT JANITORIAL 235-3100-43300	07/27/2022 pziemer	08/03/2022	254.95 254.95	254.95	Open	N 08/03/2022
FM-105004 72672	EQUIPMENT SERVICE & SUPPLY LLC SNOW BLOWER DIAGNOSIS & REPAIR 235-3125-42220	07/27/2022 pziemer	08/03/2022	7,746.83 7,746.83	7,746.83	Open	N 08/03/2022
MNBAX255390 72494	FASTENAL COMPANY 3/8 IN CLEVIS HOOKS 235-3125-42220	07/15/2022 pziemer	08/03/2022	275.00 275.00	275.00	Open	N 08/03/2022
MNBAX255267 72502	FASTENAL COMPANY QTY 300 CABLE TIES 230-5200-42220	07/08/2022 pziemer	08/03/2022	29.97 29.97	29.97	Open	N 08/03/2022
84772 72579	FIRST IMPRESSION PRINTING CURFEW VIOLATION WARNING FORMS 225-2120-42200	07/18/2022 pziemer	08/03/2022	102.30 102.30	102.30	Open	N 08/03/2022
100962923 72523	FLEETPRIDE TRUCK 109 WHEEL BEARINGS - LESS SALESPziemer 235-3125-42220	07/19/2022 pziemer	08/03/2022	409.38 409.38	409.38	Open	N 08/03/2022
100976261 72527	FLEETPRIDE TRUCK 109 AIR BRAKE MALE 90 ELBOW - Ipziemer 235-3100-42220	07/20/2022 pziemer	08/03/2022	4.23 4.23	4.23	Open	N 08/03/2022

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25858 72662	GENERATOR POWER SYSTEMS GENERATOR MAINTENANCE 225-2120-42220	07/22/2022 pziemer REPAIR & MAINT	08/03/2022	2,825.00 2,825.00	2,825.00	Open	N 08/03/2022
66144 72673	GLS PROMOTIONS QTY 2 NAMEPLATES FOR COUNCIL CHAMBER 101-9200-43430	07/27/2022 pziemer MISCELLANEOUS	08/03/2022	99.00 99.00	99.00	Open	N 08/03/2022
06618771-00 72503	GOODIN COMPANY GASKET/CLOSET SPUD LMP RESTROOMS 230-5200-42220	07/14/2022 pziemer REPAIR & MAINT	08/03/2022	9.96 9.96	9.96	Open	N 08/03/2022
9380068453 72515	GRAINGER REPLACEMENT MIRRORS X3 - VANDALISM REPAIR 230-5200-42220	07/18/2022 pziemer REPAIR & MAINT	08/03/2022	527.37 527.37	527.37	Open	N 08/03/2022
587 72091	GREENDAY ROLLOFF SERVICE COMMUNITY CLEANUP 101-9200-43438	06/01/2022 pziemer MISC SPECIAL PROJECTS	08/03/2022	8,774.90 8,774.90	8,774.90	Open	N 08/03/2022
3033706 72544	HEARTLAND TIRE INC. SQD 429 - TIRES, RIM, AND ALIGNMENT 225-2120-42221	07/20/2022 pziemer SQUAD CAR REPAIR SUPPLIES	08/03/2022	1,507.70 1,507.70	1,507.70	Open	N 08/03/2022
3033763 72545	HEARTLAND TIRE INC. SQD 498 - REAR TIRE REPAIR 225-2120-42221	07/21/2022 pziemer SQUAD CAR REPAIR SUPPLIES	08/03/2022	37.55 37.55	37.55	Open	N 08/03/2022
67602 72552	HOLDEN ELECTRIC MMP PARK LIGHTS/BREAKERS 230-5200-42221	07/20/2022 pziemer R&M-ATHLETIC FIELD MAINT	08/03/2022	279.40 279.40	279.40	Open	N 08/03/2022
BFG21-0018 72488	HOUSING & REDEVELOPMENT AUTHORITY BD Bond Refund 101-0000-20200	07/20/2022 pziemer BFG21-0018	08/03/2022	0.00 3,000.00	0.00	Void	N 08/03/2022
154055 72528	HRGREEN IMP 21-11 BRD MN-MS4 THRU 6/30/22 401-9030-43300-21:11	07/20/2022 pziemer PROFESSIONAL SERVICES	08/03/2022	2,364.00 2,364.00	2,364.00	Open	N 08/03/2022

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154056 72529	HRGREEN IMP 21-15 BUFFALO HILLS GULLY THRU 6/pziemer 401-9030-43300-21:15 PROFESSIONAL SERVICES	07/20/2022 pziemer	08/03/2022	12,501.08 12,501.08	12,501.08	Open	N 08/03/2022
2969 72504	HYTEC CONSTRUCTION INC STORM DAMAGE WORK THRU 6/18/22 230-5200-42220 REPAIR & MAINT	07/13/2022 pziemer	08/03/2022	1,799.18 1,799.18	1,799.18	Open	N 08/03/2022
IN3872092 72546	INNOVATIVE OFFICE SOLUTIONS LLC OFFICE/EVIDENCE SUPPLIES 225-2120-42200 OFFICE SUPPLIES 225-2120-42210 OPERATING SUPPLIES	07/22/2022 pziemer	08/03/2022	74.43 51.00 23.43	74.43	Open	N 08/03/2022
IN3877462 72653	INNOVATIVE OFFICE SOLUTIONS LLC TONER - FD 225-2220-42200 OFFICE SUPPLIES	07/27/2022 pziemer	08/03/2022	67.99 67.99	67.99	Open	N 08/03/2022
07/28/2022 72683	JENSEN, DONNA J REFUND OVERPAY ASSESSMENTS 401-19-07 pziemer 401-0000-20300 DUE TO TAX PAYER (ASSMENTTS)	07/28/2022 pziemer	08/03/2022	97.24 97.24	97.24	Open	N 08/03/2022
7/20/22 72677	KITCHIGAMI REGIONAL LIBRARY - CC 5/16/22-7/19/22 REMIT LIBRARY CC CHA/pziemer 211-0000-20800 DUE TO OTHER GOVT UNITS	07/20/2022 pziemer	08/03/2022	705.50 705.50	705.50	Open	N 08/03/2022
BFG22-0002 72478	LAKES AREA HABITAT FOR HUMANITY INC BD Bond Refund 101-0000-20200 BFG22-0002	07/20/2022 pziemer	08/03/2022	500.00 500.00	500.00	Open	N 08/03/2022
BFG22-0003 72479	LAKES AREA HABITAT FOR HUMANITY INC BD Bond Refund 101-0000-20200 BFG22-0003 - P21-0077	07/20/2022 pziemer	08/03/2022	500.00 500.00	500.00	Open	N 08/03/2022
20220719 -520 72517	LAKES AREA MAT SERVICE INC PD FLOOR MATS 225-2120-43300 PROFESSIONAL SERVICES	07/19/2022 pziemer	08/03/2022	42.92 42.92	42.92	Open	N 08/03/2022
20220705 #520 72518	LAKES AREA MAT SERVICE INC PD FLOOR MATS 225-2120-43300 PROFESSIONAL SERVICES	07/05/2022 pziemer	08/03/2022	42.92 42.92	42.92	Open	N 08/03/2022

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20220719 #522 72519	LAKES AREA MAT SERVICE INC CITY HALL FLOOR MATS 101-1940-43410	07/19/2022 pziemer	08/03/2022	44.08 44.08	44.08	Open	N 08/03/2022
20220705 #522 72520	LAKES AREA MAT SERVICE INC CITY HALL FLOOR MATS 101-1940-43410	07/05/2022 pziemer	08/03/2022	44.08 44.08	44.08	Open	N 08/03/2022
JULY 2022 72564	LAKES AREA WILDLIFE CONTROL JUL 22 ANIMAL CONTROL CONTRACT 225-2700-43300	07/22/2022 pziemer	08/03/2022	2,987.00 2,987.00	2,987.00	Open	N 08/03/2022
BFG22-0004 72480	LEVEL CONTRACTING LLC BD Bond Refund 101-0000-20200	07/20/2022 pziemer	08/03/2022	3,000.00 3,000.00	3,000.00	Open	N 08/03/2022
BFG22-0005 72481	LEVEL CONTRACTING LLC BD Bond Refund 101-0000-20200	07/20/2022 pziemer	08/03/2022	3,000.00 3,000.00	3,000.00	Open	N 08/03/2022
BFG22-0006 72482	LEVEL CONTRACTING LLC BD Bond Refund 101-0000-20200	07/20/2022 pziemer	08/03/2022	3,000.00 3,000.00	3,000.00	Open	N 08/03/2022
BFG22-0007 72483	LEVEL CONTRACTING LLC BD Bond Refund 101-0000-20200	07/20/2022 pziemer	08/03/2022	6,000.00 6,000.00	6,000.00	Open	N 08/03/2022
BFG21-0013 72486	LEVEL CONTRACTING LLC BD Bond Refund 101-0000-20200	07/20/2022 pziemer	08/03/2022	3,000.00 3,000.00	3,000.00	Open	N 08/03/2022
BFG21-0024 72489	LEVEL CONTRACTING LLC BD Bond Refund 101-0000-20200	07/20/2022 pziemer	08/03/2022	3,000.00 3,000.00	3,000.00	Open	N 08/03/2022
0301561-IN 72613	LOCATORS - SUPPLIES INC TRUCK 160 STROBE LIGHT BAR 235-3100-42220	07/25/2022 pziemer	08/03/2022	887.58 887.58	887.58	Open	N 08/03/2022

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BFG21-0023 72659	LUMBER ONE OF AVON, INC. BD Bond Refund 101-0000-20200	07/27/2022 pziemer	08/03/2022	4,364.00 4,364.00	4,364.00	Open	N 08/03/2022
BFG22-0016 72660	LUMBER ONE OF AVON, INC. BD Bond Refund 101-0000-20200	07/27/2022 pziemer	08/03/2022	4,364.00 4,364.00	4,364.00	Open	N 08/03/2022
7/13/22 72514	LYONS, JASON WORK BOOT REMIBURSEMENT -2022 230-5200-42210	07/13/2022 pziemer	08/03/2022	90.00 90.00	90.00	Open	N 08/03/2022
INV10167546 72633	MARCO MICROSOFT365 6/16/22-7/15/22 101-1800-43309	07/20/2022 pziemer	08/03/2022	2,312.00 2,312.00	2,312.00	Open	N 08/03/2022
476936620 72507	MARCO FINANCING COPIER CITY HALL 3RD FLOOR 8/1/22-11/ 101-1800-43331	07/07/2022 pziemer	08/03/2022	1,306.95 1,306.95	1,306.95	Open	N 08/03/2022
476936612 72547	MARCO FINANCING 08/01/22-9/01/22 PD COPIER LEASE 225-2120-43331	07/07/2022 pziemer	08/03/2022	796.96 796.96	796.96	Open	N 08/03/2022
78341 72537	MENARDS - BAXTER QTY 130 6X6 - 8; AC2 GREEN TREATED L/ 400-9050-45530	07/11/2022 pziemer	08/03/2022	4,308.60 4,308.60	4,308.60	Open	N 08/03/2022
78139 72538	MENARDS - BAXTER 1/4X3 PWRLAG-GGP HARDWARE 230-5200-42220	07/08/2022 pziemer	08/03/2022	15.99 15.99	15.99	Open	N 08/03/2022
78046 72539	MENARDS - BAXTER DRIVEWAY MARKER, POOL SHOCK, TAPE-MM/ 230-5200-42220	07/07/2022 pziemer	08/03/2022	17.58 17.58	17.58	Open	N 08/03/2022
FINAL - IMP 22-02 72637	MIDWEST ASPHALT MAINTENANCE 2022 CRACK SEALING - FINAL 401-9030-45530-22:02	07/26/2022 pziemer	08/03/2022	18,191.46 18,191.46	18,191.46	Open	N 08/03/2022

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9240986 72508	MIDWEST MACHINERY CO COOL-GARD-SHOP 230-5200-42220 REPAIR & MAINT	07/13/2022 pziemer	08/03/2022	17.85 17.85	17.85	Open	N 08/03/2022
119689 72561	MIDWEST OVERHEAD CRANE ANNUAL CRANE INSPECTIONS - LESS SALE\$ 235-3100-42220 REPAIR & MAINT	07/01/2022 pziemer	08/03/2022	706.85 706.85	706.85	Open	N 08/03/2022
119687 72614	MIDWEST OVERHEAD CRANE ANNUAL INSPECTION - SHOP HOIST - LES\$ 230-5200-42220 REPAIR & MAINT	07/01/2022 pziemer	08/03/2022	442.95 442.95	442.95	Open	N 08/03/2022
2022259 72516	MINNESOTA/WISCONSIN PLAYGROUND TWO MEMORIAL BENCHES 230-5200-42220 REPAIR & MAINT	07/13/2022 pziemer	08/03/2022	2,167.31 2,167.31	2,167.31	Open	N 08/03/2022
P00015519 72577	MN DEPT OF TRANSPORTATION POLE REPAIR - COLLEGE AT 48 235-3100-42220 REPAIR & MAINT	07/22/2022 pziemer	08/03/2022	69.61 69.61	69.61	Open	N 08/03/2022
1187080277 72631	MOTOROLA RADIO E22 404-9055-45550 CAPITAL - VEHICLES	07/14/2022 pziemer	08/03/2022	5,207.90 5,207.90	5,207.90	Open	N 08/03/2022
216578 72493	M-R SIGN CO., INC. MMP RETENTION POND - NO SWIMMING SIGN 230-5200-42220 230-5200-42220 REPAIR & MAINT REPAIR & MAINT	07/01/2022 pziemer	08/03/2022	149.54 149.54 149.54	149.54	Open	N 08/03/2022
528266 72670	NAPA AUTO PARTS 36 IN PIPE WRENCH FOR VACTOR RODDER \p 237-3190-42220 REPAIR & MAINT	07/26/2022 pziemer	08/03/2022	179.99 179.99	179.99	Open	N 08/03/2022
3RD QTR 22 72652	NISSWA POLICE DEPT REMIT 3RD QTR 2022 TZD 225-0000-20800 DUE TO OTHER GOVT UNITS	07/27/2022 pziemer	08/03/2022	1,019.45 1,019.45	1,019.45	Open	N 08/03/2022
1114702-1 72627	OFFICE SHOP WHITE OUT 203-9000-42200 OFFICE SUPPLIES	07/26/2022 pziemer	08/03/2022	11.11 11.11	11.11	Open	N 08/03/2022

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1114702-0 72628	OFFICE SHOP COPY PAPER 203-9000-42200	07/25/2022 pziemer OFFICE SUPPLIES	08/03/2022	45.00 45.00	45.00	Open	N 08/03/2022
1114728-0 72629	OFFICE SHOP OFFICE CHAIR 203-9000-42200	07/26/2022 pziemer OFFICE SUPPLIES	08/03/2022	276.67 276.67	276.67	Open	N 08/03/2022
1647-133635 72669	O'REILLY AUTOMOTIVE STORES INC. MOWER - ANTI-FREEZE 230-5200-42220	07/18/2022 pziemer REPAIR & MAINT	08/03/2022	33.98 33.98	33.98	Open	N 08/03/2022
599984 72575	PQL SOFTBALL FIELD AND HOCKEY RINK LIGHT 230-5200-42221	07/20/2022 pziemer R&M-ATHLETIC FIELD MAINT	08/03/2022	293.96 293.96	293.96	Open	N 08/03/2022
26540471 72617	QUILL CORPORATION EVIDENCE STORAGE SUPPLIES 225-2120-42210	07/22/2022 pziemer OPERATING SUPPLIES	08/03/2022	69.96 69.96	69.96	Open	N 08/03/2022
317-51618 72524	ROYAL TIRE INC TRUCK 103 TIRE REPAIR 235-3100-42220	07/19/2022 pziemer REPAIR & MAINT	08/03/2022	66.34 66.34	66.34	Open	N 08/03/2022
48 72513	SADUSKY RENOVATIONS 7/7/22-7/15/22 INSPECTION SERVICES 101-2400-43300	07/18/2022 pziemer PROFESSIONAL SERVICES	08/03/2022	8,110.24 8,110.24	8,110.24	Open	N 08/03/2022
JULY 2022 72565	SEVERSON PORTER LAW JUL 22 PROSECUTION AGREEMENT 225-2127-43310	07/22/2022 pziemer MISDEMEANOR PROSECUTOR	08/03/2022	16,517.09 16,517.09	16,517.09	Open	N 08/03/2022
429446 72525	SHORT ELLIOTT HENDRICKSON IMP 19-02 NP CENTER CUYUNA TRAIL 401-1902-43300	07/15/2022 pziemer PROFESSIONAL SERVICES	08/03/2022	24,346.26 24,346.26	24,346.26	Open	N 08/03/2022
CM293022 72548	STREICHERS PROF EQUIP CREDIT - TRT EQUIPMENT 225-2131-42210	07/05/2022 pziemer OPERATING SUPPLIES	08/03/2022	(1,024.99) (1,024.99)	(1,024.99)	Open	N 08/03/2022

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I1579806 72549	STREICHERS PROF EQUIP 772 - CSO BADGE 225-2121-41113	07/19/2022 pziemer	08/03/2022	147.00	147.00	Open	N 08/03/2022
	UNIFORM ALLOWANCE			147.00			
BFG22-0009 72484	THOMAS ALLEN HOMES LLC BD Bond Refund 101-0000-20200	07/20/2022 pziemer	08/03/2022	8,500.00	8,500.00	Open	N 08/03/2022
	BFG22-0009			8,500.00			
BFG22-0012 72485	THOMAS ALLEN HOMES LLC BD Bond Refund 101-0000-20200	07/20/2022 pziemer	08/03/2022	8,500.00	8,500.00	Open	N 08/03/2022
	BFG22-0012			8,500.00			
BFG21-0017 72487	THOMAS ALLEN HOMES LLC BD Bond Refund 101-0000-20200	07/20/2022 pziemer	08/03/2022	4,000.00	4,000.00	Open	N 08/03/2022
	BFG21-0017			4,000.00			
BFG22-0015 72618	THOMAS ALLEN HOMES LLC BD Bond Refund 101-0000-20200	07/26/2022 pziemer	08/03/2022	10,000.00	10,000.00	Open	N 08/03/2022
	BFG22-0015			10,000.00			
2893685 72495	VIKING COCA COLA BOTTLING CO CONCESSIONS 230-5204-42210	07/13/2022 pziemer	08/03/2022	680.75	680.75	Open	N 08/03/2022
	OPERATING SUPPLIES			680.75			
2893678 72496	VIKING COCA COLA BOTTLING CO CONCESSIONS 230-5204-42210	07/13/2022 pziemer	08/03/2022	1,011.25	1,011.25	Open	N 08/03/2022
	OPERATING SUPPLIES			1,011.25			
JUNE 2022 72500	VISIT BRAINERD REMIT JUNE 2022 LODGING TAX 101-9200-43340	07/18/2022 pziemer	08/03/2022	3,766.27	3,766.27	Open	N 08/03/2022
	LODGING TAX REMIT/PR			3,766.27			
2207-989229 72509	W W THOMPSON CONCRETE CONCRETE MIX - MMP X10 230-5200-42220	07/12/2022 pziemer	08/03/2022	66.50	66.50	Open	N 08/03/2022
	REPAIR & MAINT			66.50			
2207-991394 72562	W W THOMPSON CONCRETE STORM SEWER CATCH BASIN REPAIR 238-3160-42220	07/22/2022 pziemer	08/03/2022	27.90	27.90	Open	N 08/03/2022
	REPAIR & MAINT			27.90			

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036926 72550	WEST BRAINERD AUTO SERVICE SQD 429 TOW 225-2120-42221	07/14/2022 pziemer	08/03/2022	20.00 20.00	20.00	Open	N 08/03/2022
	SQUAD CAR REPAIR SUPPLIES			20.00			
038256 72674	WEST BRAINERD AUTO SERVICE TOW - 22009967 225-2120-43430	07/27/2022 pziemer	08/03/2022	40.00 40.00	40.00	Open	N 08/03/2022
	MISCELLANEOUS			40.00			
IN000626116 72615	ZIEGLER, INC SKID STEER TRACKS AND SPROCKET SLEEVES 235-3100-42220	07/26/2022 pziemer	08/03/2022	4,414.80 4,414.80	4,414.80	Open	N 08/03/2022
	REPAIR & MAINT			4,414.80			
PCard: 2257 U.S. BANK Card Holder: CITY HALL							
6/28/22 72621	AMAZON DIGITAL CLOCKS - COUNCIL CHAMBERS 101-9200-43434	07/01/2022 pziemer	08/03/2022	109.98 109.98	109.98	Open	N 08/03/2022
	MEETING BROADCAST EXPENDITURES			109.98			
7/2/22 72624	AMAZON AWS WEB SERVICES JUNE 2022 101-1800-43309	07/02/2022 pziemer	08/03/2022	204.12 204.12	204.12	Open	N 08/03/2022
	COMPUTER SUPPORT			204.12			
7/5/22 72626	AMAZON STREETS - OTTERBOX/PROTECTOR 235-3100-42200	07/05/2022 pziemer	08/03/2022	64.54 64.54	64.54	Open	N 08/03/2022
	OFFICE SUPPLIES			64.54			
7/11/22 72619	CWC LAND DEPARTMENT WEB SUBSCRIPTION - 1 DAY ADMIN 101-1400-43300	07/11/2022 pziemer	08/03/2022	10.00 10.00	10.00	Open	N 08/03/2022
	PROFESSIONAL SERVICES			10.00			
6/29/22 72625	GOVERNMENT FINANCE OFFICERS ASSN COA APPLICATION FEE 101-9200-43430	07/01/2022 pziemer	08/03/2022	460.00 460.00	460.00	Open	N 08/03/2022
	MISCELLANEOUS			460.00			
7/14/22 72622	INTERNATIONAL CODE COUNCIL INC ICC CODE LEGAL BOOKS 101-2400-43435	07/14/2022 pziemer	08/03/2022	186.00 186.00	186.00	Open	N 08/03/2022
	BOOKS & PAMPHLETS			186.00			
7/13/22 72636	MN DEPT LABOR & INDUSTRY BOILERS - SP. ENG LICENSE - STOCKING 101-2400-43330	07/13/2022 pziemer	08/03/2022	20.00 20.00	20.00	Open	N 08/03/2022
	PROFESSIONAL DEVELOPMENT			20.00			

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

6/29/22 72638	TEXAS DEPT OF PUBLIC SAFETY PUBLIC WORK DIR. BACKGROUND CHECK 101-1700-43300	07/01/2022 pziemer	08/03/2022	3.32 3.32	3.32	Open	N 08/03/2022
7/17/22 72634	WORDPRESS BRDRIVERFRONT ANNUAL SUBSCRIPTION 101-1800-43309	07/17/2022 pziemer	08/03/2022	99.00 99.00	99.00	Open	N 08/03/2022
7/19/22 72635	WORDPRESS BRDRIVERFRONT - DOMAIN REGISTRATION 101-1800-43309	07/19/2022 pziemer	08/03/2022	18.00 18.00	18.00	Open	N 08/03/2022
7/18/22 72620	ZOOM VIDEO COMMUNICATIONS ZOOM 7/18/22-8/17/22 101-1800-43309	07/18/2022 pziemer	08/03/2022	29.98 29.98	29.98	Open	N 08/03/2022
Total PCard: 2257 U.S. BANK Card Holder: CITY HALL				1,204.94	1,204.94		

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution						

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

7/11/22							
72583	ALL HANDS FIRE EQUIPMENT	07/11/2022	08/03/2022	370.95	370.95	Open	N
	STRUCTURAL FF GLOVES	pziemer					08/03/2022
	225-2220-42250	PERSONAL PROTECTIVE GEAR		370.95			
6/23/22							
72584	AMAZON	07/01/2022	08/03/2022	25.99	25.99	Open	N
	LAUNDRY DETERGENT	pziemer					08/03/2022
	225-2220-42210	OPERATING SUPPLIES		25.99			
7/6/22							
72585	THE UPS STORE	07/06/2022	08/03/2022	11.91	11.91	Open	N
	SHIPPING CHARGES	pziemer					08/03/2022
	225-2220-42210	OPERATING SUPPLIES		11.91			
Total PCard: 2257 U.S. BANK Card Holder: FIRE				408.85	408.85		

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

7/14/22 72646	AMAZON BATTERIES 211-5503-43430	07/14/2022 pziemer	08/03/2022	3.75	3.75	Open	N 08/03/2022
	MISC - USE OF HOLDEN TRUST			3.75			
7/14/22 - 2 72647	AMAZON SAFETY SUPPLIES - BANDAIDS/BAGS 211-5503-43430	07/14/2022 pziemer	08/03/2022	27.72	27.72	Open	N 08/03/2022
	MISC - USE OF HOLDEN TRUST			27.72			
7/13/22 72649	AMAZON CHILDREN'S PROGRAM SUPPLIES - SANITIZERS 211-5503-43430	07/13/2022 pziemer	08/03/2022	78.89	78.89	Open	N 08/03/2022
	MISC - USE OF HOLDEN TRUST			78.89			
7/4/22 72642	MAILCHIMP MAILCHIMP EMAIL SUBSCRIPTION 211-5503-43430	07/04/2022 pziemer	08/03/2022	34.00	34.00	Open	N 08/03/2022
	MISC - USE OF HOLDEN TRUST			34.00			
7/13/22 72645	MENARDS CLEANING/REPAIR SUPPLIES 211-5500-42220	07/13/2022 pziemer	08/03/2022	68.83	68.83	Open	N 08/03/2022
	REPAIR & MAINT			68.83			
7/11/22 72643	OFFICE MAX SUMMER READING ART 211-5501-43430	07/11/2022 pziemer	08/03/2022	28.68	28.68	Open	N 08/03/2022
	MISC - SPECIFIED DONATION USE			28.68			
7/11/22 - 2 72644	OFFICE MAX RETURN SUMMER READING ART 211-5501-43430	07/11/2022 pziemer	08/03/2022	(9.56)	(9.56)	Open	N 08/03/2022
	MISC - SPECIFIED DONATION USE			(9.56)			
7/5/22 72648	PLUNKETT'S PEST CONTROL PEST CONTROL 211-5500-42220	07/05/2022 pziemer	08/03/2022	65.00	65.00	Open	N 08/03/2022
	REPAIR & MAINT			65.00			
6/28/22 72640	WALMART COMMUNITY/GECRB SUMMER READING PROGRAM PRIZES 211-5501-43430	07/01/2022 pziemer	08/03/2022	429.34	429.34	Open	N 08/03/2022
	MISC - SPECIFIED DONATION USE			429.34			
6/28/22 - 2 72641	WALMART COMMUNITY/GECRB SUMMER READING PROGRAM PRIZES 211-5501-43430	07/01/2022 pziemer	08/03/2022	120.22	120.22	Open	N 08/03/2022
	MISC - SPECIFIED DONATION USE			120.22			

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PCard: 2257 U.S. BANK Card Holder: LIBRARY							
Total PCard: 2257 U.S. BANK Card Holder: LIBRARY				846.87	846.87		

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

6/30/22 72580	COSTCO CONCESSIONS - BUNS/CONDIMENTS/SCISSOR 230-5204-42210	07/01/2022 pziemer	08/03/2022	25.86 25.86	25.86	Open	N 08/03/2022
7/12/22 72581	COSTCO CONCESSIONS - BUNS, CHIPS, FRUIT SNA 230-5204-42210	07/12/2022 pziemer	08/03/2022	94.49 94.49	94.49	Open	N 08/03/2022
7/21/22 72582	COSTCO CONCESSIONS - BEVERAGES, HOT DOGS, B 230-5204-42210	07/21/2022 pziemer	08/03/2022	153.25 153.25	153.25	Open	N 08/03/2022
7/20/22 72607	COSTCO CONCESSIONS - BUNS 230-5204-42210	07/20/2022 pziemer	08/03/2022	22.14 22.14	22.14	Open	N 08/03/2022
7/8/22 72606	THE UPS STORE SHIPPING - RETURN FLAGPOLE PARTS, DO 101-1940-42220	07/08/2022 pziemer	08/03/2022	12.61 12.61	12.61	Open	N 08/03/2022
Total PCard: 2257 U.S. BANK Card Holder: PARKS				308.35	308.35		

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PCard: 2257 U.S. BANK Card Holder: POLICE							
7/18/22 72603	ALL STAR TROPHY AND AWARDS INC TROPHIES - BAGS WITH BADGES 225-2120-42210	07/18/2022 pziemer	08/03/2022	360.00 360.00	360.00	Open	N 08/03/2022
7/1/22 72608	APPLE PHONE APP FOR INVESTIGATIONS 225-2120-43309	07/01/2022 pziemer	08/03/2022	5.38 5.38	5.38	Open	N 08/03/2022
7/12/22 72597	DOUBLETREE BY HILTON 708 - SOCIAL MEDIA/OPNESOURCE TRNG 225-2120-43330	07/12/2022 pziemer	08/03/2022	173.29 173.29	173.29	Open	N 08/03/2022
7/12/22 72599	FACEBOOK POLICE OFFICER EMPLOYMENT AD ON FACEP 225-2120-43350	07/12/2022 pziemer	08/03/2022	85.54 85.54	85.54	Open	N 08/03/2022
7/1/22 72609	FACEBOOK POLICE OFFICER EMPLOYMENT AD 225-2120-43350	07/01/2022 pziemer	08/03/2022	19.35 19.35	19.35	Open	N 08/03/2022
7/22/22 72605	FLEET FARM CLEANING SUPPLIES 225-2120-42220	07/22/2022 pziemer	08/03/2022	31.94 31.94	31.94	Open	N 08/03/2022
7/1/22 72589	HAIX 729 - UNIFORM BOOTS 225-2120-41113	07/01/2022 pziemer	08/03/2022	209.00 209.00	209.00	Open	N 08/03/2022
7/5/22 72591	LA POLICE GEAR 720 - UNIFORM BOOTS 225-2120-41113	07/05/2022 pziemer	08/03/2022	179.98 179.98	179.98	Open	N 08/03/2022
7/4/22 72590	LITTLE CAESARS PARADE ASSIST 225-2120-43430	07/04/2022 pziemer	08/03/2022	105.57 105.57	105.57	Open	N 08/03/2022
7/11/22 72598	MINNESOTA T'S 703 - UNIFORM SHIRTS 225-2120-41113	07/11/2022 pziemer	08/03/2022	78.00 78.00	78.00	Open	N 08/03/2022

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

7/15/22 72602	MN BUREAU OF CRIM APPREHENSION 728 - EMPLOYEE MISCONDUCT AND DISCIPLINARY 225-2120-43330	07/15/2022 pziemer	08/03/2022	250.00 250.00	250.00	Open	N 08/03/2022
7/1/22 72594	TRANSUNION RISK INVESTIGATIONS & PARKING TICKET COLLECTION 225-2120-42210	07/01/2022 pziemer	08/03/2022	75.00 75.00	75.00	Open	N 08/03/2022
6/27/22 72586	USPS POSTAGE 225-2120-43322	07/01/2022 pziemer	08/03/2022	5.10 5.10	5.10	Open	N 08/03/2022
6/29/22 72587	USPS POSTAGE 225-2120-43322	07/01/2022 pziemer	08/03/2022	9.00 9.00	9.00	Open	N 08/03/2022
6/30/22 72588	USPS POSTAGE 225-2120-43322	07/01/2022 pziemer	08/03/2022	13.20 13.20	13.20	Open	N 08/03/2022
7/6/22 72592	USPS POSTAGE 225-2120-43322	07/06/2022 pziemer	08/03/2022	5.10 5.10	5.10	Open	N 08/03/2022
7/6/22 - 2 72593	USPS POSTAGE 225-2120-43322	07/06/2022 pziemer	08/03/2022	10.20 10.20	10.20	Open	N 08/03/2022
7/12/22 72600	USPS POSTAGE 225-2120-43322	07/12/2022 pziemer	08/03/2022	9.60 9.60	9.60	Open	N 08/03/2022
7/13/22 72601	USPS POSTAGE 225-2120-43322	07/13/2022 pziemer	08/03/2022	4.50 4.50	4.50	Open	N 08/03/2022
7/20/22 72604	USPS POSTAGE 225-2120-43322	07/20/2022 pziemer	08/03/2022	2.64 2.64	2.64	Open	N 08/03/2022

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

7/10/22							
72595	WALMART COMMUNITY/GECRB	07/10/2022	08/03/2022	14.88	14.88	Open	N
	SQD 429 - AIR FILTER	pziemer					08/03/2022
	225-2120-42221	SQUAD CAR REPAIR SUPPLIES		14.88			
7/10/22 - 2							
72596	WALMART COMMUNITY/GECRB	07/10/2022	08/03/2022	35.97	35.97	Open	N
	SQD 429 - HEADLIGHT BULBS	pziemer					08/03/2022
	225-2120-42221	SQUAD CAR REPAIR SUPPLIES		35.97			
Total PCard: 2257 U.S. BANK Card Holder: POLICE				1,683.24	1,683.24		

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

7/18/22 72623	ULINE SHOP TOWELS AND BANDAGES 235-3100-42220	07/18/2022 pziemer	08/03/2022	199.59	199.59	Open	N 08/03/2022
	REPAIR & MAINT			199.59			

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

# of Invoices:	192	# Due:	191	Totals:	576,657.78	576,657.78
# of Credit Memos:	2	# Due:	2	Totals:	(1,034.55)	(1,034.55)
Net of Invoices and Credit Memos:					575,623.23	575,623.23

--- TOTALS BY GL DISTRIBUTION ---

101-0000-20200	BFG22-0001	70,728.00
101-0000-20850	DUE TO COMPONENT UNIT	7,037.87
101-0000-22800	OTHER LIABILITIES	76.20
101-1400-43300	PROFESSIONAL SERVICES	10.00
101-1400-43330	PROFESSIONAL DEVELOPMENT	40.13
101-1700-43300	PROFESSIONAL SERVICES	3.32
101-1800-43309	COMPUTER SUPPORT	2,823.10
101-1800-43331	LEASE PAYMENTS	1,306.95
101-1940-42220	REPAIR & MAINT	12.61
101-1940-43300	PROFESSIONAL SERVICES	1,890.71
101-1940-43381	BPU UTILITIES	1,865.39
101-1940-43410	RENTAL EXPENSE	88.16
101-2400-43300	PROFESSIONAL SERVICES	8,110.24
101-2400-43330	PROFESSIONAL DEVELOPMENT	20.00
101-2400-43350	PRINTING/LEGAL PUBLICATION	92.00
101-2400-43435	BOOKS & PAMPHLETS	186.00
101-9200-43340	LODGING TAX REMIT/PR	3,766.27
101-9200-43381	BPU UTILITIES	82.74
101-9200-43430	MISCELLANEOUS	559.00
101-9200-43434	MEETING BROADCAST EXPENDITURES	3,338.37
101-9200-43438	MISC SPECIAL PROJECTS	8,774.90
203-9000-42200	OFFICE SUPPLIES	332.78
211-0000-20800	DUE TO OTHER GOVT UNITS	705.50
211-5500-42220	REPAIR & MAINT	133.83
211-5500-43381	BPU UTILITIES	1,810.72
211-5501-43430	MISC - SPECIFIED DONATION USE	568.68
211-5503-43430	MISC - USE OF HOLDEN TRUST	144.36
225-0000-20800	DUE TO OTHER GOVT UNITS	4,764.65
225-2120-41113	UNIFORM ALLOWANCE	466.98
225-2120-42200	OFFICE SUPPLIES	153.30
225-2120-42209	SAFETY EQUIPMENT SUPPLIES	11.17
225-2120-42210	OPERATING SUPPLIES	539.16
225-2120-42220	REPAIR & MAINT	2,880.31
225-2120-42221	SQUAD CAR REPAIR SUPPLIES	1,616.10
225-2120-43300	PROFESSIONAL SERVICES	1,430.23
225-2120-43309	COMPUTER TECHNICAL SUPPORT	5.38
225-2120-43322	POSTAGE	59.34
225-2120-43330	PROFESSIONAL DEVELOPMENT	7,947.79

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
225-2120-43331	LEASED PAYMENTS			796.96			
225-2120-43350	PRINTING/LEGAL PUBLICATION			104.89			
225-2120-43381	BPU UTILITIES			3,499.59			
225-2120-43430	MISCELLANEOUS			145.57			
225-2121-41113	UNIFORM ALLOWANCE			147.00			
225-2127-43310	MISDEMEANOR PROSECUTOR			16,517.09			
225-2131-42210	OPERATING SUPPLIES			(1,024.99)			
225-2220-42200	OFFICE SUPPLIES			67.99			
225-2220-42210	OPERATING SUPPLIES			37.90			
225-2220-42220	REPAIR & MAINT			129.63			
225-2220-42250	PERSONAL PROTECTIVE GEAR			477.95			
225-2220-43300	PROFESSIONAL SERVICES			254.95			
225-2220-43331	LEASED PAYMENTS			80.69			
225-2220-43381	BPU UTILITIES			1,853.77			
225-2700-43300	PROFESSIONAL SERVICES			2,987.00			
227-3230-43428	USED OIL RECYCLING EXPENSE			50.00			
230-5200-42210	OPERATING SUPPLIES			156.00			
230-5200-42220	REPAIR & MAINT			16,342.13			
230-5200-42221	R&M-ATHLETIC FIELD MAINT			573.36			
230-5200-43381	BPU UTILITIES			13,953.07			
230-5204-42210	OPERATING SUPPLIES			2,116.35			
230-5212-42210	OPERATING SUPPLIES			55.66			
230-5280-43380	UTILITIES			535.69			
235-3100-42200	OFFICE SUPPLIES			64.54			
235-3100-42220	REPAIR & MAINT			11,521.07			
235-3100-43300	PROFESSIONAL SERVICES			254.95			
235-3100-43381	BPU UTILITIES			23,893.10			
235-3100-43430	MISCELLANEOUS			195.07			
235-3125-42220	REPAIR & MAINT			8,431.21			
235-3170-42210	OPERATING SUPPLIES			15.68			
236-3180-43381	BPU UTILITIES			36.00			
237-3190-42220	REPAIR & MAINT			241.14			
238-3160-42220	REPAIR & MAINT			27.90			
400-9050-45530	CAPITAL - OTHER			4,308.60			
401-0000-20300	DUE TO TAX PAYER (ASSMENTTS)			277.12			
401-1003-43380	UTILITIES			98.17			
401-1003-43430	MISCELLANEOUS			93.79			
401-1902-43300	PROFESSIONAL SERVICES			24,346.26			
401-9030-43300-21:11	PROFESSIONAL SERVICES			2,364.00			
401-9030-43300-21:15	PROFESSIONAL SERVICES			12,501.08			
401-9030-43430	MISCELLANEOUS			37.78			
401-9030-45530-21:16	CAPITAL-PYMTS TO CONTRACTS			268,212.12			
401-9030-45530-22:02	CAPITAL-PYMTS TO CONTRACTS			18,191.46			
404-9055-45550	CAPITAL - VEHICLES			5,207.90			

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--- TOTALS BY FUND ---							
	101 - GENERAL FUND			110,811.96	110,811.96		
	203 - TRANSIT FUND			332.78	332.78		
	211 - LIBRARY FUND			3,363.09	3,363.09		
	225 - PUBLIC SAFETY FUND			45,950.40	45,950.40		
	227 - RECYCLING FUND			50.00	50.00		
	230 - PARK & RECREATION FUND			33,732.26	33,732.26		
	235 - STREET & SEWER FUND			44,375.62	44,375.62		
	236 - PARKING LOT FUND			36.00	36.00		
	237 - SANITARY SEWER FUND			241.14	241.14		
	238 - STORM SEWER FUND			27.90	27.90		
	400 - CAPITAL PROJECTS FUND			4,308.60	4,308.60		
	401 - CONSTRUCTION FUND			326,121.78	326,121.78		
	404 - FIRE DEPARTMENT CAPITAL			5,207.90	5,207.90		
--- TOTALS BY DEPT/ACTIVITY ---							
	0000 -			83,589.34	83,589.34		
	1003 - 10:03 DWNTWN MAIN CNTRACT			191.96	191.96		
	1400 - ADMINISTRATION			50.13	50.13		
	1700 - ENGINEERING			3.32	3.32		
	1800 - IT/GIS			4,130.05	4,130.05		
	1902 - 19:02 CLST CONNECTION			24,346.26	24,346.26		
	1940 - CITY HALL			3,856.87	3,856.87		
	2120 - POLICE DEPARTMENT			19,656.77	19,656.77		
	2121 - COMMUNITY SERVICE			147.00	147.00		
	2127 - MISDEMEANOR PROSECUTOR			16,517.09	16,517.09		
	2131 - TACTICAL TEAM			(1,024.99)	(1,024.99)		
	2220 - FIRE DEPARTMENT			2,902.88	2,902.88		
	2400 - COMMUNITY DEVL/INSPECTION			8,408.24	8,408.24		
	2700 - ANIMAL CONTROL			2,987.00	2,987.00		
	3100 - S & S MAINTENANCE			35,928.73	35,928.73		
	3125 - SNOW REMOVAL			8,431.21	8,431.21		
	3160 - STORM SEWER EXPENSE			27.90	27.90		
	3170 - TRAFFIC CONTROL			15.68	15.68		
	3180 - PARKING LOTS EXPENSE			36.00	36.00		
	3190 - SANITARY SEWER EXPENSE			241.14	241.14		
	3230 - RECYCLING EXPENSE			50.00	50.00		
	5200 - PARK MAIN/ADMINISTRATION			31,024.56	31,024.56		
	5204 - CONCESSIONS			2,116.35	2,116.35		
	5212 - KICKBALL PROGRAM			55.66	55.66		
	5280 - CAMPGROUND			535.69	535.69		
	5500 - LIBRARY-BUDGETED			1,944.55	1,944.55		
	5501 - SPECIFIED DONATION USE			568.68	568.68		

07/28/2022 01:44 PM

User: pziemer

DB: Brainerd

INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 08/01/2022 - 08/01/2022

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Page: 27/27

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
GL Distribution							
--- TOTALS BY DEPT/ACTIVITY ---							
	5503 - HOLDEN TRUST DONATION USE			144.36	144.36		
	9000 - TRANSIT FUND			332.78	332.78		
	9030 - CONSTRUCTION PROJ-MISC			301,306.44	301,306.44		
	9050 - CAPITAL PROJECTS-MISC			4,308.60	4,308.60		
	9055 - FIRE DEPARTMENT CAPITAL			5,207.90	5,207.90		
	9200 - CITY-WIDE			16,521.28	16,521.28		

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

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

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

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON, DULY CARRIED, TO APPROVE THE AGENDA.

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND JOHNSON TO APPROVE THE CONSENT CALENDAR.

- A. **Approval of Bills and Transfer of Funds**
- B. **Approval of Minutes of the Regular City Council Meeting held on July 5th, 2022**
- C. **Approval of Licenses**
- D. **Department Activity Reports**
- E. **Minnesota Lawful Gambling Application for Exempt Permit- Submitted by Brainerd Fire Relief Association for an Event to be held at Brainerd Fire Station 23 Laurel St on December 5th, 2022**
Temporary On-Sale Liquor License Application- Submitted By Brainerd Jaycees For An Event To Be Held July 22 & 23 Downtown Brainerd 6th St And Front St
- F. **Minnesota Lawful Gambling Application for Exempt Permit- Submitted by Brainerd Jaycees for an Event to be held at Brainerd High School 702 S 5th St on August 6th, 2022**
- G. **Minnesota Lawful Gambling Application for Exempt Permit- Submitted by Minnesota Deer Hunters Association Brainerd Chapter for an Event to be held at the Crow Wing County Curling Club 2000 SE 13th St on September 9, 2022**

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

Community Member of the Month

Council Member Johnson recognized Monty Jensen of Level Contracting as the July Community Member of the Month. In 2016 the City entered into a development agreement to get 3 developments in the City off of the tax forfeit rolls. Since then, Level Contracting has developed over 80 homes, with a majority of them lying in Ward 4. For that reason, Council Member Johnson nominated Mr. Jensen for Community Member of the Month.

Monty Jensen, Level Contracting, thanked his staff, sub-contractors, and suppliers for their hard work for the accomplishment. He thanked City Staff for the welcoming culture and making Brainerd a place that he wants to continue to develop in.

2021 Audit Presentation

The Chair recognized Mary Reedy, CliftonLarsonAllen, and Finance Director Hillman to present the 2021 Audit Results. Ms. Reedy stated that the results of the audit overall were positive and similar to other years. The results were submitted by June 30th to the State of Minnesota. Finance Director Hillman provided an overview of City spending for 2021 in comparison to the budget.

Chair Bevans requested that Personnel and Finance Committee decide how to report the public safety, parks, and streets for the 2023 ACFR with the change of the Charter.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND O'DAY, DULY CARRIED, TO ACCEPT THE AUDIT AS PRESENTED.

Council Committee Reports

Safety and Public Works

Request to Apply for Clean Water Funds Fiscal Year 2023 for Gully Remediation Project

Committee Chair O'Day stated that the grant would fund 75% of the estimated project cost through the state funded program with a 25% match from the City if awarded. The City's responsibility is estimated at \$210,000 to fix the gully in South Brainerd which would come from the Storm Sewer Fund or other local funding sources. The gully remediation is needed for compliance with the City's MS4 permit.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON, DULY CARRIED, TO AUTHORIZE STAFF TO APPLY FOR CLEAN WATER FUNDS FISCAL YEAR 2023 IN THE AMOUNT OF \$630,000.

Direction on Active Code Enforcement

Committee Chair O'Day stated that there are seven active cases presented.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON, DULY CARRIED, TO ACCEPT THE STAFF RECOMMENDATIONS ON THE ATTACHED MEMO.

Community Development Director Kramvik stated that the property that staff was asked to follow-up on from the last meeting was determined to have been repossessed by the Bank. Staff has contacted the bank.

Personnel and Finance Committee

Accept Retirement of Street Maintenance III/ Sewer Lead Gary Thompson

Committee Chair Johnson stated that it is with great regret that we accept the retirement of Mr. Gary Thompson. He has vast knowledge that has been valuable to the City.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO ACCEPT THE RETIREMENT OF STREET MAINTENANCE III/SEWER LEAD GARY THOMPSON EFFECTIVE OCTOBER 15, 2022, AND TO AUTHORIZE HIS

SEVERANCE PAYOUT PER THE IUOE LOCAL NO. 49 STREET DEPARTMENT UNION CONTRACT; FURTHER, TO AUTHORIZE STAFF TO POST THE REPLACEMENT POSITION.

Approve Updated Brainerd Public Utilities Contribution Rate Policy

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO APPROVE THE ATTACHED AMENDED CONTRIBUTION POLICY BETWEEN BRAINERD PUBLIC UTILITIES AND THE CITY OF BRAINERD.

Discussion of Meals for Election Judges

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE MEALS FOR ELECTION JUDGES UP TO \$2,000 FOR BOTH THE PRIMARY AND GENERAL ELECTIONS.

Update on the Request for Funds to be Returned from Lakes Area Media Collaborative

Committee Chair Johnson stated that there is no update. Administrator Bergman will reach out to the Board members.

Unfinished Business

Interview Candidates and Appoint a Council Member for Ward 1

Administrator Bergman stated that Council Member Pritschet submitted his resignation from the City Council as of July 31, 2022. The Ward 1 seat will be on the Primary and General Election as a special election to finish Mr. Pritschet's term. Since the seat is vacant from August 1, 2022, until December 31, 2022, the Council elected to fill the seat until the end of 2022. There are three applicants: William Bieser, Leonard Skillings, and Kara Terry.

Chair Bevans stated that since there are 6 members in attendance tonight, the voting will be voice vote. In the event of a tie there will be a second voice vote. If the tie persists the Council will rank vote on paper.

Each of the Applicants had the opportunity to give background information about themselves in alphabetical order.

William Bieser, 160 Pineview Drive
Leonard Skillings, 920 S 7th Street
Kara Terry, 810 Paul Circle

Council Vote 1-

O'Day- Bieser
Stunek- Bieser
Johnson- Bieser
Stenglein- Terry
Erickson- Bieser
Bevans- Bieser

Chair Bevans thanked the applicants and declared that the Council appointed William Bieser to the Brainerd City Council Ward 1 as of August 1, 2022, through December 31st, 2022.

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 – 2 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 – 1 position available

Public Forum

The Chair opened public forum at 8:17 p.m.

Troy Scheffler, 26359 Shandy Trail, Merrifield, stated that at the 4th of July Parade held by Brainerd Community Action Council Member Erickson disrupted the line up of the parade by moving spaces. It frustrated many people in the parade. He hopes that Community Action will take action to prevent this from happening again.

The Chair closed public forum at 8:21 p.m.

Staff Report

Community Development Director Kramvik stated that the Planning Commission will hear a variance request for the fence at 401 Holly Street, Conditional Use Permit for Teeny Bubbles, and Interim Use Permit for Bridges of Hope Warming Shelter at their meeting on July 20th.

Chair Bevans apologized to Mr. Kramvik for the way the fence matter was handled at the previous meeting.

Interim City Engineer Sandy stated that the construction on South 6th Street is getting its first layer of asphalt. The Mississippi Landing Trailhead is underway, grading for the storm sewer has begun, the contractor is waiting on materials, beginning to stub in utilities and flat work.

City Administrator Bergman stated that the Charter Commission met on July 13th. The ordinance that was previously presented to the City Council will be brought back in three ordinances in the future. The Arboretum work group met last week; the Arboretum does have some ideas for future plans. The Initiative Foundation is preparing to execute an agreement with DEED Mainstreet Revitalization Program. As soon as the agreement is executed BLAEDC will start the applications process. Finally, CLC President Charlier met with Administrator Bergman and HRA Director Charpentier to talk about student housing needs in the City of Brainerd.

HRA Director Charpentier stated that hopefully the HRA can be a part of solutions for student housing.

Council Member Reports

Member O'Day stated that he has been monitoring the South 6th Street construction, it will hopefully be safer for pedestrians. He thanked the applicants for Ward 1.

Member Erickson stated that Planning Commission is on July 20, Arboretum Board of Directors is on July 28th, and Transportation Advisory Committee is on August 18th.

Chair Bevans stated that he went to the Lion's 100 Year Celebration, he thanked the Lions for 100 years of service.

Adjourn

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

The Chair adjourned the meeting at 8:30 p.m.

Jennifer Bergman
City Administrator

EXTERIOR PRO INC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
3622 30th St SE Ste 2	General Commercial	Active		12/31/2022	2022-0028	12/31/2022

LAKES AREA ROOFING & GENERAL

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
10300 CROW WING HEI	General Commerical	Active			2022-0029	12/31/2022

RICHARDS SIDING LLC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
613 N WISCONSIN ST	Exterior Finish	Active		12/31/2022	2022-0002	12/31/2022

Total Licensees3

Population: All Records
Licensee.Status = Active AND
Licensee.DateRegistered Between 7/13/2022 12:00:00 AM AND 7/28/2022 12:00:00 AM



Brainerd Fire Department Monthly Report

July 2022

ACTIVITIES AND PUBLIC EDUCATION



Brainerd Fire Department participated in several different parades throughout the area in July. Many of our firefighters and their families gathered at the station for the Brainerd 4th of July celebration.

Public education was also presented to preschoolers at a family day care and to families at First Baptist Church.

TRAINING AND STAFF DEVELOPMENT

Firefighter training in July included water flow, nozzles and water supply. This was a great training for the hot month of July.

INSPECTIONS	
Construction Inspection	3
Fire Alarm	20
Fire Pump	10
Hood Suppression	31
License Inspection	3
Safety Inspection	4
Sprinkler System	31



Brainerd Fire Department Monthly Report

July 2022

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	11
Hazardous Condition	4
Service Calls	7
Good Intent Call	3
Alarm Activation	19
Severe Weather	0
TOTAL	50

Type of NFIRS Incident (National Fire Incident Reporting System)	City of Brainerd Total Incidents
Fire	3
Rescue & Emergency Medical Service	7
Hazardous Condition	2
Service Calls	4
Good Intent Call	1
Alarm Activation	14
Severe Weather	0
TOTAL	31





HR DIRECTOR REPORT

In this report:

- NeoGov
- Employee Policy Manual Review
- Special Notes
- Personnel Update
- Wellness Committee

NeoGov

HR Staff have completed the Onboard training period! The next step is to look into the possibilities we may have to import new employee information straight from Onboard paperwork into our payroll system. We will be meeting with our Onboard Specialist to see if this is something that we can benefit from. We have officially Onboarded our first full-time City and HRA employees.

Employee Policy Manual Review

On July 5th, the City Council postponed consideration of the Employee Policy Manual (EPM) to August 1st to allow Staff additional time to draft a Telecommuting/Remote Work Policy and to discuss concerns expressed by the BPU Commission. Council and BPU Commission representatives met on July 14th to discuss the Commission's concerns. A consensus was reached with some slight modifications regarding Performance reviews for BPU Department Heads. The updated EPM is included on the August 1st City Council agenda for approval. A separate Telecommuting/Remote Work Policy has also been drafted and will be presented for Council consideration.

Special Notes

Negotiations with the IUOE Union representing our Street and Parks Department employees have been scheduled for August 4th. Date options are being reviewed with the IBEW Union representing our Administrative Support group. A closed union negotiation strategy session will be held at the August 1st Council meeting.

The annual meeting for Sourcewell's Better Health Collective will be held on August 18th. We will receive our 2023 health insurance renewal on that date.

We have received our 2023 Ancillary Benefit renewals. Our Dental plan came in with a 54% increase. Staff is reviewing options with our broker.

Personnel

New Hires/Promotions for City/BPU/HRA:

Patsy Rajala - HRA ROSS Coordinator (7/18)
Creo Block - HRA Maintenance Lead (7/25)
Jessie Dehn - City Engineer/Public Works Director (8/1)
Nicholas Anderson - Paid on Call Firefighter (8/1)
Isaac High - Paid on Call Firefighter (8/1)
Anthony Moberg - Paid on Call Firefighter (8/1)
Tyler Ogren - Paid on Call Firefighter (8/1)

Farewell to:

David Pritschet - City Council Member (7/31)
Ava Strong - Downtown Maintenance Seasonal (7/22)
Nick Brisk - BPU Electric Intern (7/15)

Current Job Opportunities:

Full-time:

Assistant Planner - Application deadline is August 3rd.
Maintenance III Street and Sewer - Staff's promotion recommendation is included on August 1st agenda.
BPU Laborer - Deadline was July 25th. Applications are being reviewed.
BPU Water Plant Relief Operator - Accepting applications through August 1st.

Seasonal/Temporary positions:

Umpires - Adult Softball
Concession Workers

There are currently four City/BPU/HRA employees with Family & Medical Leave Act (FMLA) issues resulting in intermittent leave when needed. There are no employees absent at this time due to a work-related injury.

Wellness Committee

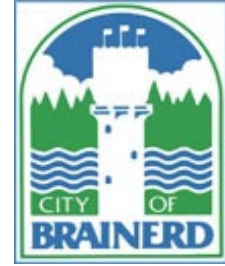
Brainerd's Wellness Committee met on July 13, 2022. Below are a few updates.

- Our next Get a Meal Give a Meal food drive for the North Star Apartments will be held at the October Chili Cook-off.
- Employee Appreciation Event - September 14th from 11:30AM to 1:00PM (City offices will be closed during this time)
- Biometric Screening Event - September 28th from 6:45 am to 11:00 am
- City Hall Water Bottle Filler Station - Waiting on County Maintenance

The Wellness Committee has agreed to cover all costs for the Employee Appreciation Event in September. Shawn Middagh has taken charge and plans to put on a big grill out in the park.

Nominations are being submitted for our 2022 Innovation and Exceptional Service Awards. We are seeking Council representatives to help select this years recipients. Please contact HR Director Schubert if you are interesting in helping with this process.

MEMO



TO: Mayor and City Council

FROM: James Kramvik, Community Development Director

DATE: August 1, 2022

RE: Community Development Director Report

Planning & Zoning

Kelsie Randall submitted a variance request at 401 Holly Street to exceed the side yard (corner) setback requirement for fences greater than 4 feet. This request was heard at the July 20th Planning Commission meeting.

The applicant requested a zero-foot setback along the North 4th Street side yard (corner) property line for the construction of a 6-foot-high wood fence.

- Section 515-54-7.B requires a Twenty (20) foot front yard setback in the R-1 Zoning District.
- Section 515-19-7.C requires a 20-foot setback from the side yard (corner) property line for fences greater than 4 ft in the R-1 Zoning District.

The original permit was issued in error by the City under the previous zoning code. Six-foot-high fences typically must align with the front façade of the principal structure; corner lots have two front facades.

However, under the old code in the case where a rear yard abuts a side yard of a neighboring property, the required yard of the neighboring property becomes the setback for 6' fences. In this case, it should have been 20 ft. from the side corner property line at 401 Holly Street. Also, with an established fence and no property pins, the City should have required a signature from Mr. Marohn to issue the permit.

Mr. Marohn made the City aware of the error and staff directed the applicants at 401 Holly Street to stop construction. The applicants were directed to either adhere to the Code of Ordinances or apply for a Variance.

Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinances and may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance. The Planning Commission heard the Variance request at their July 20th Planning Commission Meeting and voted unanimously to not recommend the variance request.

The applicants at 401 Holly Street rescinded their variance request and original fence permit application and reapplied under the new Zoning Code which allows corner lots to align fences with the front façade of their home in both the front yard and side yard. The

applicants are permitted a six (6) foot fence approximately 14 feet from the sidewalk along North 4th Street.

MEMO

TO: Mayor and Council

FROM: City Administrator Jennifer Bergman

DATE: July 27, 2022

RE: Resolution Accepting Donations & Contributions for 2nd Quarter 2022

Attached is a resolution accepting donations and contributions that have been made to the City of Brainerd for the period of April 1, 2022 and June 30, 2022. The City is very appreciative to all who have made these contributions. The funds from the donations and contributions will be used as requested by the donor.

A resolution needs to be adopted with a two-thirds vote of the Council. The item appears on the August 1st, 2022 agenda.

If you have any questions, please don't hesitate to contact me.

\pz

Brainerd Parks and Recreation

Contributions and Donations April-June 2022

Received From	Receipt Date	Type of Donation	Amount Received
Brainerd Lions Club	04/04/22	Designated for all-inclusive playground equipment at Buffalo Hills-Lions Park	5,000.00
Andrew-All Fried Up	04/04/22	Field banner program-Memorial Park improvements	150.00
Linda Palmer	04/07/22	Memorial tree plaque	35.00
Pampered Pets LLC and the Car Wash	04/13/22	Field banner program-Buster Park improvements	150.00
Viking Coca-Cola Bottling Co	04/19/22	Donation for Special Events from vendor contract	250.00
Walleye Alliance Inc	04/19/22	Donation for Kids Fishing Clinic	200.00
NP Events	05/09/22	Field banner program-Memorial Park improvements	400.00
Brainerd Lakes Chapter Muskies Inc	05/19/22	Donation for Kids Fishing Clinic	100.00
IBEW Local 31	05/20/22	Field banner program-Memorial Park improvements	1,250.00
Jeff Behr	05/25/22	Two memorial benches donated	2,300.00
Brainerd Lakes Area Women of Today	06/13/22	Donation for Youth Pond Hockey equipment	200.00
Pampered Pets LLC and the Car Wash	04/13/22	Prizes-Dog Park events	in-kind
Walmart	05/18/22	Gift card	in-kind
U.S. Army Corps of Engineers	05/18/22	200 each participant bags and Frisbees	in-kind
MN DNR	05/18/22	200 fishing license holders and fish measuring stickers for boats	in-kind
Anonymous	05/19/22	Six kids fishing poles for casting station	in-kind
TOTAL			\$10,035.00



www.ci.brainerd.mn.us

MEMO

TO: Finance Director Connie Hillman
FROM: Fire Chief Tim Holmes *TH*
DATE: July 5, 2022
SUBJECT: 2022 – 2nd Quarter Donations

Brainerd Fire Department received the following donations in the 2nd quarter:

• Amy Wegscheid	Public Education	\$ 25.00
• VFW Post 1647	Public Education	\$1,500.00

Feel free to contact me with any questions.

**RESOLUTION
NO. xx:22**

**RESOLUTION ACCEPTING DONATIONS AND/OR CONTRIBUTIONS
APRIL 1, 2022 to JUNE 30, 2022**

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

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

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

SEE ATTACHED LIST OF DONORS

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

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

Adopted this ____ day of August 2022

KELLY BEVANS
President of the Council

Approved this ____ day of August 2022

DAVE BADEAUX
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator

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

August 1, 2022

6:45 PM

WebEx Teleconference Call-In Information Call Toll-

Free: 1-844-992-4726

Access Code: 2480 318 9490

1. Approve Pay Application No. 1- Final for Improvement 22-02- 2022 Crack Seal Project
2. Direction on Active Code Enforcement Cases



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ 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:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
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>	

Contract Number: 2022-04
Pay Request Number: 1

Project Number	Project Description
22-02	2022 Crack Sealing Project

Contractor: Midwest Asphalt Maintenance 314 County Rd 13 Belgrade, MN 56312	Vendor Number: Up To Date: 07/26/2022
--	--

Contract Amount**Funds Encumbered**

Original Contract	\$14,823.90	Original	\$14,823.90
Contract Changes	\$0.00	Additional	N/A
Revised Contract	\$14,823.90	Total	\$14,823.90

Work Certified To Date

Base Bid Items	\$18,191.46
Contract Changes	\$
Material On Hand	\$0.00
Total	\$18,191.46

Work Certified This Request	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Request	Total Amount Paid To Date
\$18,191.46	\$18,191.46	\$0.00	\$0.00	\$18,191.46	\$18,191.46
Percent: Retained: 0%			Percent Complete: 122.72%		

This is to certify that the items of work shown in this certificate of Pay Estimate have been actually furnished for the work comprising the above-mentioned projects in accordance with the plans and specifications heretofore approved.

Approved By

Approved By

City Engineer

Contractor: Midwest Asphalt Maintenance

Date:

Date:

Payment Summary				
No.	Up To Date	Work Certified Per Request	Amount Retained Per Request	Amount Paid Per Request
1	2022-07-26	\$18,191.46	\$0.00	\$18,191.46

Funding Category Name	Funding Category Number	Work Certified to Date	Less Amount Retained	Less Previous Payments	Amount Paid this Request	Total Amount Paid to Date
2022 Crack Sealing Project		\$18,191.46	\$0.00	\$0.00	\$18,191.46	\$18,191.46

Accounting Number	Funding Source	Amount Paid this Request	Revised Contract Amount	Funds Encumbered to Date	Paid Contractor to Date
1	Local-City of Brainerd	\$18,191.46	\$14,823.90	\$14,823.90	\$18,191.46

Contract Item Status										
Base/Alt	Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
Base Bid	1	2021.501	MOBILIZATION	LS	\$1.00	1	1	\$1.00	1	\$1.00
Base Bid	2	2331.603	CRACK SEALING	L F	\$0.38	39005	47867	\$18,189.46	47867	\$18,189.46
Base Bid	3	2563.601	TRAFFIC CONTROL	LS	\$1.00	1	1	\$1.00	1	\$1.00
Base Bid Totals:								\$18,191.46		\$18,191.46

Project Category Totals			
Project	Category	Amount This Request	Amount To Date
22-02		\$18,191.46	\$18,191.46

Contract Change Item Status												
Project	CC	CC#	Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
Contract Change Totals:										\$		\$

Contract Total	\$18,191.46
----------------	-------------

Contract Change Totals			
Number	Description	Amount This Request	Amount To Date

Material On Hand Additions					
Line	Item	Description	Date	Added	Comments

--	--	--	--	--	--

Material On Hand Balance						
Line	Item	Description	Date	Added	Used	Remaining

BROCKWHITE

CONSTRUCTION MATERIALS

CSG A CONSTRUCTION SUPPLY GROUP COMPANY

BROCK WHITE COMPANY, LLC
3855 INDEPENDENCE RD # 100
BAXTER, MN 56425

Phone: (218)829-1929
Toll Free: 800-201-1929
Fax: 218-829-0802

QUOTE

UPC VENDOR	QUOTE DATE	ORDER NO.
000000	02/22/22	15285616-00
TAKEN BY	P.O.NO.	PAGE #
dn	James Fladung	1

CUST #: 14862

SHIP TO: CITY OF BRAINERD-STREET DEPT
C/O CITY HALL
501 LAUREL ST
BRAINERD, MN 56401-3595

CORRESPONDENCE TO: BROCK WHITE COMPANY, LLC
3855 INDEPENDENCE RD # 100
BAXTER, MN 56425

BILL TO: CITY OF BRAINERD-STREET DEPT
C/O CITY HALL
501 LAUREL ST
BRAINERD, MN 56401-3595

JOB #	JOB NAME		
INSTRUCTIONS		TERMS	
		PD03	
SHIP POINT		SHIP VIA	SHIPPED
Brock White Brainerd - 470		BW TRUCK	

LINE NO.	PRODUCT AND DESCRIPTION	QUANTITY ORDERED	QUANTITY B.O.	QTY. SHIPPED	QTY. U/M	UNIT PRICE	AMOUNT (NET)
1	0200040 34535 CRAFCO BOX 515 MN / 535 ROADSAVER 34535 **Due to volatility of market, prices good for 30 days, Brock White can withdraw quote anytime due to Freight Rate Increases and or Manufacturer increases. □ □ □ □ □ □ □ □	11250			LB	0.73	8212.50
1	Lines Total	Qty Shipped Total				Total Invoice Total	8212.50 8212.50

Delivery: FOB CSG, freight allowed. Customer to unload. All promises for delivery are estimated as closely as possible. Best efforts will be made to ship within time promised, but we make no guarantee to do so.

Field Measurement: By others

Restocking Fee: 20%

Other Terms: CSG's standard terms and conditions apply, a copy is available on the www.constructionsupplygroup.com website. This quote is subject to acceptance within thirty (30) days

Non-Stock/Special Orders: Are accepted with the understanding that cancellation cannot be made after the order has been placed. Excess material or material ordered by mistake may not be returned.

Last Page **This quotation is valid for 7 days. All shipments are based on F.O.B, unless otherwise noted.**

CSG carries a complete line of construction specialties. Please see our catalog or call us for more information. You may also visit us at WWW.CONSTRUCTIONSUPPLYGROUP.COM.



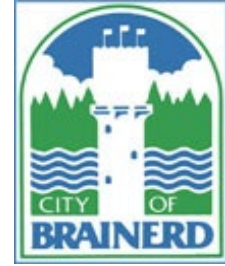
Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ 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:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
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>	

MEMO



TO: Mayor and City Council

FROM: James Kramvik, Community Development Director

DATE: August 1, 2022

RE: Recommendations for Active Code Enforcement Cases

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

- **408 2nd Ave NE (Grass/Weeds):**

- Received one (1) Notice of Violation letter and three (3) Citations for Grass/Weeds
 - First Letter 6/14/22 – Last Citation 7/11/22
 - \$800 in open citations

Staff recommends abatement of the grass immediately.

- **430 C St (Exterior Structure):**

- Received one (1) Notice of Violation letter and three (3) Citations for Exterior Structure
 - First Letter 5/9/22 – Last Citation 7/15/22
 - \$600 in open citations

Staff recommends issuing a \$300 citation every 30 days until November 1st.

- **915 Laurel St (Junk/debris/blight):**

- Received one (1) Notice of Violation letter and three (3) Citations for Junk/debris/blight
- Was owned by a resident – went Tax Forfeit last year – previous owner purchased back from the county July 2022
 - First Letter 12/13/21 – Last Citation 7/18/22
 - \$600 in open citations
- Received one (1) Notice of Violation letter and three (3) Citations for Unlicensed/Inoperable Vehicle
 - First Letter 6/10/22 – Last Citation 7/18/22
 - \$600 in open citations

Staff recommends issuing a 10-day order to correct letter for the junk and debris and begin working with the City Attorney for abatement.

Staff recommends issuing a 10-day order to correct letter for the vehicle and begin working with the City Attorney for abatement.

408 - 2nd AVE NE





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

THIS IS THE ONLY NOTICE YOU WILL RECEIVE

Administrative Citation

Department of Building Safety – 218-828-2307

EN22-0231

Date of Violation: 07/11/2022

Parcel ID: 41191616

Violator(s): VEITH, STEVEN H
9797 LEGIONVILLE RD
BRainerd, MN 56401-

Location/Address of Violation: **408 2ND AVE NE**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
IPMC 302.4	Grass & Weeds	\$300.00

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

Citation Amount Due: \$300.00

Payment Due By: 30 Days from Date of Violation

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

Re-inspection Date: 07/21/2022

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

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

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

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

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

Representative: Darrin Deseth, Building Official

Date: 07/11/2022

Representative's Signature:

(served via first class mail)

June 14, 2022

VEITH, STEVEN H
9797 LEGIONVILLE RD
BRAINERD, MN 56401-

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

Brainerd residents have consistently expressed that clean, well-maintained residential neighborhoods and commercial districts are a high priority. Maintaining these areas has proven to increase property values, provide a higher standard of living, and promotes community pride. A code violation was observed on the property described below. Understanding that you might not be aware of what the City codes require, I am sending you this courtesy notice to give you an opportunity to correct this matter.

Property Address: 408 2ND AVE NE
Real Estate Code: 41191616

Violation: Grass & Weeds
IPMC302.4

Description: Premises and exterior property shall be maintained free from weeds and plant growth in excess of 6". Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants, and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with section 108.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing therein, and the costs of such removal shall be paid by the owner or agent responsible for the property.

This is the only notice you will receive this growing season. Additional violations this growing season will result in an administrative citation and possible abatement.

Corrective action is required; five (5) days are allowed from the date of this letter.

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

Action should be taken on or before 06/19/2022

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

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

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

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

Respectfully,
By Order of:
THE CITY OF BRAINERD



430 C STREET





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

THIS IS THE ONLY NOTICE YOU WILL RECEIVE

Administrative Citation

Department of Building Safety – 218-828-2307

EN22-0109

Date of Violation: 07/15/2022

Parcel ID: 41191169

Violator(s): GOTTWALT, MATTHEW & ERICA
6571 160TH AVE
ROYALTON, MN 56373

Location/Address of Violation: **430 C ST NE**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
450.31 Subd 2	Exterior Structure	\$300.00

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

Citation Amount Due: \$300.00

Payment Due By: 30 Days from Date of Violation

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

Re-inspection Date: 07/25/2022

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

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

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

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

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

Representative: Darrin Deseth, Building Official

Date: 07/15/2022

Representative's Signature:

(served via first class mail)

May 09, 2022

GOTTWALT, MATTHEW & ERICA
6571 160TH AVE
ROYALTON, MN 56373

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

Brainerd residents have consistently expressed that clean, well-maintained residential neighborhoods and commercial districts are a high priority. Maintaining these areas has proven to increase property values, provide a higher standard of living, and promotes community pride. A code violation was observed on the property described below. Understanding that you might not be aware of what the City codes require, I am sending you this courtesy notice to give you an opportunity to correct this matter.

Property Address: 430 C ST NE
Real Estate Code: 41191169

Violation: Exterior Structure

Ordinance: 450

Description: Ord 450.31 Subd. 2. Protective Treatment. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks, and fences shall be maintained in good condition. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement. **NOTE:** Siding and roofing permits are required in the City of Brainerd. Corrective action is required; thirty (30) days are allowed from the date of this letter.

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

Action should be taken on or before 06/08/2022

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

1st Citation - \$100.00

2nd Citation - \$200.00

3rd Citation - \$300.00

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

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

Respectfully,

By Order of:

THE CITY OF BRAINERD



915 LAUREL ST





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

THIS IS THE ONLY NOTICE YOU WILL RECEIVE

Administrative Citation

Department of Building Safety – 218-828-2307

EN22-0227

Date of Violation: 07/18/2022

Parcel ID: 41241526

Violator(s): CURRENT RESIDENT
915 LAUREL ST
BRainerd, MN 56401

Location/Address of Violation: **915 LAUREL ST**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
2010	Junk/Debris/Blight	\$300.00

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

Citation Amount Due: \$300.00

Payment Due By: 30 Days from Date of Violation

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

Re-inspection Date: 07/28/2022

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

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

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

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

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

Representative: Darrin Deseth, Building Official

Date: 07/18/2022

Representative's Signature:

(served via first class mail)

December 13, 2021

WETHERELL, RICHARD B
915 LAUREL ST
BRainerd, MN 56401

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

Brainerd residents have consistently expressed that clean, well-maintained residential neighborhoods and commercial districts are a high priority. Maintaining these areas has proven to increase property values, provide a higher standard of living, and promotes community pride. A code violation was observed on the property described below. Understanding that you might not be aware of what the City codes require, I am sending you this courtesy notice to give you an opportunity to correct this matter.

Property Address: 915 LAUREL ST
Real Estate Code: 41241526

Violation: Junk/Debris/Blight
Ordinance: 2010

Description: Ord 2010 - 2010.09 Junk. No person, firm, or corporation of any kind shall permit the accumulation of junk that includes but is not limited to any of the following: waste material, trash, rubbish, refuse, or litter of any kind upon any land or inside or under any building or structure which may provide harborage or breeding places for mosquitoes, vermin, or rats.

No person, firm, or corporation of any kind shall permit on a property the accumulation of: batteries; paper; lumber or salvaged wood; boxes or containers; bottles; cans; discarded chemicals; bricks; stones; old or scrap copper, brass, iron, steel, or other metals; old and/or inoperable appliances; tanks; barrels; cages; clothing; pallets; wire/cable; dismantled, abandoned or inoperable vehicles, farm equipment, construction equipment, campers, recreation vehicles, boats, or parts thereof; rope; rags; glass; rubber; construction debris; plumbing fixtures; furniture; brush piles; cut down trees and branches; pulled stumps; leaf piles not in a composting container; or other similar objects and materials which may provide harborage or breeding places for mosquitoes, vermin, or rats. Useful items such as firewood and building materials may be stored in compliance with Section 24 of the Zoning Ordinance provided they are stored in a manner that will not create any danger or threat to public health.

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

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

Action should be taken on or before 12/27/2021

Per the above-mentioned code section and City Code 320 – Administrative Citations, failure to comply with this ordinance will result in a \$100 citation(s), up to a maximum of and not to exceed \$2,000 for each administrative offense.

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

Respectfully,
By Order of:
THE CITY OF BRAINERD





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

THIS IS THE ONLY NOTICE YOU WILL RECEIVE

Administrative Citation

Department of Building Safety – 218-828-2307

EN22-0228

Date of Violation: 07/18/2022

Parcel ID: 41241526

Violator(s): CURRENT RESIDENT
915 LAUREL ST
BRainerd, MN 56401

Location/Address of Violation: **915 LAUREL ST**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
2011	Unlicensed/Inoperable Vehicle	\$300.00

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

Citation Amount Due: \$300.00

Payment Due By: 30 Days from Date of Violation

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

Re-inspection Date: 07/28/2022

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

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

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

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

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

Representative: Darrin Deseth, Building Official

Date: 07/18/2022

Representative's Signature:

(served via first class mail)



07/18/2022 07:58

June 10, 2022

CURRENT RESIDENT
915 Laurel St,
Brainerd, MN 56401

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

Brainerd residents have consistently expressed that clean, well-maintained residential neighborhoods and commercial districts are a high priority. Maintaining these areas has proven to increase property values, provide a higher standard of living, and promotes community pride. A code violation was observed on the property described below. Understanding that you might not be aware of what the City codes require, I am sending you this courtesy notice to give you an opportunity to correct this matter.

Property Address: 915 LAUREL ST
Real Estate Code: 41241526

Violation: Unlicensed/Inoperable Vehicle
Ordinance: 2011

Description: Ord 2011 - 2011.03 Storing, parking or leaving dismantled or other such motor vehicles declared nuisance exceptions. The presence of an abandoned, wrecked, dismantled, inoperative, unlicensed, junked, or partially dismantled motor vehicle or a motor vehicle lacking vital component parts or parts of a motor vehicle on private or public property is a public nuisance. Corrective action is required; 14 days are allowed from the date of this letter.

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

Action should be taken on or before 06/24/2022

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

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

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

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

Respectfully,
By Order of:
THE CITY OF BRAINERD



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

August 1, 2022

6:30 PM

WebEx Teleconference Call-In Information

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

Access Code: 2491 583 6840

1. Brainerd Fire Department Relief Association Annual Report
2. Accept the Resignation of Paid On-Call Firefighter Stangel
3. Ratify the Hiring of Paid On-Call Firefighters
4. Accept the Retirement of Transit Coordinator Anders Stone
5. Approve the Promotion of Chad Lardy to the Street Maintenance III Position
6. Approval of the Revised Employee Policy Manual
7. Discuss Additional Cost of Clean- Up Day
8. Discussion of Reporting of Working Funds for 2023 Audit
9. Discussion on 2023 Budget Timeline and Set Budget Workshop
10. Resolution Accepting Final Distribution Local Fiscal Recover Fund Established Under the American Rescue Plan Act
11. Update on Request for Funds to be Returned from Lakes Area Media Collaborative



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ 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:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
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 Fire Department
Relief Association
23 Laurel St
Brainerd MN 56401
(218) 828-2312

July 17, 2022

TO: City Council City of Brainerd

FR: Brainerd Fire Department Relief Association

Pursuant to Minnesota State Statute 424A.093, subdivision 5(c), the Brainerd Fire Department Relief Association must certify to the municipality the annual financial requirements for the association by August 1, 2022. The financial requirements for the association are calculated on the Form SC-22, which is provided to the relief association by the Office of the State Auditor. This form is used to determine the projected current year end plan liabilities, any projected surplus or deficit, and the future year (2023) required municipal contribution.

Based upon the financial projections on the Form SC-22, the Brainerd Fire Department Relief Association is requesting that a decrease to our benefit level. We are currently at \$14,750 per year of service and are requesting a decrease to \$13,750 per year of service. Based on the performance of our fund in the past year and several other variables we feel that a decrease would be in the funds best interest. As a result of this decrease, we will be leaving our plan funded to 105%. Thank you for your consideration of this matter.

The form SC-22 is attached for your review and certification.

Sincerely,

Erik Flowers
Secretary

OFFICE OF THE STATE AUDITOR

Active Member Information

Enter the Annual Benefit Level in effect for 2022:

\$13,750

Enter the Minimum Retirement Age:

50

Enter the Years Required for Full Vesting:

20

(If you change your benefit level before 12/31/2022, the SC must be recalculated and recertified at the new level.)

2022

2023

Total Active Member Liabilities										3,856,755	4,335,186
										To end of 2022	To end of 2023
	Name	Status	Date of Birth	Fire Department Entry Date	Leaves of Absence and Breaks in Service (months)	Return to Service Member ?	Years of Service	Accrued Liability	Years of Service	Accrued Liability	
1	Rubado, Joseph J	Active		11/1/96	14		25	343,750	26	357,500	
2	Schellin, Jeffrey J	Active		10/1/01	0		21	288,750	22	302,500	
3	Smith, Joshua R	Active		10/1/02	3		20	244,334	21	264,247	
4	Johnson, Todd M	Active		11/1/03	6		19	253,641	20	275,000	
5	Mann, Lawayne R	Active		3/8/05	3		18	213,496	19	232,117	
6	Howard, Dennis J	Active		6/7/05	49		13	145,340	14	161,216	
7	Zeien, Cory J	Active		6/7/05	16		16	184,247	17	201,635	
8	Holmstrom, Matthew D	Active		8/7/06	16		15	172,731	16	189,774	
9	Bautch, James P	Active		10/3/06	3		16	184,247	17	201,635	
10	Enge, Joseph	Active		10/20/08	0		14	161,216	15	177,913	
11	Jacobson, Joel L	Active		10/20/08	21		12	119,200	13	133,007	
12	Read, David T	Active		10/20/08	0		14	151,961	15	167,700	
13	Marohn, Samuel	Active		12/9/09	0		13	145,340	14	161,216	
14	Powell, Jeremy	Active		12/9/09	12		12	130,253	13	145,340	
15	Amundson, Greg	Active		2/4/11	3		12	126,459	13	141,107	
16	Groenwold, Christopher	Active		2/4/11	3		12	122,775	13	136,997	
17	Lemieur, Jonathan	Active		2/4/11	0		12	130,253	13	145,340	
18	Findlay, Rahn D	Active		8/1/13	0		9	86,796	10	99,333	
19	Kargel, Brian T	Active		8/1/13	0		9	89,400	10	102,313	
20	Norwood, James	Active		8/1/13	0		9	89,400	10	102,313	
21	Bickel, Andrew J	Separated/Not Vested		10/21/13	18		8	0	9	0	
22	Stangel, Josh	Separated/Not Vested		10/1/15	12		6	0	7	0	
23	Flowers, Erik	Active		7/1/16	0		7	65,542	8	77,152	
24	Haglin, Nicholas	Active		7/1/16	0		7	65,542	8	77,152	
25	Isle, Steven	Active		7/1/16	3		6	54,542	7	65,542	
26	Rosier, Paul	Active		4/1/18	0		5	41,595	6	51,411	
27	Grimsby, Kathleen M	Active		8/1/18	5		4	34,274	5	44,128	
28	Wallace, Christopher A	Active		8/1/18	5		4	34,274	5	44,128	
29	Headley, Clint	Active		7/1/19	24		2	16,153	3	24,957	
30	Hidalgo, Erik	Active		7/1/19	0		4	33,276	5	42,843	
31	Ingman, Matt	Active		7/1/19	0		4	34,274	5	44,128	
32	Kramer, Bobby	Active		7/1/19	0		4	30,452	5	39,207	
33	Beeson, Drew	Active		12/1/20	0		2	14,783	3	22,839	
34	Kalis, Randy	Active		12/1/20	0		2	16,153	3	24,957	
35	Lee, Rick	Active		12/1/20	0		2	16,153	3	24,957	
36	Praska, Henry	Active		12/1/20	0		2	16,153	3	24,957	
37	Anderson, Nicholas	Active		8/1/22	0		0	0	1	7,841	

Form SC-22			Brainerd Fire Relief Association						
38	Ogren, Tyler	Active	8/1/22	0	0	0	0	1	6,376
39	High, Isaac	Active	8/1/22	0	0	0	0	1	6,567
40	Moberg, Anthony	Active	8/1/22	0	0	0	0	1	7,841
41		Choose Status					0		0
42		Choose Status					0		0
43		Choose Status					0		0
44		Choose Status					0		0
45		Choose Status					0		0
46		Choose Status					0		0
47		Choose Status					0		0
48		Choose Status					0		0
49		Choose Status					0		0
50		Choose Status					0		0
51		Choose Status					0		0
52		Choose Status					0		0
53		Choose Status					0		0
54		Choose Status					0		0
55		Choose Status					0		0
56		Choose Status					0		0
57		Choose Status					0		0
58		Choose Status					0		0
59		Choose Status					0		0
60		Choose Status					0		0
61		Choose Status					0		0
62		Choose Status					0		0
63		Choose Status					0		0
64		Choose Status					0		0
65		Choose Status					0		0
66		Choose Status					0		0
67		Choose Status					0		0
68		Choose Status					0		0
69		Choose Status					0		0
70		Choose Status					0		0
71		Choose Status					0		0
72		Choose Status					0		0
73		Choose Status					0		0
74		Choose Status					0		0
75		Choose Status					0		0
76		Choose Status					0		0
77		Choose Status					0		0
78		Choose Status					0		0
79		Choose Status					0		0
80		Choose Status					0		0
81		Choose Status					0		0
82		Choose Status					0		0
83		Choose Status					0		0
84		Choose Status					0		0
85		Choose Status					0		0
86		Choose Status					0		0
87		Choose Status					0		0
88		Choose Status					0		0

OFFICE OF THE STATE AUDITOR

Deferred Member Information

(fully or partially vested)

Total Deferred Member Liabilities 2022 786,732
 Total Deferred Member Liabilities 2023 826,069

1

Enter all information as it pertains to this member.

Member Name: Davis, Lance M Benefit Level
 at Separation: 8,750 Months of
 Service Are Paid Yes
 Minimum Years Required to Vest: 10 DOB: XXXXXXXXXX
 Service Dates: Entry: 11/1/03 Separation: 11/9/15
 LOAs and BIS (in months): 0 Vesting %: 68
 Return to Service Member ? (Select "Yes" if applicable.)
 Total Service: Years: 12 Months (if paid): 0
 2022 Estimated Liability: 101,195
 2023 Estimated Liability: 106,255 Status: Deferred

Deferred Interest Paid

(Select "Yes" if offered.)

Yes

If Interest is Paid, Choose Type:

Straight 5%

Period Interest is Paid:

Full Period

For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.

1991: <u> </u> %	1996: <u> </u> %	2001: <u> </u> %	2006: <u> </u> %	2011: <u> </u> %	2017: <u> </u> %
1992: <u> </u> %	1997: <u> </u> %	2002: <u> </u> %	2007: <u> </u> %	2012: <u> </u> %	2018: <u> </u> %
1993: <u> </u> %	1998: <u> </u> %	2003: <u> </u> %	2008: <u> </u> %	2013: <u> </u> %	2019: <u> </u> %
1994: <u> </u> %	1999: <u> </u> %	2004: <u> </u> %	2009: <u> </u> %	2014: <u> </u> %	2020: <u> </u> %
1995: <u> </u> %	2000: <u> </u> %	2005: <u> </u> %	2010: <u> </u> %	2015: <u> </u> %	2021: <u> </u> %

+Rate of return is calculated using the earnings projected on Page 4 of this form.

2016: % 2022: % +**2**

Enter all information as it pertains to this member.

Member Name: Turner, Mark Benefit Level
 at Separation: 7,400 Months of
 Service Are Paid Yes
 Minimum Years Required to Vest: 10 DOB: XXXXXXXXXX
 Service Dates: Entry: 11/1/96 Separation: 7/31/09
 LOAs and BIS (in months): 23 Vesting %: 60
 Return to Service Member ? (Select "Yes" if applicable.)
 Total Service: Years: 10 Months (if paid): 10
 2022 Estimated Liability: 92,612
 2023 Estimated Liability: 97,243 Status: Deferred

Deferred Interest Paid

(Select "Yes" if offered.)

Yes

If Interest is Paid, Choose Type:

Straight 5%

Period Interest is Paid:

Full Period

For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.

1991: <u> </u> %	1996: <u> </u> %	2001: <u> </u> %	2006: <u> </u> %	2011: <u> </u> %	2017: <u> </u> %
1992: <u> </u> %	1997: <u> </u> %	2002: <u> </u> %	2007: <u> </u> %	2012: <u> </u> %	2018: <u> </u> %
1993: <u> </u> %	1998: <u> </u> %	2003: <u> </u> %	2008: <u> </u> %	2013: <u> </u> %	2019: <u> </u> %
1994: <u> </u> %	1999: <u> </u> %	2004: <u> </u> %	2009: <u> </u> %	2014: <u> </u> %	2020: <u> </u> %
1995: <u> </u> %	2000: <u> </u> %	2005: <u> </u> %	2010: <u> </u> %	2015: <u> </u> %	2021: <u> </u> %

+Rate of return is calculated using the earnings projected on Page 4 of this form.

2016: % 2022: % +

3

Enter all information as it pertains to this member.

Member Name: Cox, David J Benefit Level at Separation: 8,750 Months of Service Are Paid Yes

Minimum Years Required to Vest: 10 DOB: XXXXXX

Service Dates: Entry: 1/1/98 Separation: 2/1/17

LOAs and BIS (in months): 12 Vesting %: 92

Return to Service Member ? (Select "Yes" if applicable.)

Total Service: Years: 18 Months (if paid): 1

2022 Estimated Liability: 194,267

2023 Estimated Liability: 203,980 Status: Deferred

Deferred Interest Paid
(Select "Yes" if offered.) Yes

If Interest is Paid, Choose Type:
Straight 5%
Period Interest is Paid:
Full Period

For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.

1991: <u> </u> %	1996: <u> </u> %	2001: <u> </u> %	2006: <u> </u> %	2011: <u> </u> %	2017: <u> </u> %
1992: <u> </u> %	1997: <u> </u> %	2002: <u> </u> %	2007: <u> </u> %	2012: <u> </u> %	2018: <u> </u> %
1993: <u> </u> %	1998: <u> </u> %	2003: <u> </u> %	2008: <u> </u> %	2013: <u> </u> %	2019: <u> </u> %
1994: <u> </u> %	1999: <u> </u> %	2004: <u> </u> %	2009: <u> </u> %	2014: <u> </u> %	2020: <u> </u> %
1995: <u> </u> %	2000: <u> </u> %	2005: <u> </u> %	2010: <u> </u> %	2015: <u> </u> %	2021: <u> </u> %

+Rate of return is calculated using the earnings projected on Page 4 of this form.

2016: % 2022: % +**4**

Enter all information as it pertains to this member.

Member Name: Johnson, Richard C Benefit Level at Separation: 8,750 Months of Service Are Paid Yes

Minimum Years Required to Vest: 10 DOB: XXXXXX

Service Dates: Entry: 1/26/98 Separation: 11/3/16

LOAs and BIS (in months): 61 Vesting %: 72

Return to Service Member ? (Select "Yes" if applicable.)

Total Service: Years: 13 Months (if paid): 8

2022 Estimated Liability: 116,314

2023 Estimated Liability: 122,130 Status: Deferred

Deferred Interest Paid
(Select "Yes" if offered.) Yes

If Interest is Paid, Choose Type:
Straight 5%
Period Interest is Paid:
Full Period

For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.

1991: <u> </u> %	1996: <u> </u> %	2001: <u> </u> %	2006: <u> </u> %	2011: <u> </u> %	2017: <u> </u> %
1992: <u> </u> %	1997: <u> </u> %	2002: <u> </u> %	2007: <u> </u> %	2012: <u> </u> %	2018: <u> </u> %
1993: <u> </u> %	1998: <u> </u> %	2003: <u> </u> %	2008: <u> </u> %	2013: <u> </u> %	2019: <u> </u> %
1994: <u> </u> %	1999: <u> </u> %	2004: <u> </u> %	2009: <u> </u> %	2014: <u> </u> %	2020: <u> </u> %
1995: <u> </u> %	2000: <u> </u> %	2005: <u> </u> %	2010: <u> </u> %	2015: <u> </u> %	2021: <u> </u> %

+Rate of return is calculated using the earnings projected on Page 4 of this form.

2016: % 2022: % +

5

Enter all information as it pertains to this member.

Member Name: Logelin, Dennis J Benefit Level at Separation: 8,750 Months of Service Are Paid Yes

Minimum Years Required to Vest: 10 DOB: XXXXXX

Service Dates: Entry: 7/1/01 Separation: 7/26/16

LOAs and BIS (in months): 36 Vesting %: 68

Return to Service Member ? (Select "Yes" if applicable.)

Total Service: Years: 12 Months (if paid): 0

2022 Estimated Liability: 97,760

2023 Estimated Liability: 102,648 Status: Deferred

Deferred Interest Paid

(Select "Yes" if offered.)

Yes

If Interest is Paid, Choose Type:

Straight 5%

Period Interest is Paid:

Full Period

For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.

1991: <u> </u> %	1996: <u> </u> %	2001: <u> </u> %	2006: <u> </u> %	2011: <u> </u> %	2017: <u> </u> %
1992: <u> </u> %	1997: <u> </u> %	2002: <u> </u> %	2007: <u> </u> %	2012: <u> </u> %	2018: <u> </u> %
1993: <u> </u> %	1998: <u> </u> %	2003: <u> </u> %	2008: <u> </u> %	2013: <u> </u> %	2019: <u> </u> %
1994: <u> </u> %	1999: <u> </u> %	2004: <u> </u> %	2009: <u> </u> %	2014: <u> </u> %	2020: <u> </u> %
1995: <u> </u> %	2000: <u> </u> %	2005: <u> </u> %	2010: <u> </u> %	2015: <u> </u> %	2021: <u> </u> %

+Rate of return is calculated using the earnings projected on Page 4 of this form.

2016: % 2022: % +

6

Enter all information as it pertains to this member.

Member Name: Sell, Barry L Benefit Level at Separation: 10,750 Months of Service Are Paid Yes

Minimum Years Required to Vest: 10 DOB: XXXXXX

Service Dates: Entry: 10/1/02 Separation: 7/31/20

LOAs and BIS (in months): 6 Vesting %: 88

Return to Service Member ? (Select "Yes" if applicable.)

Total Service: Years: 17 Months (if paid): 4

2022 Estimated Liability: 184,584

2023 Estimated Liability: 193,813 Status: Deferred

Deferred Interest Paid

(Select "Yes" if offered.)

Yes

If Interest is Paid, Choose Type:

Straight 5%

Period Interest is Paid:

Full Period

For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.

1991: <u> </u> %	1996: <u> </u> %	2001: <u> </u> %	2006: <u> </u> %	2011: <u> </u> %	2017: <u> </u> %
1992: <u> </u> %	1997: <u> </u> %	2002: <u> </u> %	2007: <u> </u> %	2012: <u> </u> %	2018: <u> </u> %
1993: <u> </u> %	1998: <u> </u> %	2003: <u> </u> %	2008: <u> </u> %	2013: <u> </u> %	2019: <u> </u> %
1994: <u> </u> %	1999: <u> </u> %	2004: <u> </u> %	2009: <u> </u> %	2014: <u> </u> %	2020: <u> </u> %
1995: <u> </u> %	2000: <u> </u> %	2005: <u> </u> %	2010: <u> </u> %	2015: <u> </u> %	2021: <u> </u> %

+Rate of return is calculated using the earnings projected on Page 4 of this form.

2016: % 2022: % +

OFFICE OF THE STATE AUDITOR

Financial Projections

	2022	2023	
Total Active Member Liabilities	3,856,755	4,335,186	
Total Deferred Member Liabilities	786,732	826,069	
Total Unpaid Installments	0	0	
Grand Total Special Fund Liability	A. 4,643,487	B. 5,161,255	
Normal Cost (Cell B minus Cell A)			C. 517,768

Projection of Net Assets for Year Ending December 31, 2022

Special Fund Assets at December 31, 2021 (FIRE-21 Form ending assets) 1 5,469,453

Projected Income for 2022

Fire State Aid (2021 fire state aid of \$180,254 may be increased by up to 3.5%)	D.	169,999	
Supplemental State Aid (actual 2021 supplemental state aid)	E.	37,871	
Municipal / Independent Fire Dept. Contributions	F.		
Interest / Dividends	G.	(428,000)	
Appreciation / (Depreciation)	H.		
Member Dues	I.		
Other Revenues	J.	1,000	
Total Projected Income for 2022 (Add Lines D through J)			2 (219,130)

Projected Expenses for 2022

Service Pensions (fill in individual pension amounts below)

Names:

D Rubbellke

\$ Amounts:

352,519

K. 352,519

Other Benefits

L.

Administrative Expenses

M.

18,040

Total Projected Expenses for 2022 (Add Lines K through M)

3 370,559

Projected Net Assets at December 31, 2022 (Add Lines 1 and 2, subtract Line 3)

4 4,879,764

Projection of Surplus or (Deficit) as of December 31, 2022

Projected Assets (Line 4)

5 4,879,764

2022 Accrued Liability (Page 4, cell A)

6 4,643,487

Surplus or (Deficit) (Line 5 minus Line 6)

7 236,277

OFFICE OF THE STATE AUDITOR

Calculation of Required Contribution

Deficit Information - Original			Deficit Information - Adjusted		
Year Incurred	Original Amount	Amount Retired as of 12/31/2021	Original Amount	Amount Retired as of 12/31/2022	Amount Left to Retire 1/1/2023
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	0	0			
2022					
Totals			0		0

Normal Cost

Projected Administrative Expense

Enter 2021 Admin Exp here:

Amortization of Deficit (Total of Original Amount column x 0.10)

10% of Surplus

Fire and Supplemental State Aid

Member Dues

5% of Projected Assets at December 31, 2022

Required Contribution (Add Lines 8, 9 and 10, subtract Lines 11, 12, 13 and 14. If negative, zero is displayed.)

The required contribution must be made during 2023.

8	517,768
9	18,671
10	0
11	23,628
12	207,870
13	0
14	243,988
15	60,953

OFFICE OF THE STATE AUDITOR**2022 Maximum Benefit Worksheet**

	A Fire State Aid and Supplemental State Aid (From FIRE-21)	B Municipal Contribution (From FIRE-21)	C 10% of Surplus * (From SC-21)	D Active Members in Relief Association (From FIRE-21)	E Per Year Average [(A + B + C) / D]
2021	218,125	67,064	23,528	36	8,575
2020	207,525	30,252	48,944	36	7,964
2019	197,332	59,141	22,523	35	7,971

* If deficit for the year, leave blank.

Average available financing per active member for the most recent 3-year period:
(sum of column E divided by 3)

8,170

Maximum Lump Sum Benefit Level under Minn. Stat. § 424A.02, subd. 3

15,000

OFFICE OF THE STATE AUDITOR

Plan Information

Fire Department Affiliation & Member Counts

The Fire Relief Association is associated with:

A municipality which has a fire department.

☐ No Is the Fire Department a Joint Powers department?

Enter the appropriate number:

 Active members in the Relief Association Inactive members who are deferred Other inactive members (medical and other leave) Total Active + Inactive with Relief Association EMS-Only personnel in the Relief Association

(Also include in member counts above, as applicable.)

 Lump sum service distributions Lump sum survivor distributions Lump sum disability distributions Monthly benefit recipients
(retired, disabled and survivor)

Plan Type & Benefit Information

Plan Type: Defined Benefit Lump Sum

Benefit payable for each year of service

\$ 14,750

Vesting & Ancillary Benefits (must be stated in bylaws)

Years required for full vesting in:

Partial Vesting in Bylaws?

Years required for partial vesting in:

 Fire DepartmentYes Fire Department Relief Association Relief Association Minimum age to receive retirement benefits

Amount

Per

Short-term Disability

Long-term Disability

Survivor Benefit

14,750.00

year of service

14,750.00

year of service

Bonding, Bylaws & Resolutions

☐ Yes Is the Treasurer bonded for at least 10% of assets? (Amount of bond need not exceed \$500,000) Amount☐ Yes Is the Secretary bonded? Amount☐ Yes Did you amend your bylaws for 2021?☐ Yes Did you modify your benefits for 2021?☐ Yes Has your association completed its Annual Renewal as a Nonprofit Corporation with the Secretary of State?☐ Yes Did the Fire Chief file a certification of 2020 service credit with an officer of the Relief Association by March 31, 2021?

OFFICE OF THE STATE AUDITOR

Plan Information

No Is a fire state aid allocation agreement with the municipality in effect for 2021 state aid?

Investment Forms & Information

Has the Relief Association collected and retained the following information:

(Please retain and be able to submit individual account or portfolio data to the Office of the State Auditor on request.)

Yes Signed Broker Certification form(s) (BC-1)?

Yes Signed 2021 Statements of Economic Interest?

Yes Signed 2021 Investment Business Recipient Disclosure Form?

Yes The market value of each investment account and investment portfolio at the beginning of the calendar year and for each quarter pursuant to Minn. Stat. § 356.219, subd. 3(g)?

Yes The date and amount of each injection and withdrawal to each investment account and investment portfolio pursuant to Minn. Stat. §356.219, subd. 3(g)?

No Did the Relief Associations amend its investment policy statement in 2021?

OFFICE OF THE STATE AUDITOR

Investments

	Special Fund	General Fund	Special Fund Accrued Interest
Cash (including all non-interest bearing accounts at banks, credit unions or thrift institutions)		32,499	
Certificates of Deposit (time deposits)			
Other interest bearing accounts (at banks, credit unions or thrifts, including Money Market Accounts)	620,485	40,294	
Treasury Bills			
Treasury Bonds & Notes			
Domestic Stock			
International Stock			
Corporate Bonds (domestic) - Investment Grade	1,017,249		
Corporate Bonds (domestic) - Unrated and Below Investment Grade			
Government Bonds (domestic) - Investment Grade	10,320		
Was the Relief Association invested in any government bonds that were below investment grade or unrated?	No		
Corporate and Government Bonds (international)			
Venture Capital, Resource or Real Estate Limited Partnerships			
State Board of Investment (SBI) - Bond Fund			
State Board of Investment (SBI) - U.S. Stock Index Fund			
State Board of Investment (SBI) - U.S. Stock Actively Managed Fund			
State Board of Investment (SBI) - Balanced Fund			
State Board of Investment (SBI) - Broad International Stock Fund			
State Board of Investment (SBI) - Money Market Fund			
Mutual Funds and Exchange Traded Funds: List mutual funds (including Money Market mutual funds) and exchange traded funds held at 12/31/2021 in the next tab.	3,817,246	0	0
Description			
Other			
Other			
Other			
Other			
Other			
Total Investments at 12/31/2021	5,465,300	72,793	0

[illegible]

OFFICE OF THE STATE AUDITOR

Financial Information

A. Total Net Assets as of December 31, 2020

Special Fund	General Fund
4,601,973	57,911

Revenues - 2021

Fire State Aid (<i>regular fire state aid and supplemental state aid</i>)		218,125	
State 10% Supplemental Reimbursement		1,000	
Municipal/Independent Fire Department Contributions		67,064	
Member Contributions/Dues			
Interest & Dividends		314,490	21
Appreciation/(Depreciation) in Fair Market Value (<i>Realized or Unrealized</i>)		392,914	
LESS: Investment Management Fees		(25,531)	
Fundraising Revenue			52,141
Outside Donations	Click here to enter Outside Donations	0	1,220
Other Income	Click here to enter Other Income	0	0

B. Total Revenues

968,062	53,382
---------	--------

Benefit Expenditures - 2021

Service Pensions - Retirees	82,542
Service Pensions - Monthly (<i>including monthly survivor and disability benefits</i>)	
Service Pensions - Survivors	
Service Pensions - Disabled	
Illness or Short-term Disability	
1. Total Benefit Expenditures	82,542

Administrative Expenditures - 2021

Salary (including payroll taxes)	6,945	
Conventions & Meetings		991
Dues	360	
Training		
Professional Fees (Actuarial, Audit and Legal)	10,735	1,975
Bond		
Investment Performance Evaluation		
Fundraising Expenses		35,584
Other Expenditures	Click here to enter Other Expenditures	5,071
2. Total Administrative Expenditures	18,040	43,621

C. Total Expenditures (1 + 2)

100,582	43,621
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D. Transfers (*Can be made from General Fund to Special Fund only*)

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E. Total Net Assets at December 31, 2021 (A + B - C +/- D)

5,469,453	67,672
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OFFICE OF THE STATE AUDITOR

Financial Information

F. Selected Assets and Liabilities

	Special Fund	General Fund
Accounts Receivable (Other than interest income receivable)	5,183	
Other Assets		5,534
Accounts Payable or Other Liabilities	1,030	10,655
Accrued Liability - 2021	4,927,168	

Please enter notes in the box below for the Accounts Receivable, Other Assets, and Accounts Payable or Other Liabilities entered above. To add paragraph breaks, hold the Alt key down and then press the Enter key.

[illegible]

OFFICE OF THE STATE AUDITOR

Pension Payments					
Name	Benefit Type	Regular Retirement Benefit Amount	Deferred Interest Amount	Supplemental Benefit Amount	Total Benefit Amount
Kurt Doree	Deferred, Partially Vested Service Pension	\$ 62,533	\$ 19,008	\$ 1,000	82,541
					0
					0
					0
					0
					0
					0
					0
					0
					0
					0
					0
					0
					0
					0
					0
					0
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					0

Totals:	62,533	19,008	1,000	82,541
	Regular Retirement Benefit Amount	Deferred Interest Amount	Supplemental Benefit Amount	Total Benefit Amount

DRAFT

Leaves of			
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[illegible]

DRAFT

Return to Service Member?	Calculation Notes
No	



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ 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:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
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>	

From: [Joshua Stangel](#)
To: [Tim Holmes](#)
Subject: Resignation
Date: Wednesday, July 13, 2022 4:41:03 PM

I hate to do it but things in life have made it difficult to remain a member of the fire department so with a heavy heart I have decided to resign from the Brainerd Fire Department. I appreciate the opportunity I was given and will always remember my time on the department.

Ben

Sent from my iPhone



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ 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>
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Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
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 City Council Agenda Request

Requested Meeting Date:

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Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
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>	

Today's Date: Thursday, July 21, 2022

Jennifer Bergman
City Administrator
501 Laurel Street
Brainerd, MN 56401

Dear Ms. Bergman,

This letter provides my official retirement notice from my employment with the City of Brainerd as the Transit Coordinator. My last day on the job will be Monday, August 22, 2022, fulfilling my 30 days' notice.

I am happy for the opportunity I've had to serve the residents of Brainerd, Baxter, Crow Wing County, and Pine River, bringing safe and affordable Public Transportation to them. I want to thank all the elected officials over the years for their continued support in providing this necessary and valued service to their residents. I also want to thank you for your assistance and support.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Anders J. Stone', with a stylized, cursive script.

Anders J. Stone

HAND DELIVERED and emailed



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ 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>
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Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
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>	

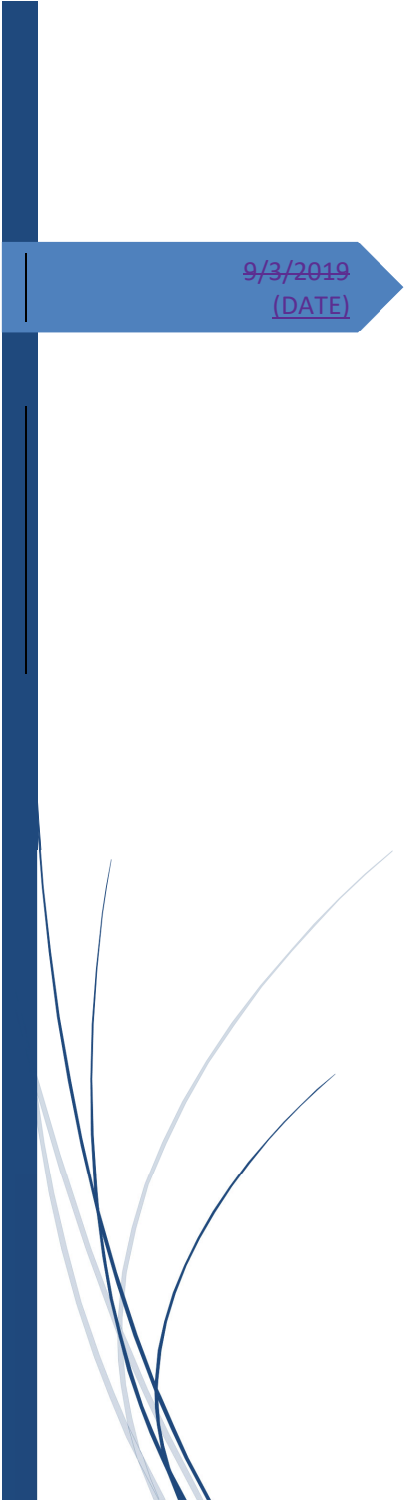


Brainerd City Council Agenda Request

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Presenter (Name & Title):	Estimated Time Needed:
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Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
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>	



9/3/2019
(DATE)

Employee Policy Manual

City of Brainerd

Redlined version of
changes made since
July 5, 2022 - Changes
are highlighted in yellow

SECTION 6. APPOINTMENTS AND PROMOTION

Subdivision 1. Appointment Procedure

It is the intent of the City of Brainerd to recruit and select qualified candidates for available positions, as it deems necessary. The City is committed to recruitment and selection practices that are based on merit. The recruitment and selection processes will be conducted to ensure an open and competitive process. The City Administrator or a designee will oversee the hiring process for positions within the City. Human Resources staff are responsible for managing the recruitment and selection process including, but not limited to, obtaining authorization to hire, evaluating job descriptions, preparing vacancy announcements, scoring applications, conducting interviews, facilitating background checks, scheduling various assessments and medical examinations, scheduling interviews, and making and withdrawing job offers. While the hiring process may be coordinated by staff, the City Council is responsible for the final hiring decision and must approve all hires to city employment. The BPU Commission is responsible for the final hiring decision and must approve all hires to BPU employment.

The selection process will be a cooperative effort between the City Administrator, HR Director and the hiring supervisor, subject to final hiring approval of the City Council or BPU Commission when applicable. Any, all, or none of the candidates may be interviewed, as determined by the City at its sole discretion.

When hiring for BPU Department Heads, the City Council will establish a Work Group to oversee the hiring process and up to two representatives from the BPU Commission Personnel Committee will be included in said Work Group.

The process for hiring seasonal and temporary employees may be delegated to the appropriate supervisor with each hire subject to final City Council or BPU Commission approval. Except where prohibited by law, seasonal and temporary employees may be terminated by the supervisor at any time, subject to City Council or BPU Commission approval.

Every appointment to municipal service shall be recommended by the City Administrator or designee to the Personnel and Finance Committee and approved by the City Council. When required by law or by the City Administrator, merit and fitness shall be ascertained by written, oral or other examinations designed to evaluate the ability of the candidate to discharge the position for which the examination is held.

For an existing position that becomes vacant and new positions approved as part of the budget, the City Administrator or designee shall direct the Human Resource Director to inform the City Council of the vacancy to receive the City Council's authorization to begin

Commented [KS1]: Language from LMC sample EPM - changed word "manage" to "oversee".

Commented [KS2]: This was slightly modified after the 7/14/2022 Council/BPU EPM Work Group meeting to clarify the BPU Commission representatives that should serve on the Work Group.

recruitment and, when complete, to bring a hiring recommendation to the City Council for authorization to hire. Furthermore, when a position has already received approval from the City Council and an offer is made to a candidate who then declines, the Human Resource Director and the department head may use their judgment in reviewing the list of applicants or re-advertising for the same position.

~~Unless otherwise required by law or applicable collective bargaining agreement, in no event shall the hiring or continued employment of any person be considered a contractual relationship between the employee and the City. Further, unless otherwise provided, such relationship shall be defined as employment "at-will," which allows either party to dissolve the relationship at any time, for any legal reason or no reason at all. With respect to employees of BPU, the BPU Department Heads will make a recommendation to the BPU Commission, which shall approve all appointments for BPU employees. When required by law or by the BPU Department Heads, merit and fitness shall be ascertained by written, oral or other examinations designed to evaluate the ability of the candidate to discharge the position for which the examination is held.~~

Commented [KS3]: Moved to end of subdivision.

~~For an existing BPU position that becomes vacant and new positions approved as part of the budget, the BPU Department Heads shall direct the Human Resource Director to inform the BPU Commission of the vacancy to receive the BPU Commission's authorization to begin recruitment and, when complete, to bring a hiring recommendation to the BPU Commission for authorization to hire. Furthermore, when a position has already received approval from the BPU Commission and an offer is made to a candidate who then declines, the Human Resource Director and the Department head may use their judgment in reviewing the list of applicants or re-advertising for the same position.~~

~~The City Council has may, from time to time, provide-provided staff with hiring perimeters. To the extent that the City Council does so, and if said perimeters are followed, the Council has agreed to may ratify the hiring of an individual after a conditional job offer has been given and the successful completion of pre-employment screening process has been completed.~~

Commented [CR54]: This should be done via a resolution, not as a section in the Personnel Policies. The Council cannot indefinitely be bound to ratify certain hires because it (or its former members) provided certain parameters in the past.

~~Unless otherwise required by law or applicable collective bargaining agreement, in no event shall the hiring or continued employment of any person be considered a contractual relationship between the employee and the City. Further, unless otherwise provided, such relationship shall be defined as employment "at-will," which allows either party to dissolve the relationship at any time, for any legal reason or no reason at all. With respect to employees of BPU, the BPU Department Heads will make a recommendation to the BPU Commission, which shall approve all appointments for BPU employees. When required by law or requested by the applicable the BPU Department Heads, merit and fitness shall be ascertained by written, oral or other examinations designed to evaluate the ability of the candidate to discharge the position for which the examination is held.~~

Commented [KS5R4]: Informed Christian that the Council already approved a motion to reflect this. Per Christian, a resolution is not needed based on current guidance.

SECTION 29. SALARY ADMINISTRATION PLAN

Non-union supervisory employees and Department Heads shall be compensated in accordance with wage resolutions adopted by the City Council.

New employees will generally start at Step 1. Promoted and/or reclassified employees will generally start at the lowest step that is at least 3% more than the employee received in his or her previous position with the City; further, wage step placement appeals will not be considered from promoted and/or reclassified employees for a higher step placement. The City retains the sole discretion to start an employee at a higher step depending on qualifications and needs of the City. Employees shall have no right under this policy to file a grievance or appeal to the City Council regarding their initial placement on the pay table or initial placement following a promotion or reclassification.

Performance evaluations shall be based on job descriptions and result-oriented performance standards. Performance evaluations are intended to assist the employee in reaching maximum potential, enhance services provided by the City, and provide for periodic, formal review by the employee's supervisor and Department Head. The performance evaluation system shall be conducted in the following way:

- A. It shall be the responsibility of each Department Head to provide periodic written evaluations of subordinate employees, on at least an annual basis. This once a year annual evaluation shall coincide with the determination of the appropriateness of granting a merit (step) increase in accordance with this policy, if the employee is eligible.
- B. It shall be the responsibility of the City Administrator to provide periodic written evaluations of Department Heads on at least an annual basis. This once-a-year annual evaluation shall coincide with the determination of the appropriateness of granting a merit (step) increase in accordance with this policy, if the employee is eligible. **The City Administrator will request feedback from all City-appointed boards that the Department Head is the primary staff liaison to while preparing for said review. The board feedback will be received via a form provided by the Human Resources Department.**
- C. It shall be the responsibility of the City Council to provide periodic written evaluations of the City Administrator, on at least an annual basis. This once-a-year annual evaluation shall coincide with the determination of the appropriateness of granting a merit (step) increase in accordance with this policy, if the employee is eligible.

The decision to provide a merit (step) increase shall be the determination, at the discretion of the Department Head, City Administrator, or City Council as applicable. Pay steps

Commented [KS6]: Moved this section to be closer to promotions/payroll areas. Will need to renumber when finalized.

Formatted: Centered

Commented [CRS7]: This clause is potentially confusing. Is it the intention that the appeal procedure cannot be used to challenge placement for a newly promoted employee or that an employee who has been promoted cannot use the appeal procedure again after being promoted?

Commented [KS8R7]: We added the last sentence for clarity.

Commented [KS9]: The last sentence was added after discussions from the July 5, 2022 P & F Committee.

Commented [KS10R9]: This was slightly modified after the 7/14/2022 Council/BPU EPM Work Group meeting to clarify "City" and not just "Council" appointed boards as the Mayor makes appointments to our Boards and Committees as well.

through step 6 are based on satisfactory performance.

In order to advance to Step 7 on an applicable wage grid approved by the City Council, an employee must be on Step 6 and obtain two “achieves expectations” and one “exceeds expectations” on their annual performance evaluation for their currently-held position in any given three-year cycle beginning January 1, 2019. In order to advance to Step 8, an employee must be on Step 7 and obtain another “exceeds expectations” with two prior “achieves expectations” on their annual performance evaluation for their currently-held position in any given three-year cycle.

Step increases for employees hired before August 1, 2022, will become effective on January 1 of each year following the employee's performance review. For employees hired, reclassified or promoted on or after August 1, 2022, any step increase will become effective on [their] position anniversary date. Progression through the pay steps will be accomplished by an annual review of employee performance, as described above.

Denial or delay of a step increment shall be subject to the grievance procedures described in these policies.

~~This limited flexibility means that, if a Department Head or non-union supervisor is absent for four or more hours in any normal work day, appropriate leave must be utilized to account for the absence.~~

ARTICLE 32. TELECOMMUTING/REMOTE WORK POLICY

The City has adopted a Telecommuting/Remote Work Policy, separate from the Employee Policy Manual. The Telecommuting/Remote Work Policy describes the situations in which qualifying employees may be allowed to work from home and the conditions on any opportunity to work from home afforded to any employee. Copies can be obtained from the Human Resources Department.

Commented [KS11]: Does this change trigger different performance review cycles for these employees?

Commented [CRS12R11]: It potentially does, depending on when a Department Head typically completes evaluations. The evaluations need to be complete for a step increase to take effect.

Commented [KS13R11]: In discussing this with Christian, we agreed that first review follows the probationary period; however, subsequent reviews should follow the timeframe established for all employees realizing that a review could happen in late falloff one year, however, the step advancement may not happen until a later time the following year i.e. position anniversary date (up to August 31 as that is our typical last date for the annual review timeframe).

Commented [KS14]: This proposed language was discussed at the July 5, 2022 Personnel & Finance Committee meeting. The Telecommuting/Remote Work Policy will be presented for consideration at the August 15 Council meeting.



August 1, 2022

Employee Policy Manual

City of Brainerd

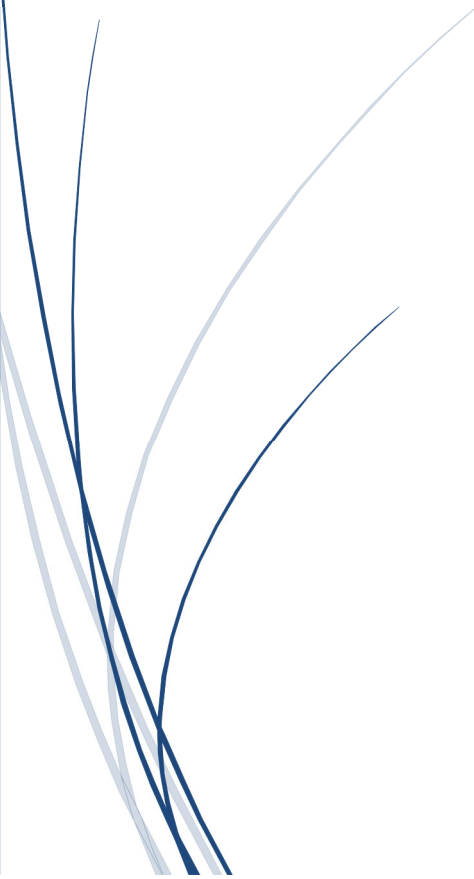


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ARTICLE 1. PURPOSE

Section 1.01 Policy Statement

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

Section 1.02 General

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

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

Section 1.03 Amendment to Policy

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

Section 1.04 Equal Opportunity and Affirmative Action

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

Specifically, the City of Brainerd will provide equal employment and advancement opportunity on the basis of merit within the context of its unique business environment and without regard to race, creed, color, religion, age, sex, marital status, national origin, sexual orientation, disability, status with regard to public assistance, or any other characteristic protected by state or federal law.

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

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

ARTICLE 2. SCOPE OF POLICY

Section 2.01 Personnel Covered

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

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

Section 2.02 Employees Covered by Labor Contracts

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

ARTICLE 3. INTERPRETATION

The purpose of this manual is to provide a basis for the safe, orderly, and disciplined employment environment. This policy is intended to promote knowledge of what is expected of personnel generally, which should result in a greater degree of self-assurance in all positions. In relationships between positions, it should be each City employee's individual aim to build mutual respect and confidence which is essential to local government service.

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

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

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

ARTICLE 4. IMPLEMENTATION OF THIS POLICY

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

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

ARTICLE 5. GENERAL INFORMATION

Section 5.01 Data Practices Advisory

In accordance with the Minnesota Government Data Practices Act (“MGDPA”), the City is required to inform employees of their rights as they pertain to any private information that the City collects from them. During the course of City employment, an employee will likely be asked to provide information which is classified by state law as either private or confidential. Private data is information which generally cannot be given to the public but can be given to the subject of the data. Confidential data is information which generally cannot be given to either the public or the subject of the data. Much of the data the City

has about individual employees, however, is classified as public according to Minnesota Statutes, ARTICLE 13.43, Sections 2 and 3 (as amended). Consistent with the relevant provisions of the MGDPA, all public data is available for inspection and copying by members of the public, with or without the employee's consent.

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

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

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

Any information an employee is asked to provide may be shared with individuals within the City whose job duties reasonably require access, as well as individuals outside of the

City whose duties require access, such as insurance vendors, consultants, attorneys, and retirement plan employees. Information may also be shared with other agencies authorized by law to receive specific data.

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

Section 5.02 Conduct as a City Employee

A. Scope of Policy

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

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

In addition, employees are also expected to comply with ARTICLE 26 of this Manual that addresses Harassment.

B. Definitions of Prohibited Behaviors

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

Discriminatory behavior includes inappropriate remarks about or conduct related to an individual's race, color, creed, religion, national origin, disability, sex, marital status, age, sexual orientation, status with regard to public assistance, or any other characteristic protected by state or federal law, including behavior specifically prohibited by ARTICLE 26 of these policies.

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

C. Expected Conduct of City Employees

1. City Employee Conduct in General

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

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

2. Conduct in Dealing with the Public

a. Expected Public Interaction.

While representing the City, employees shall be professional and courteous to all members of the public and City customers. They shall be tactful in the performance of their duties, control their tempers and exercise the utmost patience and discretion. They shall not engage in argumentative discussions, even in the face of extreme provocation. They shall not use coarse, violent, profane or insolent language or gestures, and shall not express any prejudice concerning race, creed, color, religion, age, sex, marital status, national origin, sexual orientation, disability, status with regard to public assistance, or any other characteristic protected by state or federal law, or other personal characteristics.

b. Interaction with an Abusive Customer.

In the event a member of the public or City customer becomes abusive on the phone or in person, employees should refrain from escalating the situation and if possible, employ

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

c. Media Requests

All employees have a responsibility to help communicate accurate and timely information to the public in a professional manner. Requests for private data must be directed to the designated official authority. Requests for information outside of the scope of an individual's job duties must be routed to the appropriate department head.

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

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

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

1. If the request is for routine or public information (such as a meeting time or agenda), provide the information and notify the City Administrator of the request.
2. If the request is regarding information about city personnel, potential litigation, controversial issues, an opinion on a city matter, or if an employee is unsure if the request is a "routine" question, forward the request to the City Administrator. An appropriate response may be, "I'm sorry, I don't have the full information regarding that issue. Let me take some basic information and submit your request to the appropriate person, who will get back to you as soon as he/she can." Then ask the media representative's name, questions, deadline, and contact information.

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

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

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

d. Personal Communications and Use of Social Media

It is important for employees to remember that the personal communications of employees may reflect on the City, especially if employees are commenting on City business or commenting on issues that implicate their City employment. As City representatives, employees share in the responsibility of earning and preserving the public’s trust in the City. An employee’s own personal communications, such as on social media, can have a significant impact on the public’s belief that all city staff will carry out city functions faithfully and impartially and without regard to factors such as race, creed, color, religion, age, sex, marital status, national origin, sexual orientation, disability, status with regard to public assistance, or any other characteristic protected by state or federal law.

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

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

3. Conduct Between Employees

- a. Employees shall cooperate with and be courteous to co-workers at all levels. While everyone is entitled to their feelings, they are not entitled to act on their feelings inappropriately in the workplace. Employees shall

control their tempers and refrain from behaviors that are hostile, offensive, intimidating, degrading, or exploitative. Inappropriate displays include, but are not limited to: slamming doors, pounding tables, kicking furniture, unwanted physical contact of any nature, making threats, berating or belittling others, speaking in raised voices, using coarse, violent or profane language or gestures, refusing to speak or respond when spoken to, and refusing to provide assistance when requested.

Employees shall treat each other with respect. They shall refrain from making remarks about or using nicknames for other employees that are disparaging or based on a personal characteristic; producing cartoons or other graphics displaying other employees in an unfavorable light; communicating threatening or disparaging remarks via any medium (voice, e-mail, notes, etc.); engaging in unwanted horseplay or practical jokes; failing to relay written, verbal or telephone messages; unwanted, unwarranted physical contact of any nature, including “roughhousing” such as punching in the arm, pinching, arm twisting, etc., and other, similar unwanted conduct.

b. Workplace Violence

The City is committed to creating and maintaining a workplace that is free from violence. Employees are strictly prohibited from engaging in any threatening or violent behavior while on City premises, while operating vehicles for work related reasons, while engaged in City business off premises, while at any City sponsored activity, or while otherwise representing the City.

Specific examples of conduct that may be considered threats or acts of violence under this policy include, but are not limited to, the following:

- Threatening physical or aggressive conduct directed toward another individual.
- Threatening an individual or his/ her family, friends, associates, or property with physical harm.
- The intentional destruction or threat of destruction of City property or another’s property.
- Harassing or threatening phone calls, letters, or e-mails.
- Surveillance or stalking.
- Veiled threats of physical harm or similar intimidation.

Employees have a responsibility to help keep the municipal buildings safe and free of violence. Employees should inform their supervisor of any workplace situations that violate this policy, even if the threat is presented as “only a joke”. Supervisors are responsible for taking immediate steps to avoid workplace violence from occurring and subsequently report such information to City Administration. Any employee who engages in threatening behavior or acts of violence will be subject to disciplinary action up to and including termination.

For purposes of this policy, the term “workplace violence” does not include actions by law enforcement officers taken in the course of their employment with the City and consistent with applicable law and City policy regarding use of force and law enforcement activities.

D. Reporting Inappropriate Workplace Behavior

Any employee who feels he or she is being subjected to behaviors in violation of this Policy and any employee who witnesses or becomes aware of such conduct, should take the following steps:

1. If possible, politely but firmly tell the person who is behaving inappropriately that you are uncomfortable with or offended by the behavior and ask them to stop.
2. Document in writing for personal reference that describes the inappropriate behavior, the date the inappropriate behavior occurred, how it made you feel, what you did, how the offending party responded, and the names and titles of any witnesses.
3. If confronting the offending party is not practical or possible, or if the person refuses to discontinue the inappropriate behavior, the employee should, adhering to the chain of command, contact someone on the list below verbally or in writing:
 - a. The employee’s immediate supervisor
 - b. The employee’s department head
 - c. The Human Resource Director
 - d. The City Administrator

Reports of conduct by the Human Resource Director or the City Administrator may be made to the Mayor or the Personnel Committee of the City Council.

When making a report, the complaining party should be prepared to provide the following information:

1. The complainant’s name, department and position title.
2. The name, department, and position title of the offending party, if known.
3. The specific facts of the allegedly inappropriate behavior, how long it has allegedly gone on, any employment action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) that was supposedly taken against the employee who is filing the complaint.
4. Names of witnesses, if any, to the allegedly inappropriate behavior.
5. Whether the complainant has previously reported the allegedly inappropriate behavior and, if so, to whom.

E. Investigating Complaints of Inappropriate Conduct

The Human Resource Director, the City Administrator, or designee of the City Administrator or Human Resources Director, shall investigate complaints of inappropriate workplace conduct.

The determination of whether inappropriate workplace conduct has occurred will be made on a case-by-case basis. Disciplinary action will also be determined on a case-by-case basis in accordance with these policies, applicable policies of the Police and Fire Departments, and applicable collective bargaining agreements.

Employees who are found to have filed bad faith complaints of inappropriate workplace conduct may be subject to disciplinary action as described in the preceding paragraph.

F. Consequences of Engaging in Inappropriate Workplace Conduct

Employees who are found to engage in inappropriate workplace conduct may be subject to disciplinary action, up to and including immediate termination, subject only to applicable law, the provisions of these policies, applicable policies of the Police and Fire Departments, and applicable collective bargaining agreements.

Supervisors are required to deal swiftly and vigorously with employees who treat others disrespectfully. Any supervisor who condones or allows inappropriate workplace conduct or fails or refuses to respond appropriately to complaints of inappropriate workplace conduct, may be subject to disciplinary action as described in the preceding paragraph, whether or not the supervisor actually engaged in inappropriate workplace conduct.

G. Retaliation for Complaints of Inappropriate Workplace Conduct

All employees are prohibited from retaliating or threatening to retaliate against anyone who complains of inappropriate workplace conduct. Any employee found to engage in retaliatory actions is subject to discipline, up to and including immediate termination, subject only to applicable law, the provisions of these policies, applicable policies of the Police and Fire Departments, and applicable collective bargaining agreements.

H. Relationship of Code of Conduct to Harassment Policy.

This policy supplements and does not replace the City's policies prohibiting discrimination, harassment in the workplace, and workplace violence.

Section 5.03 Gifts and Endorsements

No employee shall directly or indirectly solicit, receive, or agree to receive any compensation, "tip," gift, reward, gratuity, payment of expense, or promise of future

employment or other future benefit from any source except the City, for any matter or proceeding connected with or related to the duties of the employee. Notwithstanding the above rule, employees may only accept gifts that follow the State Statute guidelines for gifts.

Employees and elected officials qualifying as “local officials” pursuant to M.S. 471.895 (as amended) must comply with the terms of that statute.

Section 5.04 Solicitations

The City does not allow outside solicitations to take place on City time or property. If you are asked to purchase goods, contribute funds, etc. while on City premises, please notify your supervisor immediately.

Section 5.05 Conflicts of Interest

No City employee shall engage in any act which is in conflict, or creates an appearance of impropriety or conflict, with the performance of official duties. When an employee believes the potential for a conflict of interest exists, it is the employee’s responsibility to avoid the situation. Employees must notify their supervisor if a conflict of interest or perception of a conflict-of-interest situation exists or may exist. Employees who knowingly fail to avoid or disclose a potential, perceived or actual conflict of interest situation are subject to disciplinary action in addition to any criminal penalty that may be involved. An employee shall be deemed to have a conflict if the employee:

- A. Has any financial interest in any sale to the City of any goods or services;
- B. Engages in conduct that violates Section 5.03 (Gifts and Endorsements) of this ARTICLE;
- C. Participates in his/her capacity as a City employee in the issuing of a purchase order or contract in which he/she has a private financial interest, direct or indirect, or performs in regard to such contract some function requiring the exercise of discretion on behalf of the City; or
- D. Engages in, accepts employment from, or renders services for private interests for any compensation or consideration having monetary value when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in performance of official duties, or give the appearance of the above.

An employee should not make a unilateral decision if there is any doubt about his/her private employment. The City Administrator or Human Resource Director should be consulted.

No employee shall, directly or indirectly, give or receive, or agree to give or receive any compensation, gift, reward, commission or gratuity from any source except the City for any matter directly connected with or related to his official services as such employee with this City except as authorized in ARTICLE B above.

- E. Discloses or uses without authorization from the City Administrator private, confidential, or other non-public information to further the employee's private interest, or accepts outside employment or involvement in a business activity that will require the employee to disclose or use such information.
- F. Has a financial interest or personal interest in any legislation or decision coming before the City Council and participates in discussion with or gives an official opinion to the City Council unless the employee discloses on the record of the Council the nature and extent of such interest.

Section 5.06 Outside Employment

Employees may not engage in outside employment which might in any way hinder their objective and impartial performance of their public duties, be incompatible with their City employment, or impair their efficiency on the job. Individuals employed by the City of Brainerd must regard the City as their primary employment responsibility. All outside employment is to be reported to the employee's Department Head. If a potential conflict exists based on this policy or any other consideration, the Department Head will consult with the City Administrator and Finance Director. Any city employee accepting employment in an outside position that is determined by the City Administrator to be in conflict with the employee's city job will be required to resign from the outside employment or may be subject to discipline up to and including termination.

Outside work shall be regarded as secondary to regular City employment and shall not interfere with the availability of employees for regularly scheduled work, emergency, or on-call duties. The City's Workers Compensation insurance does not cover any individual injured in the course of outside employment.

Section 5.07 Incompatible Activities

As a City employee, you have a responsibility to uphold a high standard of honesty and integrity.

You may not engage in any activities which are inconsistent, incompatible or in conflict with the duties of your position. These incompatible activities include activities such as using your position or City resources for personal gain or advantage, accepting money or gifts for performing your duties as a City employee, or engaging in activities which impair

your attendance or efficiency in the performance of your duties. If an employee has any question as to whether an activity is “incompatible” with his or her work for the City, the employee must ask his or her department head or, if the employee is a department head, the City Administrator for clarification.

Section 5.08 Use of City Vehicles, Facilities and Equipment

No employee of the City shall request, use, or permit the use of City-owned vehicles, clothing, equipment, materials, or other property for: unauthorized personal convenience, for profit, for private use, or as part of secondary employment, or any other use not in the interest of the City, except as provided by law. Use of such City property is to be restricted to such services as are available to the City generally and for the conduct of official City business.

Employees are responsible for appropriate use of time, telephones, cellular telephones, computers, printers, paper, pens, stationery, facsimile machines, and pages. They are expected to adhere to the highest ethical standards when conducting City business and to follow these policies.

Management personnel are responsible for ensuring the appropriate use of all City property, including e-mail and internet access through training, supervising, coaching and taking disciplinary action, when necessary.

Employees who are required to take a City vehicle or equipment home due to the nature of their work for the City, shall do so only with the approval of the City Administrator and in accordance with IRS reporting requirements, and applicable law. City vehicles shall be allowed to leave the City limits (or service area for Fire Department, Police, and BPU vehicles) only while on official City business.

City employees shall have no expectation of privacy in any property or equipment of the City, including, but not limited to, offices, cubicles, desks, files, vehicles, filing cabinets, voice mail, text messages on City paid cellular telephones, PDAs, computers, laptops, mass storage devices, e-mails, electronic media or devices of any kind, or any other type of equipment, property, or space provided by the City. Except when accessed by the police department for law enforcement purposes, any such property or equipment may be accessed, monitored, or searched by the City at any time, for any purpose, with or without notice to the employee, and with or without reasonable suspicion.

Staff members shall operate City vehicles in a careful and prudent manner and shall obey all state and federal laws and all City orders pertaining to such operation. Staff members shall set a proper example for others when operating City vehicles.

This policy applies to all employees who drive a vehicle on city business at least once per month, whether driving a city-owned vehicle or their own personal vehicle. It also applies to employees who drive less frequently but whose ability to drive is essential to their job due to the emergency nature of the job. The city expects all employees who are required to drive as part of their job to drive safely and legally while on city business and to maintain a good driving record.

To the extent allowed by law, the HR Department will examine driving records once per year for all employees who are covered by this policy to determine compliance with this policy. Employees who lose their driver's license or receive restrictions on their license are required to notify their Department Head and the HR Director or their designee on the first workday after any temporary, pending or permanent action is taken on their license, and in any event before operating a city vehicle, and to keep their Department Head and HR Director informed of any changes thereafter. The City will determine appropriate action on a case-by-case basis.

The City Council approved the following policy regarding vehicle use. The intent of this policy is to ensure appropriate use of City vehicles and rolling stock by City employees while working on City business or as a representative of the City and to ensure a clear understanding thereof.

- A. To the extent feasible, City employees should use a City-owned vehicle when traveling for City work, including conferences, seminars, and meetings that the employee is attending in his or her role as a City employee.
- B. Conferences, schools, seminars and meetings: For purposes of this policy it is intended that training opportunities during the regular work shift within a 90-mile distance of the work location is considered an acceptable work-related activity in as much as the vehicle will be returned to the work site either during or shortly after the completion of the shift.
- C. Out-of-town and overnight conferences and schools: To the extent feasible, employees should use an available City-owned vehicle when traveling to overnight conferences, schools, and events. For travel which has a duration of more than one workday in length, the employee may utilize a non-fleet vehicle, if a City-owned vehicle is not available, the use for which will be compensated at the approved rate. Alternatively, upon prior approval of the City Administrator or designee, the employee can utilize an available vehicle if not needed by other staff during the applicable timeframe.
- D. Lunch hours and authorized breaks: For purposes of this policy when an employee is scheduled to work at a site other than their normal reporting location, and for Police Officers on duty, use of a City vehicle for travel within one mile of the City

limits for the purpose of lunch and other authorized breaks shall not be considered personal use.

- E. Overnight use: It is the intent of this policy that all municipal vehicles will have returned to their designated work location by the end of the work shift unless prior authorization has been received from the employee's Department Head.
- F. Personal use: Personal use of City vehicles by City employees or elected officials is prohibited without the express written consent of the City Administrator.

Section 5.09 Possession and Use of Dangerous Weapons.

All employees, except sworn employees of the Police Department, are prohibited from carrying or possessing firearms and/or dangerous weapons other than firearms while acting in the course and scope of employment for the City. The possession or carrying of a firearm or dangerous weapon by employees other than sworn Police Officers is prohibited while working on City property or while working in any location on behalf of the City. This includes but is not limited to:

1. Driving on City Business;
2. Riding as a passenger in a car or any other type of transit on City business;
3. Working on the City's property, including City Hall or any other City-owned work site;
4. Working off site on behalf of the City;
5. Performing emergency or on-call work after normal business hours and on weekends;
6. Working at private residences and at businesses on behalf of the City;
7. Attending training or conferences on behalf of the City.

Possession or use of a dangerous weapon is prohibited on city property, in City vehicles, or in any personal vehicle, which is being used for City business. This includes employees with valid permits to carry firearms.

For the purposes of this policy, "dangerous weapons are defined to include all legal or illegal firearms, switchblade knives, or any other object that has been modified to serve as a weapon or that has the primary purpose of serving as a weapon.

The following exceptions to the dangerous weapons prohibition are as follows:

Employees legally in possession of a firearm for which the employee holds a valid permit, if required, and said firearm is secured within an attended personal vehicle or concealed from view within a locked unattended personal vehicle while that person is working on city property, to the extent required by Minnesota Statutes, ARTICLE 624.714 (as amended), or other applicable law.

In addition, the City prohibits the discharge of firearms on City property, except as necessary for the performance of duties by sworn Police Department employees. Any employee in violation of this policy will be subject to disciplinary action, up to and including discharge.

This policy is administered and enforced by the Human Resources Department. Anyone with questions or concerns specific to this policy should contact the Human Resource Director.

ARTICLE 6. APPOINTMENTS AND PROMOTION

Section 6.01 Appointment Procedure

It is the intent of the City of Brainerd to recruit and select qualified candidates for available positions, as it deems necessary. The City is committed to recruitment and selection practices that are based on merit. The recruitment and selection processes will be conducted to ensure an open and competitive process. The City Administrator or a designee will oversee the hiring process for positions within the City. Human Resources staff are responsible for managing the recruitment and selection process including, but not limited to, obtaining authorization to hire, evaluating job descriptions, preparing vacancy announcements, scoring applications, conducting interviews, facilitating background checks, scheduling various assessments and medical examinations, scheduling interviews, and making and withdrawing job offers. While the hiring process may be coordinated by staff, the City Council is responsible for the final hiring decision and must approve all hires to city employment.

The selection process will be a cooperative effort between the City Administrator, HR Director and the hiring supervisor, subject to final hiring approval of the City Council. Any, all, or none of the candidates may be interviewed, as determined by the City at its sole discretion.

When hiring for BPU Department Heads, the City Council will establish a Work Group to oversee the hiring process and up to two representatives from the BPU Commission Personnel Committee will be included in said Work Group.

The process for hiring seasonal and temporary employees may be delegated to the appropriate supervisor with each hire subject to final City Council approval. Except where prohibited by law, seasonal and temporary employees may be terminated by the supervisor at any time, subject to City Council approval.

Every appointment to municipal service shall be recommended by the City Administrator or designee to the Personnel and Finance Committee and approved by the City Council. When required by law or by the City Administrator, merit and fitness shall be ascertained

by written, oral or other examinations designed to evaluate the ability of the candidate to discharge the position for which the examination is held.

For an existing position that becomes vacant and new positions approved as part of the budget, the City Administrator or designee shall inform the City Council of the vacancy to receive the City Council's authorization to begin recruitment and, when complete, to bring a hiring recommendation to the City Council for authorization to hire. Furthermore, when a position has already received approval from the City Council and an offer is made to a candidate who then declines, the Human Resource Director and the department head may use their judgment in reviewing the list of applicants or re-advertising for the same position.

The City Council may, from time to time, provide staff with hiring perimeters. To the extent that the City Council does so, and if said perimeters are followed, the Council may ratify the hiring of an individual after a conditional job offer has been given and the successful completion of pre-employment screening process has been completed.

Unless otherwise required by law or applicable collective bargaining agreement, in no event shall the hiring or continued employment of any person be considered a contractual relationship between the employee and the City. Further, unless otherwise provided, such relationship shall be defined as employment "at-will," which allows either party to dissolve the relationship at any time, for any legal reason or no reason at all. When required by law or requested by the applicable Department Head, merit and fitness shall be ascertained by written, oral or other examinations designed to evaluate the ability of the candidate to discharge the position for which the examination is held.

Section 6.02 Physical Examination and Background Checks

To the extent authorized or required by law, the City reserves the right to require applicants to complete a pre-employment physical examination by a physician designated by the City as part of the hiring process. Likewise, to the extent authorized by law, the City reserves the right to require employees to complete physical examinations related to their ability to complete the essential functions of their positions. The cost of any such examination shall be paid by the City.

To the extent required or authorized by law, the City reserves the right to require applicants to submit to a background check, including a criminal history background check, as part of the hiring process. Likewise, to the extent authorized by law, the City reserves the right to require internal applicants for promotional positions to submit to a background check, including a criminal history background check, as part of the recruitment and appointment process.

Section 6.03 Promotion from Within

To the extent practical, notice of all new job openings or vacancies shall be posted for at least three (3) working days in an appropriate place. Any employee desiring to apply for such job opening shall do so via the designated application process. If a person other than the Human Resource Director is designated in the job posting, the designated individual shall provide the application to the Human Resource Director within one (1) working day of receipt of the application. The internal recruitment process in no way prohibits the City from seeking and hiring qualified applicants through an external recruitment process. Except as required by the provisions of a collective bargaining agreement, the City reserves the right to recruit external candidates with or without conducting an internal recruitment process and has no obligation to select an internal candidate over an external candidate.

Section 6.04 Acting Department Head Policy

The following provisions shall be followed for appointment of Acting Department Heads:

- A. An employee who is designated to act as a Department Head shall be compensated at the rate of pay of the lowest step on the wage grid for the Department Head position that would represent an increase in pay for the employee of at least 3%.
- B. An employee may be appointed to the position of Acting Department Head upon recommendation of the City Administrator through the Personnel and Finance Committee and final approval of the City Council.
- C. Subject to the provisions of any applicable collective bargaining agreement, upon appointment of a Department Head, the City may return the employee who was Acting Department Head to the position and rate of pay he or she held prior to appointment as Acting Department Head, unless the Acting Department Head is appointed to the Department Head position.
- D. It is understood that the employee appointed as Acting Department Head is receiving additional compensation as per the terms of this policy and that no additional compensation will be made if or when the employee returns to his/her previous position regardless if this policy is amended at any point in the future.
- E. Nothing in this policy provides, or can be construed as providing, any employee with the right to be selected as Acting Department Head or Department Head. Nothing within this policy alters, or can be construed as altering, the "at-will" nature of employment of Acting Department Heads.

ARTICLE 7. SALARY ADMINISTRATION PLAN

Non-union supervisory employees and Department Heads shall be compensated in accordance with wage resolutions adopted by the City Council.

New employees will generally start at Step 1. Promoted and/or reclassified employees will generally start at the lowest step that is at least 3% more than the employee received in his or her previous position with the City; further, wage step placement appeals will not be considered from promoted and/or reclassified employees for a higher step placement. The City retains the sole discretion to start an employee at a higher step depending on qualifications and needs of the City. Employees shall have no right under this policy to file a grievance or appeal to the City Council regarding their initial placement on the pay table or initial placement following a promotion or reclassification.

Performance evaluations shall be based on job descriptions and result-oriented performance standards. Performance evaluations are intended to assist the employee in reaching maximum potential, enhance services provided by the City, and provide for periodic, formal review by the employee's supervisor and Department Head. The performance evaluation system shall be conducted in the following way:

- A. It shall be the responsibility of each Department Head to provide periodic written evaluations of subordinate employees, on at least an annual basis. This once-a-year annual evaluation shall coincide with the determination of the appropriateness of granting a merit (step) increase in accordance with this policy, if the employee is eligible.
- B. It shall be the responsibility of the City Administrator to provide periodic written evaluations of Department Heads on at least an annual basis. This once-a-year annual evaluation shall coincide with the determination of the appropriateness of granting a merit (step) increase in accordance with this policy, if the employee is eligible. The City Administrator will request feedback from all City-appointed boards that the Department Head is the primary staff liaison to while preparing for said review. The board feedback will be received via a form provided by the Human Resources Department.
- C. It shall be the responsibility of the City Council to provide periodic written evaluations of the City Administrator, on at least an annual basis. This once-a-year annual evaluation shall coincide with the determination of the appropriateness of granting a merit (step) increase in accordance with this policy, if the employee is eligible.

The decision to provide a merit (step) increase shall be the determination, at the discretion of the Department Head, City Administrator, or City Council as applicable. Pay steps through step 6 are based on satisfactory performance.

In order to advance to Step 7 on an applicable wage grid approved by the City Council, an employee must be on Step 6 and obtain two “achieves expectations” and one “exceeds expectations” on their annual performance evaluation for their currently-held position in any given three-year cycle beginning January 1, 2019. In order to advance to Step 8, an employee must be on Step 7 and obtain another “exceeds expectations” with two prior “achieves expectations” on their annual performance evaluation for their currently-held position in any given three-year cycle.

Step increases for employees hired before August 1, 2022, will become effective on January 1 of each year following the employee’s performance review. For employees hired, reclassified or promoted on or after August 1, 2022, any step increase will become effective on their position anniversary date. Progression through the pay steps will be accomplished by an annual review of employee performance, as described above.

Denial or delay of a step increment shall be subject to the grievance procedures described in these policies.

ARTICLE 8. PROBATIONARY PERIOD

Section 8.01 Duration and Purpose

Subject to the provisions of an applicable collective bargaining agreement and applicable law, all new, rehired, promoted, or reassigned employees shall serve a twelve (12) month probationary period upon assuming their new positions. This period shall be used to observe the employee’s work habits and ability to perform the work that they are required to do. Department Heads shall file with the City Administrator a written summary of the probationary period and include a recommendation for continued employment of the employee.

An employee serving his/her initial probationary period may be disciplined at the sole discretion of the City Administrator, up to and including dismissal. An employee so disciplined, including dismissal, will not have any grievance rights.

Section 8.02 Extension

An employee’s probationary period may be extended for an additional period of time not to exceed six (6) months upon recommendation from the City Administrator or Department Head and at the sole discretion of the Human Resource Director.

Section 8.03 Termination

The City Council, upon recommendation of the Personnel and Finance Committee, may terminate with or without cause a probationary employee anytime during the probationary period.

Section 8.04 Completion

At the end of the probationary period, the Department Head will recommend that the City Administrator take one (1) of the following actions:

- 1) Extension of Probation;
- 2) Regular Employment; or
- 3) Termination.

If the recommendation is for termination, the City Administrator will take the recommendation to the Personnel and Finance Committee for consideration, before receiving final approval from the City Council.

An employee's completion of the probationary period does not guarantee future employment or create a "for cause" termination standard. All employees, including employees who have successfully completed a probationary period are "at will" employees. Nothing in this personnel policy provides, is intended to provide, or should be construed as providing additional rights to employees who complete the probationary period.

Section 8.05 Vacation and Sick Leave

During a new or rehired employee's probationary period, vacation leave and sick leave shall be earned. Employees may use vacation leave after the first six months of their probationary period, subject to approval by the employee's supervisor. Sick leave may be taken during the probationary period not to exceed the sick leave time earned.

ARTICLE 9. HOURS OF WORK

Section 9.01 Work Schedule

Due to the necessity of providing service twenty-four hours per day, seven days per week, it is a reasonable condition of employment to require that employees work a regular schedule of hours as established by the City. Regular schedules shall not be construed as excluding shift rotation and emergency work schedules based on public necessity as determined by the City.

The following are descriptions of the work schedules for the types of employees utilized by the City of Brainerd.

- A. Subject to the terms of any applicable collective bargaining agreement, regular full-time and probationary full-time employees, included in the annual budget, normally have a work schedule of forty (40) hours per week, (five (5) days per week, eight (8) hours per day). The City reserves the right to set employees' schedules and hours of work as required to deliver City services.
- B. Regular part-time and probationary part-time employees have a work schedule that is less than forty (40) hours per week. Employees who work less than thirty (30) hours per week shall not be eligible for fringe benefits, except as required by law. Employees who work thirty (30) hours per week or more shall be eligible for the following fringe benefits on a pro-rata basis:

Holidays - As established in ARTICLE 15 of this manual.

Vacation - As established in ARTICLE 16 of this manual.

Sick Leave - As established in ARTICLE 17, Section 17.06 of this manual.

Employees who work thirty (30) hours per week or more shall be eligible to participate in the City's group health insurance, cafeteria plan and life and long-term disability ("LTD") insurance provided that the participation of such employees is allowed by the insurance carrier/plan eligibility rules.

The employer's contribution for health insurance and life and LTD insurance for eligible participating employees shall be determined on a pro-rata basis.

- C. Temporary or seasonal employees may work a flexible schedule for a period not exceeding 185 consecutive calendar days in each year of employment, or such other amount of time as determined by the City Administrator or designee. Full-time students under the age of 23 may also work a flexible schedule as allowed by law. Employees who are temporary, seasonal, and/or full-time students are not eligible for fringe benefits.

Employees should be made aware of their work schedules by a method suitable for the various city departments. Any changes in work schedules usually will be made known to employees affected ahead of time when the schedules take effect, except in the case of emergencies.

Section 9.02 Time Sheets

Each employee of the City shall complete an accurate time sheet following the proper procedure and timeline. Time sheets shall cover a two (2) week (fourteen (14) day) period

except Paid on-call Firefighters whose timesheet will cover a full calendar month. Time sheets shall be completed by each employee and shall show all hours worked and the department the work is to be charged to. All overtime, if applicable, shall be approved by the Department Head. Reporting false information on a time sheet may be cause for disciplinary action up to and including immediate termination.

Section 9.03 Supervisory Employees

The City Administrator, Department Heads, and non-union supervisory employees who are exempt from the overtime and minimum wage provisions of the Fair Labor Standards Act may be allowed to maintain limited flexibility in their work schedule from the normal workday to the extent that job performance and service responsibilities of the City to the public remains satisfactory and at the approval of the employee's supervisor. This limited flexibility means that, if a Department Head or non-union supervisor is absent for four or more hours in any normal workday, appropriate leave must be utilized to account for the absence.

The regular work week for all regular employees, including Department Heads and non-union supervisors consists of five workdays. Even though Department Heads and non-union supervisors may be required to work additional hours for night meetings, City functions and duties, etc., the employee must report to work all five days per week, even if the actual hours worked exceeds 40 hours prior to the fifth day. If an employee does not report to work for an entire day in a work week, the timesheet must show which type of appropriate leave is being taken (e.g., eight hours of vacation time).

If a Department Head or non-union supervisor needs to work a full day on a weekend or holiday, he or she may make a request to the Department Head (for non-union supervisors), City Administrator (for Department Heads), to have this workday switched to allow for a day off on another day. This request must be approved by the Department Head or City Administrator as appropriate, before the employee switches his or her work schedule.

Section 9.04 Adverse Weather Conditions

City facilities will generally be open during adverse weather. Due to individual circumstances, each employee will have to evaluate the weather and road conditions in deciding to report to work (or leave early). An employee may be allowed to work from home with prior approval by their supervisor; allowed to use accrued vacation time or compensatory time, or with supervisor approval; or may modify their work schedule if allowed without incurring overtime per the applicable union contract or make other reasonable schedule adjustments.

Sworn police officers, firefighters, utility and public works maintenance employees will generally be required to report to work regardless of conditions.

Decisions to cancel departmental programs (special events, recreation programs, etc.) will be made by the respective supervisor or the City Administrator.

ARTICLE 10. OVERTIME HOURS

Section 10.01 General

Overtime pay for employees will be in conformance with State and federal law, including Minnesota Statutes, ARTICLE 177.25 (as amended) and the Federal Fair Labor Standards Act, 29 United States Code, ARTICLE 201 et seq., ("FLSA") as amended, and all applicable State and federal rules and regulations implementing ARTICLE 177.25 and/or the FLSA.

- A. For purposes of computing overtime for employees, other than BPU employees, work weeks shall begin at 12:00 a.m. on Sunday. For purposes of computing overtime for BPU employees, work weeks shall begin at 12:00 a.m. on Monday.
- B. Hours worked by non-exempt, non-union employees in excess of forty (40) per week shall be compensated at one and one-half (1 ½) times their hourly wage rate unless a different rate is established by an employment contract.
- C. Holiday hours actually worked are calculated as time worked in the computation of overtime pay.
- D. For the purposes of computing overtime compensation, overtime hours worked shall not be pyramided, compounded, or paid twice for the same hours worked.
- E. No employee may work overtime without the prior approval of his or her Department Head, or designee.
- F. Exempt, non-union employees shall not be eligible for overtime compensation or compensatory time, except as provided in Section 4 of this Policy.

Section 10.02 Payment

Department Heads are responsible to schedule the work in their departments to minimize overtime. Overtime shall be inputted in 1/4 hour (fifteen minute) increments.

Section 10.03 Compensatory Time

Upon request, non-exempt, non-union employees will be allowed to earn compensatory time in lieu of receiving overtime compensation. In no event, shall accrued compensatory time off exceed the limitations provided in the FLSA. Once an employee has reached maximum accrual, compensation for additional hours must be paid in cash, rather than accrued as compensatory time off.

Compensatory time shall be determined at the rate of one and one-half (1½) hours off for every hour of overtime worked, or at a higher rate, if the employee receives a higher rate of pay for the overtime hour(s) in question in accordance with the terms of a collective bargaining agreement or other employment contract. Compensatory time off will be granted in not less than one-quarter hour units.

The City reserves the right to pay out any compensatory time off in excess of 80 hours, as it deems necessary. Accrued compensatory time off may be used with prior approval from the employee's Department Head, which shall be granted unless use of compensatory time off would unduly disrupt the operations of the City.

Upon separation from the City's employment, employees shall be paid for their accrued, but unused compensatory time off in accordance with the FLSA and other applicable law.

Section 10.04 Overtime for Exempt Employees

Notwithstanding the above, exempt employees may receive overtime compensation to the extent provided in an intergovernmental agreement or other contract between the City and another entity, if the contract requires the other entity to pay the cost of overtime hours.

ARTICLE 11. PERSONNEL/PAYROLL

Section 11.01 Personnel Records

An employee must notify the Department Head and the Human Resource Director in case of a change in address, telephone number, marital status, or number of dependents. If at any time an employee's address or telephone number is changed and the change is not reported, it may be difficult or impossible to complete delivery of messages, notices, or other information which should be received. Incomplete information creates problems with payroll deductions and fringe benefits, such as medical coverage. Accordingly, the failure to provide such information may impact the City's ability to provide pay and/or benefits to City employees.

Section 11.02 PERA (NOTE: See PERA's Website: www.mnpera.org to verify contribution rates)

Almost all city employees in the State of Minnesota are covered by a public pension system known as the PERA. Both the City and employees contribute to PERA. For specific information regarding annual contribution rates, contact the Human Resource Director. Vesting time varies depending on your membership eligibility date and the pension is portable among public employers throughout the state. Being vested means you qualify for benefits at the minimum allowable age.

In normal situations, employees and employers both contribute a percentage of the employee's gross salary to PERA. However, Minnesota law provides that some income received by an employee are not eligible for PERA contributions. Employees should contact the Human Resource Director with specific questions regarding PERA contributions.

Section 11.03 FICA

All full-time, part-time, temporary and/or seasonal employees are mandatory members of Federal Insurance Contribution Act (commonly known as Social Security). The City is required to deduct certain amounts from such employees' gross salary. Certain employees may be exempt from this deduction. Employee should contact the Human Resource Director with specific questions regarding FICA deductions.

Section 11.04 Medicare

All full-time, part-time, temporary and/or seasonal employees have a mandatory deduction for Medicare tax taken from their paychecks. Employee should contact the Human Resource Director with specific questions regarding Medicare deductions.

Section 11.05 MN Deferred Compensation

The City is a member of the Minnesota Deferred Compensation Plan. An employee may, at their option, defer any part of income, to a maximum amount set by law, of gross salary. The City does not contribute any monetary amount to the MN Deferred Compensation Plan unless required by the provision of collective bargaining agreement.

ARTICLE 12. SEPARATION FROM EMPLOYMENT

Section 12.01 General Statement

Separation from employment is an inevitable part of personnel activity within any organization, and there are many reasons for separation. The reasons for separation include: (1) resignation; (2) discharge (in accordance with ARTICLE 28 of these policies); (3) layoff; and (4) retirement (in accordance with ARTICLE 13 of these policies).

An employee leaving the City, for any reason, must turn in his/her identification badge and card, tools, shop coats, keys, books, and other City equipment no later than the last day of work. The employee is expected to go through an exit interview with the Human Resource Director on his/her last day of work. This interview is important for both the City and the employee. Through this interview, information may be provided which can lead to the causes of turnover, absenteeism, poor communication, etc. Oftentimes problems are discovered which appeared non-existent previously. It can be an effective means for gaining insight into potential personnel problems.

Section 12.02 Resignation

As at-will employees, all City employees may resign at any time, for any reason. In order to be considered "in good standing" at the time of resignation, an employee must file with employee's department head, at least 14 days before leaving, a written resignation stating the effective date of the resignation. Department Heads and non-union supervisors wishing to resign "in good standing" should give the City as much advance notice as possible, but must provide at least 30 days' notice. Failure to comply with this 14-day or 30-day notice procedure may be considered cause for denying the employee future employment by the City and denying termination benefits. Unauthorized absence from work for a period of three working days may be considered by the City Administrator as a resignation "not in good standing" and without benefits.

Section 12.03 Layoffs

After at least two weeks' notice to the employee, the City Administrator may lay off any employee when such action is necessary because of shortage of work or funds, the abolition of a position, or changes in organization. If it should become necessary to reduce the City work force, the City may give consideration to the employees' on-the-job performance, abilities, job knowledge and the potential for other jobs within the City.

Section 12.04 Final Pay Following Termination of Employment

Subject to applicable law, employees who terminate employment with the City shall receive their final pay settlement a maximum of two weeks from the date of resignation, coinciding with the next normal payday.

ARTICLE 13. RETIREMENT AND SEVERANCE PAY

Section 13.01 Procedure

Regular employees who retire voluntarily in good standing, as defined in ARTICLE 29, after giving at least two (2) weeks notice to the City and are eligible to immediately begin

receiving monthly retirement benefits under the provisions of PERA as of the date of his or her retirement shall be granted severance pay based on the following conditions and rates:

Section 13.02 Conditions

- A. Retirement - voluntary and in good standing, as defined in ARTICLE 12.
- B. Voluntary retirement or termination of employment in good standing, as defined in ARTICLE 13, due to health reasons, service-connected injury, or illness.

Section 13.03 Rates

All regular employees, regardless of the date of hire, shall be entitled to 100 percent of their unused sick leave as severance pay, with a maximum of nine hundred sixty (960) hours, upon retirement in good standing, as defined in ARTICLE 12, or if they become disabled and must terminate their employment, with written proof by a physician. In the event of death, severance pay shall be paid to the beneficiary. Pay for unused sick leave shall be based on existing annual wage as described in Exhibit C or applicable union contract.

ARTICLE 14. MEAL AND COFFEE BREAKS

All hourly employees shall receive one (1) fifteen (15) minute rest period during each four (4) consecutive hours of work. Rest periods are part of the paid work shift. An employee shall not be compensated additional wages or time off for not taking a scheduled rest period. Employees are expected to use these breaks as intended and will not be permitted to adjust work start time, end time, or meal time, including any standard meal time designated by a specific Department—or accrue compensatory time—by saving these breaks. Breaks should be scheduled so as to not interfere with work requirements.

In general, City employees working a scheduled full-time shift are entitled to a one (1) hour uncompensated meal period. Meal periods shall be scheduled by the department head or supervisor. Employees will not be permitted to adjust work start time or accrue compensatory time by skipping or shortening meal breaks.

ARTICLE 15. HOLIDAYS

The following holidays, or days observed as such, shall be considered paid holidays for all regular employees:

New Year's Day
Martin Luther King, Jr. Day
Presidents' Day

Memorial Day
Veterans' Day
Independence Day
Labor Day
Thanksgiving Day
Friday after Thanksgiving Day
Christmas Day
2 "Floating" holidays

When an official holiday recognized in this policy falls on a Saturday, the preceding Friday shall be declared a holiday for employees whose normal work schedule is Monday through Friday. When an official holiday recognized in this policy falls on a Sunday, the following Monday shall be declared a holiday for employees whose normal work schedule is Monday through Friday.

If a recognized holiday falls during an eligible employee's paid absence (e.g., vacation, sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

Union employees shall be compensated for holiday time according to the terms and conditions of their collective bargaining agreement.

Requests for floating holidays shall require three (3) days' written notice to the Department Head. Such requirement may be waived when absence of the employee will not unduly affect the functioning of the department.

Employees will be accredited their floating holidays on January 1st of each year and may use them at any time during the year.

New employees whose first working day is between January 1st and June 30th, inclusively, shall receive two (2) floating holidays and new employees whose first working day is between July 1st and December 31st, inclusively, shall receive one (1) floating holiday.

All floating holidays must be taken in one (1) day (or eight (8) hour) increments. Floating holidays are not carried over year-to-year and must be used in the calendar year that they are received. Floating holidays not used by December 31 of the calendar year they were received are forfeited.

ARTICLE 16. REGULAR VACATION

Section 16.01 General Vacation Rules

A. When Taken

Vacation leave may be taken after written approval by the Department Head or designee. Vacation leave will be granted in not less than one-quarter hour units. Probationary employees' use of vacation leave is subject to ARTICLE 8 of these policies.

B. Length of Service

Length of service for the purpose of determining vacation accrual is calculated from the date of hire with the City. If an employee returns to work at the City after a break in service, the employee's length of service will be calculated from the date of rehire.

C. Scheduling Vacation

Department Heads are responsible for approving the scheduling of vacation leaves for employees under their supervision, and approval is not automatic.

1. Consideration shall be given to seasonal demands and departmental staffing needs before granting any vacation leave requests.
2. Subject to the needs of the Department, preference in scheduling shall be based on the order in which vacation requests are received and/or seniority of employees.

D. Monetary Consideration in Lieu of Vacation

Vacation pay shall be reflected on the paycheck issued for the pay period in which the vacation is taken. No vacation shall be paid in lieu of taking time off, except as authorized under the City's Cafeteria Plan.

E. Accrual of Vacation

Employees may accumulate vacation time equal to a maximum of 240 hours. Vacation accrual will cease if an employee is off of the City's payroll system for any reason whatsoever, except as required by law.

F. Vacation Payout

Employees who leave the employment of the City in good standing, as defined in ARTICLE 12 of these policies, by retirement or resignation will receive pay for 100 percent of unused accrued vacation. An employee shall not be considered to be "in good standing" if the employee resigns or retires following allegations of misconduct, as determined by the City Council in its sole discretion.

All full-time employees, except the City Administrator and Department Heads, shall earn vacation at the rate of: 6.67 hours per full month worked during the employee's first five years of employment. Thereafter, employees shall earn paid vacation as follows:

After completion of:

5 years of service - 10.00 hours per month
10 years of service - 10.67 hours per month
11 years of service - 11.33 hours per month
12 years of service - 12.00 hours per month
13 years of service - 12.67 hours per month
14 years of service - 13.33 hours per month
15 years of service - 14.00 hours per month
16 years of service - 14.67 hours per month
17 years of service - 15.33 hours per month
18 years of service - 16.00 hours per month
19 years of service - 16.67 hours per month
20 years of service - 17.33 hours per month
21 years of service - 18.00 hours per month
22 years of service - 18.67 hours per month
23 years of service - 19.33 hours per month
24 years of service - 20.00 hours per month

City Administrator and Department Heads shall earn vacation at the rate of:

Ten (10) hours per full month worked during the first year of employment. Thereafter, employees shall earn paid vacation as follows:

After completion of:

1 year of service - 10.67 hours per month
2 years of service - 11.33 hours per month
3 years of service - 12.00 hours per month
4 years of service - 12.67 hours per month
5 years of service - 13.33 hours per month
6 years of service - 14.00 hours per month
7 years of service - 14.67 hours per month
8 years of service - 15.33 hours per month
9 years of service - 16.00 hours per month
10 years of service - 16.67 hours per month
11 years of service - 17.33 hours per month
12 years of service - 18.00 hours per month
13 years of service - 18.67 hours per month
14 years of service - 19.33 hours per month
15 years of service - 20.00 hours per month

ARTICLE 17. EMPLOYEE LEAVES

Section 17.01 Jury Duty

Any employee who is required to serve as a juror shall be granted a leave of absence with pay while serving in such capacity. Employees will be required to turn over any compensation they receive for jury duty, minus mileage reimbursement, to the City in order to receive their regular wages for the period. An employee cannot receive more than the employee's normal take-home pay as a result of any employer pay supplemented to Jury Duty pay. Jury duty pay must be remitted to the City. When employees are excused from jury duty during their regular working hours, they are expected to return to work if practicable. If a holiday occurs during jury duty, the employee shall be paid for the holiday.

Employees excused or released from jury duty during their regular working hours will report to their regular work duties as soon as reasonably possible or will take accrued vacation or compensatory time to make up the difference.

Insurance benefits will remain in effect for the full term of jury duty leave. Employees must continue to make employee contributions for any insurance that requires payment on their part.

Vacation time and sick time shall continue to accrue during the period of leave. Benefits will continue to accrue as though the employee were actively at work.

Section 17.02 Military Leave

Employees shall be entitled to leave without pay for military service, including training in the National Guard, consistent with the Uniformed Services Employment and Re-employment Rights Act of 1994 ("USERRA") (as amended) and Minnesota law, including, but not limited to, Minnesota Statutes, chapter 192 (as amended).

Section 17.03 Leave for Service in Organizations

The City Council with the recommendation of the City Administrator and Personnel and Finance Committee, may grant a leave of absence without pay for reasonable periods not to exceed one (1) year to any regular employee for the purpose of serving in an elected or appointed position, other than as a paid employee, in a professional organization or a governmental commission or committee, provided such leave will not reduce the quality or level of service to the public.

No vacation leave, sick leave, holiday leave or compensatory time off benefits shall be used or accrued during a leave of absence and the City will not contribute to insurance premiums.

Section 17.04 Parental Leave

Parenting Leave, as provided for in Minnesota Statutes, including ARTICLE 181.941, as amended, grants qualifying employees unpaid leave of up to twelve (12) weeks for: (1) a biological or adoptive parent in conjunction with the birth or adoption of a child; or (2) a female employee for prenatal care, or incapacity due to pregnancy, childbirth, or a related health condition. Parental Leave is considered to be taken simultaneously with FMLA leave. If leave is taken due to the birth or adoption of a child, the leave must begin within twelve (12) months of the birth or adoption, unless the child remains in the hospital after the mother has been discharged, in which case the leave must begin within twelve (12) months after the child leaves the hospital.

Section 17.05 Funeral Leave

All regular full-time employees shall be permitted paid funeral leave not to exceed 24 hours, if necessary, for the death of an immediate family member (employee's spouse, child, step-child, father, mother, brother, sister, father-in-law, mother-in-law) and one (1) working day, if necessary, for the death of an employee's grandparent. Funeral leave for other relatives may be granted at the discretion of the Human Resource Director. Up to twenty-four (24) additional hours of sick leave may be used as additional funeral leave at the discretion of the City Administrator. For purposes of this policy, the term "working day," means a regularly scheduled shift, excluding any time that an employee would be considered "on call" unless the employee actually would have been called to perform duties during that period.

Section 17.06 Sick Leave

All full-time employees shall earn sick leave at the rate of one (1) day (8 hours) per month of employment. Sick leave will be granted in not less than one-quarter hour units. Sick leave accumulation shall be a maximum of 120 days (960) hours.

An employee may use sick leave when the employee is unable to attend work or perform work duties due to illness, injury, the necessity for medical, dental, or chiropractic care, childbirth, or exposure to contagious disease where such exposure may endanger the health of others with whom the employee would come in contact during the course of performing work duties. Employees may also use their accrued sick leave for the following:

- A. Illness or injury of the employee's spouse, child, adult child, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent. Sick leave to care for an injury or illness of the employee's adult child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent is limited to 160 hours (20 days) in any given twelve (12) month period;
- B. "Safety leave," as provided in Minnesota Statutes, ARTICLE 181.9413(b), as amended. Employees may use up to 160 hours (20 days of an eight-hour shift) of sick leave for "safety leave" during any given twelve (12) month period.
- C. Any other purpose for which the City is required to allow an employee to use sick leave by State or federal law, including, but not limited to, Minnesota Statutes, ARTICLE 181.9413, as amended.

When requesting sick leave for a scheduled or foreseeable absence, employees must notify the supervisor as soon as the employee is aware of the need to utilize sick leave.

To be eligible for sick leave with pay, an employee shall:

- A. Report as soon as possible to the employee's immediate supervisor as described above. If the need for sick is not foreseeable, the employee must notify his/her supervisor as soon as the employee becomes aware of the need for leave. The employee shall identify if the absence is due to the employee's illness or the employee's immediate family, as listed above;
- B. Keep the employee's immediate supervisor informed of such employee's need for continued absence; and
- C. To the extent allowable by law, for any absence that exceeds three days, upon request by the City Administrator, submit a medical certificate before the employee will be allowed to return to work.

Sick leave accrual will cease if an employee is off of the City's payroll system for any reason whatsoever.

To the extent allowable by law, the City reserves the right to require any employee returning from sick leave to provide a certificate stating that he or she is able to perform the essential functions of his or her position, with or without reasonable accommodation.

In case of disability caused by sickness or injury and covered by Workers Compensation, the City will pay to the employee only such sums, as together with Workers Compensation payments, will equal their base pay but never for a longer period than their accumulated sick leave and vacation leave. The time deducted from the employee's accumulated sick leave, until exhausted and then vacation, until exhausted, shall be the difference between

the employee's normal gross pay and the payment received by the employee for workers compensation. An employee cannot receive more than the employee's normal take-home pay as a result of any workers compensation payment.

In such case, to the extent allowable by law, once sick leave is exhausted, the time deducted from accumulated vacation leave shall be in the same amount as the proportion of wages paid by the City bears to the entire base pay of the employee. No sick leave or vacation leave will be paid to employees while actually working for others.

Section 17.07 Extended Medical Leave

When medically necessary, and upon receipt of a medical certificate from an employee's treating physician, the City Administrator may approve a request for a medical leave extension of up to 90 days due to the employee's serious medical condition or to care for a spouse, parent or child who has suffered a serious medical condition.

Before using unpaid leave under this ARTICLE, the employee must use all paid leave. Leave granted pursuant to this Section may run concurrently with leave under the Family and Medical Leave Act ("FMLA").

Employees will not earn or accumulate benefits or other compensation while on unpaid leave, except as required by law. A medical certificate attesting to the employee's fitness for duty shall be required prior to any employee returning to work from medical leave. Also, the City may require that the employee submit to an examination by a medical provider selected by the City to determine whether the employee is able to perform the essential functions of his or her job, with or without reasonable accommodation.

The Human Resource Director may consult with a physician or other expert to determine reasonable accommodations for any employee who is a "qualified disabled" employee under the Americans with Disabilities Act. If a fitness for duty certification is required, the City may deny reinstatement until it is provided.

Section 17.08 Personal Leave

Upon written request of an employee, the City Council may grant an employee a leave of absence without pay for a period of up to 90 consecutive calendar days, at its sole discretion.

Employees will not earn or accumulate leave, benefits, or other compensation while on unpaid leave except as required by law.

Section 17.09 School Leave

To the extent required by law, employees may take up to a total of sixteen (16) hours per twelve (12) month period of unpaid leave to attend school conferences and school-related activities related to the employee's child, provided the conferences or other school-related activities cannot be scheduled during non-work hours. Employees taking leave for this purpose may, but are not required to, substitute vacation or compensatory time for any part of this unpaid leave.

Section 17.10 Family & Medical Leave

Eligible employees, as determined by the Human Resource Director or designee, may be entitled to take unpaid leave pursuant to the Family and Medical Leave Act ("FMLA") for the purposes described in 29 U.S.C. § 2612 (as amended). All such leave, including the responsibilities of the City and its employees related to such leave, is subject to the conditions prescribed in the FMLA and the Department of Labor's regulations implementing the FMLA.

A. Restrictions on FMLA Leave

For additional information regarding FMLA leave, including the circumstances in which such leave may be taken, employees should consult the posted notices. In addition, as permitted by the FMLA, the City places the following restrictions on eligible employees' use of FMLA leave:

1. The City has designated a "rolling" twelve (12) month period for purposes of determining employees' entitlement to FMLA leave. The "rolling" twelve (12) month period is measured backward from the date the employee uses any FMLA leave.
2. Spouses employed by the City are permitted to take a combined total of twelve (12) work weeks of FMLA leave during a single twelve (12) month period if the FMLA is: (1) due to the birth of a son or daughter of the employees; (2) due to the placement of a son or daughter with the employees for adoption or foster care; or (3) in order to care for a parent of the eligible employee.
3. Employees who request leave under this policy based on: (1) their own serious health condition; (2) to care for a parent, spouse, or child's serious health condition; or (3) military caregiver leave, are required to submit a completed medical certification that complies with the requirements of the FMLA. Medical certification forms are available from Human Resources. The City reserves the right to request a second opinion, at the expense of the City, to the extent permitted by the FMLA. If the results of the employee's certification differs from

the results of the City's certification, the City may obtain a third opinion at the City's expense. The City also reserves the right to require periodic recertification, to the extent allowed by the FMLA and to contact the certifying medical provider to authenticate or clarify the medical certification in lieu of seeking a second opinion. Separate certification may also be required regarding the nature of the family member's military service and/or the existence of a qualifying exigency, if leave is requested for that purpose.

4. Except in emergency situations, the employee is required to provide written notice of the need to take leave to his or her immediate Supervisor not less than thirty (30) days before the date the leave is scheduled to begin. If the leave is to begin in less than thirty (30) days, the employee shall provide such written notice as soon as practicable.
5. Employees are required to use all accrued sick leave, vacation leave, and any other accrued paid leave concurrently with leave provided under the FMLA. Employees with both accrued sick and vacation leave are required to use sick leave and compensatory time, if any, before using accrued vacation leave. The combined paid and unpaid leave cannot exceed the applicable twelve (12) week or twenty-six (26) week maximum FMLA leave time. FMLA leave may run concurrently with a worker's compensation absence if the on-the-job injury or illness also qualifies as a serious health condition under the FMLA.
6. Subject to the terms, conditions, and limitations of applicable plans, eligible employees are entitled under the FMLA to the same health insurance benefits provided by the City while on FMLA leave to the same extent as if the employee were not on FMLA leave. Employees who contribute toward their health care coverage must continue to make that contribution while on leave, either through payroll deduction (if using paid leave) or by personal check (if using unpaid leave). If the employee fails to return to work after taking family or medical leave, the City may recover the premiums paid by the City for group health and life insurance unless the serious health condition of the spouse, child, parent or employee continues or for other circumstances beyond the control of the employee.
7. Vacation, sick, and holiday leave will not be earned during a period of unpaid FMLA leave. FMLA leave, whether paid or unpaid, will not constitute a break in service for purposes of computing years of service.
8. The City requires a medical certificate attesting to the employee's fitness for duty prior to the employee being allowed to return to work. The fitness for duty report must be based on the particular health condition(s) for which the leave was approved and must address whether the employee can perform the

essential functions of the job. The Human Resource Director or designee may consult with a physician or other expert to determine reasonable accommodations for any employee who is a "qualified disabled" employee under the Americans with Disabilities Act. If a fitness for duty certification is required, the City may deny reinstatement until it is provided.

9. Records of FMLA leave will be kept along with normal personnel records except that any medical record(s) will be maintained separately in accordance with applicable laws.

B. Effect on Pension:

Employees should contact the MN Public Employees Retirement Association ("PERA") for information about how FMLA leave may affect their retirement benefits.

C. Training:

Employees who have missed training sessions while on FMLA leave will be given a reasonable opportunity to make them up upon returning to work.

Section 17.11 Department Head Absenteeism Notification

Except in the event of an emergency that prevents such notice, Department Heads shall notify the City Administrator prior to any absence from the office.

Section 17.12 Catastrophic Leave Bank

POLICY STATEMENT

The City of Brainerd recognizes that occasions arise when employees may have exhausted their vacation leave, sick leave and compensatory time, due to a non-work related injury or prolonged illness that has not yet qualified for long-term disability insurance benefits. It is the intent of this policy to provide an opportunity for City employees to voluntarily donate vacation leave hours to an emergency medical leave bank for use by other City employees who demonstrate a catastrophic medical emergency. The program is voluntary in nature and does not guarantee any resulting benefit to any employee in need nor does it require participation of any employee. This policy applies to employees of bargaining units upon agreement of their exclusive representative.

Eligibility

All non-probationary City employees, including members of collective bargaining units whose exclusive representatives have agreed to this policy, are eligible to participate in this Catastrophic Medical Leave Sharing Bank ("CMLSB"). Donation to the bank is entirely voluntary.

Definitions

- A. “Catastrophic Medical Emergency” is a major life-threatening disease or illness or non-work related major injury involving a prolonged absence from work. Per the dictionary, a catastrophe is a momentous tragic event ranging from extreme misfortune to utter overthrow or ruin.

Examples may include: heart attack, stroke, organ transplant, cancer or major non-work-related injury.

The medical emergency must result in the incapacitation of the employee, spouse, or child/stepchild for a minimum of 80 consecutive work hours (subsequent intermittent absences involving the same illness or condition shall also qualify) which requires the employee to take time off from work and creates a financial hardship because all of the employee’s paid leave has been exhausted.

“Catastrophic medical emergency” is specifically not defined as all “serious health conditions” as defined under the FMLA.

- B. “Verification of catastrophic illness or injury” shall consist of a physician’s statement verifying that:
1. The employee is suffering from a major life-threatening disease, illness or non-work related major injury requiring a prolonged absence from work; or
 2. That the employee must be present to care for the employee’s spouse, child or stepchild who is suffering from a major life-threatening disease or illness or major injury; and
 3. A brief description of the nature of the illness or injury and the anticipated duration of the incapacity.
 4. The Verification of catastrophic illness or injury shall be in addition to the FMLA certification of health care provider.
- C. “Donor” is an employee who donates vacation leave to the Emergency Medical Leave Sharing Bank.
- D. “Applicant” or “Recipient” is a non-probationary City employee who has applied for or received leave from the CMLSB.
- E. “Committee” as referenced in this policy shall consist of the City Administrator, Human Resource Director, and the Chair of the Personnel and Finance Committee.

Catastrophic Medical Leave Sharing Bank BENEFITS AND LIMITATIONS

- A. The applicant must have exhausted all of the employee's own accrued vacation, sick leave, and compensatory time in order to receive any Catastrophic Medical Leave ("CML").
- B. The applicant may apply for CML while still in paid status, but no sooner than 80 hours before the exhaustion of all of the applicant's paid leave or CML.
- C. An applicant may be eligible to receive up to a maximum of 160 hours of CML per request, which shall be placed in the recipient's sick leave bank as needed per pay period in increments of no more than 80 hours at a time. Additional requests for CML may be submitted upon the anticipated exhaustion of the initial hours and medical verification of continued need, but the total CML granted to one recipient in relation to one medical emergency shall not exceed 480 hours. Part-time employees shall be eligible to receive CML on a pro-rata basis.
- D. Recipients of CML must use the leave only for the Catastrophic Medical Emergency. Any CML which is not used for the medical emergency shall be returned to the bank and cannot be retained by the recipient.
- E. An applicant shall be required to apply for FMLA leave in conjunction with the application for CML. Catastrophic Medical Leave time will run concurrently with any applicable FMLA leave.
- F. The recipient shall be in a paid status when using CML for the purpose of receiving benefits. When a pay period includes a holiday, a participant using CML shall receive holiday pay provided they are in a pay status the last regular shift prior to, and the first regular shift following the holiday.
- G. A recipient's CML pay will continue to be taxed in accordance with state and federal law, and all authorized deductions will continue to be deducted from the participant's paycheck, provided sufficient wages are available.
- H. All time donated to the pool shall be converted to a dollar amount based upon the donor's hourly rate of pay. All CML shall be used at the recipient's rate of pay.
- I. Leave from the CML may not be used for illness or disability which qualifies the participant for Worker's Compensation, long-term disability, PERA disability or Social Security benefits.
- J. An applicant shall be required to apply for long-term disability and PERA disability, as applicable, for the employee's own medical condition which results in the employee's absence from work for more than 90 calendar

days, whether before or after the employee has exhausted his/her own paid leave. The recipient applicant shall provide verification of such application.

- K. Leave donated to the CML Bank shall remain in the bank from year to year and shall be available to eligible employees. Donation of leave to the CML Bank is irrevocable.

Application Process

- A. Applicants shall be required to complete a form setting forth their request for CML, the reason, number of hours requested and the anticipated duration of the medical emergency. A new request form shall accompany each subsequent request. The CML Request form will be turned into the Human Resource Director prior to the start of the leave if possible. Requests will be reviewed by the Committee.
- B. The Applicant shall sign a waiver of liability in connection with the CML request and any subsequent request. The applicant shall provide a "verification of catastrophic illness or injury" with the request form or within (10) calendar days of the request. In the event that the Verification is not submitted in a timely manner, the CML request may be considered by the Committee but no leave will be disbursed to the applicant until the verification is received and reviewed by the committee.
- C. Applicants who are denied CML or whose withdrawal is not renewed or is terminated may, within fifteen (15) calendar days of denial, appeal the denial, non-renewal or termination by providing new or additional information to the Committee and completing a supplemental application and waiver. The final decision will be reported to the applicant, in writing, within ten (10) working days of the decision. This decision of the Committee is final. Such final authority is not subject to the grievance procedure or litigation and the applicant shall specifically waive any rights to review by any of these options.
- D. All requests for CML, verifications of catastrophic illness or injury and other documentation related to an applicant's medical condition or that of the applicant's family member shall be kept confidential and shall only be disclosed as necessary to administer request for withdrawal.
- E. If the CML bank does not have sufficient hours to fund a withdrawal request, the City is under no obligation to pay the applicant any funds. If a withdrawal request is denied in whole or in part because of insufficient dollars to fund the request, the applicant shall be notified in writing of the reason for the denial.

DONATION PROCESS

- A. A regular full or part time employee may donate vacation leave to the Catastrophic Medical Leave Sharing Bank twice annually, which shall occur with the first pay period in December or June. In the event that the CML Bank becomes depleted, the City Council may, in its sole discretion, authorize a third open window period for donation to the Bank.
- B. Donors are required to have a minimum of 80 hours of vacation leave available to them in their accrued vacation leave bank after a donation is made.
- C. Donation to the CML bank is irrevocable.

TENNESSEN WARNING

Information provided pursuant to the Catastrophic Leave Donation Policy is classified as personnel data pursuant to Minnesota Statutes, ARTICLE 13.43, as amended. You are not legally required to participate in the program and are therefore not required to provide any information. If you choose to participate in this voluntary program, you will be required to provide the information set forth above in order to donate or receive donated leave.

The requested and required information regarding leave donation requests, including medical information and the basis for leave donation requests will be disclosed to those individuals whose work assignments reasonably require access, including committee members, insurance vendors, consultants and attorneys. The information may also be used to make decisions regarding your eligibility for extended sick leave, family and medical leave, and other leaves; your eligibility for workplace accommodations, including accommodations for disabilities; and other benefits. The information may also be shared with other agencies authorized by law to receive specific data, including but not limited to: Civil/human rights; Worker's Compensation; Unemployment Compensation; and Labor Contracts.

Information regarding the value of donated leave as taxable income will be reported to the Minnesota Department of Revenue, the Internal Revenue Services and security tax programs.

ARTICLE 18. EMPLOYEE INSURANCE

Section 18.01 Medical Insurance

The City provides a medical coverage insurance plan for eligible employees as described in the Summary Plan Description.

The insurance coverage takes effect the first day of the month coinciding with or immediately following the employee's date of hire, except as required by applicable law, including, but not limited to, the Affordable Care Act. The City provides contributions to health insurance premiums as approved annually by the City Council.

The City will contribute towards the health insurance premiums of employees and elected officials as described in Exhibit A to this Policy Manual. Information regarding health insurance benefits will be provided by the Human Resource Director for new employees and periodically thereafter. Any further questions pertaining to insurance coverage shall be directed to the Human Resource Director or designee.

Section 18.02 Life and LTD Insurance

The City provides a term life insurance policy for all eligible employees, as described in Exhibit B and the applicable Summary Plan Description. The plan takes effect the first day of the calendar month coinciding with or immediately following completion of six months of employment. The amount of life insurance coverage provided is described in an applicable collective bargaining agreement or determined by the City Council. For elected officials, Department Heads, and non-union Supervisors, the City will provide life insurance in the face amount described in Exhibit B.

The terms of the long-term disability coverage, including the formula used to calculate the benefit and the waiting period before an employee may receive long-term disability benefits will be established by the City, as described in Exhibit B to this Policy Manual.

Section 18.03 Workers Compensation

All employees are required to report any job-related illnesses or injuries to their supervisor immediately (no matter how minor). If a supervisor is not available and the nature of injury or illness requires immediate treatment, the employee is to go to the nearest available medical facility for treatment and, as soon as possible, notify his/her supervisor of the action taken. In the case of a serious emergency, 911 should be called.

If the injury is not of an emergency nature, but requires medical attention, the employee will report it to their supervisor and make arrangements for a medical appointment.

Workers' compensation benefits and procedures to return to work will be applied according to applicable state and federal laws.

Pursuant to Minnesota State law, the officials of the City elected or appointed for a regular term of office or appointed to complete the unexpired portion of a regular term are included in the coverage of the Minnesota Workers' Compensation Act.

ARTICLE 19. HEALTH CARE SAVINGS PLAN

The City Administrator, Department Heads, and Non-Union Supervisors are eligible to participate in the Minnesota Health Care Savings Plan ("HCSP"). This plan is pursuant to the Minnesota Statutes, ARTICLE 352.98 (as amended). Details regarding employees' participation in the Minnesota Health Care Savings Plan are included in Exhibit C. Employees should direct any questions about participation in this plan to the Human Resource Director.

ARTICLE 20. CAFETERIA PLAN

The City of Brainerd offers its employees a cafeteria plan. The plan allows employees to pay for health insurance premiums, and medical and/or dependent care expenses on a before-tax basis.

The flexible spending program is divided into three (3) separate accounts, which are summarized below:

A. Insurance Premiums Deducted from Paychecks: The amount of premium which is deducted per pay period for health insurance coverage per settled wage/benefits negotiations. Some voluntary insurance deductions may also be eligible.

B. Medical Expenses: Out-of-pocket medical, dental & vision expenses not covered by insurance.

C. Dependent/Childcare Expenses: Dependent care expenses for the care of a child under age 13 and/or a dependent regardless of age who requires care due to an inability to care for himself or herself.

The law limits the maximum contributions that employees can make to their flexible spending account and the specific expenses that can be paid out of such accounts. Employees should contact the Human Resources office for additional details.

Further information on the City's Cafeteria Plan may be obtained from the Human Resource Director.

ARTICLE 21. EDUCATION, TRAINING AND DEVELOPMENT

The City Council has determined that it is in the best interest of the City of Brainerd to support continuing education, training, and development of staff members in order that they may carry out their duties in the most efficient and productive manner possible.

To further this policy the City Council does authorize payment for education, training and/or staff development directly related to an employee's current position in order to

increase his/her efficiency and productivity in that position in accordance with the following criteria and procedure.

Section 21.01 Education

The City may reimburse a regular employee for tuition expenses and course fees under certain circumstances. There shall be no reimbursement for mileage/parking expense. Qualifying tests (SAT, ACT, GRE, CLEP, etc.), required books, student activity fees, and material costs will not be reimbursed. Courses for which the employee receives another source of funding, such as a grant or scholarship, will not be eligible for reimbursement.

1. **Pre-Approval.** Prior to starting a class or classes, and in any event no later than August 1 of each year, the employee must obtain written approval from the employee's Department Head and the City Administrator or BPU Commission (for BPU employees only) that the class, certificate, or degree is job related and that the request would benefit the City. Specifically, the courses must be from an accredited institution and directly related to the employee's current assignment or has the potential for promotional opportunities for the employee. The Department Head must verify that the Department budget will cover this expense before recommending approval to the City Administrator or BPU Commission. Each approval shall be limited to a single course or academic term. Enrollment in a multiple-year course of study, or approval of reimbursement for any portion of such a course of study does not guarantee that funding will be available in subsequent years or that the City will approve any future course of study, even if related to one that was approved in the past. An employee who is requesting reimbursement for education expenses must have been a regular employee of the City for at least one year before the scheduled course is scheduled to begin.
2. **Satisfactory Completion.** The employee shall provide the Department Head with proof of satisfactory completion with a grade of "B" or better of any course requested for reimbursement, prior to reimbursement.
3. **Employees seeking reimbursement must present a paid fee statement and grade transcript in order to receive reimbursement.**
4. **Reimbursement for classes taken at private institutions shall not exceed the tuition charged by the Minnesota State University system.**
5. **Time Off.** If class is during the regular workday, an employee must take that time as compensatory time, vacation time, or leave of absence without pay, or the employee can request a flexible scheduling arrangement, subject to approval by the Department Head and City Administrator or BPU Commission (for BPU employees only). Classes or course work taken by the employee must not disrupt or interfere with the normal Departmental operations. Completion of preparatory work and homework are not permitted during scheduled work hours.

6. Continued Employment. The employee must remain with the City of Brainerd following completion of the course for which the City provided reimbursement pursuant to this policy, or else return to the City the expense amount(s) reimbursed pursuant to this policy. If the employee voluntarily terminates employment with the City after receiving education reimbursement pursuant to this policy, the employee must repay the reimbursed tuition immediately according to the following schedule:
 - Up to 1 year after receiving reimbursement – 100% of the tuition reimbursement
 - 1 year but less than 2 years after receiving reimbursement – 66% of tuition reimbursement
 - 2 years but less than 3 years after receiving reimbursement – 33% of tuition reimbursement
 - 3 years or longer after receiving reimbursement – 0% of tuition reimbursement
7. Funding Procedure. Subject to paragraph 4, above, the City will reimburse its employees for tuition expenses up to a maximum of \$1,500 per calendar year with a total lifetime maximum of \$6,000. All reimbursements shall be subject to applicable IRS regulations. The scope, terms and conditions of this reimbursement shall be defined and interpreted by the City Administrator or BPU Commission (for BPU employees only). Reimbursement is further limited based on availability of budgeted funds. Reimbursements are on a first come, first served basis and shall not exceed the department budget. In the event a department receives reimbursement requests that exceed its budget allocation for education reimbursement, the Department Head and City Administrator (or BPU Commission, for BPU employees only) shall have the discretion to apportion the available funds, including the discretion to refuse reimbursement.
8. The Human Resource Director will develop and maintain forms for requesting approval of class eligibility prior to registration and forms requesting reimbursement after successful completion of classes.

Section 21.02 Training and Development

1. The City will pay for job-related, position specific training approved by the Department Head and City Administrator or BPU Commission (for BPU employees only) and deemed necessary to effectively complete the requirements of the position, provided there is adequate funding in the budget appropriation for training, as determined by the Department Head in consultation with the City Administrator or BPU Commission (for BPU employees only).

2. Subject to Paragraph 1 of this ARTICLE, the City will pay for, or reimburse employees for, any and all training required by the City, including training required to attain or maintain job-related certification. Payment of training and/or conference expenses must not exceed \$1,500 per employee per fiscal year, excluding travel and subsistence costs. Exceptions must receive approval by the City Administrator or BPU Commission for BPU employees.
3. Attendance at training or conferences out of state is generally approved only if the training or conference is not available locally. All requests for out of state travel and/or national conferences that are applicable to their current position are reviewed for approval/disapproval by the City Administrator or BPU Commission for BPU employees.
4. The Department Heads will maintain records on all employee training done at City expense.
5. The procedure for payment for training and development is as follows:
 - a. A request for payment of fees and course materials must be approved by the City Administrator or BPU Department Head (for BPU employees only), or designee. Such approval will only be granted when it can be demonstrated that the training directly relates to the employee's present position and that it will potentially enable the employee to perform his/her duties in a more efficient and productive manner.
 - b. All course materials paid for by the City are the property of the City of Brainerd and shall be brought to the Department Head of the appropriate Department upon completion of the training.

For purposes of this policy, training and development will include seminars, workshops, and training sessions designed to provide specific applications to an employee's present position. Such training must be approved by the Department Head or the City Administrator.

The City Administrator may grant a leave of absence with or without pay to an employee for the purpose of attending schools, meetings, conferences, and other functions which are a benefit to the City of Brainerd, if, in the City Administrator's judgment such leave will not cause disruption of service.

All training and education opportunities described in this policy are subject to the availability of funds and the budgets of individual departments as well as the City's overall budget.

ARTICLE 22. EMPLOYMENT RELATED REIMBUREMENTS

Section 22.01 Travel & Meal Reimbursement

If employees are required to travel outside of the area in the performance of their job duties, they will receive reimbursement of expenses for meals, lodging and necessary expenses incurred, consistent with this Policy.

Travel Approval

Each Department Head is responsible for ensuring that employee travel is approved only if such travel is for City business and is consistent with City policy. Department Heads are responsible for approving all travel requests within their respective departments and must ensure that departmental budget dollars are sufficient to cover requested travel prior to approving. Requests for travel by Department Heads must have prior approval by the City Administrator. The following approvals are needed prior to employee travel:

- 1) **Same Day with Overnight Travel** - Department Head approval is required.
- 2) **Out of State, More Than 300 Miles From Brainerd** - All out-of-state travel exceeding a 300-mile radius from Brainerd must be approved within the annual budget process which is approved by the City Council and BPU Commission. All employees must receive prior approval from their Department Head. Unless otherwise approved by the City Council or BPU Commission, an employee is only eligible to travel out-of-state more than 300 miles from Brainerd on City business once every other year.
- 3) **Out of State, Less Than 300 Miles From Brainerd** - All out-of-state travel within a 300-mile radius of Brainerd must be approved by the Department Head or City Administrator and does not require City Council or BPU Commission approval.

Such authorization must be received by the employee prior to incurring the actual expenses and shall be subject to the availability of funds and the terms of this Policy.

Reimbursable Expenses

1) Transportation

Several means of transportation exist and each travel request shall consider the least-costly method. For the majority of travel requests, a City vehicle provides the least cost to the City and shall be considered before any other means. Vehicles from other departments may be available and shall be a consideration. Unless otherwise authorized by the Department Head or City Administrator, all City-related transportation must be by City vehicle.

- a) **City Vehicle** – All direct expenses, other than personal expenses, incurred with regard to the use of a City vehicle will be reimbursed, including fuel, oil, and maintenance/repair expenses. Only City employees are authorized and insured to drive a city-owned vehicle. The use of a City vehicle is otherwise subject to the City's policies.

- b) **Personal Vehicle** – When a city vehicle is not available, a personal vehicle may be authorized for use. Mileage for use of personal vehicle when traveling to or from a training or work location other than the employee's regular work location is reimbursed at the rate established by the Internal Revenue Service, based on a statement from the employee as to number of miles traveled. All mileage must be computed from the employee's regular work location, or from home, if the employee's home is closer to the destination. For purposes of this policy, the term "regular work location" means the work location from which the employee departs for the regular performance of official duties.
- c) **Airplane/Other** – travel by any means other than by City-owned vehicle or personal vehicle must be approved by the City Administrator, regardless of whether the travel is in-state or out-of-state and regardless of the distance of the travel from the City of Brainerd. Reimbursement for travel by bus, airline train, taxi service, car service, rental car, or other mode of consumer transit will be at the actual rate charged (which must be the lowest rate available for the mode transportation in question). No payment will be made without a receipt accompanying the voucher.
- d) **Other related costs** – Reasonable parking fees, car rental, and fares for rail, bus, taxis and shuttles are all subject to reimbursement if related to City business. Taxis and shuttles reimbursement may include a maximum gratuity of 20%. Gratuities in excess of 20% will not be reimbursed by the City. A standard model sedan shall be used when renting a car unless unusual circumstances dictate otherwise.

2) **Lodging**

The City will reimburse the reasonable cost of lodging for training, seminars or conventions of two or more days generally if the event site is **outside a 50-mile radius** of Brainerd. All lodging expenses will be paid based upon receipt from the motel or hotel. The City will reimburse for lodging at the lowest rate for a single occupancy room. All hotels or motels must be approved by the City Administrator or applicable BPU Department Head (or designee) prior to booking.

An increase in lodging rate due to family members staying is not reimbursable. The employee will be reimbursed only the cost of a single occupancy room. All lodging reimbursements are subject to a maximum amount determined by the City Council and identified in the City's expense reimbursement form.

Lodging reimbursement will not be approved for lodging in the event the traveling employee could arrive at the destination on time by leaving Brainerd by 6:30 AM nor will reimbursement be approved if the employee could return to Brainerd by 9:00 PM. No reimbursement for lodging or time will be approved in the event the traveling employee elects to drive a personal vehicle in lieu of City recommended air travel. Entertainment expenses incurred will not be reimbursed, such as in-

room movies, mini-bar and optional entertainment-type events including golf, gambling etc. that may be provided at conferences.

3) **Meals**

The City will reimburse the cost of job-related meals if an employee's travel is outside of the Brainerd/Baxter area or if a business meeting is held during typical meal hours. The following guidelines are in place for eligibility of reimbursement for a meal:

Breakfast: The employee is in travel status before 6:00 AM
Lunch: The employee is in travel status between the entire time of 11:00 AM and 1:00 PM
Dinner: The employee is in travel status until 8:00 PM

- a) Meetings scheduled and held during typical meal hours do not automatically necessitate that a meal will be provided at City expense. *The departmental issued credit card shall not be used to pay for meals.*
- b) The maximum amounts per meal and per day attached to the expense reimbursement form apply to the meal, non-alcoholic beverage, sales tax and gratuity.
- c) Gratuities paid by the employee over 20% will not be reimbursed.
- d) Payments for meals cannot be combined in any fashion in order to reimburse an employee for a meal costing more than the maximum amount listed per specific meal. For example, an employee cannot decline a breakfast and/or lunch reimbursement to justify reimbursement of a \$60 dinner.
- e) Meals included as part of a conference, convention, or similar program will be paid in full, whether those meals are included in any registration or tuition fees or presented as a separate charge, and regardless of whether the cost exceeds the established maximum. All such expenses must be approved in advance by the applicable Department Head prior to registration. The Department Head will notify the City Administrator upon approval of any such expenses. Employees are expected to take advantage of meals provided by the conference or seminar. The City will not reimburse an employee for a purchased meal when a meal was provided by the event.
- f) If more than one employee is present at a job-related meal, one employee may pay for the entire meal cost of all employees. The reimbursement request shall clearly identify each employee present for the meal and each employee for whom the employee purchased a meal.
- g) If non-city personnel are present at a job-related meal, the city may reimburse the paying employee for the cost of the meal(s) of the individual(s) if an itemized receipt and a form indicating who attended, where the meal was held and the city-related purpose for the meal is submitted and approved by the Department Head and City Administrator. Reimbursement of a non-employee's meal is subject to the same dollar limit as the employee.

- h) When family members are present for a meal and the employee is claiming reimbursement for his/her meal, a separate detailed receipt for the employee's meal shall be requested.

4) Registration or Membership Cost

The City will reimburse the costs for registration, training and membership incurred to attend conferences, seminars and training sessions. A check request or credit card receipt shall be submitted to the City's accounts payable department prior to the event for payment of this type of cost, in addition to obtaining the other approvals required by this Policy. The request shall include the necessary documentation evidencing the amount payable. A departmental credit card may also be used for payment based upon receipt of all necessary travel approvals prior to making payment. Departments shall strive to utilize any early registration discounts, when available.

5) Non-Reimbursable Meal and Travel Costs

- a. Alcoholic beverages – whether consumed by an employee or a non-employee
- b. Gratuities exceeding 20%
- c. Snacks and other food/beverages outside of the daily meal reimbursements
- d. Meals or events for spouses or family members traveling with an employee
- e. Meals when an event provides for a meal
- f. Private automobile expenses, including gas, oil, repairs
- g. Traffic citations or fines
- h. Travel between an employee's home and work facility
- i. Entertainment expenses
- j. In-room movies, mini-bar or other hotel services not required for City business
- k. Optional entertainment events unless included as part of the overall conference registration fee (e.g. optional golf, sporting events, concerts, and other performances)
- l. Personal losses incurred while on City business
- m. Other costs that are not directly related to City business, as determined by the City Administrator

City Representation

Employees shall be aware at all times that they are representing the City while traveling out-of-town for official City business. Employees given the opportunity to be away from their regular work site are expected to perform in a similar manner as if they were still at work, including following all applicable City policies as if they were at their regular work site. An employee's conduct during a work-related trip or while otherwise representing the City will be treated as if it occurred during regular working hours and at the regular work site. At no times shall alcoholic beverages be consumed by any person(s) driving or riding in a City vehicle.

Section 22.02 Prescription and Non-Prescription Safety Glasses

The City will pay the cost of prescription safety glasses for employees required by OSHA regulations to wear same in performing their work functions, up to a maximum of the base cost as stated in the City's agreement with a local vision provider(s). The employee is responsible for all other costs associated with obtaining the prescription, including eye examination.

The City will provide non-prescription safety glasses for employees required by OSHA regulations to wear same in performing their work functions.

Section 22.03 Safety Boot Policy

The City will pay annually up to 50% of the cost for safety boots for employees required by OSHA regulations to wear same in performing their work functions.

Section 22.04 Damage to Personal Items

An employee's personal items, such as watches and prescription eyewear, which are damaged or destroyed during the course of his/her work shall be reimbursed by the City for the value of the item damaged or the cost of the repair, if possible, up to \$450 per employee in a three (3) year timeframe. In order to receive such reimbursement, the employee must submit a detailed statement describing the item, how it was damaged, whether the employee believes it to be reparable, how the employee determined the value of the item, and any estimated costs of repair.

Section 22.05 Cold Weather Outerwear

Some employees may be required to work outdoors in cold weather for extended periods of time. The City will furnish each such employee one set of insulated cold weather outerwear at a frequency of no greater than once every 36 months, unless damaged beyond repair, as determined at the discretion of the Department Head. The cold weather outerwear will consist of three pieces - a coat, a vest, and a bib overall, and will be insulated brown duck canvas or ANSI, with a City of Brainerd insignia (or BPU insignia, as appropriate) on the coat. The employee will be responsible to keep his or her cold weather outerwear clean and in good repair at all times. The cold weather outerwear shall be kept at work at all times, except for the purpose of cleaning and/or repair to the outerwear.

Section 22.06 Personal Cell Phone Stipend

Employees whose work requires the use of a cell phone and who have been designated to receive a cell phone stipend by the City Council, or designee in their sole discretion will receive a monthly stipend in the amount determined by the City Administrator. At this time, no additional employees will be granted permission for this benefit. Employees receiving a stipend are responsible for:

- A. Providing proof of purchase/lease of cell service, and other documents prescribed by the City to activate and maintain stipend payments, at intervals to be determined by the City Administrator;
- B. Purchase, replacement, repair, or service or operational questions of the phone will be the responsibility of the employee and at the employee's sole expense;
- C. Using a secure password, PIN, or gesture to prevent unauthorized access;
- D. Procuring and maintaining cellular service from a reliable carrier who provides service in the City service area;
- E. Limiting personal use of the cell phone during work hours so as not to interfere with City business or the performance of the employee's job;
- F. Agreeing that their cell phone may be physically or remotely accessed, tracked, modified, or wiped based on City security needs.

The cell phone stipend is intended to cover approximate costs of the employee's cell phone expenses related to work duties. Initial purchase of the cell phone, accessory equipment, and activation fees will be the responsibility of the employee, as will maintenance, insurance, and repair costs (if any). The employee will pay any and all costs exceeding the amount of the cell phone stipend. No stipend will be paid when an employee is in an unpaid leave status for more than 30 days or duties change in such a manner which no longer justifies the payment.

In addition, the City is subject to the Minnesota Government Data Practices Act ("MGDPA") and other laws governing the collection, storage, use, and disclosure of data. All files and documents, including personal e-mails, text messages, and social media messages created, received, collected, maintained, or generated on an employee's personal cellular device by virtue of his or her position with the City are subject to those laws.

Section 22.07 Approval of Expenses

Employees shall submit an expense reimbursement claim no later than **60 days** from the date the expense was paid or incurred. Requests for reimbursement must be accompanied by a signed Employee Expense Reimbursement Form, as updated from

time-to-time by the City. As discussed in this Policy, detailed, itemized receipts and other information shall be submitted with the claim for reimbursement, depending on the type of expense.

The City shall annually and periodically provide an updated Employee Expense Reimbursement Form. This form shall be used for all reimbursement requests related to approved travel or work-related expenses paid by an employee.

- 1) **Detailed Receipts** – each item submitted for City reimbursement must be supported by an itemized receipt indicating a reasonable explanation for the expense. All receipts shall be attached to each reimbursement request.
 - a. Meals will be reimbursed based on a detailed itemized receipt. When a credit card is used to purchase the meal, both an itemized receipt and a credit card charge slip indicating the tip amount shall be submitted.
 - b. Receipts for parking and taxis may not be available and may be submitted for reimbursement without a receipt.
 - c. Mileage reimbursement for the use of a personal vehicle shall detail not only the mileage but also the location traveled and the business reason for travel.
 - d. Proper departmental expense codes shall be used for each line item.
 - e. Unsupported expenses will not be reimbursed. If an employee is unable to get a detailed receipt or the receipt is lost, a signed statement by the employee detailing the purchased item, the business reason for the expense and certifying that the claim is accurate must be submitted and approved by the Department Head. A copy of the employee's credit card statement may also be provided to help support the dollar amount being reimbursed.
- 2) Employees shall submit an employee expense reimbursement form with all necessary supporting documentation to the appropriate Department Head or designee for review.
- 3) The expense form will be routed through the Accounts Payable process for payment and approval. Any issues will be communicated back to the employee for correction/clarification.
- 4) The Finance department will make necessary corrections to reimbursement requests for mathematical errors, gratuities in excess of 20%, to remove any alcoholic beverages and other changes that may be necessary to comply with this policy.
- 5) Reimbursement will be made with the next City Council check register, or payroll if the meal reimbursement is taxable.

Signing an expense voucher or request for reimbursement certifies the truth and correctness of the expense incurred. Knowingly submitting a false or inaccurate expense voucher, receipt, request for reimbursement, or other record may result in discipline, up to and including termination.

ARTICLE 23. DRUG-FREE WORKPLACE/ALCOHOL ABUSE POLICIES

Section 23.01 Drug-Free Workplace/Alcohol Abuse

It is the policy of the City to provide a drug-free environment. The City's goal is to establish and maintain a healthy and efficient workforce free from the effects of drug and alcohol abuse in compliance with the requirements of the federal Drug-Free Workplace Act of 1988 (as amended) and other applicable law. This requires employees abstain from using alcoholic beverages, mood-altering drugs, and drugs that adversely impact performance, prior to the start of their workday, during the work period, during lunch and other work breaks. Any violation of this policy shall result in disciplinary action, up to and including discharge.

- A. The use of alcohol and the illegal use of drugs by an employee on duty can result in a dangerous work environment by negatively affecting job performance and the ability to function safely at work.
- B. The unlawful manufacture, distribution, transfer, possession, or use of drugs while on duty is strictly prohibited. Any such use may justify immediate discharge regardless of job performance.
- C. Intoxication, possession, and unauthorized use of alcohol while on duty is also prohibited and may justify immediate dismissal regardless of job performance.
- D. Tolerance may be shown to an employee expressing a desire and willingness to receive treatment for their drug or alcohol use.
- E. Human Resources will provide any employee, upon request, information regarding alcohol abuse and drug dependency as well as information on available treatment programs.
- F. Confidentiality will be maintained, to the extent permitted by the Minnesota Government Data Practices Act and other applicable laws.
- G. It is the responsibility of the employee to correct his or her unsatisfactory behavior or job performance resulting from drug or alcohol use.
- H. The Human Resource Director must be notified by the employee no later than five (5) calendar days following any criminal drug statute or alcohol related conviction for a violation occurring in the workplace or any arrest or conviction of any criminal drug or alcohol offense.

- I. Violations of this policy may constitute cause for discipline, up to and including discharge. Each situation will be evaluated on a case-by-case basis depending on the severity and circumstances involved.

The City recognizes drug and alcohol abuse as potential health, safety and security problems. Employees needing help in dealing with drug and alcohol problems are encouraged to make use of the medical resources available through their health insurance plans.

Section 23.02 Drug & Alcohol Testing

The City has adopted Drug and Alcohol Testing Policies, separate from the Employee Policy Manual, covering employees required to hold a commercial driver's license (CDL) or a non-commercial driver's license (non-CDL) to perform their job duties and other employees. All employees are required to sign a document that states that they have received a copy of the policy. Each employee must review the document and abide by its provisions. Copies can be obtained from the City Administrator's office and the Human Resource Director's office.

Section 23.03 Drug-Free Awareness Program

To assist employees in understanding the perils of drug and alcohol abuse, the City has established a Drug-Free Awareness Program. This drug and alcohol policy constitutes the City's drug-free awareness program and fulfills the notification requirements of the federal Drug-Free Workplace Act of 1988 (as amended). The City will use this program as an ongoing educational effort to prevent and eliminate drug and alcohol abuse that may affect the workplace. The program will inform employees of the dangers of drug and alcohol abuse, explain the City's Drug and Alcohol Policy and the sanctions imposed for its violation, and highlight any treatment, counseling, and rehabilitation referral services that may be available to employees in the City. Nothing set forth in this policy is intended to conflict with state law.

An employee convicted of a criminal drug offense committed in the course of employment will be subject to appropriate disciplinary action and/or required to complete successfully an appropriate rehabilitation program at the employee's own expense unless provided to the employee through insurance coverage. The City, in its sole discretion, shall determine what disciplinary action is appropriate.

Section 23.04 Tobacco Use

A. PURPOSE

The City has established this policy regulating tobacco use in City-owned buildings and vehicles:

1. To comply with the Minnesota Clean Air act.
2. To respond to the increasing evidence that tobacco use creates a danger to the health of persons who use tobacco as well as persons who are present in a smoke-filled environment.
3. To promote a safe and healthy environment for staff and citizens and to set an example to the community in limiting tobacco use.

B. STATEMENT OF POLICY

1. All City-owned buildings and vehicles shall be tobacco-free which includes smoking, as defined by Minnesota Statutes, ARTICLE 144.413, as amended, the use of tobacco products and electronic cigarettes, as defined in Minnesota Statutes, 609.685, as amended. Park shelters are exempt from this policy to the extent provided by applicable law.
2. Tobacco use is prohibited within all City-owned buildings, this includes employee workstations, employee break areas, reception areas, storage areas, hallways, meeting rooms and all other areas inside buildings not specifically mentioned herein.
3. Within City-owned vehicles, smoking and other tobacco use is prohibited by any and all occupants.
4. All individuals on City premises share in the responsibility for adhering to and enforcing this policy. The responsibility for compliance is shared by employees, Supervisors, and the general public.
5. Employees hosting visitors are expected to inform them of the City's tobacco free policy.
6. Information on approved smoking cessation programs is available to City staff by the Human Resource Director.
7. Complaints of violation of the policy should be directed to the Department Head responsible for the particular work area or facility involved in the complaint. The Department Head shall be responsible for notifying the violator of the pertinent portions of this policy. Failure to comply with the policy may result in discipline, up to and including immediate termination, if the violation is committed by an employee, or may result in the individual being asked to leave the City's premises, if the violation is committed by a member of the public.

ARTICLE 24. EMPLOYEE SAFETY MANUAL

The City has adopted an Employee Safety Manual, separate from the Employee Policy Manual. All employees are required to sign a document that states that they have received a copy of the manual. Each employee must review the manual and abide by its provisions. Copies can be obtained from the City Administrator's office or the Human Resource Director's office.

ARTICLE 25. POLITICAL ACTIVITY

City employees have the right to vote as they please, to express their personal opinions on political subjects in their capacity as individuals and retain membership in political parties.

An employee may be a candidate for partisan or non-partisan public office provided that no employee shall campaign for such office during actual hours of work. City employees' political activity may be subject to state and federal laws including, but not limited to, the federal Hatch Act, the Minnesota Fair Campaign Practices Act, and Minnesota Rules part 9575.0080, and all amendments thereto.

No employee will be permitted to express any view on any legislative protocol, candidate for office, elected official, or other topic on behalf of the City unless expressly approved to do so by the City Council or designee. Any and all lobbying activities undertaken, or purportedly undertaken, on behalf of the City must be approved in advance by the City Administrator and comply with the City's expectation and direction for such activities.

The City prohibits employees from participating in political activities on City time, using City resources, or while performing City functions, except as required by law. Employees must not identify themselves as a City employee by either appearance or declaration while expressing personal political opinions.

ARTICLE 26. HARASSMENT

It is the policy of the City that harassment and inappropriate conduct of employees is prohibited. The City seeks to promote a professional work environment where employees can perform their jobs free from abuse by others. This policy applies to all of the City's employees while performing their duties as employees within or outside the workplace. For purposes of this policy, employees include all individuals who are hired, elected, appointed, or contracted to provide services to the City.

Harassment is unwarranted and unwanted verbal or nonverbal conduct which threatens, intimidates, or insults another person, where such conduct has the purpose or effect of creating an offensive, intimidating, or degrading environment, or interferes with or adversely affects a person's work performance based on race, creed, color, religion, age,

sex, marital status, national origin, sexual orientation, disability, status with regard to public assistance, or any other characteristic protected by state or federal law.

Harassment does not include the conduct or actions of Supervisors intended to provide employee discipline, such as deficiency notices, performance evaluations, oral warnings, reprimands or other supervisory actions intended to promote productive performance.

A. STATEMENT OF POLICY

It is the policy of the City that harassment will not be tolerated. All employees are prohibited from engaging in the harassment of any other employee or other person in the course of or in connection with employment. The desired standard of employee behavior is one of cooperation and respect for each other, despite any differences. Employees have a right to a workplace free of verbal and/or physical harassment.

B. SEXUAL HARASSMENT

1. Definition

For purpose of this policy, sexual harassment is defined as physical or verbal conduct relating to an individual's gender or directed at an individual because of gender, unwelcome sexual advances, request for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual or gender-related nature when:

- a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or continuing employment or a basis for employment decisions affect that individual; or
- b. submission to or rejection of that conduct or communication by an individual is used as a factor in any employment decisions affecting the individual or decision related to the individual's access to public services or public accommodations affecting said individual; or
- c. that conduct or communication has the purpose or effect of substantially interfering with an individual's employment, public service, or public accommodation, or of creating an intimidating, hostile or offensive employment environment.

A single act or communication may constitute sexual harassment.

2. Examples of Conduct that can Constitute Unlawful Sexual Harassment

Examples of sexual harassment include, but are not limited to, the following:

- a. Unwelcome subtle or overt pressure for sexual activity.
- b. Repeated, unwelcome suggestions regarding, or invitations to, social

engagements or work-related social events.

- c. Verbal abuse or innuendo of a sexual nature.
- d. Unwelcome physical contact such as touching, hugging, patting, pinching, pawing, poking, or slapping.
- e. Any unwelcome sexual or sexually motivated touching.
- f. Comments of a sexual nature about an individual's body or sexual terms used to describe an individual.
- g. Display or distribution of sexually suggestive or sexually explicit objects or pictures, including cartoons, articles, pictures, and other graphics which have a sexual conduct and which are not necessary for work.
- h. Jokes or remarks of a sexual nature to, or in the presence of, people who may find them offensive.
- i. Prolonged staring or leering at a person.
- j. Use of suggestive facial expressions, gestures of a sexual nature, or sexually suggestive or insulting sounds.
- k. Any demand for sexual favors accompanied by an implied or overt threat concerning an individual's employment status or promises of preferential treatment or other indication, express or implied, that an employee's job security, assignment, opportunities for advancement, or other terms or conditions of employment may depend on the granting of sexual favors to any other employee, supervisor, elected official, or manager.
- l. Any action relating to an employee's job status, which is taken as a direct result of the granting or refusal of social or sexual favors.
- m. The deliberate or careless creation of an atmosphere of sexual harassment or intimidation.
- n. Indecent exposure.
- o. Other physical or verbal conduct directed at another because of sex or gender.

Normal, courteous, mutually respectful, pleasant, non-coercive interactions between people that are acceptable to both parties are not considered to be sexual harassment.

C. OTHER PROTECTED CLASS HARASSMENT

Other protected class harassment is offensive conduct or communication based on an individual's race, color, creed, religion, national origin, sexual orientation, disability, age, marital status, familial status, status with regard to public assistance, or any other characteristic protected by state or federal law when:

1. Submission to such unwelcome conduct or communication is made either explicitly or implicitly as a term or condition of obtaining or retaining employment or access to public services or accommodations;
2. Submission or rejection of such unwelcome conduct or communication by an individual is used as a factor for any employment decision or decision related to the individual's access to public services or public accommodations affecting said individual; or

3. Such unwelcome conduct or communication has the purpose or effect of substantially interfering with any person's employment, public services or public accommodation, or creating an intimidating, hostile, or offensive work environment.

D. Department Head/Supervisory Responsibilities

Department Heads and Supervisors are responsible for maintaining a work environment free of sexual harassment and other protected class harassment. It is their responsibility to ensure that all employees comply with the City's Policy. Department Heads and Supervisors must respond promptly and appropriately to both allegations and confirmed reports of harassment.

In the absence of a complaint, Supervisors and Department Heads observing conduct that may constitute prohibited harassment in the workplace are responsible for calling such behavior and this policy to the attention of the participants at the time of the observance. A written summary of the discussion shall immediately be forwarded to the City Administrator.

Supervisors and Department Heads receiving complaints or reports of alleged inappropriate conduct shall immediately forward a report to the City Administrator prior to taking any action on the complaint. The City Administrator or designee will make the determination as to whether, and to what extent, an investigation is warranted, who will investigate, and what methods will be used in the investigation.

Failure of a supervisory employee to immediately forward reports of observances or complaints to the City Administrator shall be grounds for disciplinary action, up to and including termination of employment.

E. Employee Responsibilities

All City employees are expected to treat all other employees and the public with respect and to comply with this policy. Any employee found to have violated this policy will be subject to appropriate disciplinary action, up to and including discharge from employment.

F. Complaint Procedure

Any employee who believes he or she is being subjected to sexual harassment or other protected class harassment in any form, or any employee with knowledge or belief of conduct on the part of another employee or other individual which may constitute a violation of this policy, is required to report the alleged conduct immediately to a Supervisor, the Department Head, or the City Administrator. While the City encourages written reports of the alleged conduct, verbal reports will be accepted. The individual receiving the report should be prepared to supply the following information:

1. Date, time and location of incident
2. Identification of the offender(s)
3. A detailed description of the incident
4. Any materials in the complaining employee's possession related to the incident (e.g. cartoons, articles, pictures)
5. Identification of any potential witnesses to the incident

Additionally, at the time of the incident, if you are the employee being subjected to the inappropriate behavior and feel comfortable in doing so, you may, but are not required to, courteously, but firmly, tell the individual(s) engaging in the inappropriate behavior to stop the behavior because the behavior makes you feel intimidated, offended or uncomfortable. Include a summary of this discussion in your report to the Supervisor or City Administrator.

Any Department Head or other supervisory employee who receives a formal or informal, oral or written report of harassment shall inform the City Administrator immediately without screening or investigating the report, unless the City Administrator is involved or has a conflict of interest, in which case the report shall be made to the Mayor pursuant to the reporting procedures. Failure of any supervisory employee of the City to forward such a report to the appropriate party shall be grounds for discipline.

By the authority of the City Council, the City Administrator, upon receipt of a report or complaint of sexual harassment or other protected class harassment, shall undertake or authorize an investigation. The investigation may be conducted by City Officials or by a third party designated by the City.

The City may take immediate steps, at its discretion, to protect the complainant and other employees or members of the public pending completion of the investigation.

The investigation methodology will be determined by the investigator depending on the specifics of each complaint. Investigations typically include, at a minimum, interviews with the reporting employee, the complaining employee (if different from the reporting employee) and alleged offender(s). The investigation methodology may additionally include additional interviews, document review and other methods deemed pertinent by the investigator.

G. Confidentiality

Records maintained pursuant to this policy are subject to the Minnesota Government Data Practices Act, the Minnesota Records Retention Act, and other applicable laws. Subject to those laws, every effort shall be made to respect the privacy of the parties to a complaint, without compromising the thoroughness of the investigation.

H. No Reprisal for Filing Complaint of Harassment

The City will not tolerate acts of retaliation against employees who have made a good faith report of suspected violations of this policy or any person who assists in the investigation of such a complaint regardless of the outcome of such investigation. The City will discipline or take other appropriate action against any employee who engages in acts of retaliation toward these individuals. For purposes of this policy, retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

I. Disciplinary Procedure

1. An employee who violates this policy will be subject to disciplinary action up to and including discharge.
2. Any employee who prevents or attempts to prevent an individual from reporting a suspected violation of this policy or who interferes in any way with the investigation of such a report will be subject to disciplinary action, up to and including discharge.
3. Any employee who retaliates or discriminates against an individual who reports a suspected violation of this policy or assists in the investigation of such a report will be subject to disciplinary action, up to and including discharge.
4. Supervisor, managers, or Department Heads who become aware of violations of this policy in their department, even in the absence of a formal complaint, shall take appropriate disciplinary action, in consultation with the City Administrator.
5. Any non-employee found to have violated this policy may be removed from the City property or other appropriate action may be taken.

The Data Practices Act may allow individuals who are not directly involved with the complaint to access records related to the complaint in certain circumstances.

ARTICLE 27. GRIEVANCES

It is the policy of the City insofar as possible to prevent the occurrence of grievances and to deal promptly with those which occur. For purposes of this policy, a grievance is defined as a dispute or disagreement as to the interpretation or application of the City's personnel policies.

Employees shall have the right to present grievances either individually or as a group. Grievances shall be presented to the City Administrator in writing, within five (5) calendar days of the occurrence of the alleged grievance.

The City Administrator shall respond to an employee's grievance within fourteen (14) calendar days after receiving the alleged grievance. The decision of the City Administrator is final, except that when the City Administrator is directly involved in the grievance, appeal may be made to the Personnel and Finance Committee for final decision within fourteen (14) calendar days of the City Administrator's decision. In such an appeal, the Personnel and Finance Committee's decision is final. In the event that the City Administrator does not respond to the grievance within fourteen (14) calendar days of receipt, the grievance shall be considered denied for purposes of the appeal time period discussed above.

In compliance with federal or state law, an employee may also grieve any alleged unsafe act or practice, adverse working conditions, violation of civil rights, and alleged hazardous materials management.

Concerns that employees have cannot go directly to individual members of the City Council. The City Council acts as a body and not as individuals and going directly to the City Council with problems is inappropriate. Likewise, for individual Council members to be giving direction to staff without the knowledge of the City Administrator is inappropriate. Again, the City Council gives its direction, as a policy making body, to the staff through the Administrator.

ARTICLE 28. DISCIPLINE AND DISCHARGE

Section 28.01 At-Will Employment

City employees shall be subject to disciplinary action for failing to fulfill their duties and responsibilities, including failure to observe proper workplace conduct adopted by the City Council. It is the policy of the City to administer disciplinary penalties without discrimination. Except for probationary employees and as expressly described in this Policy, employees may use the grievance procedure as per the personnel policy with respect to any disciplinary action. To the extent feasible, the supervisor or department head shall gather relevant information before reporting the incident to the Human Resource Director. At the direction of the Human Resource Director, the supervisor or department head may gather additional relevant information and investigate any allegation on which disciplinary action might be based before any disciplinary action is taken.

Nothing in this Policy shall be interpreted as altering the City employees' status as "at-will" employees or creating any type of "just cause" standard for discipline or termination. When determining whether to impose discipline, including termination, the City may consider all relevant factors, including, but not limited to, the seriousness and frequency of misconduct, and the employee's discipline history.

Grounds for discipline and discharge will include, but is not limited to the following:

- A. Incompetence, ineffectiveness, or inefficiency in the performance of duties;
- B. Criminal conduct which would constitute a felony, gross misdemeanor, or misdemeanor except as limited by Minnesota Statutes, Chapter 364;
- C. Violation of any City policy, procedures, work rule, regulation or City ordinance, including the provisions of this manual and any safety and/or health policies and procedures;
- D. Being under the influence of alcohol, drugs, or controlled substances while performing duties for the City, while on City premises, or while acting as a representative of the City off premises;
- E. Discourteous, hostile, insulting, abusive, or inflammatory conduct toward the public, a fellow employee or fellow employees, a supervisor or supervisors, a member of the City Council or members of the City Council, or a member of any City commission, or members of any City commission;
- F. Theft, misuse, carelessness and/or negligence in the handling or control of City property or property entrusted to the employee by the City, including allowing unauthorized persons to ride in City vehicles, or the unauthorized appropriation of City property for the employee's own use;
- G. Inducing or attempting to induce a person, officer or employee of the City to commit an unlawful act or to act in violation of any City policy, procedure, regulation, ordinance, or workplace directive or order;
- H. Dishonesty in the performance of duties;
- I. Sleeping during work hours;
- J. Willful misconduct or insubordination;
- K. Acceptance of a gift under circumstances from which it could be inferred that the giver expected or hoped for preferred or favorable treatment in conduct of City business;
- L. Unapproved use of paid work time and/or equipment in outside employment or for personal benefit;
- M. Falsely stating or falsely making claims of injury or illness;
- N. Gambling while on duty, on City property, or using City equipment or resources;

- O. Inability to perform the essential functions of the employee's job, whether due to physical or mental impairment, or otherwise;
- P. Any possession, sale, distribution, possession, or unauthorized use of alcohol or controlled substances, during working hours and/or while representing the City;
- Q. Unexcused absence from work;
- R. Tardiness in reporting to work;
- S. Improper reproductions or misuse of copyrighted materials;
- T. Theft of City property or personal belongings of others;
- U. Abuse of official position with the City to achieve personal, political, or financial gain;
- V. False or inaccurate claims for reimbursement of expenses;
- W. Disorderly, abusive, or indecent conduct that causes disruption of the work environment, including fighting;
- X. Unauthorized possession of weapons on City property;
- Y. Allowing unauthorized visitors into unauthorized City offices and locations;
- Z. Unauthorized disclosure of private, confidential, or nonpublic data;
- AA. Failure or refusal to comply with City or department regulations, policies, or procedures; and
- BB. Any other conduct which, in the discretion of the City, constitutes a breach of the standards of behavior which it should reasonably expect of its employees.

Employment at the City may be terminated at the will of either the employee or the City, at any time, and for any legal reason or no reason.

Section 28.02 Procedures

- A. Discipline may be in one or more of the following forms, although **the City of Brainerd reserves the right to take any disciplinary action at any time:**
 - 1. oral reprimand;
 - 2. written reprimand;

3. suspension;
 4. demotion; or
 5. discharge.
- B. Suspension, demotion and discharge will be in written form and will state the reasons for such action.
- C. Reprimands, notice of suspension, and notice of discharge are to become part of an employee's personnel file. The employee will receive a copy of any reprimands and/or notices.
- D. Employees receiving a written reprimand, suspension, demotion, or discharge shall be given a copy of the discipline document and sign the original, acknowledging that he or she has received the written reprimand, suspension, demotion, or discharge. The signature of the employee does not necessarily indicate that he or she agrees with the disciplinary action. If the employee refuses to sign the original written reprimand, suspension, demotion, or discharge, such refusal will be noted on the discipline document. All written discipline will be placed in the employee's personnel file.
- E. Consistent with applicable law, employees may examine their own individual personnel files at reasonable times under the direct supervision of the City Administrator or designee.

Section 28.03 Supervisory Authority

- A. Oral and Written Reprimands. Department Heads have the authority to impose oral and written reprimands without prior approval of the City Administrator. The Department Head must maintain a record of each verbal reprimand. A verbal reprimand may not be appealed or submitted through the grievance process.
- B. Suspension. The City Administrator may suspend an employee.
- C. Demotion and Discharge. An employee may be demoted or discharged by recommendation of the City Administrator and final determination by the City Council.

Section 28.04 Right of Appeal

An employee may appeal an oral or written reprimand verbally or in writing to the City Administrator within five (5) work days after disciplinary action has been imposed. The City Administrator will make the final determination and will inform the employee in writing regarding the decision made.

An employee may appeal a suspension without pay, or recommendation for demotion or discharge to the City Council by requesting, in writing, that a hearing be conducted for that purpose. Such request must be made by the employee to the City Administrator within five (5) days after disciplinary action has been imposed. At its sole discretion, the City Council may hold the hearing at its next regularly scheduled meeting or any date within thirty (30) days of such meeting. The City Council has the sole discretion to conduct the hearing or to appoint a subcommittee to conduct the hearing. If the City Council appoints a subcommittee, the subcommittee shall make its recommendation to the City Council at the next regularly scheduled meeting of the City Council following the hearing. The decision of the City Council will be final.

If the appeal is upheld by the City Council, the employee shall receive all payments, benefits and service accrual which the employee would have earned during the period of suspension without pay, demotion or discharge and be reinstated to the position.

For purposes of the Minnesota Government Data Practices Act, the initial disciplinary decision constitutes the final disposition of a disciplinary matter, unless the employee files a timely appeal with the City Council. In such cases, the City Council's decision constitutes the final disposition.

ARTICLE 29. ACCIDENT PROCEDURES

As a City employee, it is important that you are aware of certain procedures to be followed if you are injured on the job or involved in an accident while operating City equipment. These procedures have been established to protect your interests as an employee, as well as protect the City.

Employees shall comply with all federal and state laws and rules concerning vehicles and their safe operation. Safety devices, such as seat belts, lights, horns, etc., shall be utilized.

Compliance with speed limits, safe driving procedures, and proper licensing requirements will be enforced by the City.

Employees are responsible for performing routine checks (i.e., tire pressure, oil, turn signals, lights) before operating a City-owned vehicle.

If you are involved in an accident while operating any City-owned vehicle or piece of equipment, or while engaged in City business with any hired or privately-owned vehicle:

- A. Notify the police and/or emergency medical services, as appropriate, by dialing 911, and your supervisor IMMEDIATELY.

- B. Request that all parties and property concerned remain at the scene of the accident, if possible, until a law enforcement representative has released them.
- C. Obtain identifying data from the driver of the other vehicle (i.e. name, address and insurance company).
- D. Secure names and addresses of injured persons and any witnesses to the accident.
- E. Employee responsibility is to refrain from making statements regarding the accident with anyone other than the investigating law enforcement representative, appropriate City officials, and representatives of his or her own insurance company, if the employee's privately-owned vehicle is involved. Statements made to investigating authorities should be confined to factual observations. A copy of all police reports and any statements attached thereto will be forwarded to City Administration or designee within one day of receipt by the employee(s) involved in the accident.
- F. Employees shall refrain from admitting fault or liability and must gather all applicable loss data, witnesses, injured parties, passenger names, vehicle and driver's license numbers.

Employees who sustain personal injury or illness in any work-related accident are **REQUIRED** to report the injury to their supervisor immediately (no matter how minor). Once your supervisor has been notified of an accident, he/she will inform you of the steps to be taken to properly report and record the occurrence. Your supervisor may also direct you to proper medical attention where necessary. If it is necessary for you to complete an "Employee Incident" form, it should immediately be completed and returned to your supervisor. If it is necessary for you to miss work because of a work-related accident, it is your responsibility to keep your supervisor informed of the date you are able to return to work. In most instances, your treating physician will provide you with that information during your initial visit.

Please remember that following these simple procedures not only ensures accurate record keeping of accidents and personal injuries as required by law, but also protects your interests as an employee. For your own protection, be sure to report any accidents and injuries you may have, no matter how small.

Employees using a City-owned vehicle may be held liable for accidents in which he or she is involved. Employees will be personally responsible for paying any citation or other criminal sanction received while operating a City-owned vehicle.

ARTICLE 30. STATEMENT OF POLICIES AND PROCEDURES FOR PAYMENT AND/OR REIMBURSEMENT OF COSTS AND ATTORNEY'S FEES FOR MUNICIPAL OFFICERS AND EMPLOYEES

The City may reimburse its employees or officers for costs and reasonable attorney's fees incurred by an employee or officer, to the extent permitted by Minnesota Statutes, ARTICLE 465.76.

ARTICLE 31. TECHNOLOGY USE

General Information

This policy serves to protect the security and integrity of the City of Brainerd's ("City") electronic communication and information systems by educating employees about appropriate and safe use of available technology resources. All employees are responsible for reading and following information that may be distributed from time-to-time about appropriate precautions to protect City systems.

City-owned computers, cellular telephones, mass storage devices, and related equipment used by City employees are property of the City. Except when accessed by the police department for law enforcement purposes, the City specifically reserves the right to audit, monitor, and inspect, without notice, without the user's consent, and for any reason or no reason, employees' use of its computers and related equipment and all data, emails, files, settings, or any other aspect of a City-owned computer or related system, including personal information created or maintained by an employee. An audit may result in the removal of hardware and/or software not compliant with this policy, revocation of permission to use the City's computers and/or related equipment, employee discipline, up to and including immediate termination, and/or criminal charges, depending on the nature of the violation.

All City owned equipment, including, but not limited to, computers, laptops, telephones, mobile devices, field electronics, mass storage devices, e-mails, voice mail, text messages on City paid cellular telephones, or any other type of equipment provided are City property. Except when accessed by the police department for law enforcement purposes, any such property or equipment may be accessed by the City at any time, for any purpose, with or without notice to the employee, and with or without reasonable suspicion. City employees and other users shall have no expectation of privacy in any property or equipment of the City.

In addition, the City is subject to the Minnesota Government Data Practices Act ("MGDPA") and other laws governing the collection, storage, use, and disclosure of data. All files and documents, including personal messages and internet logs, created, received, collected, maintained, or generated by City employees or using the City's computer and/or related equipment are subject to those laws. In accordance with applicable law, such files and documents may be disclosed in certain circumstances

without the permission of the employee or user.

Users should notify IT staff upon learning of violations of this policy. Violation of this policy may result in the removal of hardware and/or software not compliant with this policy, revocation of permission to use the City's computers and/or related equipment, employee discipline, up to and including immediate termination, and/or criminal charges, depending on the nature of the violation. All violations will be addressed consistent with the City's Personnel Policies or applicable union contract.

Data Privacy and Retention

All data stored on computers, related equipment, and media owned, leased or rented by the City is considered to be owned by the City and is subject to the MGDPA, which governs its use and dissemination. All city owned equipment and Information Technology Systems, including e-mail, are City property and subject to inspection by the City at any time, without notice, and for any reason or no reason at all. The City Administrator or Human Resource Director should be contacted with questions regarding the classification of public and private data.

Data Ownership: All information developed or introduced to a City computer or related equipment by a user in conjunction with employment with the City is the property of the City.

Data Storage: All City data must be saved to a network drive on a City server or City provided resource.

Data Deletion: Users are responsible for deleting outdated files that are no longer needed for compliance with the City Records Retention Schedule; this includes data files and email messages that do not need to be retained in accordance with the City's Records Retention Schedule. The City Administrator should be contacted with questions regarding the City Records Retention Schedule.

Data Back-up: The IT department backs up most data stored on network servers or cloud storage. Workstation hard drives or any other devices are not backed up and are subject to failure and may result in permanent data loss.

Personal Use

The City offers employees the privilege of limited personal use of City-owned computers and related equipment. Personal use is allowed under the following guidelines and only during break times or before/after normal paid working hours:

- Only City employees may use City-owned equipment. Family members or friends of City employees are not allowed to use City equipment or technology resources.
- Employees shall not connect personal peripheral tools or equipment (such as cell phones, USB drives, flash drives/cards, disks, digital cameras, or printers) to City-owned systems, without prior approval from IT staff. If permission to connect these tools/peripherals is granted, the employee must follow provided directions for protecting the City's computer network.
- Personal files should not be stored on City computer equipment. This also applies to personal media files, including but not limited to personal documents, images, audio and video files. IT staff may delete these types of files if found on City-owned equipment. Exceptions would be recordings for which the City has created, owns, purchased, or has a license.
- City equipment or technology, including City-issued email accounts, shall not be used for: illegal activities, personal business interests, for-profit ventures, political activities, outside employment, public office or employment which is incompatible with City employment, wagering, betting, or selling chances, annoying or harassing other individuals, fund-raising except for City-approved activities, religious activities, pornographic, obscene, or indecent images or content, forwarding junk email, advertisements, or chain emails, or other uses deemed by City management to be inconsistent with City activities. If any employee has a question as to whether a use is appropriate, that employee must contact the City Administrator or applicable Department Head for permission before engaging in the conduct in question.
- The City reserves the right to monitor end user activity. Software and/or hardware may be used to monitor, filter, block, or limit internet activity. The City may inspect any data or information stored on its equipment or network, even if the information is personal to the employee.

Hardware

In general, the City will provide the hardware required for an employee to perform their job duties. Requests for new or different equipment should be made to the Department Head, who may consult with IT staff.

Unapproved hardware, including cameras, mobile devices, printers, external storage devices, and any other peripherals that have not been specifically approved by the City

may compromise the integrity of the City's computer system and are prohibited. IT staff may, without notice, remove any unauthorized equipment attached to the City's computer system or network.

The City will not supply mobile devices, including computers, based solely on the desire of employees to work offsite. A business need will be required for each mobile device deployment and must be approved by the Department Head. In general, mobile devices will only be issued to employees who: regularly use their device offsite; require a device for access to special software or systems; have a documented business need for a device; and/or require the use of a device while traveling.

Employees are responsible for the proper use and care of City-owned computer equipment. City employees are expected to provide reasonable security to all City-owned computers and related equipment. This includes ensuring that passwords comply with this policy. Removable media must be kept in a secured area. Non-public, private, and/or confidential data must not be displayed in such a manner that unauthorized personnel or others can view or access it. All City-owned computers and related equipment must be secured while off City premises. For instance, employees must not leave computer equipment in an unlocked vehicle or unattended at any offsite facility. Computer equipment must not be exposed to extreme temperature or humidity.

Software

In general, the City will provide the software required for an employee to perform their job duties. Requests for new or different software should be made the Department Head, who may consult with IT staff.

Unapproved software or downloads (free or purchased), games, screen savers, toolbars, clipart, music/audio, and movie/video clips, that have not been specifically approved by the City may compromise the integrity of the City's computer system and are prohibited.

Employees shall not download or install any software (free or purchased) or addons (such as toolbars or clipart) on any City computer or related device without the prior approval of the IT staff. The only exceptions to this policy are updates to software previously approved by IT such as anti-virus, anti-malware, etc. IT staff may, without notice, remove any unauthorized programs or software, downloads, or other files on any City computer, related equipment, network, or electronic resource.

Electronic Mail

The City provides most employees with an email account for work-related use. Minimal personal use of the City email system by employees is allowed, provided it does not

interfere with an employee's work and is consistent with all City policies. Using the City's email to participate in any kind of personal listservs or mailing list is prohibited.

Employee emails, including those that are personal in nature, may be considered "public" data for both e-discovery and information requests and may not be protected by privacy laws. Personal e-mail transmitted through or saved on the City's e-mail system, computers, network, or other technological resources, may also be monitored as directed by the City Administrator or BPU Commission (for BPU employees only) and without notice to the employee.

In addition, employees must adhere to these email guidelines:

- Do not open email attachments or links from an unknown sender. Review sender's email address, date/time, subject line, and name and file type of attachments to verify legitimacy/relevance. Delete junk or "spam" email without opening. Do not respond to unknown senders.
- Never transmit an email that you would not want your supervisor, other employees, members, city officials, or the media to read or publish (e.g., avoid gossip, personal information, profanity, etc.).
- Use caution or avoid corresponding by email on confidential communications (e.g., letters of reprimand, correspondence with attorneys, medical information).
- Do not use harassing language (including sexually harassing language) or any other remarks, including insensitive language or derogatory, offensive, or insulting comments or jokes.
- Employees' email use must otherwise comply with all applicable provisions of this policy, all other applicable City policies, and all applicable laws.

Electronic Calendars

A shared calendar environment is provided as part of the City's email software program. All employees are encouraged to keep their electronic calendar up to date and may grant relevant staff the ability to view their calendar. All employees are encouraged to utilize the out of office automatic replies for known absences.

Phone/Voicemail

Voicemail that constitutes an official record of City business must be kept in accordance with all records retention requirements for the department and should be copied to the network for storage. All other voicemails should be deleted from the voicemail system (and email system) when no longer needed. Voicemail may be considered “public” data or otherwise subject to disclosure in accordance with the MGDPA. Employees should contact IT staff with any questions about voicemail storage and/or deletion.

Presence/Instant Messaging

Employees who are provided with the City's presence / instant messaging (IM) software should remain logged in when working and may utilize it for communications between City staff. Instant messaging may be considered “public” data, or otherwise subject to disclosure in accordance with the MGDPA and must be kept in accordance with the City's records retention requirements if they constitute an official record of City business. Employees are not allowed to download or install any unapproved messaging software on City devices.

Intranet

Employees should keep the City's Intranet as their web browser home page and are encouraged to utilize the documents, announcements, links, and calendars to remain informed and share information with other staff.

Storing and Transferring Files

If you are unsure whether an email or other file is a government record for purposes of records retention laws or whether it is considered protected or private data under the MGDPA or other law, you must check with the City Administrator or applicable BPU Department Head (for BPU employees only) before deleting or releasing the information or file in question. If you are unsure how to create an appropriate file structure for saving and storing electronic information, contact IT staff.

Employees must adhere to these guidelines when transferring and storing electronic files:

- All electronic files should be stored on network drives or approved web or cloud-based storage locations. IT staff will not back up documents stored on local computer hard drives and hold no responsibility for recovery of documents on local computer hard drives should they fail. Subject to the provisions of this policy, files may be temporarily stored on a mobile device when an employee is offsite; however, the files should be copied to an approved storage location

when as possible.

- Electronic files created on an employee's personal device or computer must not be transferred to the City's network. City-related files should not be created or stored on an employee's personal device or computer.
- All removable storage media (e.g., CDs, flash or USB drive, or other storage media) must be verified to be virus-free utilizing an IT approved process before being connected to City equipment.
- Email that constitutes an official record of City business must be kept in accordance with all records retention requirements for the department and should be copied to the network or other approved location for storage.
- Email that is simple correspondence and not an official record of City business should be deleted when no longer needed.
- Electronic files or emails that contain nonpublic, private, or confidential data should be stored in a location on the City's network that is properly secured.

Any files containing nonpublic, private, or confidential data should not be stored anywhere other than the City's network or other approved location. Employees must obtain the prior approval of the Department Head before taking any file containing nonpublic, private, or confidential data offsite.

Personal Devices

Employees with prior approval may choose to use their own equipment to read or compose email or other City data as governed in this policy. Employees understand that by connecting their personal equipment to the City's email system, their personal devices could be searched during an e-discovery or other court-ordered scenarios and agree to grant access to their personal devices should such a situation arise.

Passwords

Employees are responsible for maintaining computer/network passwords and must adhere to these guidelines:

- Passwords must meet minimum complexity requirements designated by IT staff. Employees must change passwords when prompted or as scheduled by IT Staff.

- Multi-factor authentication methods should be used when available for web/cloud-based applications. Multi-factor authentication is an additional layer of security beyond just a username/password and generally requires a code or acknowledgement on a physical device or a code sent by a separate means of communication.
- Passwords should not be shared with anyone including other staff. If it is necessary to access an employee's computer when they are absent, contact your supervisor; IT staff will not provide access to staff accounts without prior approval.
- Passwords should not be stored in any location on or near the computer or stored electronically such as in a cell phone or other mobile device unless properly secured.

Computers and other devices should not be left unattended while a user is logged in - either lock the computer when away (Win+L or Ctrl+Alt+Del) or use a timed screen saver that will require a password to unlock upon return.

Network Access

Non-City-owned computer equipment used in City buildings should only use the public wireless connection to the Internet. Under no circumstances should any non-City-owned equipment be connected to the City's computer network wirelessly or via a network cable.

Exceptions may be granted by IT staff.

Personal computer equipment may not be connected to the City's network without prior approval of the IT staff. Personal equipment may be subject to password requirements or other electronic security measures as determined by IT staff.

Staff shall not attempt to circumvent or disable firewalls, anti-virus/anti-malware software, software updates and patches, network/computer security settings, or any other measures put in place to protect the network. If access to necessary resources is obstructed, notify supervisor and/or IT staff to explore options.

Remote Access to the Network

Examples of remote access include, but are not limited to: Virtual Private Network (VPN), TeamViewer, and Windows Remote Desktop connections. While remotely connected to City computer resources, all aspects of this Technology Use Policy will apply, including the following:

- Telework opportunities and remote access to the City's network requires a job specific reason and/or a request from a supervisor to the City Administrator. Remote access privileges may be revoked at any time by an employee's supervisor, Department Head, the City Administrator or IT staff.
- If remote access is from a non-City-owned computer, updated security software (anti-virus and anti-malware) must be installed and operational, and all critical operating system updates must be installed prior to connecting. Failure to comply could result in the termination of remote access privileges.
- Remote access/assistance from third parties is not allowed without prior approval from IT staff. When remote access/assistance from a third party is granted, their activities must be monitored by City Staff.
- Recreational use of remote connections to the City's network is strictly forbidden. An example of this would be a family member utilizing a City's cellular data connection to access the internet.
- Private or confidential data should not be transmitted over an unsecured wireless connection. Wireless connections that are not secure could pose a security risk if used to transmit passwords or private data. Unsecure wireless connections may include cellular networks and wireless access points unless proper security protocols are in place.

Security Compromise

If a virus or malware is suspected on any City device, IT staff must be notified immediately. Any other indications of computer or network security compromise must be reported to IT staff immediately.

Internet

The internet is available to employees for research, education, and communication directly related to the mission, charter, and tasks of the City. Users must honor copyright laws regarding protected commercial software and intellectual property. Users accessing the internet through the City's computers and related equipment should minimize unnecessary network traffic that might interfere with the ability of others to make effective use of this shared network resource. Users are also responsible for adhering to City standards when browsing the internet. Failure to adhere to City standards puts the City

and the individual at risk or legal or financial liabilities, potential embarrassment, and other consequences, including immediate termination of employment and other disciplinary actions. The following considerations apply to all uses of the Internet:

- Information found on the Internet and used for City work must be verified to be accurate and factually correct.
- Approved web browsers include Microsoft Edge, Mozilla Firefox, Apple Safari, and Google Chrome. Usage of other browsers requires prior authorization from IT staff.
- Browsing history including cookies, passwords, and temporary files should be cleared from web browsers frequently or set to automatic delete.
- Limited personal use of the Internet is permitted. Employees may not at any time access inappropriate sites. Some examples of inappropriate sites include but are not limited to adult entertainment, sexually explicit material, or material advocating intolerance of other people, races, or religions. If you are unsure whether a site may include inappropriate information, you should not visit it.
- City data should not be stored in any web or cloud-based application that has not been provided or approved by IT staff.
- If an employee's use of the internet is compromising the integrity of the City's network, IT staff may temporarily restrict that employee's access to the internet. If IT staff does restrict access, they will notify the employee and the employee's supervisor as soon as possible, and work with the employee and supervisor to rectify the situation.
- Social media use on City owned computers should be limited to maintaining the City's social media presence. Personal use of social media on City owned computers is discouraged.
- Peer-to-peer software/applications are not permitted.
- All staff internet use must comply with all applicable provisions of this policy, all other applicable City policies, and all applicable law.

The City may monitor or restrict any employee's use of the internet without prior notice, as deemed appropriate by the employee's supervisor, the City Administrator, or IT staff.

Personal Social Networking on City-Owned Devices

Employees should not use City-owned devices to post to personal sites, including social networking sites. Employees' personal use of City-owned devices should be minimal and must not interfere with their work duties. All personal social networking and other personal use of the City-owned devices must comply with the terms of this policy.

Personal Social Networking While Off Duty and the City's Responsibility

The City of Brainerd has a duty to protect the reputation of the organization and its employees as well as guard against any liability and potential legal risk regardless of when and where social networking activity occurs. An employee's own personal communications, such as on social media, can have a significant impact on the public's belief that all city staff will carry out city functions faithfully and impartially and without regard to factors such as race, creed, color, religion, age, sex, marital status, national origin, sexual orientation, disability, status with regard to public assistance, or any other characteristic protected by state or federal law. Nonpersonal communications (performed within one's job duties) to members of the public must be professional at all times. With this in mind, employees must use social media (Facebook, Twitter, blogs, YouTube, etc.) in a manner that follows the following guidelines:

- Individuals should exercise caution and good judgment when social networking.
- Individuals shall not represent that they are speaking or acting on behalf of the City or presenting any interests of the City.
- Individuals are not permitted to display the City of Brainerd logo on any part of their online profiles.
- Individuals never have the right to post non-public, private, or confidential data, such as information related to co-workers personnel data, medical information, or claims or lawsuits against the City, without obtaining the express written consent of the data subject and/or City Administrator as appropriate.
- Individuals who use personal social media accounts are not immune from the law. In general, all users of social networking should be aware that the content of these social networking sites can be subpoenaed and used in criminal and civil trials.
- Individuals need to be aware that they have no reasonable expectation of privacy when social networking and use of personal social media accounts

are subject to all pertinent City policies, as well as local, state and federal laws.

- The City of Brainerd expects its employees to be fair, courteous, and respectful to supervisors, co-workers, citizens, customers, and other persons associated with the city. Avoid using statements, photographs, video or audio that reasonably may be viewed as malicious, obscene, threatening or intimidating, disparaging, or might constitute harassment. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, creed, color, religion, age, sex, marital status, national origin, sexual orientation, disability, status with regard to public assistance, or any other characteristic protected by state or federal law.
- City resources, working time, or official city positions cannot be used for personal profit or business interests, or to participate in personal political activity. Some examples: a building inspector could not use the city's logo, email, or working time to promote his/her side business as a plumber; a parks employee should not access a park after hours even though he or she may have a key; a clerk, while working at City Hall, should not campaign for a friend who is running for City Council.
- Personal social media account name or email names should not be tied to the city (e.g., Brainerd Cop).
- Any personal communications made on a matter of public concern must not disrupt the efficiency of the city's operation, including by negatively affecting morale. Put another way, such public comments must not undermine any city department's ability to effectively serve the public. Disruptive personal communications can include liking or republishing (sharing/retweeting) a social media post of another individual or entity. The City can act on the personal communication that violates this policy without waiting for the actual disruption.

ARTICLE 32. TELECOMMUTING/REMOTE WORK POLICY

The City has adopted a Telecommuting/Remote Work Policy, separate from the Employee Policy Manual. The Telecommuting/Remote Work Policy describes the situations in which qualifying employees may be allowed to work from home and the conditions on any opportunity to work from home afforded to any employee. Copies can be obtained from the Human Resources Department.

ARTICLE 33. QUESTIONS OR CONCERNS

All employees are required to be familiar with, and abide by, the terms of these policies. Department Heads and the Human Resource Director are ready to answer questions, or to further explain and obtain information about any phase of this manual which is not clear. All employees should feel free to ask questions of their Department Head, the Human Resource Director, and the City Administrator.

Reviewed and adopted by the City Council

Date: August 1, 2022

ACKNOWLEDGMENT

I acknowledge that I have received a copy of the City of Brainerd Personnel Policy. I understand that this document contains important information regarding the City's general personnel policies and my privileges and obligations as an employee. I will familiarize myself with the personnel policy and I understand that I am governed by its contents. I further understand that the personnel policy is not an employment contract and that the City may change, rescind or add to any policies, benefits, or practices at its sole discretion with or without prior notice.

Employee Signature

Date

Employee Printed Name

Department

EXHIBIT A

HEALTHCARE INSURANCE PREMIUM CONTRIBUTIONS

- CITY ADMINISTRATOR, DEPARTMENT HEADS, AND SUPERVISORS:

The following premium splits and Employer HSA contributions will be effective for our 2021-2023 High Deductible Health Plan Smart Plan options:

<i>Smart Plan #1 - \$1,400 Health Plan</i>	<u>2021</u>	<u>2022</u>	<u>2023</u>
<u>% Contribution to Monthly Premium</u>			
<u>Employer</u>			
Single	95%	95%	95%
Family	80%	80%	80%
<u>Employee</u>			
Single	5%	5%	5%
Family	20%	20%	20%
<u>HSA Annual Contribution Amount</u>			
<u>Employer</u>			
Single	\$ 1,710	\$ 1,000	\$ 1,000
Family	\$ 2,137	\$ 1,500	\$ 1,500

<i>Smart Plan #3 = \$2,800 Health Plan</i>	<u>2021</u>	<u>2022</u>	<u>2023</u>
<u>% Contribution to Monthly Premium</u>			
<u>Employer</u>			
Single	95%	95%	95%
Family	80%	80%	80%
<u>Employee</u>			
Single	5%	5%	5%
Family	20%	20%	20%
<u>HSA Annual Contribution Amount</u>			
<u>Employer</u>			
Single	\$ 1,710	\$ 2,000	\$ 2,000
Family	\$ 2,137	\$ 2,500	\$ 2,500

Smart Plan #7 - \$7,000 Health Plan		<u>2021</u>	<u>2022</u>	<u>2023</u>
<u>% Contribution to Monthly Premium</u>				
<u>Employer</u>				
Single		95%	100%	100%
Family		80%	90%	90%
<u>Employee</u>				
Single		5%	0%	0%
Family		20%	10%	10%
<u>HSA Annual Contribution Amount</u>				
<u>Employer</u>				
Single		\$ 1,710	\$ 2,500	\$ 2,500
Family		\$ 2,137	\$ 3,000	\$ 3,000

- All additional employer HSA contributions amounts noted above will be pro-rated based on a monthly contribution.
- The City will front-load the first three months of the additional Employer HAS contribution for all employees by January 31st of each year. Thereafter (effective April 1st), the amount will return and remain as a monthly contribution.
- The City will provide an Opt-Out Option for eligible employees in lieu of the city's health insurance for 2021, 2022 and 2023. If the eligible employee elects the Opt-Out payment for 2021, the monthly Opt-out taxable payment will be \$315 per month. If the eligible employee elects the Opt-Out payment for 2022 or 2023, the monthly Opt-out taxable payment will be \$400 per month.
- The base City health insurance plan for union contract comparison is the embedded \$2,800 High Deductible Health Insurance Plan
- The City will pay 100% of the single and family premium for the Department Heads and Supervisors hired or promoted to such a position before May 1, 2010.

ELECTED OFFICIALS/BRAINERD PUBLIC UTILITIES (BPU) COMMISSIONERS:

- Health insurance options for this group includes the following City contributions for the City-sponsored High Deductible Health Insurance plans:
 - 100% of the premium if single health coverage is elected.
 - 80% of the premium if family health coverage is elected.
- If someone is covered by a different group plan and is eligible to receive the City's Opt-Out payment, individuals in this group can elect to receive \$250 per month as taxable income in lieu of the health insurance benefit.

The City's contribution for all other employees is set in the applicable collective bargaining agreement and/or Council resolutions.

The City provides insurance coverage for former City employees including retirees on a self-pay basis pursuant to state law. Please refer to your Group Insurance Plan booklet for a complete description of benefits.

EXHIBIT B

LONG-TERM DISABILITY COVERAGE AND LIFE INSURANCE

- I. **Long-Term Disability Coverage.** Should an employee become disabled as a result of a non-occupational injury or illness, the City will provide long-term disability coverage to cover 50% of your gross monthly income to a maximum of \$5,417 per month. This plan takes effect the 1st day of the month coincident with or next following six months of continuous employment.
- II. **Face Amount of Life Insurance for Certain Employees and Elected Officials.** Consistent with the Policy Manual, the City will provide life insurance coverage to elected officials, Department Heads, and non-union supervisors in the following amounts: Mayor, City Council and Public Utilities Commission \$50,000; City Administrator and Department Heads \$100,000; Non-union supervisors \$50,000.

Employees should review the applicable Summary Plan Descriptions for additional details for said policies.

EXHIBIT C

MINNESOTA HEALTH CARE SAVINGS PLAN CONTRIBUTIONS

All funds collected by the City on behalf of the employee for purposes of contributing to the Minnesota Health Care Savings Plan will be deposited into the employee's individual health care savings plan account as follows:

1. City Administrator and Department Heads:
 - a) Employees eligible for severance pay as outlined in ARTICLE 27 of the City Employee Policy Manual will contribute 100% of their severance pay into the Plan.
 - b) Employees with 0 to 4 years of service will contribute 1% of gross pay each payroll period.
Employees with 5 to 9 years of service will contribute 1.5% of gross pay each payroll period.
Employees with 10 to 14 years of service will contribute 2% of gross pay each payroll period.
Employees with 15 to 19 years of service will contribute 3% of gross pay each payroll period.
Employees with 20 or more years of service will contribute 5% of gross pay each payroll period.
 - c) 50% of sick leave accrual over 960 hours, will on a calendar year basis, be paid by the Employer into the employee's health care savings plan. It is understood that any sick leave used throughout the year will be deducted from the 960-hour balance and that the employee must then earn back to the 960 hours before any hours are accumulated for purposes of the Health Care Savings Plan contribution.
 - d) 100% of accumulated vacation at retirement will be paid into the Plan.
2. Non-Contract Supervisors:
 - a) Employees eligible for severance pay as outlined in ARTICLE 27 of the City Employee Policy Manual and have 25 years or more of service, will contribute 100% of their severance pay into the Plan.

- b) Employees with 0 to 10 years of service will contribute 1% of gross pay each payroll period.
Employees with 10 to 15 years of service will contribute 2% of gross pay each payroll period.
Employees with 15 – 20 years of service will contribute 3% of gross pay each payroll period.
Employees with 20 - 25 years of service will contribute 4% of gross pay each payroll period.
Employees with 25+ years of service will contribute 5% of gross pay each payroll period.
- c) 50% of sick leave accrual over 960 hours, will on a calendar year basis, be paid by the Employer into the employee's post-employment health care savings plan. It is understood that any sick leave used throughout the year will be deducted from the 960-hour balance and that the employee must then earn back to the 960 hours before any hours are accumulated for purposes of the Post Employment Health Care Plan contribution.
- d) 100% of accumulated vacation at retirement will be paid into the Plan.
- e) 100% of the City of Brainerd's Early Retirement Incentive Program (ERIP) payment will be paid into the Plan.

BPU Department Head Review Form

Employee Evaluation Form

I. EMPLOYEE INFORMATION		
Employee Name:		Job Title:
BPU Commissioner:		Review Period From: / / To: / /
II. CORE VALUES AND OBJECTIVES		
PERFORMANCE CATEGORY	RATING	FOR ANY RATING OTHER THAN "MEETS EXPECTATIONS", PLEASE PROVIDE SPECIFIC AND DETAILED COMMENTS AND/OR EXAMPLES FOR SAID RATING
Quality of Work: Work is completed accurately (few or no errors), efficiently and within deadlines with minimal supervision	☐ Exceeds expectations ☐ Meets expectations ☐ Needs improvement ☐ Unacceptable	
Attendance & Dependability: Demonstrates regular and punctual attendance at meetings; arrives prepared; is reliable, responsible, and dependable in fulfilling obligations. Follows up with Commission directed items in a timely matter.	☐ Exceeds expectations ☐ Meets expectations ☐ Needs improvement ☐ Unacceptable	
Functional/Technical Skills: Has the functional and technical knowledge and skills to do the job at a high level of accomplishment.	☐ Exceeds expectations ☐ Meets expectations ☐ Needs improvement ☐ Unacceptable	
Integrity and Trust & Ethics and Values: Widely trusted, direct, truthful, keeps confidence, admits mistakes, does not misrepresent information or themselves. Adheres to the core values, acts in line with those values, rewards those values in others, and demonstrates in both word and action.	☐ Exceeds expectations ☐ Meets expectations ☐ Needs improvement ☐ Unacceptable	
Customer Focus: Dedicated to meeting the expectations and requirements of both internal and external customers. Uses customers information to improve services. Acts with the customer in mind. Established and maintains effective relationships with customers and gains their trust and respect.	☐ Exceeds expectations ☐ Meets expectations ☐ Needs improvement ☐ Unacceptable	
Interpersonal Savvy & Listening: Relates well to all kinds of people, builds appropriate rapport and constructive relationships. Uses diplomacy and tact. Can defuse high tension situations. Practices attentive and active listening. Has patience to hear people out. Can accurately restate the needs and opinions of others (even when they disagree).	☐ Exceeds expectations ☐ Meets expectations ☐ Needs improvement ☐ Unacceptable	
Motivating Others: Creates a climate where others want to do their best. Can assess individuals to determine that motivates them best. Can delegate tasks and decisions down. Empowers others. Invites input from others and shares ownership and visibility. Someone others like working for and with.	☐ Exceeds expectations ☐ Meets expectations ☐ Needs improvement ☐ Unacceptable	



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ 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:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
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>	

Paul Sandy – City Engineer/Public Works Director for Brainerd

Jake Rennaker – Lakes Area Skate Park

Dave Badeaux – Brainerd Mayor and Director at Community Action (supporting Lakes Area Skate Park as fiscal host)

John Melson – Crow Wing County Facilities Director

Donnie Berg – Greenday Rolloff Services and Landscape Services, LLC

Date 05-21-2022

Location East Side of Crow Wing County Judicial Center Parking Lot

Roll off Provider Greenday Rolloff Services and Landscape Services, LLC

7 dumpsters with drive isles in-between for residents to dump their clean-up items. Dumpster breakdown below:

Clean-Up Day Dumpster Breakdown			
Size of Dumpster (CY)	Number of Dumpsters	Refuse Type	Minimum Fee
30	2	Solid Waste/Construction	None
30	1	Furniture and Sofa/Sleepers	\$7 Minimum for Furniture, \$30 Minimum for Sofa Sleepers
20	1	Appliances/Electronics	None
30	1	Mattresses	\$30 Minimum
20	1	Tires	\$7 Minimum Charge (no semi, tractor, or equipment tires)
20	1	Compost/Yard Debris/Sticks	None

We will not accept: Oil, antifreeze, batteries, scrap metal, propane tanks, household hazardous wastes, recycling, industrial solid waste, or asbestos.

Logistics

- Lakes Area Skate Park will handle the advertising for the event, take all donations and minimum charges the day of the event, and run the event logistics the day of the event.
- The City, if approved by the City Council on Monday night (4/4), will pay for the dumpsters. Lakes Area Skatepark will need to pay the landfill bill (using the minimum charges for the items the landfill charges for) after the event. All other proceeds will be Lakes Area Skate Parks to help with their fundraising.
- Lakes Area Skate Park will need to get proof of residency through a BPU bill at the gate for the event, seeing as we are using Brainerd tax-payer funds to pay for the dumpsters, it should only be used by Brainerd residents.
- Greenday will pick up the roll offs after the event and before traffic in the parking lot on Monday morning.

- F. Minnesota Lawful Gambling Application for Exempt Permit- Submitted by Ducks Unlimited Paul Bunyan Chapter for an Event to be held on April 30, 2022, at Brainerd American Legion, 708 Front St.-Approved
- G. Temporary 3.2 Percent Malt Beverage (Beer) On-Sale License- Submitted by Brainerd Eagles Club #287 for an Event to be held on April 23, 2022, at Memorial Park, 1700 Mill Ave, Brainerd- Contingent Upon Inspections- Approved

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

Community Member of the Month

Mayor Badeaux awarded Patrick Spradlin the Community Member of the Month for his dedication to the arts in Brainerd.

Council Committee Reports

Safety and Public Works

Approve Event/Parking Lot Closure Application- Lakes Area Music Festival Block Party

Committee Chair O'Day stated that this is the 4th annual block party by Lakes Area Music Festival which will be held on August 8, 2022, organized by Brainerd Restoration. The event is free to the public.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND PRITSCHET TO APPROVE THE ATTACHED EVENT APPLICATION WITH THE CONDITIONS LISTED IN THE APPLICATION.

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

Approve a Clean-up Day Event with Lakes Area Skatepark Association

Committee Chair O'Day stated that the Lakes Area Skatepark Association is using this as a fundraiser. They will staff the project and the City will provide the dumpsters. This event is for City of Brainerd residents, a BPU bill will be required to utilize the service. Large items like mattresses and furniture will have a fixed cost for disposal. The event takes place on May 21, 2022, at the Judicial Center parking lot.

Mayor Badeaux stated that he has been working with the group and feels this is a great project for their group.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON TO APPROVE THE **CONCEPT** FOR A CITY-WIDE CLEAN-UP DAY WITH A BUDGET OF \$4,500 FOR PURCHASING THE DUMPSTERS FOR USE FROM GREENDAY ROLLOFF AND LANDSCAPE SERVICE, LLC.



6157 Pine Beach Rd
Brainerd, MN 56401
(218) 825-8141
greendaymn.com

Invoice

Date	Invoice #
5/23/2022	587

Bill To
City of Brainerd Attn: City Engineer 501 Laurel Street Brainerd, MN 56401

			Project	Terms
			Lakes Area Skate Park	Net 30
Date	Quantity	Description	Rate	Amount
5/21/22	1	20 Yard Dumpster #2009	460.00	460.00
		Fuel Surcharge	16.00%	73.60
	1	30 Yard Dumpster #3021	680.00	680.00
		Fuel Surcharge	16.00%	108.80
		MMSW Tax	9.75%	66.30
	1	30 Yard Dumpster #3018	680.00	680.00
		Fuel Surcharge	16.00%	108.80
		MMSW Tax	9.75%	66.30
	1	30 Yard Dumpster #3014	680.00	680.00
		Fuel Surcharge	16.00%	108.80
	1	30 Yard Dumpster #3021	680.00	680.00
		Fuel Surcharge	16.00%	108.80
		MMSW Tax	9.75%	66.30
	1	20 Yard Dumpster #2009	460.00	460.00
		Fuel Surcharge	16.00%	73.60
		MMSW Tax	9.75%	44.85
	1	30 Yard Dumpster #3018	680.00	680.00
		Fuel Surcharge	16.00%	108.80
	1	30 Yard Dumpster #3021	680.00	680.00
		Fuel Surcharge	16.00%	108.80
Make checks payable to GreenDay Rolloff Service			Total	
THANK YOU FOR YOUR BUSINESS!			Payments/Credits	
			Balance Due	



6157 Pine Beach Rd
Brainerd, MN 56401
(218) 825-8141
greendaymn.com

Invoice

Date	Invoice #
5/23/2022	587

Bill To
City of Brainerd Attn: City Engineer 501 Laurel Street Brainerd, MN 56401

RECEIVED

JUN 24 2022

**CITY OF BRAINERD
ADMINISTRATION**

			Project	Terms
			Lakes Area Skate Park	Net 30
Date	Quantity	Description	Rate	Amount
	1	20 Yard Dumpster #2010	460.00	460.00
		Fuel Surcharge	16.00%	73.60
	1	20 Yard Dumpster #2016	460.00	460.00
		Fuel Surcharge	16.00%	73.60
	1	30 Yard Dumpster #3014	680.00	680.00
		Fuel Surcharge	16.00%	108.80
		MMSW Tax	9.75%	66.30
	1	30 Yard Dumpster #3020	680.00	680.00
		Fuel Surcharge	16.00%	108.80
	1	20 Yard Dumpster #2009	460.00	460.00
		Fuel Surcharge	16.00%	73.60
		MMSW Tax	9.75%	44.85
	1	30 Yard Dumpster #3009	680.00	680.00
		Fuel Surcharge	16.00%	108.80
		Extra fees		
	11	Mattress	30.00	330.00
	20	Tires	2.00	40.00
	26	Furniture	7.00	182.00
		Discount on Fuel Surcharge for contribution	-1,347.20	-1,347.20
Make checks payable to GreenDay Rolloff Service			Total	\$9,326.90
			Payments/Credits	-\$552.00
			Balance Due	\$8,774.90

THANK YOU FOR YOUR BUSINESS!

Connie Hillman

From: Connie Hillman
Sent: Monday, July 25, 2022 10:02 AM
To: Brainerd Community Action
Cc: Jennifer Bergman
Subject: RE: Skate Board Fundraiser

Staff called and left
message on 7/27/22 at
8:15

Hello Dave-

I hope you had a great couple of weeks off!!! Just following up on the email that was sent about the skateboard fundraiser. Would like to get this on the 8/1 council agenda.

Thank you!

Connie

Email correspondence to and from the City of Brainerd government offices is subject to the Minnesota Government Data Practices Act and may be disclosed to third parties.

From: Brainerd Community Action <info@brainerdcommunityaction.org>
Sent: Friday, July 8, 2022 2:51 PM
To: Connie Hillman <chillman@ci.brainerd.mn.us>
Subject: RE: Skate Board Fundraiser

Connie,

I will be on vacation for the next two weeks. BCA will have a response to this upon my return. My brief response is that the skate group did everything they were asked to do in the exact way they were asked to do so. 😊

Dave Badeaux
Executive Director
Brainerd Community Action

From: Connie Hillman <chillman@ci.brainerd.mn.us>
Sent: Thursday, July 7, 2022 8:47:30 AM
To: Brainerd Community Action <info@brainerdcommunityaction.org>
Cc: Jennifer Bergman <jbergman@ci.brainerd.mn.us>
Subject: Skate Board Fundraiser

Hello Dave-

As you know, the Council wanted some additional information regarding the additional cost of the dumpsters for the clean-up day. Since you worked with the Skatepark Association to coordinate this event, I'm wondering if either you can answer the following questions or provide me with Jake Rennaker's contact information?

- The City Council authorized up to \$4,500 to pay for the dumpsters. Do you know who ordered the additional dumpsters?

- The proposal (attached) stated that residents were going to have to provide proof of Brainerd residency. Was this done? It would provide reassurance to the Council that taxpayer dollars were used for a service for Brainerd residents.
- The dumpster cost was \$8,776. Almost \$4,300 overbudget. How much was the Association able to raise on this fundraiser? Is the Association able to help defer the additional cost of the dumpsters?

Thank you Dave, we appreciate your help.

Connie

Connie Hillman, CPA

Finance Director
City of Brainerd
501 Laurel Street
Brainerd, MN 56401
Telephone: 218-828-2307
Fax: 218-828-2316

E-mail: chillman@ci.brainerd.mn.us

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July 28, 2022

Dear City of Brainerd:

Thank you for reaching out for further correspondence as a conclusion to your citywide clean up event of which Lakes Area Skate Park Association was a part of. Brainerd Community Action is the fiscal sponsor for the association and are happy to answer any questions you may have regarding what part the skatepark group had in this program.

The Skatepark association would like to thank you for allowing them to volunteer their time in exchange for the right to ask for donations at this event and gather exposure. They were tasked with a couple of jobs for this including the manning the event throughout the day to alleviate the city of the burden of staffing it themselves, collecting needed fees for any item that would require additional landfill costs, checking residency status of individuals dropping items off to ensure they were citizens of the city of Brainerd, and marketing the event to reach as many people as possible at their own cost. This group handled all of those tasks as directed in the manner they were asked to do so and ensured this was a smooth event. If there was any issue with any step in that process, they deeply apologize for anything that may have slipped through the cracks.

It appears there is confusion within the city as to what role this group played in the scheduling of dumpsters for the event. This was not a task that the association had involvement in at any point leading up to the moment they were asked to call for the units to be swapped out as they became full. They were simply given a number to call and directed to do so when a dumpster needed to be exchanged. Talk of cost and any potential need to regulate it was not a part of their discussion, nor was there mention that additional dumpsters would potentially run the city into a state of contradicting the amount set forth by the motion at the city council level. This group was asked to fill up the dumpsters and let the dumpster company know when one had reached its fill. That task was executed as directed by city staff.

I myself will be available to speak to the council on this issue so that we can come to an understanding as to what if any additional steps need to be made by the Lakes Area Skatepark Association to conclude the citywide cleanup from this spring.

Sincerely,

Dave Badeaux

Dave Badeaux

Executive Director Brainerd Community Action



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ 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:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
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>	

CITY OF BRAINERD, MINNESOTA
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES
IN FUND BALANCES – GOVERNMENTAL FUNDS
YEAR ENDED DECEMBER 31, 2021

	GENERAL FUND	PUBLIC SAFETY FUND	PARK AND RECREATION FUND	STREET FUND
REVENUES				
Taxes	\$ 1,886,892	\$ 1,383,545	\$ 35,073	\$ 40,082
Sales Tax	-	-	-	-
Tax Increments	-	-	-	-
Licenses and Permits	413,824	-	-	-
Intergovernmental	195,287	3,501,649	828,415	776,927
Charges for Services	60,093	776,190	143,849	-
Fines and Forfeits	-	134,443	-	-
Special Assessments	27,192	-	-	28,686
Investment Income	(150,866)	-	-	-
Contributions and Donations	-	10,806	3,840	-
Miscellaneous	556,619	113,381	66,116	293,410
Total Revenues	2,989,041	5,920,014	1,077,293	1,139,105
EXPENDITURES				
Current				
General Government	2,743,385	-	-	-
Public Safety	-	5,289,233	-	-
Public Works	-	-	-	1,317,487
Culture and Recreation	-	-	1,110,812	-
Economic Development	-	-	-	-
Capital Outlay	3,066	135,133	-	81,508
Debt Service				
Principal Retirement	30,069	93,331	25,150	17,568
Interest and Fiscal Charges	1,694	4,310	1,095	539
Total Expenditures	2,778,214	5,522,007	1,137,057	1,417,102
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	210,827	398,007	(59,764)	(277,997)
OTHER FINANCING SOURCES (USES)				
Issuance of Capital Leases	-	135,133	-	81,508
Issuance of Bonds	-	-	-	-
Premiums on Bonds Issued	-	-	-	-
Sale of Capital Assets	-	-	-	-
Transfers In	2,115	89,251	53,747	196,518
Transfers Out	(246,964)	(631,781)	(150)	-
Total Other Financing Sources (Uses)	(244,849)	(407,397)	53,597	278,026
NET CHANGE IN FUND BALANCES	(34,022)	(9,390)	(6,167)	29
Fund Balances - Beginning of Year	4,794,372	54,250	13,002	3,252
Prior Period Adjustment, See Note 12	-	-	-	-
Fund Balances - Beginning of Year, as Restated	4,794,372	54,250	13,002	3,252
FUND BALANCES - END OF YEAR	\$ 4,760,350	\$ 44,860	\$ 6,835	\$ 3,281

See accompanying Notes to Basic Financial Statements.

City of Baxter, Minnesota
Statement of Revenues, Expenditures, and
Changes in Fund Balances – Governmental Funds

Comprehensive Annual Financial Report
Year Ended December 31, 2021

	Major Funds						
	General Fund	Economic Development	Sales Tax Collections	Debt Service Fund	Capital Project Fund	Other Governmental Funds	Total Governmental Funds
REVENUES							
Taxes	\$ 6,213,597	\$ -	\$ -	\$ 1,091,364	\$ 1,322	\$ -	\$ 7,306,283
Lodging Tax	-	-	-	-	-	392,406	392,406
Sales Tax	-	-	3,200,455	-	-	-	3,200,455
Tax Increments	-	-	-	-	-	667,703	667,703
Franchise Fees	205,188	-	-	-	373,184	-	578,372
Special Assessments	8,100	2,843	-	1,914,265	76,112	-	2,001,320
Licenses, Permits, and Fees	46,201	-	-	-	-	195,883	242,084
Intergovernmental	936,695	-	-	45,954	659,864	45,793	1,688,306
Charges for Services	199,466	-	-	-	-	134,537	334,003
Fines and Forfeits	56,637	-	-	-	-	7,944	64,581
Gifts and Contributions	3,700	-	-	-	-	13,000	16,700
Investment Earnings	55,101	19,266	67,420	63,828	102,797	19,664	328,076
Net Increase (Decrease) in							
Fair Value of Investments	(34,009)	(22,688)	(88,698)	(86,320)	(111,660)	(25,402)	(368,777)
Miscellaneous	126,933	-	-	-	674	152,491	280,098
Total Revenues	7,817,609	(579)	3,179,177	3,029,091	1,102,293	1,604,019	16,731,610
EXPENDITURES							
CURRENT							
General Government	1,679,751	-	55,948	-	-	11,196	1,746,895
Public Safety	2,519,780	-	-	-	-	197,410	2,717,190
Public Works	950,004	-	-	-	248,505	-	1,198,509
Culture and Recreation	981,301	-	-	-	59,459	8,120	1,048,880
Economic and Community Development	-	49,776	625,809	-	-	952,595	1,628,180
CAPITAL OUTLAY							
General Government	-	-	-	-	10,800	33,445	44,245
Public Safety	-	-	-	-	86,426	-	86,426
Public Works	11,005	-	-	-	3,406,077	-	3,417,082
Culture and Recreation	25,971	-	-	-	68,752	347,721	442,444
DEBT SERVICE							
Principal	-	-	-	2,755,333	-	-	2,755,333
Interest and Fiscal Charges	-	-	-	710,744	-	250	710,994
Total Expenditures	6,167,812	49,776	681,757	3,466,077	3,880,019	1,550,737	15,796,178
EXCESS (DEFICIENCY) OF REVENUES							
OVER EXPENDITURES	1,649,797	(50,355)	2,497,420	(436,986)	(2,777,726)	53,282	935,432
OTHER FINANCING SOURCES (USES)							
Sale of Capital Assets	735	-	-	-	12,610	-	13,345
Proceeds from intergovernmental long term debt	-	-	-	-	-	347,471	347,471
Transfers In	580,762	39,000	-	955,549	2,774,626	168,536	4,518,473
Transfers Out	(2,116,909)	-	(1,831,709)	-	(212,262)	(731,180)	(4,892,060)
Total other financing							
Total Other Financing Sources (Uses)	(1,535,412)	39,000	(1,831,709)	955,549	2,574,974	(215,173)	(12,771)
NET CHANGE IN FUND BALANCES							
	114,385	(11,355)	665,711	518,563	(202,752)	(161,891)	922,661
Fund Balance - Beginning of Year	4,066,732	3,677,264	5,428,350	6,716,627	5,976,274	530,512	26,395,759
FUND BALANCE - END OF YEAR	\$ 4,181,117	\$ 3,665,909	\$ 6,094,061	\$ 7,235,190	\$ 5,773,522	\$ 368,621	\$ 27,318,420

See accompanying Notes to Basic Financial Statements.

City of Marshall
Statement of Revenues, Expenditures, and
Changes in Fund Balances - Governmental Funds
Year Ended December 31, 2021

	General Fund (101/106)	Debt Service (300s)	Sales / Lodging Tax (256)
Revenues			
Taxes	\$ 5,647,827	\$ 1,648,802	\$ 2,421,906
Special assessments	2,420	1,025,126	-
Licenses and permits	398,207	-	-
Intergovernmental	3,439,496	-	-
Charges for services	1,723,984	-	-
Fines and forfeitures	73,248	-	-
Investment earnings	18,127	40,461	15,277
Miscellaneous	1,267,640	293	-
Total revenues	12,570,949	2,714,682	2,437,183
Expenditures			
Current			
General government	2,570,769	-	-
Public safety	4,185,451	-	-
Public works	2,949,491	-	-
Culture and recreation	2,432,995	-	-
Economic development	-	-	-
Airport	567,140	-	-
Capital outlay			
General government	328,275	-	-
Public safety	-	-	-
Public works	-	-	-
Culture and recreation	-	-	-
Debt service			
Principal	-	3,530,099	-
Interest and other	-	1,032,764	-
Total expenditures	13,034,121	4,562,863	-
Excess (deficiency) of revenues over (under) expenditures	(463,172)	(1,848,181)	2,437,183
Other Financing Sources (Uses)			
Sale of capital assets	-	-	-
Transfers in	300,000	1,899,983	-
Bonds issued	-	-	-
Premium on bonds issued	-	-	-
Transfers out	(250,000)	-	(2,230,594)
Total other financing sources (uses)	50,000	1,899,983	(2,230,594)
Net change in fund balances	(413,172)	51,802	206,589
Fund Balances, January 1	7,411,975	7,652,932	1,287,839
Fund Balances, December 31	\$ 6,998,803	\$ 7,704,734	\$ 1,494,428

CITY OF SAINT PETER

Statement of Revenue, Expenditures, and Changes in Fund Balances
Governmental Funds

Year Ended December 31, 2021

(With Partial Comparative Information for the Year Ended December 31, 2020)

	General	Capital Projects – Traverse Green TIF District	Nonmajor	Total Governmental Funds	
				2021	2020
Revenue					
Taxes					
Property taxes and tax increments	\$ 2,359,203	\$ –	\$ 1,839,882	\$ 4,199,085	\$ 4,041,693
Other taxes	88,690	–	25,446	114,136	122,640
Licenses and permits	346,261	–	–	346,261	171,778
Intergovernmental	3,421,466	–	715,822	4,137,288	5,018,455
Special assessments	–	74,613	36,152	110,765	54,064
Charges for services	595,058	–	–	595,058	384,671
Fines and forfeitures	36,424	–	–	36,424	40,541
Investment earnings (charges)	(23,263)	219	10,772	(12,272)	122,767
Other	268,526	22,100	712,929	1,003,555	887,706
Total revenue	7,092,365	96,932	3,341,003	10,530,300	10,844,315
Expenditures					
Current					
General government	1,022,449	–	554,319	1,576,768	1,589,095
Public safety	3,312,297	–	–	3,312,297	3,281,216
Public works	1,528,658	–	–	1,528,658	1,347,888
Parks and recreation	1,745,829	–	354,488	2,100,317	1,860,074
Economic development	173,188	–	235,571	408,759	1,117,916
Other	65,638	–	427,127	492,765	336,794
Capital outlay	386,262	339,464	1,618,121	2,343,847	1,435,935
Debt service					
Principal	–	–	1,158,450	1,158,450	1,328,800
Interest and fiscal charges	–	–	333,070	333,070	269,552
Total expenditures	8,234,321	339,464	4,681,146	13,254,931	12,567,270
Excess (deficiency) of revenue over expenditures	(1,141,956)	(242,532)	(1,340,143)	(2,724,631)	(1,722,955)
Other financing sources (uses)					
Debt issued	–	–	1,266,000	1,266,000	368,250
Refunding debt issued	–	–	2,120,000	2,120,000	–
Premium on debt issued	–	–	17,463	17,463	–
Payments on refunded debt	–	–	(2,040,000)	(2,040,000)	(3,565,000)
Proceeds from sale of assets	–	–	357,823	357,823	78,000
Transfers in	1,624,068	–	396,197	2,020,265	2,517,872
Transfers (out)	–	(39,000)	(358,177)	(397,177)	(989,163)
Total other financing sources (uses)	1,624,068	(39,000)	1,759,306	3,344,374	(1,590,041)
Net change in fund balances	482,112	(281,532)	419,163	619,743	(3,312,996)
Fund balances					
Beginning of year	4,485,729	370,814	5,359,970	10,216,513	13,529,509
End of year	\$ 4,967,841	\$ 89,282	\$ 5,779,133	\$ 10,836,256	\$ 10,216,513

See notes to basic financial statements

CITY OF WILLMAR, MINNESOTA
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
For the Year Ended December 31, 2020

	General	Community Investment Special Revenue	Special Assessments Bonds Debt Service
REVENUES			
General Property Taxes	\$ 5,775,879	\$ -	\$ -
Other Taxes	241,992	-	-
Special Assessments	1,839	80,983	1,031,606
License and Permits	406,839	-	-
Intergovernmental	5,841,628	-	-
Charges for Services	612,749	-	-
Fines and Forfeits	101,140	-	-
Investment Income	158,350	95,332	49,653
Change in market value	54,114	40,218	21,855
Miscellaneous Revenues	751,986	8,320	6,543
Total Revenues	13,946,516	224,853	1,109,657
EXPENDITURES			
Current:			
General Government	3,666,506	-	-
Public Safety	5,910,222	-	-
Public Works	3,591,250	13,628	-
Culture & Recreation	2,058,717	-	-
Economic Development	-	-	-
Debt Service:			
Principal	-	-	1,419,000
Interest	-	-	322,647
Other Charges and Services	-	-	10,606
Capital Outlay	-	-	-
Total Expenditures	15,226,695	13,628	1,752,253
Excess (deficiency) of revenues over (under) expenditures	(1,280,179)	211,225	(642,596)
OTHER FINANCING SOURCES (USES)			
Bond Proceeds	-	-	-
Operating Transfers In	2,457,342	1,098,778	871,750
Operating Transfers Out	(2,524,532)	(977,551)	(414,226)
Total Other Financing Sources (Uses)	(67,190)	121,227	457,524
Net Change in Fund Balances	(1,347,369)	332,452	(185,072)
Fund Balances - Beginning, as originally stated	12,373,749	10,589,151	6,942,041
Prior Period Adjustment - See Note 13	3,896	-	-
Fund Balances - Beginning	12,377,645	10,589,151	6,942,041
Fund Balances - Ending	\$ 11,030,276	\$ 10,921,603	\$ 6,756,969

The notes to the financial statements are an integral part of this statement.



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ 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:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
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 City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ 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>
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R E S O L U T I O N
NO __:22

**A RESOLUTION TO ACCEPT THE FINAL DISTRIBUTION OF
CORONAVIRUS LOCAL FISCAL RECOVERY FUND
ESTABLISHED UNDER THE AMERICAN RESCUE PLAN ACT**

WHEREAS, Congress adopted the American Rescue Plan Act in March 2021 ("ARPA") which included \$65 billion in recovery funds for cities across the country.

WHEREAS, ARPA funds are intended to provide support to state, local, and tribal governments in responding to the impact of COVID-19 and in their efforts to contain COVID-19 in their communities, residents, and businesses.

WHEREAS, The Fiscal Recovery Funds provides for \$19.53 billion in payments to be made to States and territories which will distribute the funds to non-entitlement units of local government (NEUs).

WHEREAS, NEUs generally have populations below 50,000.

WHEREAS, The ARPA requires that States and territories allocate funding to NEUs in an amount that bears the same proportion as the population of the NEU bears to the total population of all NEUs in the State or territory.

WHEREAS, after the deadline of October 11, 2021, passed for NEUs to request ARPA funds, nearly \$12 million of the \$377 million available to Minnesota's NEUs remained unrequested.

WHEREAS, as allowed by the U.S. Treasury, the State of Minnesota has redistributed these remaining funds amongst eligible local governments who requested ARPA funds.

WHEREAS, Non-entitlement jurisdictions in Minnesota receive approximately \$105.81 per capital based on the city's 2019 Census data. An additional reallocation of approximately \$3.47 per capita was spread among non-entitlement jurisdictions in Minnesota that requested ARPA funds and represents unclaimed ARPA funds remaining after the application deadline passed. The total allocation is capped at 75% of the most recent budget adopted as of January 27, 2020.

WHEREAS, \$710,772.93 has been allocated to the City of Brainerd ("City") pursuant to the ARPA.

WHEREAS, \$23,275.86 has been allocated to the City of Brainerd ("City") pursuant to the ARPA (Redistribution).

WHEREAS, the Redistribution will be distributed in two tranches with half received in 2021 and the second half in 2022.

WHEREAS, the City of Brainerd received the final distribution of ARPA funding in the amount of \$734,048.78, for a total contribution of \$1,468,097.57

WHEREAS, the United States Department of Treasury has adopted guidance regarding the use of ARPA funds.

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

1. The City accepts the final distribution of coronavirus local fiscal recovery fund established under the ARPA to be used in a manner consistent with guidance adopted by the United State Department of Treasury.
2. The City Clerk and Mayor are authorized to take actions to secure the final distribution for the City, if necessary.

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:

Title of Item:

☐ 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:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
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>	

Joseph J. Langel
Direct Phone: (612) 225-6837
jjl@ratwiklaw.com



June 14, 2022

Ken Dols
10053 Gilbert Trail
Brainerd, MN 56401

Chris Ford
20516 Carolyn Lane
Brainerd, MN 56401

Nancy Cross
12843 Eagle Dr.
Baxter, MN 56425

RE: City of Brainerd / LAMC
Our File No. 4034-0170

Dear Board Members:

Following communications between Mr. Henschke and the City Council last summer, I wrote a letter to Mr. Henschke dated September 20, 2021, requesting the return of funds provided to LAKES for the purpose of supporting public access television. To date, no response was received.

I wish to emphasize that the Council's request was not in jest. The Council provided a considerable amount of taxpayer funding for services that were not rendered, and it is the City's understanding from the 2021 meetings that a large fund balance remains in your account. Given that no services are being rendered, and it is anticipated that none ever will be, those funds need to be returned to the City. Please advise of your intentions within 30 days. In the event no response is received, the City will determine the next appropriate steps.

Please contact me with any questions. I look forward to hearing from you.

Regards,

A handwritten signature in black ink, appearing to read 'J. Langel', is written over the typed name 'Joseph J. Langel'.

cc: Jennifer Bergman, City Administrator (via e-mail)

RRM: 466848

Over 35 Years of Service



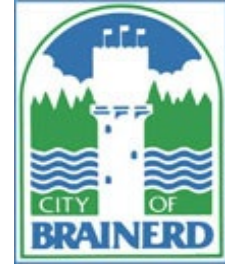
Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ 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:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
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>	

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: July 20, 2022

RE: Conditional Use Permit - Commercial Day Care Facility - 1002 Laurel St.

Kassondra Kubesh, 17140 State Hwy 371, Brainerd, MN 56401, has submitted an application for a Conditional Use Permit to operate a commercial day care facility at 1002 Laurel St.

Findings of Fact

1. **1002 Laurel St.** is located in TC (Town Center) District. Zoning Ordinance Section 515-3 (Allowed Uses) Appendix A: Table of Uses permits the operation of commercial day care facilities in the TC District as a conditional use as regulated by Section 515-3-14 of the Brainerd Zoning Ordinance.
2. **Purpose and Intent.** The regulation of commercial day care facilities in this Ordinance is to establish standards and procedures by which day care facilities can be conducted within the City without jeopardizing the health, safety and general welfare of the day care participants and/or the surrounding neighborhood. This Section establishes the City's minimum requirements for the establishment of a day care facility which is not defined as a permitted use by State Statute or which are operated in places other than single family homes. Day care facilities defined as permitted uses by State Statutes operate in a single-family dwelling as an accessory use.
3. **General Provisions.** Day care facilities shall be allowed as a principal use, provided that the day care facilities meet all the applicable provisions of this Section.
 - a. Lot Requirements and Setbacks. The proposed site for a day care facility must have a minimum lot area as required by the applicable Base Zoning District in which it is located and as determined by the Minnesota Department of Health and Human Services. The City Council may increase the required lot area in those cases where such an increase is considered necessary to ensure compatibility of activities and maintain the public health, safety and general welfare. The day care facility must meet the minimum setback requirements of the respective Base Zoning District. The City Council may increase setback requirements if considered necessary to ensure compatibility.
 - i. *1002 Laurel St. has an approximate area of 21,000 SQFT. The TC District does not have a minimum lot size requirement. The TC District has a zero-foot setback requirement to all property lines.*

- b. Sewer and Water. All day care facilities shall have access to municipal sewer and water or have adequate private sewer and water to protect the health and safety of all persons who occupy the facility.
 - i. *The facility has access to municipal sewer and water and the plumbing review will be conducted by the Building Official.*
- c. Screening. A day care facility shall provide screening along any shared property boundaries, regardless of adjacent use.
 - i. *The proposed location has a fence additional natural screen along the south side of the property, a fence along the west side of the property, and the applicant will be constructing a fence to enclose a play area along the east side of the property.*
- d. Parking. There shall be off-street parking located separately from any outdoor play area and must comply with all applicable standards.
 - i. *The proposed off-street parking is located separately from any outdoor play area. There are no abutting residential uses from which the parking must be screened. Additionally, off-street parking requirements are exempt within the TC (Town Center) District. One off-street handicap parking space is a requirement of the State Building Code.*
- e. Loading. Off-street loading spaces must be provided.
 - i. *The designated off-street loading space adequately complies with Section 515-4-12.*
- f. Signage. All signing and informational or visual communication devices shall be in compliance with the provisions of Section [515-3-35] of this Ordinance.
 - i. *The applicant must submit a sign permit separate from the building permit before installation. Signage must comply with section 515-3-35 of the Zoning Ordinance.*
- g. Compliance with State Requirements. The building and operation shall be in full compliance with State of Minnesota, Department of Health and Human Services regulations and be licensed accordingly.
 - i. *Prior to operation the Community Development Department will ensure that the facility is compliant with the State of Minnesota.*

As of this writing no one has contacted the Community Development Department with concerns about the Conditional Use Permit application for the proposed commercial day care facility.

Staff Opinion

Staff recommends approval of the Conditional Use Permit for the operation of a commercial day care facility at 1002 Laurel St.

**City Planning Department**

City Hall – 501 Laurel Street
 Brainerd, MN 56401
 218-828-2309/Fax 218-828-2316
 www.ci.brainerd.mn.us

CONDITIONAL USE/REZONING/VARIANCE APPLICATION**RESIDENTIAL****COMMERCIAL**

CONDITIONAL USE PERMIT

☐ (\$250.00)☐ (\$400.00 + \$500.00 escrow deposit)

REZONING

☐ (\$300.00)☐ (\$500.00)

VARIANCE

☐ (\$250.00)☒ (\$400.00 + \$500.00 escrow deposit)*R2R*PROPERTY ADDRESS: 1002 Laurel Street

LEGAL DESCRIPTION: Lot(s): _____ Block: _____ Addition: _____
 (attach description if lengthy)

Property Owner Name: Teeny Bubbles Childcare and Learning Center LLPStreet Address: 17140 State Hwy 371 N City: Brainerd State: MN Zip Code: 56401Phone Number: 218-454-8820 Fax: 218-297-2059 E-mail: teenybubbles17@outlook.comApplicant Name: (If different than Property Owner) Kassondra KubeshStreet Address: 14825 Ironwood Lane City: Brainerd State: MN Zip Code: 56401Phone Number: 218-839-3547 Fax: _____ E-mail: kassondra@teenybubbles.orgDescription of Request: We would like to open a childcare center in the area.


 Property Owner Signature
6/31/2022

Date

Kassondra Kubesh

(Please print name)



 Applicant Signature
6/31/2022

Date

Kassondra Kubesh

(Please print name)

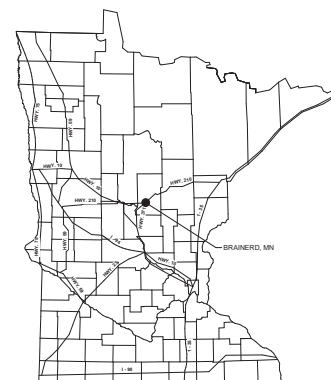
(OVER)

TEENY BUBBLES CHILDCARE & LEARNING

1002 LAUREL STREET, BRAINERD, MN 56401

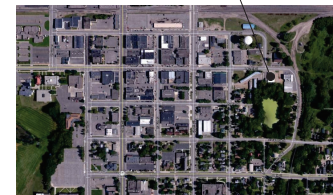


SHEET INDEX	
SHEET #	SHEET NAME
GENERAL	
G1.1	TITLE SHEET
G1.2	CODE INFO- DOOR CLEARANCE, ACCESS, ROUTES
G1.3	CODE INFO- TOILET ROOMS, MISC.
G1.4	CODE INFO- STAIRS, RAMPS, ELEVATORS, SITE
LIFE SAFETY PLANS	
LS1.1	LIFE SAFETY PLAN
DEMOLITION	
AD1.15	MAIN LEVEL DEMOLITION PLAN
ARCHITECTURAL	
A1.15	FIRST LEVEL FLOOR PLAN
A1.20	SITE PLAN
9 OF SHEETS	



STATE MAP

PROJECT LOCATION



VICINITY MAP

ABBREVIATIONS

AB	ABOVE FINISHED FLOOR	ELECT	ELECTRICAL (ALL)	LB	LAG BOLT	PLYW	PLYWOOD	UG	UNDERGROUND
AF	ACCESS PANEL	ELWC	ELECTRIC WATER COOLER	LAM	LAMINATE (ED)	PT	POINT	UNF	UNFINISHED
ACT	ACOUSTIC CEILING TILE	EL	ELEVATOR	LAV	LAVATORY	LBS	POUNDS	UNO	UNLESS NOTED OTHERWISE
AC	AIR CONDITIONING	EQU	EQUAL	LH	LEFT HAND	PS	POUNDS PER SQUARE INCH	UR	URINAL
AS	ANCHOR BOLT	EOP	EQUIPMENT	LT	LIGHT	PC	PRECAST	UR	URINAL
ALT	ALTERNATE	EXIST	EXISTING	LL	LIVE LOAD	PFN	PREFINISHED	VB	VAPOR BARRIER
AL	ALUMINUM	EXP	EXPANSION	LLH	LONG LEG HORIZONTAL	QT	QUARRY TILE	VNR	VENER
ANG	ANGLE	EB	EXPANSION BOLT	LLV	LONG LEG VERTICAL	QV	QUARRY TILE	VEST	VESTIBULE
APX	APPROXIMATE	EJ	EXPANSION JOINT	LVR	LOUVER	RAO	RADIUS	VIN	VINYL
ARCH	ARCHITECT (URAL)	EXT	EXTERIOR	MFR	MANUFACTURER	REFR	REFRIGERATOR	VCT	VINYL COMPOSITE TILE
BSMT	BASEMENT	FB	FACE BRICK	MAS	MASONRY	REO	REQUIRED	WH	WALL HUNG
BH	BEAM @ BENCHMARK	FOC	FACE OF CONCRETE	MO	MASONRY OPENING	RA	RETURN AIR	WC	WATER CLOSET
BRG	BEARING	FOM	FACE OF MASONRY	MTL	MATERIAL (S)	RVS	REVERSE	WP	WATERPROOFING
BPL	BEARING PLATE	FOS	FACE OF STUDS	MAX	MAXIMUM	REV	REVISION	WWF	WELDED WIRE FABRIC
BT	BIFURCATED	FIN	FINISH	MECH	MECHANICAL	RH	RIGHT HAND	W	WEST OR WIDTH, WIDE
BLK	BLOCK	FTE	FINISHED FLOOR ELEVATION	MED	MEDICINE CABINET	ROW	RIGHT OF WAY	WOW	WINDOW
BLKG	BLOCKING	FRBK	FIRE BRICK	MEM	MEMBER	R	RISER	WG	WIRED GLASS
BRK	BRICK	FE	FIRE EXTINGUISHER	MFR	MEMBRANE	RO	ROUGH OPENING	WM	WIRE MESH
BLDG	BUILDING	FEC	FIRE EXTINGUISHER CABINET	MET	METAL	RM	ROOM	W	WITH
CAB	CABINET	FF	FIRE PROOF	MIL	MICROLAM	RO	ROUGH OPENING	WO	WOOD
CPT	CARPET (ED)	FLG	FLASHING	MIN	MINIMUM	SND	SANITARY NAPKIN DISPENSER	WD	WROUGHT IRON
CSMT	CASEMENT	FLR	FLOOR (ING)	MIR	MIRROR	SNR	SANITARY NAPKIN RECEPTOR		
CB	CATCH BASIN	FD	FOOT	MISC	MISCELLANEOUS	SEC	SECTION		
CE	CEILING	FTG	FOOTING	MOLD	MOLDING	SHF	SHEET		
CL	CENTERLINE	FRA	FRESH AIR	MT	MOUNT (ED), (ING)	SHTH	SHEATHING		
CH	CHANNEL	FND	FOUNDATION	MULL	MULLION	SIML	SIMILAR		
CHBD	CHALKBOARD	FUR	FURRED (ING)	NOM	NOMINAL	SC	SOLID CORE		
CLR	CLEAR	FUT	FUTURE	N	NORTH	SAB	SOUND ATTENUATING BATT INSULATION		
CL	CLOSE	GAL	GALVANIZED	NC	NOT IN CONTRACT	SP	SOUNDPROOF		
COL	COLUMN	GA	GAUGE	NTS	NOT TO SCALE	S	SOUTH		
CONC	CONCRETE	GEN	GENERAL CONTRACTOR	NO	NUMBER	SPEC	SPECIFICATION (S)		
CONG	CONCRETE MASONRY UNIT	GL	GLASS	OC	ON CENTER	SS	STAINLESS STEEL		
CONST	CONSTRUCTION	GB	GRAB BAR	OP	OPPOSITE	STD	STANDARD		
CONTR	CONTRACTOR	GO	GRADE (ING)	OBS	ORIENTED STRAND BOARD	ST	STEEL		
CJT	CONTROL JOINT	GPR	GYP BOARD	OD	OUTSIDE DIAMETER	STL	STEEL JOIST		
DL	DEAD LOAD	OW	OVERHEAD	OA	OVERALL	STO	STORAGE		
DREPT	DREPT (ED)	HDR	HEADER	CH	CH	STR	STRUCTURAL		
DPT	DEPARTMENT	HTG	HEATING	PNT	PAINT	SUS	SUSPENDED		
DTL	DETAIL	HVAC	HEATING/VENTILATION/AIR CONDITIONING	PA	PAPER	SVS	SYMMETRICAL SYSTEM		
DAM	DAM	HVAC	HEATING/VENTILATION/AIR CONDITIONING	PNL	PANEL	TKBD	TACK BOARD		
DM	DIMENSION	HT	HEIGHT	PH	PANIC BAR	TKL	TACK STRIP		
DNR	DENSIFIER	HC	HOLLOW CORE	PTD	PAPER TOWEL DISPENSER	TEL	TELEPHONE		
DR	DOOR	HM	HOLLOW METAL	PTR	PAPER TOWEL RECEPTOR	TEL	TELEVISION		
DH	DOUBLE HUNG	HOR	HORIZONTAL	PAR	PARTICLE BOARD	TH	THRESHOLD		
DN	DOWN	HS	HOT WATER HEATER	PTN	PARTITION	THK	THICKNESS		
DOW	DOWNSPOUT	HR	HOUR	PVT	PERFORATE (ED)	THR	THRESHOLD		
DWG	DRAWING	ID	INSIDE DIAMETER	PERI	PERIMETER	TPD	TOILET PAPER DISPENSER		
DT	DRAINING FOUNTAIN	INS	INSULATE (D),(ION),(ING)	PLAS	PLASTER	T&G	TONGUE AND GROOVE		
E	EAST	INT	INTERIOR	PLAM	PLASTIC LAMINATE	TOS	TOP OF BLOCK		
EA	EACH	JT	JOINT	PL	PLATE	TOP	TOP OF DECK		
EW	EACH WAY	J	JOIST	PLBG	PLUMBING	TOS	TOP OF STEEL		
				±	PLUS OR MINUS	T	TYPICAL		

SHEET STANDARDS



DESIGN TEAM:

ARCHITECTURAL:	Widseth Smith Nolting & Assoc. 7804 Industrial Park Rd Brainerd, MN 56401 Phone: (218) 829-5117 Contact: Mike Angland
STRUCTURAL:	Widseth Smith Nolting & Assoc. 7804 Industrial Park Rd Brainerd, MN 56401 Phone: (218) 829-5117

PROJECT NAME: TEENY BUBBLES CHILDCARE & LEARNING
PROJECT ADDRESS: 1002 LAUREL STREET, BRAINERD, MN 56401
PROJECT #: 2020-1038



WIDSETH SMITH NOLTING
Engineering | Architecture | Surveying | Environmental

REVISIONS		
#	DESCRIPTION	DATE

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.

Mike Angland

DATE: SIGN DATE LIC. # 45375

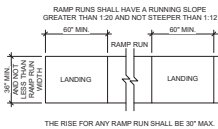
DATE:

MARCH 18, 2020

SHEET NO.

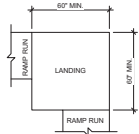
G1.1

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RAMP LANDINGS

(SECT 405.7)



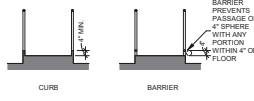
EXTENDED FLOOR SURFACE

(SECT 405.9.1)



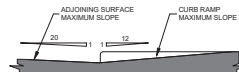
RAMP EDGE PROTECTION

(SECT 405.9.2)



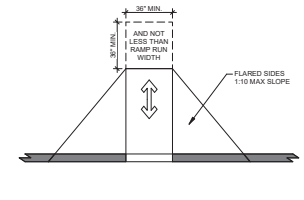
COUNTER SLOPE OF SURFACE ADJACENT TO CURB RAMP

(SECT 406.2)



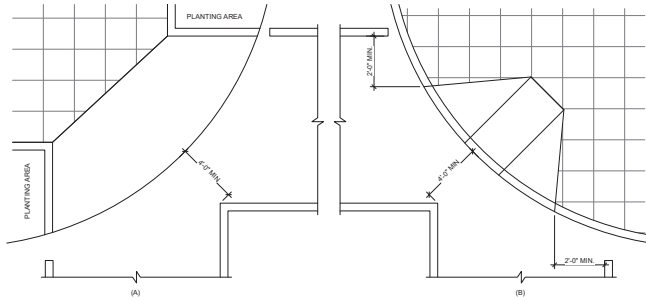
SIDES OF CURB RAMP

(SECT 406.3)



LANDINGS

(SECT 406.7)

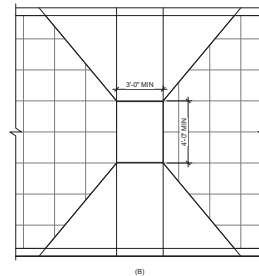


DIAGONAL CURB RAMPS

(SECT 406.10)

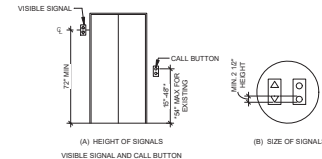
CUT-THROUGH AT ISLAND

(A)



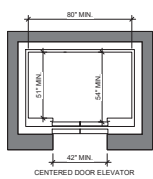
CURB RAMP AT ISLAND

(SECT 406.11)

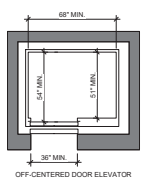


ELEVATORS

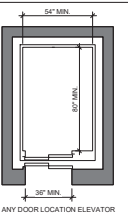
(SECT 407.2.1.1 & 407.2.2.2)



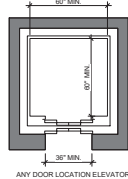
CENTERED DOOR ELEVATOR



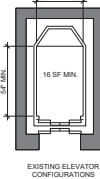
OFF-CENTERED DOOR ELEVATOR



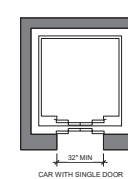
ANY DOOR LOCATION ELEVATOR



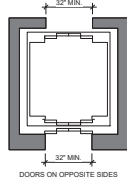
ANY DOOR LOCATION ELEVATOR



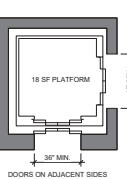
EXISTING ELEVATOR CONFIGURATIONS



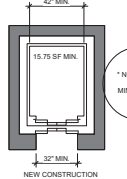
CAR WITH SINGLE DOOR



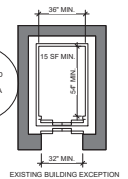
DOORS ON OPPOSITE SIDES



DOORS ON ADJACENT SIDES



NEW CONSTRUCTION



EXISTING BUILDING EXCEPTION

INSIDE DIMENSIONS OF ELEVATOR CARS

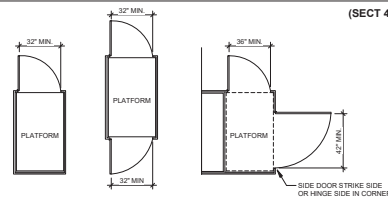
(SECT 407.4.1)

DOOR LOCATIONS FOR LIMITED USE/LIMITED APPLICATION (LULA) ELEVATORS

(SECT 408.3)

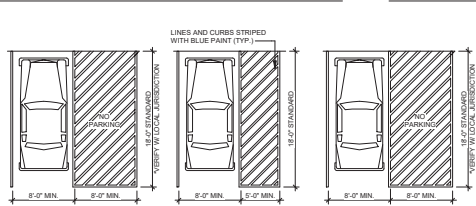
INSIDE DIMENSIONS OF LIMITED USE / LIMITED APPLICATION (LULA) ELEVATOR CARS

(SECT 408.4.1)



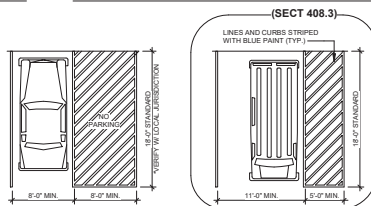
PLATFORM LIFT DOORS AND GATES

(SECT 410.2.1)



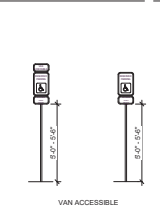
CAR ACCESSIBLE PARKING SPACES

(SECT 502)



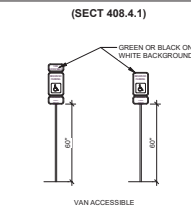
VAN ACCESSIBLE PARKING SPACES

(SECT 502)

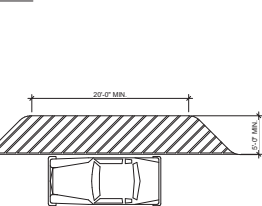


ACCESSIBLE PARKING IDENTIFICATION (MINNESOTA)

(SECT 502.4.4)

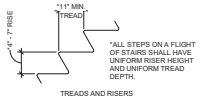


ACCESSIBLE PARKING IDENTIFICATION (NORTH DAKOTA)



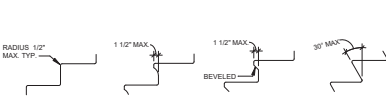
PASSENGER LOADING ACCESS AISLE

(SECT 503.3)



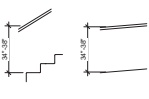
TREADS AND RISERS FOR ACCESSIBLE STAIRWAYS

(SECT 504.2)



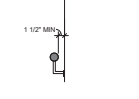
STAIR NOSING

(SECT 504.5)



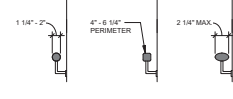
HANDRAIL HEIGHT

(SECT 505.4)



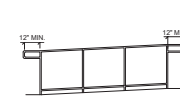
HANDRAIL CLEARANCE

(SECT 505.5)

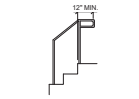


HANDRAIL CROSS SECTION

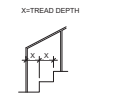
(SECT 505.7)



TOP AND BOTTOM HANDRAIL EXTENSIONS AT RAMPS



TOP HANDRAIL EXTENSIONS AT STAIRS

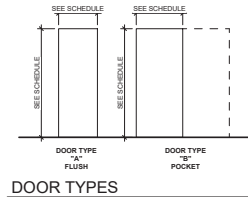
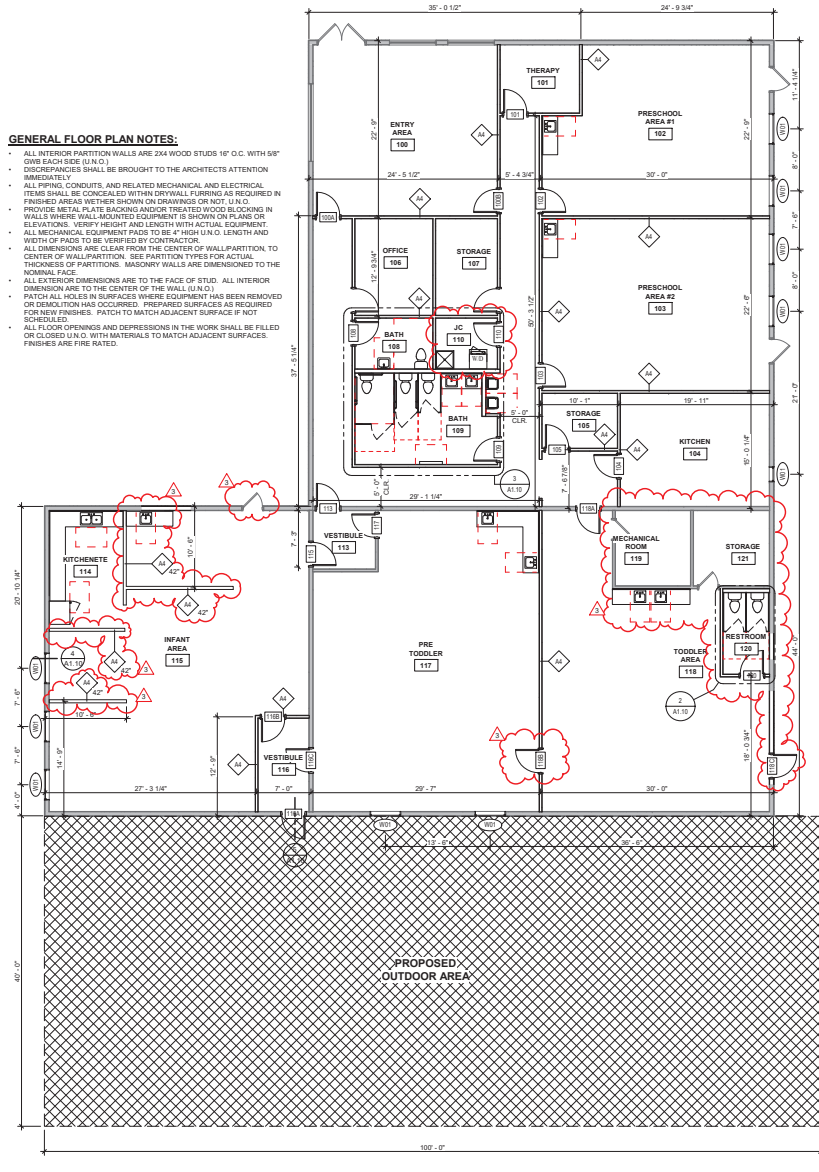


BOTTOM HANDRAIL EXTENSIONS AT STAIRS

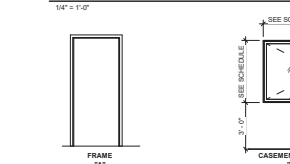
(SECT 505.10)

GENERAL FLOOR PLAN NOTES:

- ALL INTERIOR PARTITION WALLS ARE 2X4 WOOD STUDS 16" O.C. WITH 5/8" GIB EACH SIDE (U.N.O.).
- DISCREPANCIES SHALL BE BROUGHT TO THE ARCHITECT'S ATTENTION IMMEDIATELY.
- ALL PIPING, CONDUITS, AND RELATED MECHANICAL AND ELECTRICAL ITEMS SHALL BE CONCEALED WITHIN DRYWALL FURSING AS REQUIRED IN FINISHED AREAS. WEATHER SHOWN ON DRAWINGS OR NOT U.N.O.
- PROVIDE METAL PLATE BACKING AND/OR TREATED WOOD BLOCKING IN WALLS WHERE WALL-MOUNTED EQUIPMENT IS SHOWN ON PLANS OR ELEVATIONS. VERIFY HEIGHT AND LENGTH WITH ACTUAL EQUIPMENT.
- ALL MECHANICAL EQUIPMENT PADS TO BE 4" HIGH U.N.O. LENGTH AND WIDTH OF PADS TO BE VERIFIED BY CONTRACTOR.
- ALL DIMENSIONS ARE CLEAR FROM THE CENTER OF WALL/PARTITION TO CENTER OF WALL/PARTITION. SEE PARTITION TYPES FOR ACTUAL THICKNESS OF PARTITIONS. MASONRY WALLS ARE DIMENSIONED TO THE NOMINAL FACE.
- ALL EXTERIOR DIMENSIONS ARE TO THE FACE OF STUD. ALL INTERIOR DIMENSIONS ARE TO THE CENTER OF THE WALL (U.N.O.).
- PATCH ALL HOLES IN SURFACES WHERE EQUIPMENT HAS BEEN REMOVED OR DEMOLITION HAS OCCURRED. PREPARED SURFACES AS REQUIRED FOR NEW FINISHES. PATCH TO MATCH ADJACENT SURFACE IF NOT SCHEDULED.
- ALL FLOOR OPENINGS AND DEPRESSIONS IN THE WORK SHALL BE FILLED OR CLOSED U.N.O. WITH MATERIALS TO MATCH ADJACENT SURFACES. FINISHES ARE FIRE RATED.

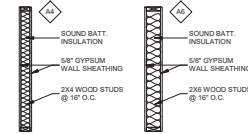


DOOR TYPES



DOOR FRAME TYPES

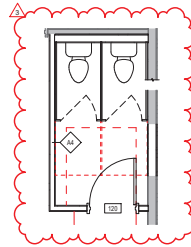
WINDOW TYPES



WALL TYPES

4 WINDOW HEAD DETAIL - TYP. 1 1/2" x 1'0"

5 EXTERIOR DOOR HEAD DETAIL 1 1/2" x 1'0"



2 ENLARGED RESTROOM 120 1'0" x 1'0"

DOOR SCHEDULE

DOOR #	ROOM #	ROOM NAME	HARDWARE SET	WIDTH	HEIGHT	DOOR THICKNESS	TYPE	FINISH	FRAME TYPE	MATERIAL	GLASS TYPE	FIRE RATING	COMMENTS
100A	100	ENTRY AREA		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
100B	100	ENTRY AREA		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
101	101	THERAPY		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
102	102	PRESCHOOL AREA #1		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
103	103	PRESCHOOL AREA #2		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
104	104	KITCHEN		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
105	105	STORAGE		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
106	106	OFFICE		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
107	107	STORAGE		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
108	108	BATH		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
109	109	BATH		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
110	110	LA		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
111	111	VESTIBULE		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
112	112	INFANT AREA		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
113	113	VESTIBULE		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
114	114	RESTROOM		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
115	115	RESTROOM		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
116	116	RESTROOM		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
117	117	PRE TODDLER		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
118	118	PRE TODDLER		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
119	119	TODDLER AREA		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
120	120	RESTROOM		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			

WINDOW SCHEDULE

WINDOW #	QUANTITY	UNIT SIZE	ROUGH WIDTH	ROUGH HEIGHT	GLAZING	COMMENTS
W001	1	24" x 48"	2'-0"	4'-0"		
W002	1	48" x 60"	4'-0"	5'-0"		

ROOM FINISH SCHEDULE

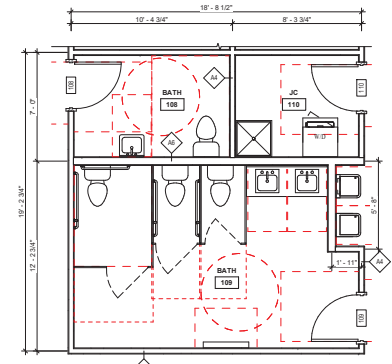
ROOM #	ROOM NAME	FLOOR FINISH	BASE MATERIAL	NORTH WALL FINISH	EAST WALL FINISH	SOUTH WALL FINISH	WEST WALL FINISH	CEILING FINISH	HEIGHT	COMMENTS
100	ENTRY AREA	VINYL	GYP. BD.	PAINT	GYP. BD.	PAINT	GYP. BD.	PAINT		
101	THERAPY	VINYL	GYP. BD.	PAINT	GYP. BD.	PAINT	GYP. BD.	PAINT		
102	PRESCHOOL AREA #1	VINYL	GYP. BD.	PAINT	GYP. BD.	PAINT	GYP. BD.	PAINT		
103	PRESCHOOL AREA #2	VINYL	GYP. BD.	PAINT	GYP. BD.	PAINT	GYP. BD.	PAINT		
104	KITCHEN	TILE	F.R.P.	PAINT	F.R.P.	PAINT	F.R.P.	PAINT		
105	STORAGE	VINYL	GYP. BD.	PAINT	GYP. BD.	PAINT	GYP. BD.	PAINT		
106	OFFICE	VINYL	GYP. BD.	PAINT	GYP. BD.	PAINT	GYP. BD.	PAINT		
107	STORAGE	VINYL	GYP. BD.	PAINT	GYP. BD.	PAINT	GYP. BD.	PAINT		
108	BATH	CERAMIC TILE	CERAMIC TILE	F.R.P.	PAINT	F.R.P.	PAINT	F.R.P.	PAINT	
109	BATH	CERAMIC TILE	CERAMIC TILE	F.R.P.	PAINT	F.R.P.	PAINT	F.R.P.	PAINT	
110	LA	VINYL	GYP. BD.	PAINT	GYP. BD.	PAINT	GYP. BD.	PAINT		
111	VESTIBULE	VINYL	GYP. BD.	PAINT	GYP. BD.	PAINT	GYP. BD.	PAINT		
112	INFANT AREA	VINYL	GYP. BD.	PAINT	GYP. BD.	PAINT	GYP. BD.	PAINT		
113	VESTIBULE	VINYL	GYP. BD.	PAINT	GYP. BD.	PAINT	GYP. BD.	PAINT		
114	RESTROOM	TILE	F.R.P.	PAINT	F.R.P.	PAINT	F.R.P.	PAINT		
115	RESTROOM	VINYL	GYP. BD.	PAINT	GYP. BD.	PAINT	GYP. BD.	PAINT		
116	RESTROOM	VINYL	GYP. BD.	PAINT	GYP. BD.	PAINT	GYP. BD.	PAINT		
117	PRE TODDLER	VINYL	GYP. BD.	PAINT	GYP. BD.	PAINT	GYP. BD.	PAINT		
118	PRE TODDLER	VINYL	GYP. BD.	PAINT	GYP. BD.	PAINT	GYP. BD.	PAINT		
119	TODDLER AREA	VINYL	GYP. BD.	PAINT	GYP. BD.	PAINT	GYP. BD.	PAINT		
120	RESTROOM	CERAMIC TILE	CERAMIC TILE	F.R.P.	PAINT	F.R.P.	PAINT	F.R.P.	PAINT	
121	STORAGE	VINYL	GYP. BD.	PAINT	GYP. BD.	PAINT	GYP. BD.	PAINT		

ABBREVIATIONS

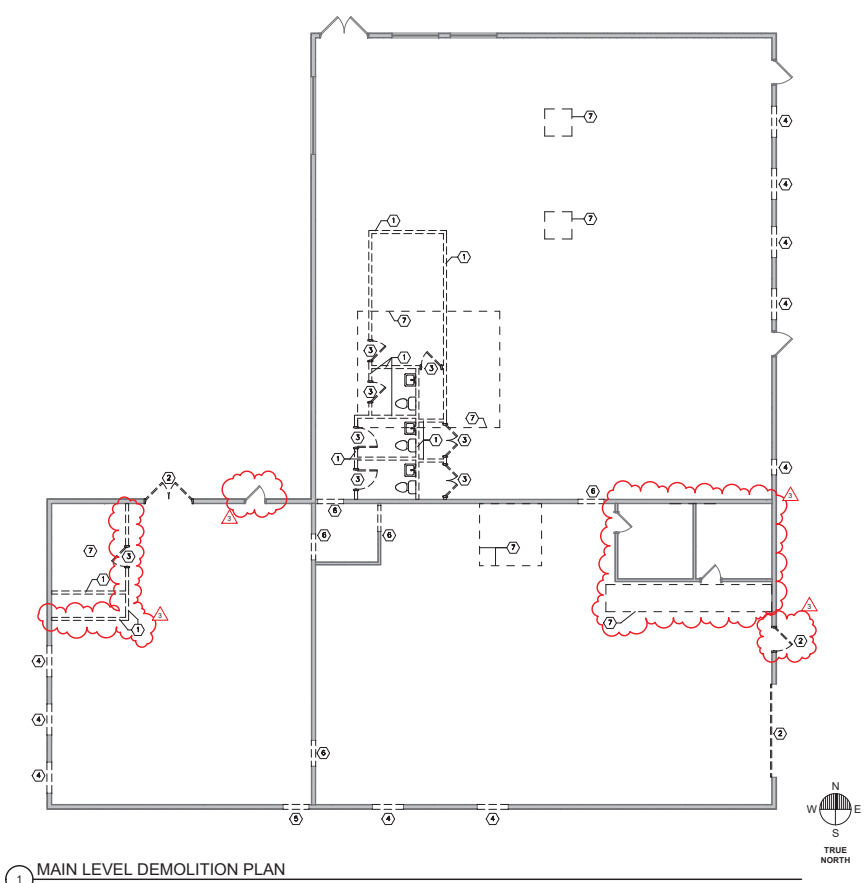
F.R.P. FIBERGLASS REINFORCED PANEL

NOTES

1. EPOXY PAINT FINISH TO COMPLY WITH WASHABLE WALL REQUIREMENT.



3 ENLARGED RESTROOM LAYOUT 1'0" x 1'0"



1 MAIN LEVEL DEMOLITION PLAN
1/8" = 1'-0"

GENERAL DEMOLITION PLAN NOTES

- VERIFY EXISTING CONDITIONS AND DIMENSIONS. COORDINATE THE EXTENT OF DEMOLITION WORK AND EXISTING WORK TO REMAIN WITH NEW FLOOR PLAN AND PROJECT SITE PRIOR TO PRISING, FABRICATION, AND INSTALLATION. NOTIFY ARCHITECTS OF ALL CONFLICTS IMMEDIATELY.
- WHERE WALLS OR PARTITIONS ARE INDICATED TO BE REMOVED, REMOVE ENTIRE WALL OR PARTITIONS AS WELL AS DUCTS, PIPING, CONDUITS, AND OTHER ELEMENTS IN OR ON THEM WHICH MAY OR MAY NOT BE SPECIFICALLY IDENTIFIED. U.N.O. COORDINATE WITH OWNER ALL EQUIPMENT TO BE SALVAGED.
- REFER TO MECHANICAL, PLUMBING, AND ELECTRICAL DRAWINGS FOR ADDITIONAL DEMOLITION NOTES.
- REPAIR/PATCH OPENINGS IN WALLS, PARTITIONS, FLOORS, AND CEILINGS THAT ARE EXISTING OR WHERE DEMOLITION OCCURS TO MATCH EXISTING ADJACENT FINISH SURFACE. MAINTAIN CODE AND FIRE RATING REQUIREMENTS.
- EXISTING FINISHES TO BE REMOVED SHALL HAVE THE ORIGINAL SUBSTRATE PREPARED TO RECEIVE NEW FINISHES.
- PROVIDE SAFE MEANS OF EGRESS THROUGH AND/OR AROUND THE BUILDING AND/OR SITE AT ALL TIMES.
- AVOID DISRUPTION TO ADJACENT FLOOR/AREAS AS MUCH AS POSSIBLE. KEEP NOISE TO A LEVEL ACCEPTABLE TO THE OWNER BY SCHEDULING EXCESSIVE NOISE TASKS WITH OWNER. ALL SAW CUTTING AND NOISE FABRICATION PRODUCING CONSTRUCTION TO BE SCHEDULED WITH OWNER AS NOT TO INTERFERE WITH DAILY ACTIVITIES. THIS MAY REQUIRE AFTER HOUR WORK. PROVIDE DUST CONTROL BETWEEN CONSTRUCTION AREAS AND OCCUPIED AREAS AT ALL TIMES.
- ALL SHUTDOWNS OF MECHANICAL, SPRINKLER, FIRE ALARM, AND/OR ELECTRICAL SYSTEMS SHALL BE COORDINATED WITH OWNER.
- ALL ITEMS INDICATED TO BE REMOVED FROM EXISTING WALLS (TACK BOARDS, MARKER BOARDS, BLUPEL RAILS, CORNER GUARDS, MIRRORS, ETC.) SHALL BE RETURNED TO OWNER. U.N.O. PATCH WALLS AS REQUIRED FOR NEW FINISHES.
- PROVIDE FIRE EXTINGUISHERS PER CODE AT ALL TIMES THROUGHOUT CONSTRUCTION AREA.

#	DESCRIPTION
1	REMOVE EXISTING WALL
2	REMOVE EXISTING EXTERIOR DOOR
3	REMOVE EXISTING INTERIOR DOOR
4	DEMOLISH PART OF EXTERIOR WALL FOR NEW WINDOW INFILL
5	DEMOLISH PART OF EXTERIOR WALL FOR NEW DOOR INFILL
6	REMOVE PART OF EXISTING INTERIOR WALL FOR NEW DOOR INFILL
7	REMOVE EXISTING CONCRETE

WIDSETH SMITH NOLTING
Engineering | Architecture | Surveying | Environmental

PROJECT LOCATION: 1002 LAUREL STREET, BRAINERD, MN 56401
PROJECT NO.: 2020-10389
DATE: MARCH 18, 2020
SCALE: AS NOTED
DRAWN BY: LJR
CHECKED BY: JMA
JOB NUMBER: 2020-10389

REVISIONS

NO.	DATE	DESCRIPTION
1	03/18/20	ISSUED FOR PERMIT

BY: JMA
M.P.A.
REGISTERED PROFESSIONAL ARCHITECT
UNDER THE ARCHITECT ACT OF MINNESOTA
DATE: 03/18/20
SIGNATURE: [Signature]
DATE: 03/18/20
DATE: 03/18/20

DATE: MARCH 18, 2020
SCALE: AS NOTED
DRAWN BY: LJR
CHECKED BY: JMA
JOB NUMBER: 2020-10389

TEENY BUBBLES CHILDCARE & LEARNING
1002 LAUREL STREET, BRAINERD, MN 56401
MAIN LEVEL DEMOLITION PLAN

SHEET NO.
AD1.10

J:\Teeny Bubbles Childcare & Learning Center LLP-44626\2020-10389\CADD\Arch 6/9/2021 10:36:30 AM © 2020 WIDSETH SMITH NOLTING

HVAC LEGEND

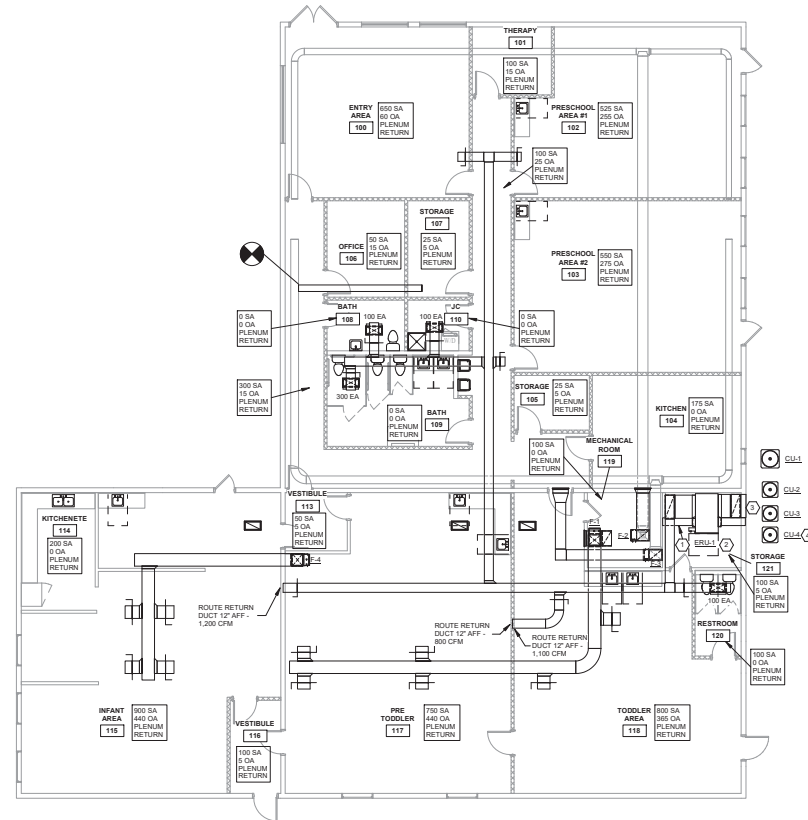
- EXISTING DUCT TO BE REMOVED
- EXISTING DUCT TO REMAIN
- NEW DUCT
- (D) DENOTES EXISTING DUCT TO BE REMOVED
- (R) DENOTES EXISTING DUCT TO REMAIN

GENERAL NOTES:

- SUPPLY DUCTS SHALL BE SIZED AT 1000 FPM OR 0.08" STATIC FRICTION PER 100'. RETURN DUCTS SHALL BE SIZED AT 800 FPM OR 0.06" STATIC FRICTION PER 100'.
- FURNACE F-2 AND F-3 SUPPLY DUCTWORK IS BELOW GRADE (TRANSITE) DUCTWORK.

REFERENCE NOTES:

- PROVIDE ADEQUATELY SIZED OUTDOOR AIR DUCTWORK TO EACH FURNACE. OUTDOOR AIR DISTRIBUTION SHALL BE AS FOLLOWS:
F-1: 950 CFM OA
F-2: 400 CFM OA
F-3: 400 CFM OA
F-4: 575 CFM OA
- MAINTAIN MAINTENANCE CLEARANCE PER MANUFACTURER'S RECOMMENDATIONS.
- MAINTAIN CODE APPLICABLE DISTANCES FROM FRESH AIR INTAKE AND EXHAUST.
- VERIFY MANUFACTURER'S RECOMMENDATION FOR REFRIGERANT LINE LENGTHS.



1 EXISTING FIRST LEVEL HVAC PLAN
1/8" = 1'-0"

PERMIT SET

TEENY BUBBLES CHILDCARE & LEARNING
1002 LAUREL STREET, BRAINERD, MN 56401

SHEET NO.
M1.10

WIDSETH
ARCHITECTS • ENGINEERS • SURVEYORS

DATE: 6/3/2021
SCALE: AS NOTED
DRAWN BY: BDO
CHECKED BY: AMS
JOB NUMBER: 2020-10089

REVISION DESCRIPTION
DATE
BY

PROJECT: 1002 LAUREL STREET, BRAINERD, MN 56401
JOB: 2020-10089
DATE: 6/3/2021
SCALE: AS NOTED
DRAWN BY: BDO
CHECKED BY: AMS
JOB NUMBER: 2020-10089

PLANNING COMMISSION
Wednesday, June 19, 2019

#1 Call to Order

Planning Commission Chair Gorham called the meeting of the Brainerd Planning Commission to order at 6:00 p.m. in the City Hall Council Chambers.

Noted present were Commissioners Gorham, Burslie, Duval, Woodward and Foley; and Council Liaison Lambert. Community Development Director Chanski and Collin Mieras, Planning Intern were also noted as present. Commissioner Marohn joined the meeting at 8:50 p.m.

Commission Chair Gorham welcomed the two new members to the Commission; Theresa Woodward and Christopher Foley.

#2 Approval/Amendment of Agenda

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND DUVAL, DULY CARRIED, TO APPROVE THE AGENDA.

#3 Approval of Minutes

MOTION AND SECONDED BY COMMISSIONERS DUVAL AND LAMBERT, DULY CARRIED, TO APPROVE THE MINUTES OF THE REGULAR MEETING HELD MAY 15, 2019.

#4 New Business

4a. Conditional Use Permit – 1002 Laurel Street – To Operate a Daycare

Community Development Director Chanski explained in a B-3 Central Business District the purpose of operating a daycare is a conditional use. He indicated the Findings of Fact are as follows:

1. *The operation of a school on the aforementioned property is considered a conditional use per [Section 515-62-6.F](#) of the Code of Ordinances.*
2. *The proposed day care facility meets the following criteria as required by the [Section 515-29 Commercial Day Care Facilities](#):*
 - a. *Lot requirements and Setbacks*
 - i. *Minimum lot area, width, setback, and height requirements are not applicable in a B-3 (Central Business) District per Section 515-62-7.*
 - b. *Sewer and Water*
 - i. *The proposed building is connected to municipal sewer and water and has adequate private sewer and water to protect the health and safety of all persons who occupy the facility.*
 - c. *Screening*
 - i. *The proposed location has a fence and additional natural screen along the south side of the property, a fence along the west side of the property, and the applicant will be constructing a fence to enclose a play area along the east side of the property.*
 - d. *Parking*

- i. The proposed off-street parking is located separately from any outdoor play area. There are no abutting residential uses from which the parking must be screened. Additionally, off-street parking requirements are exempt within the B-3 (Central Business) District.
 - e. Loading
 - i. The designated off-street loading space adequately complies with [Section 515-23](#).
 - f. Signage
 - i. While no sign permits have yet been submitted, staff will work with the applicant to ensure that all signing and informational or visual communication devices are in compliance with [Section 515-37](#).
 - 1. At this time, the applicant is only considering a wall sign on the building's front façade.
 - g. Compliance with State Requirements
 - i. The applicant is in the process of receiving the required permits and licenses from the State of Minnesota Department of Health and Human Services and City of Brainerd Building Department and Fire Department.
- 3. Per [Section 515-22](#), a day care facility serving more than 14 persons shall have one parking space per teacher on the largest shift plus one parking space per 10 children based on maximum capacity of the facility. While all businesses within the Central Business District are exempt from off-street parking requirements, staff and the applicant propose the following plan:
 - a. Sixteen spaces would usually be required for teachers and 10 spaces required for children for a total of 26 spaces.
 - b. Staff has worked with the applicant and is proposing allowing on-street parking for the 10 required spaces for children as those spaces will only be used during the drop-off and pick-up times of operation. The area in which the property is located is a low volume section of Laurel Street.
 - c. The applicant is proposing a parking plan to include 20 off-street parking spaces, one off-street handicap space, which is a requirement of the State Building Code.
- 4. Per [Section 515-22](#), all areas intended to be utilized for non-residential parking space shall be surfaced with concrete, bituminous, and pavers/brick.
 - a. The proposed parking area is currently dirt. The applicant has submitted a variance request to allow for dirt surface parking until the lot can be paved.
 - i. The applicant has plans to pave the lot within 5 years.
- 5. Per section 515-22, required parking facilities serving two or more uses may be located on the same lot provided that the total number of spaces furnished shall be no less than the sum of the separate requirements for each use. Conditions required for joint use are:
 - a. The proposed joint parking space within the distance required under 515-22-11 of this Ordinance of the uses it will serve.
 - b. The applicant shall show that there is no substantial conflict in the principal operating hours of the two buildings or uses for which joint uses of off-street parking facilities is proposed.
 - c. A properly drawn legal document approved by the City Council, executed by the parties concerned, for joint use of off-street parking facilities shall be filed with the City Clerk.

The Chair opened the public hearing at 6:05 p.m.

The Chair recognized Ms. Denise Blood, 17140 State Highway 371, Brainerd who stated she would like to open a daycare at property located at 1002 Laurel Street.

Commissioner Burslie asked the petitioner about the number of parking spaces the petitioner is requesting. Ms. Blood responded they are going to potentially have 16 staff members and will need the spaces indicated.

Community Development Director Chanski explained the off-street parking requirements.

Commissioners asked questions which were answered by the petitioner.

The Chair closed the public hearing at 6:11 p.m.

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND BURSLIE, DULY CARRIED, TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT AT 1002 LAUREL STREET CONTINGENT UPON AN APPROVED PARKING SURFACE WITH A STATEMENT OF AGREEMENT FROM THE ADJOINING PROPERTY OWNER FOR A SHARED PARKING LOT.

4b. Variance Request – 1002 Laurel Street – To Allow Parking on an Unimproved Surface

Community Development Director Chanski indicated this variance is in partnership with the Conditional Use Permit previously approved. He explained a variance is required in order to approve parking on an unpaved surface for the staff of the daycare being developed.

Findings of Fact

1. Section 515-7-2, Subdivision 3A – Variances shall only be permitted:
 - a. *When they are in harmony with the general purposes and intent of the ordinance*
 - i. *The purpose of a B-3 (Central Business) District is to encourage the continuation of viable, traditional downtown area by allowing retail, service, office, and entertainment facilities and public and semi-public uses as well as the allowance of second-story dwelling units located above such uses.*
 - b. *When the variances are consistent with the Comprehensive Plan*
 - i. *The current Comprehensive Plan and updated Comprehensive Plan in development support the reenergizing of the downtown corridor.*
2. Section 515-7-2, Subdivision 3B & Subdivision 4 – Variances may be granted when the applicant for the variances establishes that there are practical difficulties in complying with the Zoning Ordinance.
 - a. *The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance.*
 - i. *The proposed day care facility is a conditional use within a B-3 District.*
 - b. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*
 - i. *While all off-street parking requirements are exempt in a B-3 District, it is staff's opinion that it is in the best interest of the community to require off-street parking for, at a minimum, the facility's employees as they will have 16 employees present at all times.*
 - c. *The variance, if granted, will not alter the essential character of the locality.*
 - i. *The building for the proposed day care facility is an existing structure. The proposed parking area is also already present.*

The Chair opened the public hearing at 6:23 p.m.

The Chair recognized Mr. Greg Grandahl, 12581 Little Pine Rd SW, Brainerd and is part owner of 1014 Laurel Street, who would be in a contract with the petitioner for shared parking.

Ms. Denise Blood stated the allowance of the five years to complete paving is financially based.

The Chair closed the public hearing at 6:27 p.m.

Commission discussion took place.

MOTION AND SECONDED BY COMMISSIONERS BURSLIE AND LAMBERT, DULY CARRIED, TO RECOMMEND DENIAL OF THE VARIANCE BASED ON THE FINDINGS OF FACT AND FINANCIAL CONSIDERATIONS ALONE DO NOT CONSTITUTE PRACTICAL DIFFICULTY WITH THE UNDERSTANDING THAT THEY CAN SHARE PARKING WITH THE ADJACENT PROPERTY OWNER THAT DOES NOT NEED TO BE IMPROVED AS IT IS A PRE-EXISTING USE.

4c. Variance Request – 501 3rd Ave. NE – Nonconforming Duplex as a Rental

Community Development Director Chanski explained the property was recently purchased with the intent to use the duplex as a rental. It was discovered the property was never registered with the City as a rental by the previous owner, thus establishing it as a nonconforming residential use.

Findings of Fact

1. Section 515-7-2, Subdivision 3A – Variances shall only be permitted:
 - a. *When they are in harmony with the general purposes and intent of the ordinance*
 - i. *The purpose of an R-1 (Single Family Residential) District is to allow and preserve areas in the City of quiet neighborhoods of one-and two-family homes, free from other uses except those which are compatible with residents of such a district.*
 - b. *When the variances are consistent with the Comprehensive Plan*
 - i. *The current Comprehensive Plan and updated Comprehensive Plan in development support maintaining of the historical integrity of the neighborhoods within the City of Brainerd.*
2. Section 515-7-2, Subdivision 3B & Subdivision 4 – Variances may be granted when the applicant for the variances establishes that there are practical difficulties in complying with the Zoning Ordinance.
 - a. *The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance.*
 - i. *The proposed duplex is an existing home within the North East neighborhood. The home has been used as a rental, but never registered as one with the City of Brainerd.*
 - b. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*
 - i. *The owners purchased the property under the assumption that they could use the property as a multi-family rental as the previous owner did. However, as the previous owner never officially registered the property with the City, the property is considered illegal nonconforming.*
 - c. *The variance, if granted, will not alter the essential character of the locality.*

- i. *The property is an existing home constructed in 1917 and has been previously used as a rental duplex. The current owners are not proposing any kind of expansion to the use except for that which it was previously used.*
- 3. *The Housing Inspector has inspected the property, and it does conform to the Property Maintenance Code and the Rental Housing Code.*
- 4. *A rental license has been issued for the property's lower unit.*

Community Development Director Chanski received an email from the previous City Planner, Mark Ostgarden on Tuesday which stated many of these same situations have been brought forth and staff and legal counsel agreed a variance is not an option. Mr. Chanski reached out to the City attorney but did not yet receive a response in time for the meeting.

Commissioners discussed.

MOTION AND SECONDED BY COMMISSIONERS BURLIE AND LAMBERT, DULY CARRIED, TO RECOMMEND THE APPLICANT WITHDRAW THE VARIANCE REQUEST BASED ON THE PROPERTY HAS NOT BEEN REGISTERED IN THE PAST AS A RENTAL PROPERTY AND SECTION 515-15.6.B DOES NOT APPLY. THE PROPERTY OWNER HAS FORMALLY REQUESTED TO WITHDRAW THE VARIANCE AND COMMUNITY DEVELOPMENT DIRECTOR CHANSKI WILL ISSUE A VARIANCE FEE REFUND AND THE APPLICANT WILL COMPLETE A RENTAL LICENSE APPLICATION FOR THE SECOND UNIT.

4d. Rezoning Request – 215 N. 3rd St. – From a B-1 (Residential Office) District to an R-2 (Medium Density Residential) District

Community Development Director Chanski explained the petitioner has requested a rezoning in order to better serve the property as the main residence and business office of the applicant, to be able to construct a larger accessory structure and to allow a second-floor residential rental unit.

Findings of Fact

1. Per Section 515-60-1 of the Code of Ordinances, the purpose and intent of a B-1 District is to allow single family uses and office space uses. Additionally, "This district serves as a transitional district between residential neighborhoods and commercial uses in areas where redevelopment is anticipated. The district includes uses that will not disrupt nearby, low-density land uses through high traffic generation, noise, or other nuisances."
 - a. It is staff's opinion that, while single family dwellings and office spaces are permitted uses within a B-1 District, a property containing an owner-occupied unit with a home business and a rental unit does not fit well.
2. Per Section 515-56-1 of the Code of Ordinances, the purpose and intent of an R-2 District is to "provide for low to medium density housing through the mixture of one- and two-unit dwellings and medium density multiple family dwellings as well as directly related complementary uses."
 - a. In R-2 Districts, multiple family dwellings containing 4 units or less are permitted uses and home businesses are accessory uses. As such, it is staff's opinion that the use of this structure as an owner-occupied dwelling with a home business and additional residential rental space is much more suitable in an R-2 District.
3. As noted throughout various Planning Commission discussions including that of the Thrifty White CUP process and through the walking tours of Kingwood Street recently conducted by Commissioner Marohn, it is the opinion of the Kingwood area neighborhood that residential uses should be the primary uses within the area and commercial uses should only be permitted if they are low impact and conform in shape and manner to the neighborhood.

- a. *The property seems to be initially designed as a single-family home.*
- b. *The home business use is as a financial advisor.*
- c. *The rezoning of the property would reduce the likelihood of more intense commercial uses being conducted on the property in the future.*
- 4. *If the property is rezoned as an R-2 District, the property will be considered legal nonconforming to the lot coverage requirement for residential uses within an R-2 District.*
 - a. *Section 515-56-10 state that impervious surface lot coverage for residential uses in an R-2 District shall not exceed 60 percent of the total lot area.*
 - b. *The impervious surface lot coverage of this property is approximately 61%.*

The Chair opened the public hearing at 7:07 p.m.

The Chair recognized Ms. Julie Dillion, owner of 215 N 3rd Street and Agate Homes, who explained she recently purchased the property and would like to remove the existing pavement as it is in very poor condition. She stated she would like to construct a garage, repave a smaller area and install a privacy fence in various areas.

The Chair closed the public hearing at 7:15 p.m.

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND WOODWARD TO RECOMMEND APPROVAL OF THE REZONING OF 215 N 3RD ST FROM A B-1 RESIDENTIAL OFFICE DISTRICT TO AN R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT.

Members Lambert, Duval, Gorham, Woodward and Foley voted “aye”. Member Burslie voted “nay”. The Chair declared the motion carried.

#5 Public Forum

The Chair opened public forum at 7:21 p.m.

No one came forward.

The Chair closed the public forum at 7:21 p.m.

#6 Old Business

6a. Comprehensive Plan Update

The Chair welcomed Ms. Ashley Kaisershot and Mr. Jake Huebsch, the Sourcewell Planning Team who thanked the Commission for the opportunity to present and also wanted to acknowledge Region Five for their work on the project. Mr. Huebsch and Ms. Kaisershot gave an update of the progress and timeline for the Comprehensive Plan. Ms. Kaisershot stated there will be a 30 day open public comment period coming up in July, with a draft being brought forward to the Planning Commission in August. She said the final version will be ready for the Planning Commission to hold a public hearing and to make a recommendation to Council in September for adoption in October. The Chair thanked them for the update.

6b. Nonconforming Rentals

Community Development Director Chanski explained there is a concern throughout Brainerd with duplex’ and multi-family structures that have rental units that the licensing has

lapsed for more than 365 days. He said many of these duplex' and multi-family rentals are in single-family residential districts, which are considered legal nonconforming as long as they existed prior to the zoning designation and remain registered with the City. He stated that staff does well at locating and questioning properties that may be rentals that are not licensed.

Commissioners discussed the concerns and available options.

Community Development Director Chanski would like to get to the policy level and possibly suggest changes for the City Council to consider.

Commissioner Duval requested Community Development Director Chanski provide a list of suggested solutions for the Commission to consider and work on.

6c. Nonconformance Discussion – 701 7th St. NW

Community Development Director Chanski explained the details of a previous meeting that resulted in a denial of the variance that was requested for this property.

Commissioner Lambert indicated since this property has been used as residential property for many years, she inquired about the possibility of rezoning this property back to a residential district. She stated this would allow the owner to improve the property as requested.

Commission discussion took place.

MOTION AND SECONDED BY COMMISSIONERS BURLIE AND DUVAL, DULY CARRIED, TO DIRECT COMMUNITY DEVELOPMENT DIRECTOR CHANSKI TO CONTACT THE PROPERTY OWNER AT 701 7TH STREET NW TO INQUIRE IF THEY ARE INTERESTED IN PURSUING A REZONING OF THE PROPERTY TO A RESIDENTIAL DISTRICT.

6d. Kingwood Walking Tour Recap

MOTION AND SECONDED BY COMMISSIONERS DUVAL AND LAMBERT, DULY CARRIED, TO TABLE THIS TOPIC UNTIL THE JULY MEETING.

6e. Zoning Ordinance Review Subcommittee Report

Community Development Director Chanski explained the results of the first subcommittee meeting that met regarding the use of a zoning ordinance matrix in the code. He stated the subcommittee combined uses into categories, which is provided in the packet.

MOTION AND SECONDED BY COMMISSIONERS MAROHN AND LAMBERT, DULY CARRIED, TO DIRECT STAFF TO UPDATE THE COUNCIL OF THE DIRECTION THE SUBCOMMITTEE IS GOING.

6f. Continuation of Lighting Standards Discussion

Community Development Director Chanski explained with the most recent Conditional Use Permit applications, lighting standards have become a concern. He stated the City Council indicated if the Planning Commission feels that the ordinance is inadequate, the Commission should address the standards through ordinance changes.

Commissioner Duval suggested different lighting standards for each defined district. Commission discussion took place.

MOTION AND SECONDED BY COMMISSIONERS MAROHN AND WOODWARD, DULY CARRIED, TO DIRECT STAFF TO RETURN TO THE PLANNING COMMISSION IN JULY WITH EXAMPLES OF POSSIBLE ORDINANCE SOLUTIONS.

#7 Commissioner's Questions/Comments

Commissioner Marohn made a statement that the Planning Commission has power, authority and responsibility regarding applications that indicate the need for excessive parking, lighting requirements not being met and the costs of required lighting. He said it is important for the Commission to feel empowered to get all the facts and take the time to evaluate each application without the feeling of time constraints to make a hasty decision. He indicated the streamlined process of reviewing applications that is currently in place is not allowing the Commission to complete the research and fact gathering. His suggestion would be a 30-day process of research and review prior to a meeting.

Commissioner Gorham stated if a pre-meeting takes place, this is in violation of open meeting laws. He also indicated the Commission members would have to become full time planning commissioners and this would put a huge burden on everyone. He stated he has faith in City staff to do the reviewing and research for the Planning Commission meetings that take place once per month.

#8 Community Development Director's Report

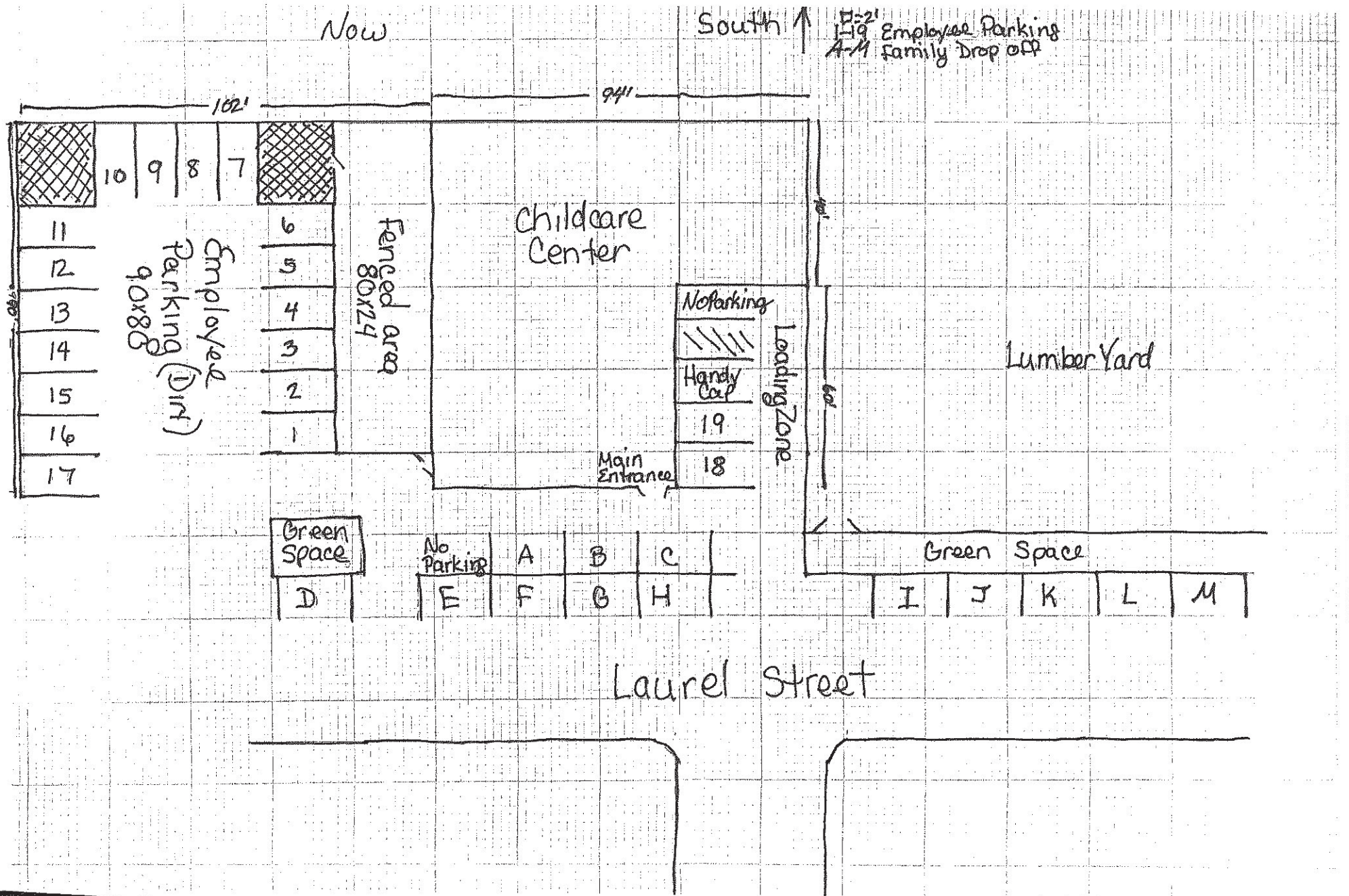
Community Development Director Chanski updated the Commission of past topics that have been reviewed by Council.

- o The high school lighting was approved at a 23' height, which was approved for all the high school property.
- o Council directed staff to work with the school district regarding the landscaping plans.
- o The variance for the school district's performing arts center was approved.
- o The rezoning of the water treatment plant was denied at the June 3rd meeting. BPU requested reconsideration and spoke at the June 17th meeting. The first reading for the rezoning passed.

#9 Adjourn

The Chair adjourned at 9:40 p.m.

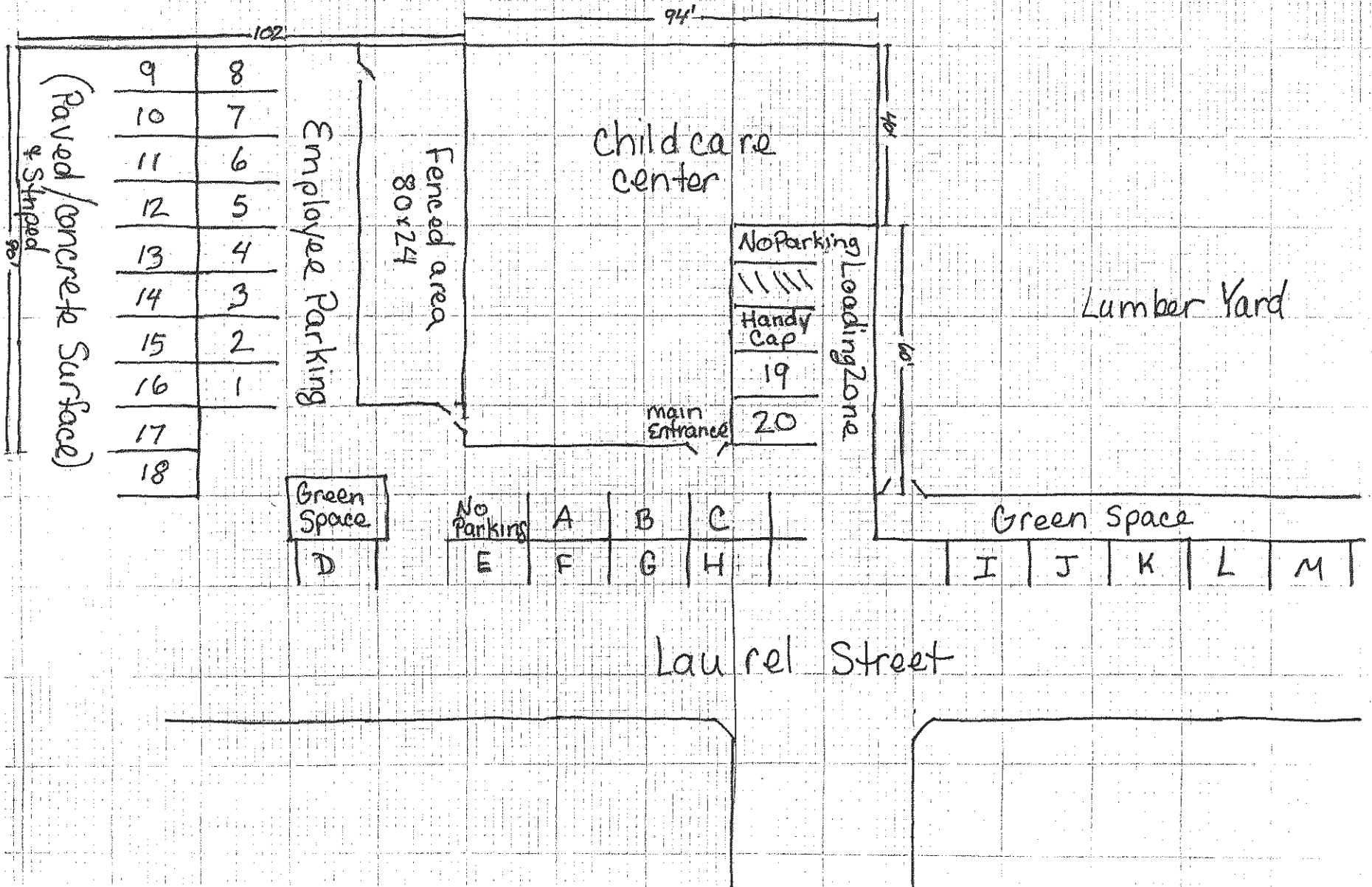
Planning Commission Chair



5 year Plan

South ↑

H=2'
F=20' Employee Parking
A-M Family Drop off



NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Kassondra Kubesh, 17140 State Hwy 371, Brainerd, MN 56401, has submitted an application for a Conditional Use Permit to operate a day care facility at 1002 Laurel St. The property included in this application is described as:

*Lots 13 through 18 inclusive Block 77 except the E 50 FT thereof together with that pt of vacated Tenth Street desc as follows; beg at the NW corner of said Lot 13, thence W'LY on an extended line of the N bndry of said Lot 13 to a point immediately W of the SW corner of said Lot 18, thence E'LY to the SW corner of said Lot 18, Thence N'LY alg the W line of said Lots 18, 17, 16,15,14,13 to the POB,
TOWN OF BRAINERD & FIRST ADDITION TO BRAINERD.
P.I.N. 41241215
Section 24 Township 45 Range 31*

The property is in TC (Town Center) District, and Zoning Ordinance Section 515-3 (Allowed Uses) Appendix A: Table of Uses permits the operation of commercial day care facilities as a conditional use as regulated by Section 515-3-14 of the Brainerd Zoning Ordinance. The new City of Brainerd Zoning Ordinance, Ordinance 1535, will be in effect on July 17th. A copy of the proposed site plan is on file for review at the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, July 20th, 2022 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the Conditional Use Permit request.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2309.

Dated this 6th day of July 2022



James Kramvik
Community Development Director

Publication Date: July 10th 2022



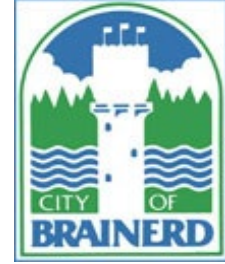
Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ 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:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
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>	

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: July 20, 2022

RE: Interim Use – Warming Shelter – 1926 S. 7th St.

Jana Shogren has submitted a request on behalf of Bridges of Hope for an Interim Use Permit to operate a warming shelter for the homeless in the Brainerd Lakes Area at 1926 South 7th Street.

Findings of Fact

1. 1926 S. 7th Street is located in a GC (General Commercial) District and Zoning Ordinance Section 515-3 (Allowed Uses) Appendix A: Table of Uses permits the operation of warming shelters as an interim use as regulated by Section 515-3-41 of the Brainerd Zoning Ordinance.
2. The applicant is proposing that the warming shelter operate between the months of September 1 and April 30 of each year dependent on weather and supervisor approval.
3. The warming shelter, for the purpose of temporarily sheltering homeless persons, must meet the following criteria as required by the aforementioned section of the Code:
 - a. Operation may not exceed 16 continuous hours.
 - i. *The applicant states that the shelter will not exceed 14 continuous hours of operation.*
 - b. Facility occupancy shall not exceed 30 beds or total occupancy of facility as set by the Fire Marshal, whichever is less.
 - i. *The Shelter will have 20 twin beds and will have two separate sleeping areas: male side and a female side. The Shelter will have 10 overflow mats. They will not exceed 30 guests on any given night.*
 - c. Facility shall be staffed during all hours of operation.
 - i. *The facility will be staffed at all times when guests are present.*
 - d. 24-hour contact information shall be provided to the City of Brainerd Police Department and Crow Wing County Community Services Department.
 - i. *The shelter will provide all appropriate contact information before operation.*
 - e. Except for bicycle racks, outdoor storage of equipment, furniture, personal items, or other such possessions of those using the facility is not permitted.

- i. Guest bags, outer clothing (coats, snow pants), and property will be locked up upon arrival at the shelter by staff in the secured guest closet indicated on the floor plan*
- f. Facility shall meet all applicable building, safety, fire, and health code requirements.
 - i. The Building Official and Fire Marshal inspected the facility before operation in the first year. The facility met all applicable building, safety, fire, and health code requirements. The Building Official and Fire Marshal would inspect this property prior to resuming operation.*

As of this writing, no one has contacted the Community Development Department with concerns or objections to the Interim Use Permit.

Staff Opinion

Staff recommends approval of the Interim Use Permit contingent upon the following conditions:

- 1) Interim Use Permit shall expire on June 30, 2025.
- 2) If the Brainerd Police Department determines that the facility has been used in a disorderly manner and upon the recommendation of the Police Chief, the Interim Use Permit shall be brought before the City Council for review and consideration for suspending or revoking the permit at the next available City Council meeting.



City Planning Department

City Hall – 501 Laurel Street
Brainerd, MN 56401
218/828-2309/Fax 218-828-2316
www.ci.brainerd.mn.us

Receipt # _____

Check # _____

Date paid: _____

INTERIM USE PERMIT

Application Form (residential - \$250.00 / commercial - \$500.00 + \$500.00 escrow deposit)

(This form must be filled out completely before your application will be accepted)

Property Address for this *Interim Use Permit*: 1926 South 7th Street, Brainerd

I (We) the undersigned, do hereby respectfully request the Brainerd City Council to grant an Interim Use Permit to allow a homeless overnight shelter. The shelter will be used to provide a safe place to sleep. The shelter will be staffed at all times when guests are present.

_____ at the property address listed above until the date of 6/30/2025

Legal Description (attach, if lengthy): Lot 4&5 Block 3 Addition Holiday Inn Addition to Brainerd Section 36 Township 45 Range 031

Property Owner: Edgewood Home Inc, Ronald Madison

Address: 1927 Woodcrest Rd, Brainerd MN 56401

(Street)

(City)

(State)

(Zip)

Contact Information #: (218) 829-9103

(Home)

(218) 829-9103

(Business)

(Fax)

(E-mail)

Applicant: (if different than Property Owner) Bridges of Hope, Jana Shogren

Address: 2011 South 6th Street Brainerd, MN 56401

(Street)

(City)

(State)

(Zip)

Contact Information #:

(Home)

(218) 825-7682

(Business)

jana@bridgesofhopemn.org

(Fax)

(E-mail)

Contact Person: (if different than Property Owner) Jana Shogren or Ann Hunnicutt

Address: 2011 South 6th Street Brainerd, MN 56401

(Street)

(City)

(State)

(Zip)

Contact Information #:

(Home)

(218) 825-7682

(Business)

(Fax)

(E-mail)

This Interim Use Permit may be approved if sufficient facts are presented at the Planning Commission and City Council meetings to support a finding that all of the attached criteria for granting an Interim Use Permit have been met.

Obtaining this *Interim Use Permit* does not absolve the applicant from obtaining all other applicable permits, such as Building Permits, MnDOT access permits, etc.

I (We) certify that I (we) have submitted all the required information to apply for an Interim Use Permit and that the information is factual.

Signed by: Edward Homs Inc
Ronald R Madson President Date: 6/6/22
(Property Owner)

RONALD R MADSON
(Property Owner-Please print Name)

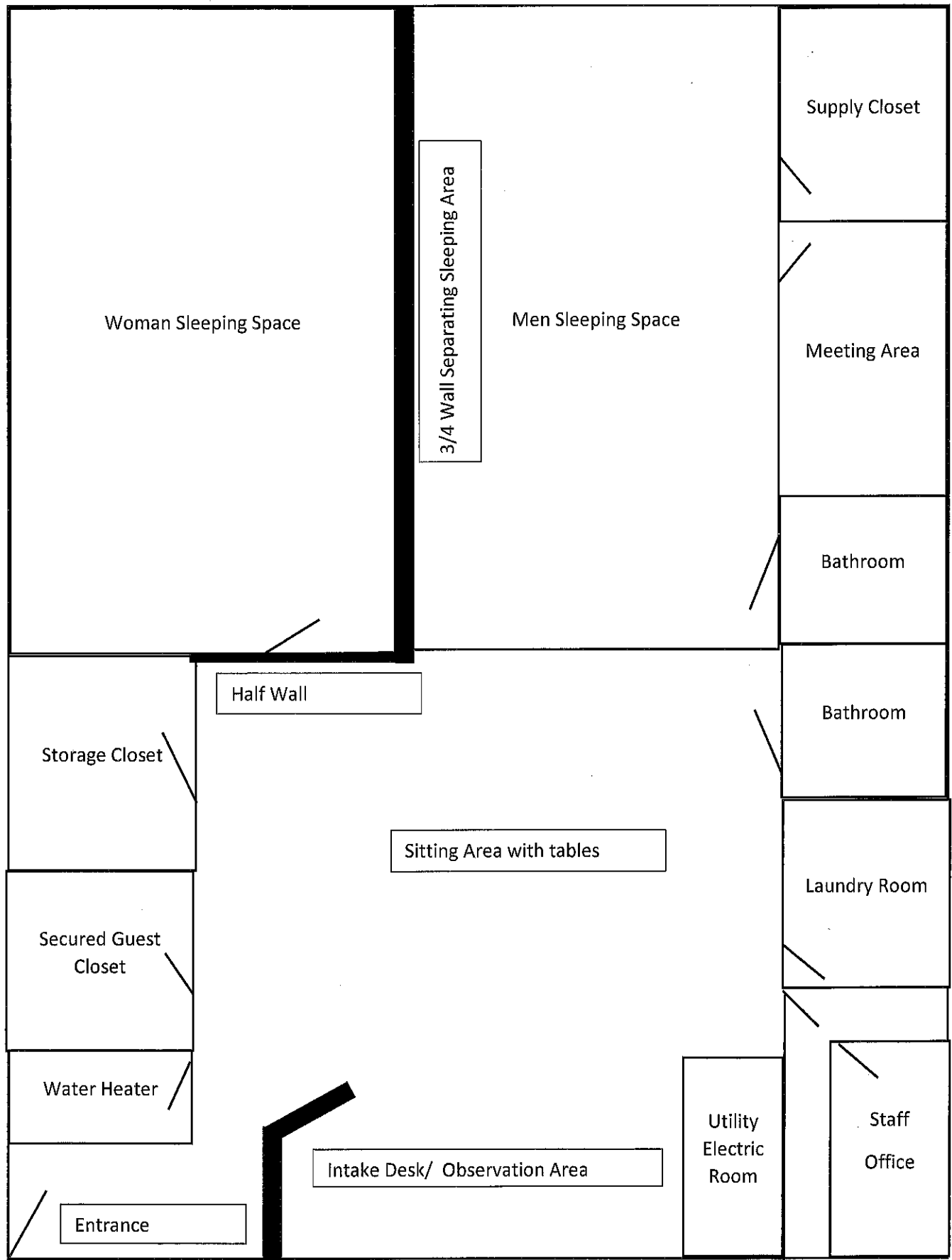
Jana M. Shogren Date: 6/2/22
(Applicant-If different than owner)

Jana M. Shogren
(Applicant - Please print name)

Interim Use Permit
Supporting Information

The City Council may approve an Interim Use Permit if all of the "Criteria for Review of Interim Use Permits" are met. In order to facilitate review of this application for an *Interim Use Permit*, the applicant must address each of the "Criteria", referred to in Section 515-6-1 of the Zoning Ordinance.

1. **Public Health/Safety/Welfare.** The *Planning Commission* and the *City Council* shall review each application for the purpose of determining that each proposed use meets the following criteria referenced to in Section 6-14 and in addition, shall find adequate evidence that each use in its proposed location will address the following:
 - (a) The proposed use conforms to the district and conditional use provisions and all general regulations of this Ordinance.
 - (b) The proposed use meets all special standards which may apply to its class of conditional uses as set forth in this section.
 - (c) The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.
 - (d) The proposed use shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
 - (e) The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
 - (f) The proposed use shall organize vehicular access and parking to minimize traffic congestion in the neighborhood.
 - (g) The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.

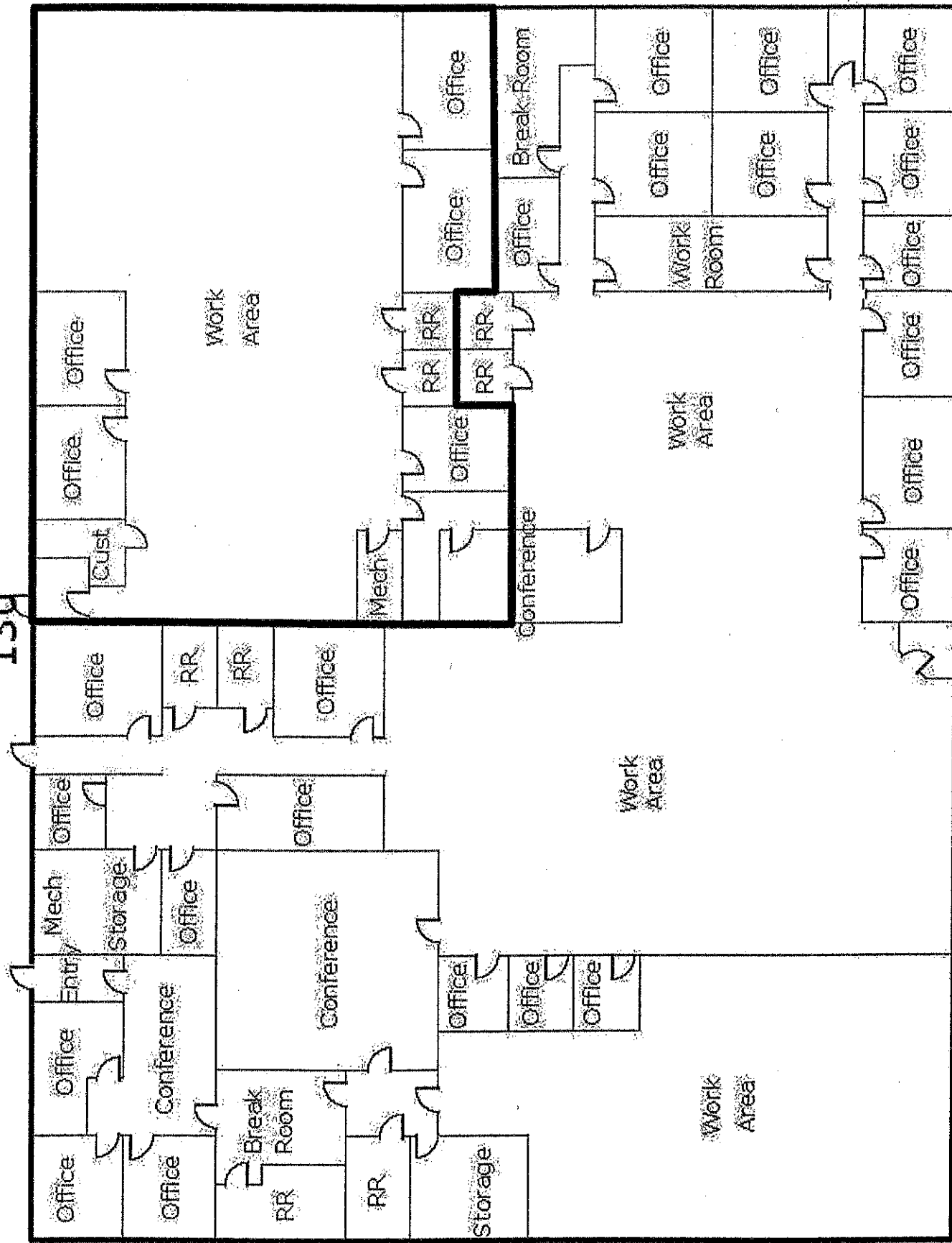


139'

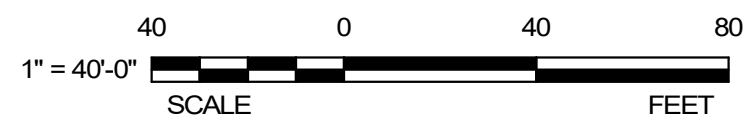
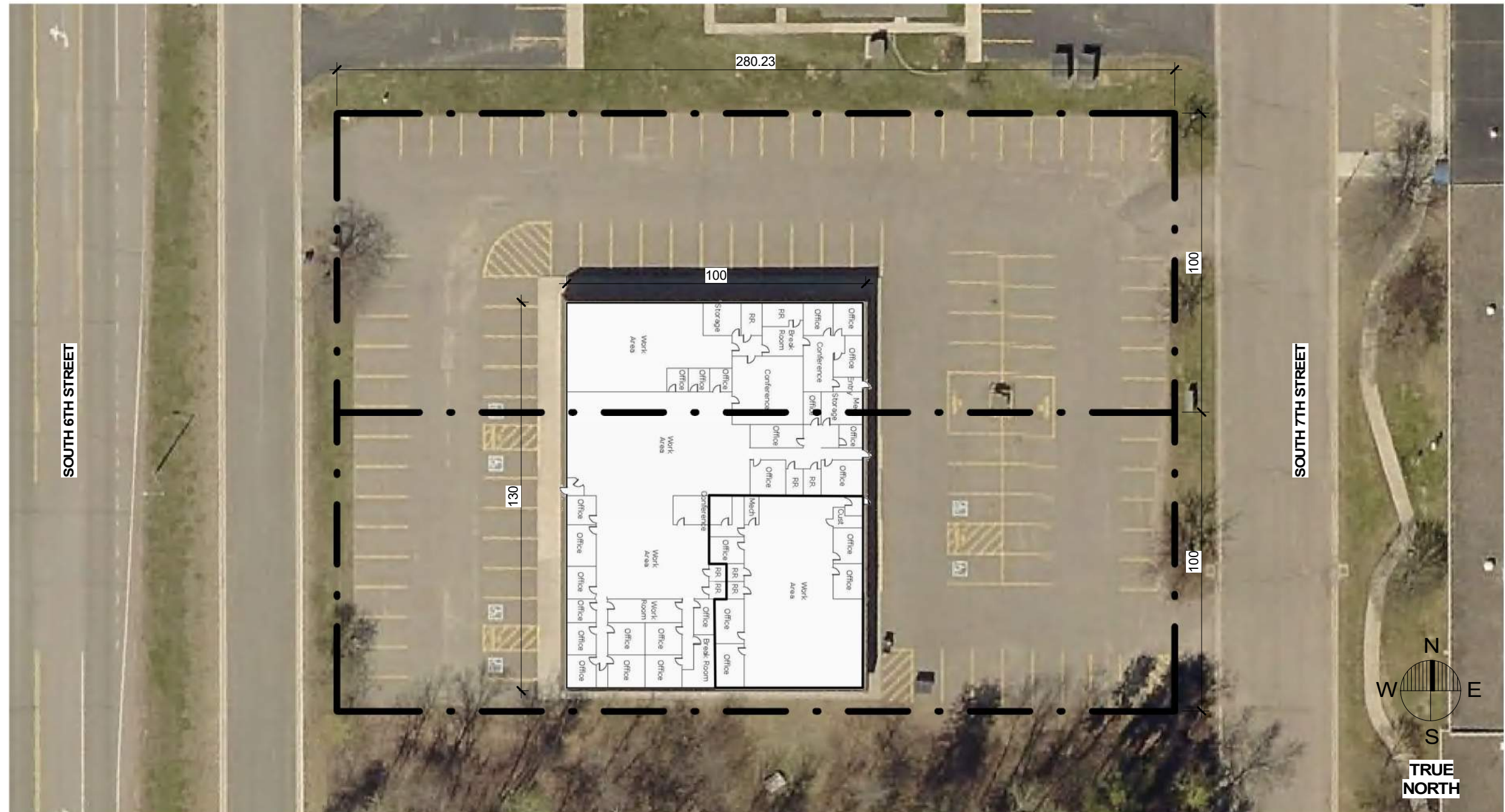
100'

100'

130'



1919 SOUTH 6TH STREET





ROUGH DRAFT ONLY

Policy and Procedures

Warming Shelter

1. Mission Statement

Our mission is to build bridges of support, anchored in Christ's love, between families in the Brainerd Lakes area and our community partners that can help them thrive and grow with hope.

Description of Services

The Community Warming Shelter will provide a safe, warm, overnight facility for individuals 18 years of age or older from November through March. Services may be extended beyond those dates if deemed necessary.

The Warming Shelter is being operated by Bridges of Hope a non-profit organization and will welcome people of all beliefs and religions. All guests will be respected with no imposition of individual beliefs by staff or volunteers. The Shelter is a Community Shelter and not a Bridges of Hope Shelter.

Information on referrals and resources for community services will be provided to interested guests.

Contacts:

ALL EMERGENCIES; DIAL 911

Ann Hunnicutt

Warming Shelter Director

(218) 825-7682 (Office daytime) Will replace with Shelter # once known

(218) 839-1845 (Cell phone)

Brainerd Police Department

225 East River Rd

Brainerd, MN 56401

(218) 829-2805 (non-emergency daytime)

(218) 829-4749 (non-emergency after hours)

Brainerd Fire Department

23 West Laurel St

(218) 828-2312 (non-emergency daytime)

Crow Wing County Sheriff's Office

304 Laurel Street

Brainerd, MN 56401

(218) 829-4749

Crow Wing County Social Services

204 Laurel Street

Brainerd, MN 56401

(218) 824-1140

(218) 829-4749 (After hours for on call staff)

Essential Health St. Joseph's Hospital

523 North 3rd St

Brainerd, MN 56401

(218) 829-2861

2. Rules and Regulations

(A) Guest Eligibility: Guest must be at least 18 years of age.

(B) Guest Behavior: Guest must remain calm and respectful. Any threats or aggression, physical or verbal or damage to property, or violation of Shelter rules may be cause for immediate expulsion. Behavior that results in police being called with be exited from the shelter immediately, for the remained of that night. Incident reports will be filled out for behavior concerns and reviewed daily by director who will make final decision on expulsion.

(C) Prohibited Substances and Items: Alcohol, illegal drugs/substances or weapons are not allowed at the Shelter. Any weapons will be confiscated. Pocket knives may be turned in for safe keeping and returned upon exiting the shelter. The shelter will not tolerate any weapons, smoking, using alcohol or illegal drugs/substances in the Shelter and it may be grounds for immediate expulsion.

(D) Guest Property: Guest bags, outer clothing (coats, snow pants), and property will be locked up upon arrival at the shelter by staff. Medication (unless requiring refrigeration) and all items will remain locked up while the guest is at the Shelter, and the guest will not have access to them until 6:00 a.m. If guest leave prior to 6:00 a.m. they will not have access to their belonging and may come back for them between 6:00 a.m.-8:00 a.m. but will not be allowed in the shelter until the next business day.

(E) Guest Responsibility: Guests are expected to clean up after themselves. Guests are expected to comply with appropriate staff requests and directions.

(F) Guests, Staff and Volunteers: Staff and volunteers are not permitted to offer rides to guests, give or loan money or any other items of monetary value to guests. Guest may not ask staff/volunteers for such items and must understand that staff/volunteers are here to help with supervision and provide company.

(G) Center Hours of Operation: Guest are invited to stay in the warming Shelter starting at 8:00 p.m. until 8:00 a.m. the following morning. All guests must arrive by

11:00 p.m. nightly as no more intakes will be allowed. After 11:00 p.m. the only intakes the shelter will allow is those referred by police, hospital staff or approved referral source. Guests that leave the premises at any time during the night will not be allowed back until the following night. Linger on the premises before the Shelter opens or after it closes is not permitted. Guests MUST take all items when they leave and not leave anything behind in a storage bin. If a guest leaves any belongings behind, they can only be retrieved when the Shelter next opens (usually the following evening). If a guest leaves unclaimed belongings at the Shelter, they may be disposed of or donated after 30 days. The Shelter and all volunteers/staff are not responsible for any lost items.

(H) Number of Guests: The Shelter will have 20 twin beds and will have two separate sleeping areas: male side and a female side. At all times Guest will have full supervision for safety. The Shelter will have 10 overflow mats. We will not exceed 30 Guest in any given night, and no exceptions for this rule. If we are presented with over 30 Guest's, we will contact Crow Wing County Social Services to see about Emergency Placement options.

(I) Lights Out: Lights are out at 11:00 p.m. If a guest chooses to stay in the common area after lights out, they are expected to be quiet and respectful of others when going to bed.

(J) After Hour Admission: Guest will not be allowed to enter the Shelter after 11:00 p.m. unless they are accompanied by a police officer, or an approved referral source has contacted the Shelter and made arrangement, on the guest's behalf.

3. Supporting Volunteers.

The Community Warming Shelter volunteer opportunities.

The Community Warming Shelter will use volunteers to assist with gathering supplies, repairs and maintenance, additional cleaning, and meals on Holiday's. Volunteers will also be available to assist with intake process and checking out process but will always be accompanied by at least one paid staff member. Volunteers will be used to build rapport with guests and be a support person for the guest.

To Volunteer; Please contact Ann Hunnicutt via email at ann@bridgesofhopemn.org or by phone number located on the Bridges of Hope website. In email include name and phone number and someone will get you the volunteer paperwork to fill out.

4. Shift Volunteers

Shift Volunteer Requirements

To assure the health and safety of the Shelter all guests will be required to fill out a volunteer application and complete a background check. Every volunteer will complete an orientation training for serving guest at the Shelter. All Shelter volunteers must comply with the Shelter's policies and procedures.

Requirements:

- a) Must be at least 18 years of age.
- b) Be responsible, compassionate, and friendly.
- c) Understand that the Shelter is not a place of judgment-no questions should be asked about drugs or alcohol habits. Treatment resources are only discussed with those participants who ask for help and resources. Volunteer may not impose their individual beliefs on guests.
- d) Treat all individuals with dignity and respect.
- e) Complete the Shelter's volunteer orientation training.
- f) Successfully complete a background check.
- g) Be willing to work and stay alert during shift.
- h) Able to work with people of many backgrounds and beliefs.
- i) Able to maintain confidentiality of guests while inside and/or outside of the Shelter.

5. Procedures

Routine Maintenance/Emergency Procedures

Routine Maintenance

- a) Periodically check the first aid supplies to ensure we have enough, nothing has expired, and everything is still in working order. (See list attached to first aid kit)
- b) Check the flashlights to make sure they are working properly.
- c) If anything needs to be replenished, please email the director of the shelter; ann@bridgesofhopemn.org. Please record request on log sheet during each shift.

What is an emergency?

An emergency is any immediate threat to life and/or property that requires an immediate response from police, fire or ambulance personnel. If in doubt, err on the side of safety.

When reporting an emergency:

- a) Use Shelter's landline and/or cell phone and dial 911.
- b) Stay on the line with the dispatcher, if at all possible.
- c) Provide the address (1926 South 6th Street, Brainerd, Rear entrance off of South 7th Street) and description of emergency.
- d) Provide the phone number at your location.
- e) Provide a thorough description to ensure the appropriate resources are dispatched.
- f) Make sure someone is available to open the door to the outside and stays there, if possible, to brief the emergency personnel.

Evacuation/Escape Procedure:

- a) Have everyone move calmly to the nearest exit.
There are two exits out of the Shelter; use the main entrance first if possible, all exits have signage. See Evacuation maps on walls for details in case of a fire and/or tornado.
- b) Once outside, move clear of the building allowing others to exit; do not return to an evacuated building until advised by emergency personnel.
- c) Do a headcount once you have gathered everyone away from the building.
- d) **If unable to go back in to building or a long time outside go to address below.**
Lobby is open and we have permission to use lobby area until we have a better understanding of situation:

**Econo Lodge
2115 South 6th Street
Brainerd, MN 56401
(218) 270-5001**

Severely intoxicated, high, or incapacitated persons:

Call 911 if the situation seems an emergency or call the Brainerd Police Department non-emergency number (218) 829-4749 if it is not an emergency. Ask the police to come and decide the best manner of dealing with someone who is incapacitated due to drugs, alcohol, or other reasons. They must also be contacted if someone appears to be a danger to themselves or others.

Self-harming/suicidal guests:

In the case that a guest is caught in an act of self-harm or is threatening suicide, call 911 using the center's landline. If safety permits, someone should stay with the guest until help has arrived.

Injury:

There are first aid materials available for minor injuries. It is necessary to wear glove before attending to any blood injuries and to follow procedures on blood borne pathogens. For serious injuries or illness, call 911.

Inclement Weather:

If an ice storm or blizzard occurs during the evening hours, use caution when leaving the Shelter and good sense in releasing guests in the morning hours. There will be shovels for snow removal of the side walks prior to guest exiting and salt if needed for ice.

Damage to Property:

If something breaks or is damaged during the evening, complete an Incident/Injury/Accident Report and turn in to director.

6. Policies

The community Warming Shelter has the following policies for closure due to lack of guests.

If there are no guests during the intake period from 8:00 p.m. until 11:00 p.m., then the Shelter will be closed.

The Director will then call the non-emergency police number (218) 829-4749 and Essentia Health (218) 829-2861 to let them know we are closing. In the event of a closure one staff will remain on call for referral services. If closure occurs staff will notify 2nd shift of closure.

The Shelter Director shall be called in event of the shelter closing, (218) 839-1845.

Smoking Policy:

The Shelter will allow guests to leave the building to smoke cigarettes prior to lights out at 11:00 p.m. The guest must stay in the designated area ONLY, or they may be considered to have left the Shelter and may not be able to re-enter. Guest must stay in view of the surveillance cameras and stay within the yellow marked areas by the entrance door of the Shelter. Guest can resume going out to smoke at 6:00 a.m., again staying in the designated area ONLY.

There is no smoking cigarettes or any substances inside the building. You may be banned from the Shelter if you violate this policy.

Pet Policy

There shall be no pets or animals inside the Shelter or on the property where the Shelter is located. There shall be no animals left in a vehicle in the parking lot of the Shelter. The Shelter will adhere to the Laws pertaining to Service Animals and Emotional Support Animals. See Below.

<https://mn.gov/mdhr/yourrights/service-animals/>

A **service animal is a dog -- or, in rare cases, a miniature horse** -- that is specially trained to perform specific tasks for a person with a disability. A service animal might guide an individual with vision impairment, detect seizures, or keep individuals calm during a panic attack.

A business is not required to allow an emotional support animal onto its premises. However, a business or government office can choose to allow emotional support animal access.

A landlord can insist that tenants with assistance animals **comply with local ordinances requiring that animals be licensed or immunized.**

Similarly, all tenants must comply with laws or ordinances forbidding certain wild or exotic animals (such as wolves or lemurs) on the basis of legitimate public health and safety concerns.

<https://disability.state.mn.us/information-and-assistance/service-animals/>

Under the ADA, State and local governments, businesses, and nonprofit organizations that serve the public generally must allow **service animals** to accompany people with disabilities in all areas of the facility where the public is normally allowed to go. For example, in a hospital it would be inappropriate to exclude a service animal from areas such as patient rooms, clinics, cafeterias, or examination rooms. However, it may be appropriate to exclude a service animal from operating rooms or burn units where the animal's presence may compromise a sterile environment.

Service animal: As defined in the Americans with Disabilities Act (ADA) may be a dog, or in some cases a miniature horse, individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the animal must be directly related to the person's disability. The ADA allows these animals to go anywhere that the public is allowed to go.

Emotional support, therapy, comfort, or companion animals are not considered service animals under the ADA. These terms are used to describe animals that provide comfort just by being with a person. Because they have not been trained to perform a specific job or task, ***they do not qualify as service animals under the ADA.***

Staff/businesses cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task. Service animals do not have to wear a vest or patch or special harness identifying them as service animal. Two questions may be asked of the owner of a service animal:

Is the service animal required because of a disability?

What work or task has the animal been trained to perform

Under the ADA, **service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices.** In that case, the individual must maintain control of the animal through voice, signal, or other effective controls. Generally, the animal must stay on the floor, or the person must carry the animal. Service animals should not be placed in shopping carts.

Service animal users must be afforded the same opportunity as any other guest in any establishment. People with disabilities who use service animals cannot be isolated from other patrons, treated less favorably than other patrons, or charged fees that are not charged to other patrons without animals. In addition, if a business requires a deposit or fee to be paid by patrons with pets, it must waive the charge for service animals.

Service animals must be under handler control and housebroken. Misbehaving, out of control, or lunging service animals may be asked to leave the premises. A business may charge for any damages that the animal causes. Staff are not required to provide care or food for a service animal.

Brainerd City Ordinance;

900.03 Subd. 2. License Required . A) All dogs over the age of four (4) months kept, harbored, or maintained by their owners in the City, **shall be licensed and registered with the City.** Dog licenses shall be issued by the City upon payment of the annual license fee on or before the first day of January of each year, or within thirty (30) days of acquiring ownership or possession of any unlicensed dog. The annual license fee shall be set by Chapter X of the Brainerd City Code. The owner shall state, at the time application is made for the license and upon forms provided for such purpose, his or her name and address and the name, breed, and sex of each dog owned or kept by him or her. **No license shall be granted for a dog which has not been**

vaccinated against rabies, as provided in this Section. Vaccination shall be performed only by a doctor qualified to practice veterinary medicine in the State in which the dog is vaccinated. A veterinarian who vaccinates a dog to be licensed in the City shall complete a certificate of vaccination. A copy of the current rabies vaccination shall be shown at the time of licensing. B) It shall be the duty of each owner of a dog subject to this Section to pay to the City of Brainerd the license fee as imposed by City Code. C) Upon payment of the license fee, the City shall issue to the owner a license certificate and metallic tag for each dog licensed. The tag shall have stamped on it the year for which it is issued and the number corresponding with the number on the certificate. **Every owner shall be required to provide each dog with a collar to which the license tag must be affixed and shall see that the collar and tag are constantly worn.** In case a dog tag is lost or destroyed, a duplicate shall be issued by the City upon the presentation of a receipt showing the payment of the license fee for the then current license year and after payment by the applicant of the fee fixed by Chapter X of the Brainerd City Code for issuance of the duplicate license. Dog tags shall not be transferable from one dog to another and no refunds shall be made on any dog license fee or tag because of death of a dog or the owner's leaving the City before the expiration of the license period. It is unlawful to counterfeit or attempt to counterfeit tags provided for herein, or to take from any dog a tag legally placed upon it by its owner with the intention of placing it upon another dog. D) The licensing provisions of this Subdivision shall not apply to dogs whose owners are non-residents temporarily within the City (not more than (30) days), nor to dogs brought into the City for the purpose of participating in any dog show. Further, this provision shall not apply to "seeing eye" dogs properly trained for the purpose of providing service to persons with disabilities to aid them in going from place to place provided that a Certification of Assistance Training from a recognized school or program is submitted with the license application. E) The funds received by the City from all dog licenses and metallic tags shall first be used to defray any costs incidental to the enforcement of this Section; including, but not restricted to, the costs of licenses, metallic tags, and impounding and maintenance of the dogs. F) **Any dogs brought into the City of Brainerd must be properly licensed within thirty (30) days of having been moved into the City.**

Cell Phone Policy

Cell phones will be allowed to accompany guests while in the Shelter. Guests are to use cell phones in designated area only (quiet area). While in the sleeping area the phones should not be used for any purpose.

Cell phones should not be used for photos due to confidentiality of Guests. If photos are taken of Guests while in the Shelter or on the property of the Shelter, you may be asked to place your phone in your bin for safety and/or you may be banned from the Shelter.

Bathroom Use Policy:

Guest have no expectation of privacy while in the Shelter and will have signed a Guest Agreement form stating they are aware of this. They will have full use of the restrooms which will have locking capability.

7. Information of Shelter Operations

a) The first shift staff will arrive at 7:30 p.m. to assure everything is prepared prior to intakes. This staff will also coordinate with volunteers and prep volunteers on their duties.

b) Staff and volunteers will place their own personal valuables in secure area.

c) There will always be 2 staff working unless Director is working and sends staff home due to a limited amount of Guests. Shifts available to work for staff only are as follows:

1st Shift: 7:30 p.m. until 2:00 a.m.

2nd Shift: 2:00 a.m. until 8:30 a.m.

Full Shift: 8:00 p.m. until 8:00 a.m.

d) All shifts will be responsible for laundry of bedding and guest clothing. Each shift will be assigned cleaning duties to ensure a clean environment for staff, volunteers, and guests.

e) Desk Staff: will attend to paperwork for intake, will be responsible for monitoring surveillance system and recognizing concerns within the Shelter or outside the Shelter.

f) Desk Staff will assure that intake paperwork is filled out and any exit paperwork that needs to be done. Desk Staff will assure all paperwork is completed by end of shift.

g) Floor Staff: will attend to assisting guests into the Shelter, will gather belongings while intake paperwork is being completed by the Desk Staff. The floor staff will conduct searches of guest's person if have concerns with drugs or alcohol being brought into the Shelter. The Guest will be assigned a numbered bin and then will be free to enter the Shelter and sleeping area. Floor staff will be trained and make a trained decision if a Guest is not able to enter the Shelter due to behavioral

concerns. The Floor staff will continue to monitor floor area and sleeping area. Floor staff will do perimeter checks on a regular basis of the exterior of the building.

- h) Staff and Volunteers on site in the morning will assist Guests with getting their belongings and exiting the building and property. Guests will not be allowed to linger on the property or in the parking lot after Shelter is closed.
- i) After Shelter closing; Staff will assure that the cleaning is done for that shift, shut lights off, and secure building. One staff and possible Volunteers should be out of the building by 8:30 a.m. unless extra work is needed.
- j) Guest may enter the building at 8:00 p.m. and must be off the premises by 8:00 a.m. This leaves for a maximum of a 12 hour stay each night.
- k) Nightly Cleaning; see nightly cleaning check off list.

From: [Ann Hunnicutt](#)
To: [James Kramvik](#)
Subject: Policy Procedure update
Date: Wednesday, July 6, 2022 8:24:31 AM

*** **Warning:** External sender, use extreme caution with attachments and links ***

James,

This is the only change we made in the manual at this time to reflect hours of operation.

1. Mission Statement

Our mission is to build bridges of support, anchored in Christ's love, between families in the Brainerd Lakes area and our community partners that can help them thrive and grow with hope.

Description of Services

The Community Overnight Shelter will provide a safe overnight facility for individuals 18 years of age or older. The shelter may operate between the months of September 1 and April 30 of each year dependent on weather and supervisor approval. The shelter will not be open for more than 14 hours in any given night.

The Community Overnight Shelter is being operated by Bridges of Hope a non-profit organization and will welcome people of all beliefs and religions. All guests will be respected with no imposition of individual beliefs held by staff or volunteers.

Information on referrals and resources for community services will be provided to interested guests.

I did not attach the whole manual as the council had it last year and it remains the same beside the highlighted portion, at this time.

Thank you

Ann Hunnicutt
Bridges of Hope

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Jana Shogren has submitted a request on behalf of Bridges of Hope for an Interim Use Permit to operate an overnight warming shelter for the homeless in the Brainerd Lakes Area at 1926 S 7th St. The property included in this application is described as:

LOT 4 BLOCK 3 HOLIDAY INN ADDITION TO BRAINERD

LOT 5 BLOCK 3 HOLIDAY INN ADDITION TO BRAINERD

P.I.N. 41360878

P.I.N. 41360877

Section 36, Township 45, Range 31

The property is zoned GC (General Commercial) District, and Zoning Ordinance Section 515-3 (Allowed Uses) Appendix A: Table of Uses permits the operation of warming shelters as an interim use as regulated by Section 515-3-41 of the Brainerd Zoning Ordinance. The new City of Brainerd Zoning Ordinance, Ordinance 1535, will be in effect on July 17th. A copy of the proposed site plan is on file for review at the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, July 20th, 2022 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the Conditional Use Permit request.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2309.

Dated this 6th day of July 2022



James Kramvik
Community Development Director

Publication Date: July 10th 2022

From: [Dawn Graff](#)
To: [James Kramvik](#)
Subject: Overnight Warming Shelter
Date: Thursday, July 21, 2022 4:57:02 PM

Good Afternoon –

We are property owners at 1836 S 8th Street, Brainerd. We were unable to attend the Public Hearing on Wednesday evening, but want to let you know that we adamantly opposed to the Overnight Warming Shelter on S 7th St. I believe if they tried they could find a much better location for this shelter. Somewhere closer to facilities that are better suited to helping homeless people (near the soup kitchen or the Northern Pines Mental Health day facility). There is no where in our neighborhood for them to go during the day & early evening hours.

We had to watch & listen to the activity there all winter & spring – people being dropped off in the afternoon & hanging out around the neighborhood waiting for the shelter to open. People leaving the shelter during the night with their radio or some type of music device being played loudly while they walk to wherever they are going. Police being called to the shelter for whatever reason. We have seen more homeless people hanging out in Bane Park this year & more vandalism in Bane Park as well.

Respectfully,

Dawn & Jon Graff



Brainerd City Council Agenda Request

Agenda Item #

Requested Meeting Date:

Title of Item:

- ☐ 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 1st Reading

Submitted by:

Department:

Presenter (Name & Title):

Estimated Time Needed:

Summary of Issue:

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

Please Explain: