

CITY COUNCIL AGENDA

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Tuesday, September 6th, 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: 2491 479 2059

Attend by phone: **Personnel and Finance Committee 7:00 PM**: 1-844-992-4726 Meeting
Access Code: 2492 537 0825

Attend by phone **Safety and Public Works Committee 7:15 PM**: 1-844-992-4726 Meeting
Access Code: 2485 543 1347

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

1. Call To Order

2. Roll Call

____ K. Stunek ____ G. Johnson ____ W. Bieser ____ T. Stenglein

____ T. Erickson ____ M. O'Day ____ K. Bevans ____ Mayor Badeaux

3. Pledge Of Allegiance

4. Approval Of Agenda - Voice Vote

5. Consent Calendar

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

A. **Approval Of Bills**

Documents:

090622 COUNCIL AP INV REGISTER.pdf

B. **Approval Of Minutes**

Documents:

2022-08-15 CC Draft.pdf

2022-08-29_CC Budget Workshop .pdf

C. **Approval Of Licenses**

Contractor Licenses-

Documents:

20220906 Contractor Licenses.pdf

D. Department Activity Reports

Documents:

HR Director Report.pdf

CA Report.pdf

FD Report.pdf

PW Report.pdf

**E. Ratify The Hiring Of Nicholas Moser For BPU Laborer Position
Effective August 29, 2022 At Step 2**

Documents:

CC - BPU Laborer.pdf

6. Council Committee Reports

A. Personnel And Finance Committee 7:00 PM

WebEx Teleconference Call-In Information

Call Toll-Free: 1-844-992-4726 Access Code: 2492 537 0825

Documents:

09-06 PF Agenda.pdf

1. Approval Of Memorandum Of Agreement With IBEW Admin Support Union For Acting Transit Coordinator Position

Documents:

PF-MOA Transit Coord.pdf

2. Ratify The Promotion Of Taylor Lokhorst To The Street Maintenance I Position

Documents:

PF - Promotion Street Maintenance.pdf

3. Disposal Of Retired Police Squad

Documents:

Disposal of Retired Police Squad.pdf

4. Ratify The Hiring Of Police Officer Nicholas Karsnia And Request To Hire CSO

Documents:

PF-Hiring Police Officer.pdf

5. Consider Approval Of A Classification And Compensation Study Request For Proposals

Documents:

PF - Compensation Study RFP.pdf

6. Discussion Of 2023 Audit Fee

Documents:

PF - 2023 Audit Fees.pdf

7. Authorization To Apply For League Of Minnesota Cities Insurance Trust (LMCIT) Loan Program For Extraordinary Expense

Documents:

PF - LMCIT Loan.pdf

8. Adopt Resolution Declaring Intent To Reimburse Certain Expenditures From Proceeds Of Tax-Exempt Bonds

Documents:

PF - RES Reimbursement.pdf

9. Adopt Resolution Approving Termination Of Assessment Agreement

Documents:

PF - RES Term Agreement HRA.pdf

B. Safety And Public Works Committee 7:15 PM

WebEx Teleconference Call-In Information

Call Toll-Free: 1-844-992-4726 Access Code: 2485 543 1347

Documents:

09-06 SPW Agenda.pdf

1. Approve Event/Street Closure Application - Fire Department Open

House

Documents:

SPW - FD Open House.pdf

2. Approve Event/Street Closure Application - St. Francis School Marathon

Documents:

SPW - St Francis Marathon.pdf

3. Approve Temporary Construction Easement - Historic Water Tower Project

Documents:

SPW - Water Tower Easement.pdf

4. Approve Electrical/Mechanical At Street & Parks Building

Documents:

SPW - Street Building Addition.pdf

5. Direction On Active Code Enforcement Cases

Documents:

SPW - Active Code Enforcement Cases.pdf

7. Unfinished Business

- A. **First Reading Proposed Ordinance 1536 - Amending Chapters 1 And 2 Of The Brainerd City Charter**

Documents:

MA - Charter ORD Chap 1 and 2 .pdf

- B. **First Reading Proposed Ordinance 1537 Amending Chapter 3 Of The Brainerd City Charter**

Documents:

MA - Charter ORD Chap 3.pdf

- C. **First Reading Proposed Ordinance 1538 Amending Chapter 5 Of The Brainerd City Charter**

Documents:

MA - Charter ORD Chap 5.pdf

D. 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)

Airport Commission- 1 term (Expire 2024)

Ad Hoc Committees – Applicants Needed

Water Tower Fundraising Committee – 1 position

8. New Business

A. Call For Public Hearing For The Removal Of Library Board Member

Documents:

MA- Library Member.pdf

B. Consider Resolution Dissolving The Cable TV Advisory Committee

Documents:

MA Dissolve Cable TV Committee.pdf

C. Consider Conditional Use Permit For Ice Vending Machine At 1202 S 6th St.

Documents:

MA - CUP 1202 S 6th St.pdf

**D. Consider Conditional Use Permit For Residential Recovery Facility
At 2501 Greenwood Street**

Documents:

MA - CUP 2501 Greenwood St.pdf

9. Public Forum

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

10. Staff Reports

(Verbal: Any Updates since Packet)

11. Council Member Reports

12. Mayor's Report

**13. Adjourn To Closed Session Pursuant To MN Statute 13D.03 To
Discuss Labor Negotiation Strategy.**

**14. Adjourn To Employee Appreciation Event On September 14th At Lum
Park**

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

MISSION

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

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

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EXP CHECK RUN DATES 09/06/2022 - 09/06/2022

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
93447 72964	AAA EQUIPMENT CENTER DIESEL MOWER REPAIR 230-5200-42220	08/09/2022 pziemer REPAIR & MAINT	09/07/2022	1,002.91 1,002.91	1,002.91	Open	N 09/07/2022
308235 72949	ACE HARDWARE FASTENERS - LMP 230-5200-42220	08/08/2022 pziemer REPAIR & MAINT	09/07/2022	3.42 3.42	3.42	Open	N 09/07/2022
308257 72950	ACE HARDWARE FASTENERS - JCP PLAYGROUND 400-9050-45530	08/09/2022 pziemer CAPITAL - OTHER	09/07/2022	23.84 23.84	23.84	Open	N 09/07/2022
308619 73020	ACE HARDWARE STREET GARAGE EXTERIOR DOOR KEYS 235-3100-42220	08/22/2022 pziemer REPAIR & MAINT	09/07/2022	23.92 23.92	23.92	Open	N 09/07/2022
308478 73031	ACE HARDWARE FASTENERS 225-2220-42210	08/16/2022 pziemer OPERATING SUPPLIES	09/07/2022	2.15 2.15	2.15	Open	N 09/07/2022
308665 73050	ACE HARDWARE CHAINSAW SPARK PLUG 235-3100-42220	08/23/2022 pziemer REPAIR & MAINT	09/07/2022	5.39 5.39	5.39	Open	N 09/07/2022
308667 73051	ACE HARDWARE PARTS CLEANER FILTER CARTRIDGE 235-3100-42220	08/23/2022 pziemer REPAIR & MAINT	09/07/2022	10.79 10.79	10.79	Open	N 09/07/2022
308714 73065	ACE HARDWARE HACKSAW WITH BLADES 235-3100-42220	08/24/2022 pziemer REPAIR & MAINT	09/07/2022	22.48 22.48	22.48	Open	N 09/07/2022
308715 73075	ACE HARDWARE FASTENERS 225-2120-42220	08/24/2022 pziemer REPAIR & MAINT	09/07/2022	5.34 5.34	5.34	Open	N 09/07/2022
308688 73077	ACE HARDWARE FASTENERS, WASP SPRAY, PAINT 225-2220-42210	08/24/2022 pziemer OPERATING SUPPLIES	09/07/2022	61.41 61.41	61.41	Open	N 09/07/2022

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308710 73078	ACE HARDWARE PAINT SUPPLIES - OPEN HOUSE WATER DE 225-2220-42210	08/24/2022 pziemer	09/07/2022	19.78 19.78	19.78	Open	N 09/07/2022
308653 73079	ACE HARDWARE PAINT, HANDLE 225-2220-42210	08/23/2022 pziemer	09/07/2022	23.37 23.37	23.37	Open	N 09/07/2022
308517 73164	ACE HARDWARE QUIKRETE X 2 230-5200-42220	08/17/2022 pziemer	09/07/2022	19.98 19.98	19.98	Open	N 09/07/2022
308542 73165	ACE HARDWARE KILZ PRIMER X2 COLLEGE DRIVE BRIDGE (p 230-5200-42220	08/18/2022 pziemer	09/07/2022	17.98 17.98	17.98	Open	N 09/07/2022
308654 73173	ACE HARDWARE EXTENSION CORDS X 2 230-5211-42210	08/23/2022 pziemer	09/07/2022	80.98 80.98	80.98	Open	N 09/07/2022
308799 73174	ACE HARDWARE VAC TRUCK DEBRIS BODY CLEAN-OUT FITT 237-3190-42220	08/29/2022 pziemer	09/07/2022	14.35 14.35	14.35	Open	N 09/07/2022
308848 73281	ACE HARDWARE SPRAYPAINT 225-2220-42210	08/30/2022 pziemer	09/07/2022	7.19 7.19	7.19	Open	N 09/07/2022
6574222727130 72957	ADVANCE AUTO PARTS TRACTOR 110 AIR FILTERS 235-3100-42220	08/15/2022 pziemer	09/07/2022	40.77 40.77	40.77	Open	N 09/07/2022
6574223073414 72999	ADVANCE AUTO PARTS PURPLE POWER DEGREASER 235-3100-42220	08/18/2022 pziemer	09/07/2022	34.49 34.49	34.49	Open	N 09/07/2022
6574223580064 73057	ADVANCE AUTO PARTS CHEVY IMPALA BATTERY 101-2400-42210	08/23/2022 pziemer	09/07/2022	120.59 120.59	120.59	Open	N 09/07/2022

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6574223680077 73058	ADVANCE AUTO PARTS ADVANCE AUTO PARTS AIR FILTER FOR STC 235-3100-42220	08/24/2022 pziemer	09/07/2022	24.15 24.15	24.15	Open	N 09/07/2022
6574223480024 73059	ADVANCE AUTO PARTS TRACTOR 110 CAB AIR FILTER 235-3100-42220	08/22/2022 pziemer	09/07/2022	16.62 16.62	16.62	Open	N 09/07/2022
6574223580037 73060	ADVANCE AUTO PARTS TRUCK 103 OIL FILTER 1 OF 3 235-3100-42220	08/23/2022 pziemer	09/07/2022	5.77 5.77	5.77	Open	N 09/07/2022
6574223489987 73061	ADVANCE AUTO PARTS TRUCK 103 OIL FILTER 2&3 OF 3 235-3100-42220	08/22/2022 pziemer	09/07/2022	58.96 58.96	58.96	Open	N 09/07/2022
6574223580071 73062	ADVANCE AUTO PARTS TRUCK 108 AIR FILTER 235-3100-42220	08/23/2022 pziemer	09/07/2022	38.85 38.85	38.85	Open	N 09/07/2022
6574223680087 73063	ADVANCE AUTO PARTS TRUCK 108 CAB AIR FILTER 235-3100-42220	08/24/2022 pziemer	09/07/2022	38.85 38.85	38.85	Open	N 09/07/2022
6574223780124 73066	ADVANCE AUTO PARTS ADHESIVE REMOVER-FUEL TREATMENT - CHIP 101-2400-42210	08/25/2022 pziemer	09/07/2022	70.43 70.43	70.43	Open	N 09/07/2022
222080041 73032	ALERT-ALL CORP BALLOONS - OPEN HOUSE 225-2220-43430	08/11/2022 pziemer	09/07/2022	212.50 212.50	212.50	Open	N 09/07/2022
111208 72955	AMERICAN STEEL SUPPLY INC JCP PLAYGROUND-REBAR 400-9050-45530	08/10/2022 pziemer	09/07/2022	43.36 43.36	43.36	Open	N 09/07/2022
08736466 73241	AMERICAN WELDING-GAS INC MIG WELDING TIP 235-3100-42220	08/29/2022 pziemer	09/07/2022	108.50 108.50	108.50	Open	N 09/07/2022

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2530038814 72953	ARAMARK UNIFORM SERVICES RUGS AND OVERALLS 235-3100-43430	08/11/2022 pziemer	09/07/2022	81.70	81.70	Open	N 09/07/2022
	MISCELLANEOUS			81.70			
2530041565 73005	ARAMARK UNIFORM SERVICES RUGS AND OVERALLS 235-3100-43430	08/18/2022 pziemer	09/07/2022	113.53	113.53	Open	N 09/07/2022
	MISCELLANEOUS			113.53			
2530044150 73142	ARAMARK UNIFORM SERVICES RUGS AND OVERALLS 235-3100-43430	08/25/2022 pziemer	09/07/2022	81.70	81.70	Open	N 09/07/2022
	MISCELLANEOUS			81.70			
INV-00144-A 73007	ASL INTERPRETING SERVICES INC INTERPRETING SERVICES JULY 22 225-2120-43300	08/19/2022 pziemer	09/07/2022	120.90	120.90	Open	N 09/07/2022
	PROFESSIONAL SERVICES			120.90			
17323803 73230	AUTO VALUE - WEST MINIATURE LAMPS 225-2220-42210	08/26/2022 pziemer	09/07/2022	6.49	6.49	Open	N 09/07/2022
	OPERATING SUPPLIES			6.49			
INUS091832 73026	AXON ENTERPRISE, INC. 711NK - INITIAL ISSUE 225-2120-41113	08/11/2022 pziemer	09/07/2022	1,414.43	1,414.43	Open	N 09/07/2022
	UNIFORM ALLOWANCE			1,414.43			
P54519797 73171	BATTERIES PLUS STREET GARAGE FIRE CONTROL SYSTEM BAL 235-3100-42220	08/29/2022 pziemer	09/07/2022	33.98	33.98	Open	N 09/07/2022
	REPAIR & MAINT			33.98			
S4-45971 73074	BILL'S GUN SHOP & RANGE 711NK - RANGE TIME - LESS SALES TAX 225-2120-43330	08/24/2022 pziemer	09/07/2022	25.00	25.00	Open	N 09/07/2022
	PROFESSIONAL DEVELOPMENT			25.00			
1344734 73166	BJERGA FEED STORES GRASS SEED 230-5200-42220	08/19/2022 pziemer	09/07/2022	318.00	318.00	Open	N 09/07/2022
	REPAIR & MAINT			318.00			
8/18/22 73000	BRAINERD HISTORIC WATER TOWER PRESE JOHN & BARBARA FROELICH DONATION 101-0000-20803	08/18/2022 pziemer	09/07/2022	100.00	100.00	Open	N 09/07/2022
	WATERTOWER DONATIONS-CC			100.00			

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25246 73229	BRAINERD HYDRAULICS/AIR VAC TRUCK 1/4 IN HYDRAULIC HOSE 235-3100-42220	08/29/2022 pziemer	09/07/2022	31.62 31.62	31.62	Open	N 09/07/2022
AUG 22 COBRA 73052	BRAINERD PUBLIC UTILITIES REMIT AUG 2022 COBRA 101-0000-22800	08/23/2022 pziemer	09/07/2022	76.20 76.20	76.20	Open	N 09/07/2022
54963 73017	BRYAN ROCK PRODUCTS INC RED BALL DIAMOND FIELD AGGREGATE 230-5200-42221	08/15/2022 pziemer	09/07/2022	1,292.29 1,292.29	1,292.29	Open	N 09/07/2022
54634 73260	BRYAN ROCK PRODUCTS INC RED BALL DIAMOND FIELD AGGREGATE 230-5200-42221	08/01/2022 pziemer	09/07/2022	1,311.91 1,311.91	1,311.91	Open	N 09/07/2022
29096707 73025	CANON FINANCIAL SERVICE 9/1/22-9/30/22 FD COPIER LEASE 225-2220-43331	08/22/2022 pziemer	09/07/2022	80.69 80.69	80.69	Open	N 09/07/2022
BR89743 72807	CDW GOVERNMENT, INC UPS X3 EXTENSION CORD	07/27/2022 pziemer	09/07/2022	210.23	210.23	Open	N 09/07/2022
BX59359 72958	CDW GOVERNMENT, INC CISCO MERAKI WIFI HARDWARE AND LICEN 101-1800-43309 101-1800-42210	08/08/2022 pziemer	09/07/2022	1,582.82 384.65 1,198.17	1,582.82	Open	N 09/07/2022
BX26656 72977	CDW GOVERNMENT, INC NETWORK PATCH PANELS AND JACKS 101-1800-42210	08/05/2022 pziemer	09/07/2022	227.30 227.30	227.30	Open	N 09/07/2022
BX91263 73012	CDW GOVERNMENT, INC NETWORK JACKS 101-1800-42210	08/08/2022 pziemer	09/07/2022	112.80 112.80	112.80	Open	N 09/07/2022
8000092166-0/8-22/CH 73274	CENTERPOINT ENERGY 7/19/22-8/16/22 CITY HALL UTILITIES 101-1940-43380 101-1940-43380	08/24/2022 pziemer	09/07/2022	196.59 173.07 23.52	196.59	Open	N 09/07/2022

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8000092166-0/8-22/ST 73275	CENTERPOINT ENERGY 7/19/22-8/16/22 STREET DEPT UTILITIES 235-3100-43380	08/24/2022 pziemer UTILITIES	09/07/2022	65.24 65.24	65.24	Open	N 09/07/2022
8000092166-0/8-22/FD 73276	CENTERPOINT ENERGY 7/19/22-8/16/22 FIRE DEPT UTILITIES 225-2220-43380 225-2220-43380	08/24/2022 pziemer UTILITIES UTILITIES	09/07/2022	54.56 27.28 27.28	54.56	Open	N 09/07/2022
8000092166-0/8-22/PD 73277	CENTERPOINT ENERGY 7/19/22-8/16/22 POLICE DEPT UTILITIES 225-2120-43380	08/24/2022 pziemer UTILITIES	09/07/2022	23.52 23.52	23.52	Open	N 09/07/2022
8000062166-0/8-22/LB 73278	CENTERPOINT ENERGY 7/19/22-8/16/22 LIBRARY UTILITIES 211-5500-43380	08/24/2022 pziemer UTILITIES	09/07/2022	65.24 65.24	65.24	Open	N 09/07/2022
8000092166-0/8-22/PK 73279	CENTERPOINT ENERGY 7/19/22-8/16/22 PARKS DEPT UTILITIES 230-5200-43380	08/24/2022 pziemer UTILITIES	09/07/2022	32.28 32.28	32.28	Open	N 09/07/2022
407343-00 72997	CHAMBERLAIN OIL COMPANY DIESEL EXHAUST FLUID 235-3100-42220	08/17/2022 pziemer REPAIR & MAINT	09/07/2022	190.85 190.85	190.85	Open	N 09/07/2022
407714-00 73080	CHAMBERLAIN OIL COMPANY DEF DRUM 225-2220-42210	08/24/2022 pziemer OPERATING SUPPLIES	09/07/2022	190.85 190.85	190.85	Open	N 09/07/2022
0055470080822 73041	CHARTER COMMUNICATIONS 8/8/22-9/7/22 FIRE DEPT 225-2220-43380	08/08/2022 pziemer UTILITIES	09/07/2022	7.90 7.90	7.90	Open	N 09/07/2022
01308257 73003	CITY OF BRAINERD MSP LANDING TRAILHEAD STATE SURCHARGE 401-9030-43430-21:16	08/12/2022 pziemer MISCELLANEOUS	09/07/2022	7.75 7.75	7.75	Open	N 09/07/2022
01308494 73004	CITY OF BRAINERD MLT PROJECT - STATE SURCHARGE 401-9030-43430-21:16	08/17/2022 pziemer MISCELLANEOUS	09/07/2022	112.50 112.50	112.50	Open	N 09/07/2022

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P22-0599 73261	CITY OF BRAINERD KIWANIS PARK PLUMBING STATE SURCHARGE 400-9050-45530	08/24/2022 pziemer	09/07/2022	4.00 4.00	4.00	Open	N 09/07/2022
201436 73033	CLAREY'S SAFETY EQUIPMENT CALIBRATION GAS 225-2220-42210	08/23/2022 pziemer	09/07/2022	330.26 330.26	330.26	Open	N 09/07/2022
2208129 73054	CLEAN PLUS INC NITRILE GLOVES 225-2120-42209	08/22/2022 pziemer	09/07/2022	760.53 760.53	760.53	Open	N 09/07/2022
1008 73034	COMMAND LLC T20 AERIAL TEST 225-2220-43300	08/10/2022 pziemer	09/07/2022	900.00 900.00	900.00	Open	N 09/07/2022
TRX 29 PD 72979	CUB FOODS - BRAINERD BAGS WITH BADGES SUPPLIES 225-2120-42210	08/12/2022 pziemer	09/07/2022	17.96 17.96	17.96	Open	N 09/07/2022
TRX 123 -PD 72980	CUB FOODS - BRAINERD BAGS WITH BADGES SUPPLIES 225-2120-42210	08/11/2022 pziemer	09/07/2022	371.75 371.75	371.75	Open	N 09/07/2022
TRX 3 HR 73168	CUB FOODS - BRAINERD AUG 22 LNL WATER 278-6515-43430	08/29/2022 pziemer	09/07/2022	11.97 11.97	11.97	Open	N 09/07/2022
MSP PAY REQ 3 72996	CUSTOM BUILDERS, INC MISSISSIPPI LANDING TRAILHEAD PROJECT 401-9030-45530-21:16	08/17/2022 pziemer	09/07/2022	540,488.47 540,488.47	540,488.47	Open	N 09/07/2022
22-10454 72989	CWC RECORDER 1002 LAUREL ST CONDITIONAL USE & 1926 101-2400-43350	08/18/2022 pziemer	09/07/2022	92.00 92.00	92.00	Open	N 09/07/2022
178869 73167	CWC SANITARY LANDFILL JCP PLAYGROUND 400-9050-45530	08/22/2022 pziemer	09/07/2022	20.00 20.00	20.00	Open	N 09/07/2022

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1631414 72965	DAHLHEIMER BEVERAGE CUSTODIAL SUPPLIES - CLEANER, SOAP, 1pziemer 230-5200-42210	08/04/2022	09/07/2022	508.20 508.20	508.20	Open	N 09/07/2022
1625799 72992	DAHLHEIMER BEVERAGE JANITORIAL/CLEANING SUPPLIES - LIBRAfpziemer 211-5500-42220	08/01/2022	09/07/2022	124.40 124.40	124.40	Open	N 09/07/2022
1638848 73042	DAHLHEIMER BEVERAGE CLEANING/JANITORIAL SUPPLIES 211-5500-42220	08/22/2022 pziemer	09/07/2022	134.55 134.55	134.55	Open	N 09/07/2022
1645277 73282	DAHLHEIMER BEVERAGE CONCESSIONS - POPCORN 230-5204-42210	08/30/2022 pziemer	09/07/2022	72.00 72.00	72.00	Open	N 09/07/2022
R100914 73254	EAST SIDE OIL COMPANY QTY 2 OIL FILTERS 227-3230-43428	08/24/2022 pziemer	09/07/2022	100.00 100.00	100.00	Open	N 09/07/2022
2000838 72994	EMILY THOMPSON REFUND - COREC SOFTBALL FEE 230-5215-34715 101-0000-20810 101-0000-20811 101-0000-20812	08/17/2022 pziemer	09/07/2022	350.00 345.26 4.14 0.30 0.30	350.00	Open	N 09/07/2022
67437/CH 73236	ENVIROTECH SEPT 2022 CITY HALL JANITORIAL 101-1940-43300	08/29/2022 pziemer	09/07/2022	1,890.71 1,890.71	1,890.71	Open	N 09/07/2022
67437/FD 73237	ENVIROTECH SEPT 2022 FIRE DEPT JANITORIAL 225-2220-43300	08/29/2022 pziemer	09/07/2022	254.95 254.95	254.95	Open	N 09/07/2022
67437/PD 73238	ENVIROTECH SEPT 2022 POLICE DEPT JANITORIAL 225-2120-43300	08/29/2022 pziemer	09/07/2022	1,344.39 1,344.39	1,344.39	Open	N 09/07/2022
67437/STREETS 73239	ENVIROTECH SEPT 2022 STREET DEPT JANITORIAL 235-3100-43300	08/29/2022 pziemer	09/07/2022	254.95 254.95	254.95	Open	N 09/07/2022

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627177 73035	ERKENS WATER SOLAR SALT 225-2220-42210	08/10/2022 pziemer OPERATING SUPPLIES	09/07/2022	70.00 70.00	70.00	Open	N 09/07/2022
MNBAX255907 73011	FASTENAL COMPANY 14X10 TIMBER SCREW-JCP PLAYGROUND 400-9050-45530	08/08/2022 pziemer CAPITAL - OTHER	09/07/2022	500.00 500.00	500.00	Open	N 09/07/2022
11289 73081	FIRE CATT, LLC FIRE HOSE/LADDER TESTING 225-2220-43300	08/19/2022 pziemer PROFESSIONAL SERVICES	09/07/2022	3,726.80 3,726.80	3,726.80	Open	N 09/07/2022
162636 73036	FIRE SAFETY U.S.A. INC FIREFIGHTING BOOTS 225-2220-42250	08/17/2022 pziemer PERSONAL PROTECTIVE GEAR	09/07/2022	410.00 410.00	410.00	Open	N 09/07/2022
84946 72968	FIRST IMPRESSION PRINTING SEWER DOOR HANGAR NOTICES 237-3190-43350	08/02/2022 pziemer PRINTING/LEGAL PUBLICATIONS	09/07/2022	284.50 284.50	284.50	Open	N 09/07/2022
35794 73231	GRAND FORKS FIRE EQUIPMENT LLC HELMETS X4 225-2220-42250	08/24/2022 pziemer PERSONAL PROTECTIVE GEAR	09/07/2022	1,588.88 1,588.88	1,588.88	Open	N 09/07/2022
154011504-1 73037	GRANITE ELECTRONICS MINITOR V CHARGER 225-2220-42220	08/03/2022 pziemer REPAIR & MAINT	09/07/2022	148.50 148.50	148.50	Open	N 09/07/2022
3034380 72981	HEARTLAND TIRE INC. SQD 436 - TIRES 225-2120-42221	08/16/2022 pziemer SQUAD CAR REPAIR SUPPLIES	09/07/2022	923.88 923.88	923.88	Open	N 09/07/2022
3034453 73008	HEARTLAND TIRE INC. SQD 431 - TIRE REPAIR 225-2120-42221	08/19/2022 pziemer SQUAD CAR REPAIR SUPPLIES	09/07/2022	37.55 37.55	37.55	Open	N 09/07/2022
3034427 73019	HEARTLAND TIRE INC. REPAIR LEAKING TIRE - IMPALA 101-2400-42210	08/18/2022 pziemer OPERATING SUPPLIES	09/07/2022	37.55 37.55	37.55	Open	N 09/07/2022

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14337 73240	HILDI INC. ACTUARIAL DISCLOSURES GASB 67 & 68 101-9200-43300	08/26/2022 pziemer	09/07/2022	1,100.00 1,100.00	1,100.00	Open	N 09/07/2022
09286351 73288	HIRSHFIELD'S DECORATING WHITE TRAFFIC PAINT 235-3170-42210	08/31/2022 pziemer	09/07/2022	1,187.91 1,187.91	1,187.91	Open	N 09/07/2022
67642 72534	HOLDEN ELECTRIC PAY REQ 2 ST & SWR ADDITION 400-2001-45530	07/21/2022 pziemer	09/07/2022	11,000.00 11,000.00	11,000.00	Open	N 09/07/2022
IN3907389 73009	INNOVATIVE OFFICE SOLUTIONS LLC EVIDENCE STORAGE/OFFICE SUPPLIES 225-2120-42210 225-2120-42200	08/22/2022 pziemer	09/07/2022	17.93 6.96 10.97	17.93	Open	N 09/07/2022
IN3910690 73055	INNOVATIVE OFFICE SOLUTIONS LLC BINDERS 225-2120-42200	08/24/2022 pziemer	09/07/2022	26.23 26.23	26.23	Open	N 09/07/2022
IN3917154 73242	INNOVATIVE OFFICE SOLUTIONS LLC PENS AND BINDER TABS 225-2120-42200	08/30/2022 pziemer	09/07/2022	31.36 31.36	31.36	Open	N 09/07/2022
8/11/22 73280	KITCHIGAMI REGIONAL LIBRARY - CC 7/29/22-8/11/22 REMIT LIB. CC CHARGE 211-0000-20800	08/11/2022 pziemer	09/07/2022	153.00 153.00	153.00	Open	N 09/07/2022
969187 73001	KNIFE RIVER TRACTION SAND 104.7 CY 235-3125-42220	08/15/2022 pziemer	09/07/2022	806.19 806.19	806.19	Open	N 09/07/2022
971643 73256	KNIFE RIVER TRACTION SAND 235-3125-42220	08/17/2022 pziemer	09/07/2022	(1,036.53) (1,036.53)	(1,036.53)	Open	N 09/07/2022
971644 73257	KNIFE RIVER TRACTION SAND 235-3125-42220	08/17/2022 pziemer	09/07/2022	1,048.05 1,048.05	1,048.05	Open	N 09/07/2022

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971645 73258	KNIFE RIVER TRACTION SAND 235-3125-42220 REPAIR & MAINT	08/17/2022 pziemer	09/07/2022	(895.19) (895.19)	(895.19)	Open	N 09/07/2022
971646 73259	KNIFE RIVER TRACTION SAND 235-3125-42220 REPAIR & MAINT	08/17/2022 pziemer	09/07/2022	905.13 905.13	905.13	Open	N 09/07/2022
036560 73068	L & M STEEL TRACTOR 110 MOWER STOCK BEARING CARRI 235-3100-42220 REPAIR & MAINT	08/25/2022 pziemer	09/07/2022	101.98 101.98	101.98	Open	N 09/07/2022
20220802 #522 73268	LAKES AREA MAT SERVICE INC CITY HALL FLOOR MATS 101-1940-43410 RENTAL EXPENSE	08/02/2022 pziemer	09/07/2022	44.08 44.08	44.08	Open	N 09/07/2022
20220816 #522 73269	LAKES AREA MAT SERVICE INC CITY HALL FLOOR MATS 101-1940-43410 RENTAL EXPENSE	08/16/2022 pziemer	09/07/2022	44.08 44.08	44.08	Open	N 09/07/2022
20220830 #522 73270	LAKES AREA MAT SERVICE INC CITY HALL FLOOR MATS 101-1940-43410 RENTAL EXPENSE	08/30/2022 pziemer	09/07/2022	44.08 44.08	44.08	Open	N 09/07/2022
20220830 #521 73271	LAKES AREA MAT SERVICE INC POLICE DEPT FLOOR MATS 225-2120-43300 PROFESSIONAL SERVICES	08/30/2022 pziemer	09/07/2022	42.92 42.92	42.92	Open	N 09/07/2022
20220802 #521 73272	LAKES AREA MAT SERVICE INC POLICE DEPT FLOOR MATS 225-2120-43300 PROFESSIONAL SERVICES	08/02/2022 pziemer	09/07/2022	42.92 42.92	42.92	Open	N 09/07/2022
20220816 #521 73273	LAKES AREA MAT SERVICE INC POLICE DEPT FLOOR MATS 225-2120-43300 PROFESSIONAL SERVICES	08/16/2022 pziemer	09/07/2022	42.92 42.92	42.92	Open	N 09/07/2022
AUGUST 2022 73022	LAKES AREA WILDLIFE CONTROL AUG 22 ANIMAL CONTROL CONTRACT 225-2700-43300 PROFESSIONAL SERVICES	08/22/2022 pziemer	09/07/2022	2,987.00 2,987.00	2,987.00	Open	N 09/07/2022

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00211125/ENG 73014	LAKES PRINTING J. DEHN BUSINESS CARDS 101-1700-43350	08/03/2022 pziemer	09/07/2022	67.57 67.57	67.57	Open	N 09/07/2022
00211125/ADM 73015	LAKES PRINTING D. BADEAUX BUSINESS CARDS 101-1110-43430	08/03/2022 pziemer	09/07/2022	67.58 67.58	67.58	Open	N 09/07/2022
00211173 73038	LAKES PRINTING QTY 500 ENVELOPES 225-2220-42200	08/02/2022 pziemer	09/07/2022	178.45 178.45	178.45	Open	N 09/07/2022
LE651070922 72976	LARSON ELEVATOR COMPANY 9/1/22-8/31/23 ELEVATOR MAINTENANCE 101-0000-15510 101-1940-42220	08/15/2022 pziemer	09/07/2022	2,176.20 1,450.80 725.40	2,176.20	Open	N 09/07/2022
LE16946001 73006	LARSON ELEVATOR COMPANY 8/12/22 ELEVATOR REPAIRS CITY HALL 101-1940-42220	08/22/2022 pziemer	09/07/2022	635.00 635.00	635.00	Open	N 09/07/2022
190190.01-2 73228	LHB INC. BRD HISTORIC WATER TOWER THRU 7/29/22 400-1481-43300	08/24/2022 pziemer	09/06/2022	2,450.00 2,450.00	2,450.00	Open	N 09/07/2022
0302297-IN 73069	LOCATORS - SUPPLIES INC GREEN MARKING PAINT 237-3190-42220	08/23/2022 pziemer	09/07/2022	138.00 138.00	138.00	Open	N 09/07/2022
8/15/22 72986	LORIMOR, DIANNA 1120 NORWOOD TREE REMOVAL	08/15/2022 pziemer	09/07/2022	122.50	122.50	Open	N 09/07/2022
W10772 73073	MACQUEEN EQUIPMENT INC SNOW BLOWER REMOTE DIAGNOSIS 235-3125-42220	08/24/2022 pziemer	09/07/2022	1,230.96 1,230.96	1,230.96	Open	N 09/07/2022
INV10246582 72991	MARCO CAMERA REPLACEMENT PROCESSING FEE	08/12/2022 pziemer	09/07/2022	75.00	75.00	Open	N 09/07/2022

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INV10260059 73013	MARCO MICROSOFT 365 7/16/22-8/15/22 101-1800-43309	08/17/2022 pziemer	09/07/2022	2,312.00 2,312.00	2,312.00	Open	N 09/07/2022
INV10278332 73161	MARCO UNIFY ON DEMAND SERVICES 101-1800-43309	08/23/2022 pziemer	09/07/2022	2,084.00 2,084.00	2,084.00	Open	N 09/07/2022
479574568 72982	MARCO FINANCING PD COPIER LEASE 225-2120-43331	08/05/2022 pziemer	09/07/2022	796.96 796.96	796.96	Open	N 09/07/2022
81204 73064	MENARDS 15 GAL TANK AND SPRAYER 235-3100-42220	08/24/2022 pziemer	09/07/2022	87.99 87.99	87.99	Open	N 09/07/2022
81475 73266	MENARDS 1021 MILL AVE SOFITT REPAIR 235-3100-42220	08/30/2022 pziemer	09/07/2022	36.98 36.98	36.98	Open	N 09/07/2022
80394 73016	MENARDS - BAXTER POOL SHOCK, SCREWS, CLAMP-SHOP 230-5200-42220	08/11/2022 pziemer	09/07/2022	27.64 27.64	27.64	Open	N 09/07/2022
9282818 72960	MIDWEST MACHINERY CO TRACTOR 110 ROLLER BEARINGS 235-3100-42220	08/15/2022 pziemer	09/07/2022	109.90 109.90	109.90	Open	N 09/07/2022
9294469 73067	MIDWEST MACHINERY CO CLIP/SEAL/RINGS 235-3100-42220	08/24/2022 pziemer	09/07/2022	210.59 210.59	210.59	Open	N 09/07/2022
1411000796 73010	MOTOROLA EVIDENCE LIBRARY STORAGE 224-2150-42210	08/18/2022 pziemer	09/07/2022	232.08 232.08	232.08	Open	N 09/07/2022
29353 72987	MOTORS-N-MORE SQD 444 - OIL CHANGE 225-2120-42221	08/16/2022 pziemer	09/07/2022	23.00 23.00	23.00	Open	N 09/07/2022

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29355 72988	MOTORS-N-MORE SQD 436 - OIL CHANGE 225-2120-42221	08/17/2022 pziemer	09/07/2022	23.00 23.00	23.00	Open	N 09/07/2022
	SQUAD CAR REPAIR SUPPLIES			23.00			
29362 73027	MOTORS-N-MORE SQD 432 - OIL CHANGE 225-2120-42221	08/22/2022 pziemer	09/07/2022	23.00 23.00	23.00	Open	N 09/07/2022
	SQUAD CAR REPAIR SUPPLIES			23.00			
29363 73028	MOTORS-N-MORE SQD 434 - OIL CHANGE/REPAIR LOWER ENCP 225-2120-42221	08/22/2022 pziemer	09/07/2022	85.53 85.53	85.53	Open	N 09/07/2022
	SQUAD CAR REPAIR SUPPLIES			85.53			
29368 73076	MOTORS-N-MORE SQD 430 - STARTER ASSEMBLY 225-2120-42221	08/24/2022 pziemer	09/07/2022	375.25 375.25	375.25	Open	N 09/07/2022
	SQUAD CAR REPAIR SUPPLIES			375.25			
29378 73162	MOTORS-N-MORE SQD 436 - BRAKE PADS 225-2120-42221	08/26/2022 pziemer	09/07/2022	232.56 232.56	232.56	Open	N 09/07/2022
	SQUAD CAR REPAIR SUPPLIES			232.56			
535013 73039	NAPA AUTO PARTS 2.5 GAL DEF - 96 PALLET 225-2220-42210	08/18/2022 pziemer	09/07/2022	36.00 36.00	36.00	Open	N 09/07/2022
	OPERATING SUPPLIES			36.00			
533408 73040	NAPA AUTO PARTS TACKY GREASE/WIZARD CLEANER 225-2220-42210	08/12/2022 pziemer	09/07/2022	34.27 34.27	34.27	Open	N 09/07/2022
	OPERATING SUPPLIES			34.27			
PAY REQ 3 - STRTS 72948	NOR-SON, INC. ST & SWR BLDG REMODEL PAY REQ 3 400-2001-45530	08/03/2022 pziemer	09/07/2022	80,006.15 80,006.15	80,006.15	Open	N 09/07/2022
	PYMTS TO CONTRACTORS			80,006.15			
50318 73234	NORTHLAND FIRE PROTECTION ANNUAL SERVICE & RECERTIFICATION OF Ip 230-5200-42220	08/19/2022 pziemer	09/07/2022	316.35 316.35	316.35	Open	N 09/07/2022
	REPAIR & MAINT			316.35			
3256520P 73021	NUSS TRUCK & EQUIPMENT TRUCK 103 LOWER COLLANT HOSE 235-3100-42220	08/19/2022 pziemer	09/07/2022	177.76 177.76	177.76	Open	N 09/07/2022
	REPAIR & MAINT			177.76			

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1115436-0 72956	OFFICE SHOP WHITE OUT TAPE - CITY HALL 101-1940-42200	08/11/2022 pziemer	09/07/2022	13.36 13.36	13.36	Open	N 09/07/2022
1115722-0 72990	OFFICE SHOP LAMINATE POUCH -CITY HALL 101-1940-42200	08/18/2022 pziemer	09/07/2022	16.04 16.04	16.04	Open	N 09/07/2022
1115436-1 73056	OFFICE SHOP CUPS FOR EDA/COUNCIL MTGS 101-9200-43430	08/23/2022 pziemer	09/07/2022	19.32 19.32	19.32	Open	N 09/07/2022
323099-0 73071	OFFICE SHOP FD COPER BILLING 225-2220-43331	08/19/2022 pziemer	09/07/2022	100.33 100.33	100.33	Open	N 09/07/2022
1115983-0 73072	OFFICE SHOP BINDERS FOR NEW COUNCIL/ADMIN 101-1940-42200	08/24/2022 pziemer	09/07/2022	34.00 34.00	34.00	Open	N 09/07/2022
1647-140324 72983	O'REILLY AUTOMOTIVE STORES INC. SQD 436 - OIL 225-2120-42221	08/15/2022 pziemer	09/07/2022	9.99 9.99	9.99	Open	N 09/07/2022
1647-142442 73163	O'REILLY AUTOMOTIVE STORES INC. TEST LITE TOOL 225-2120-42240	08/25/2022 pziemer	09/07/2022	18.99 18.99	18.99	Open	N 09/07/2022
3834 73262	PARTY WORLD SPEC.EVENT-LAST DANCE SUMMER BOUNCE 230-5211-42210	08/29/2022 pziemer	09/07/2022	431.20 431.20	431.20	Open	N 09/07/2022
55036688-00 72967	PREFERRED PUMP CULVERT PIPE - LESS SALES TAX 238-3160-42220	08/10/2022 pziemer	09/07/2022	488.61 488.61	488.61	Open	N 09/07/2022
104292 73082	PRO HYDRO-TESTING MOBILE SERVICE HYDRO-TESTING DOT STORAGE CYLINDERS 225-2220-43300	08/24/2022 pziemer	09/07/2022	254.00 254.00	254.00	Open	N 09/07/2022

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8/1/22 73267	RATWIK, ROSZAK AND MALONEY JUL 22 RETAINER/SPECIAL SERVICES 101-1610-43301 101-0000-14100 101-1610-43301 401-1609-43300 400-1481-43300 101-0000-14100	08/01/2022 pziemer CITY ATTORNEY DUE FROM COMPONENT UNIT CITY ATTORNEY PROFESSIONAL SERVICES PROFESSIONAL SERVICES DUE FROM COMPONENT UNIT	09/07/2022	5,688.60 4,601.84 31.00 558.00 1.76 418.50 77.50	5,688.60	Open	N 09/07/2022
50 72962	SADUSKY RENOVATIONS 8/15 INSPECTION SERVICES 101-2400-43300	08/16/2022 pziemer PROFESSIONAL SERVICES	09/07/2022	2,528.50 2,528.50	2,528.50	Open	N 09/07/2022
8259 73235	SAFETYFIRST PLAYGROUND EQUIPMENT JAYCEES PARK PLAYGROUND SURFACE MATEF 400-9050-45530	08/26/2022 pziemer CAPITAL - OTHER	09/07/2022	7,206.50 7,206.50	7,206.50	Open	N 09/07/2022
B21-0009 73024	SEEHAY LLC BD Bond Refund 101-0000-20200	08/23/2022 pziemer B21-0009	09/07/2022	500.00 500.00	500.00	Open	N 09/07/2022
8/22/22 73023	SEVERSON PORTER LAW AUG 22 PROSECUTION AGREEMENT 225-2127-43310	08/22/2022 pziemer MISDEMEANOR PROSECUTOR	09/07/2022	16,517.09 16,517.09	16,517.09	Open	N 09/07/2022
11057 73289	SHANNON'S AUTO BODY T20 FABRICATE HOSE SENSOR 225-2220-42220	08/31/2022 pziemer REPAIR & MAINT	09/07/2022	243.00 243.00	243.00	Open	N 09/07/2022
431065 72961	SHORT ELLIOTT HENDRICKSON IMP 20-07 BRD MN I&I SEWER STUDY 401-9030-43300-20:07	08/11/2022 pziemer PROFESSIONAL SERVICES	09/07/2022	10,557.70 10,557.70	10,557.70	Open	N 09/07/2022
431148 72963	SHORT ELLIOTT HENDRICKSON IMP 19-02 NP CENTER - CUYUNA TRAIL 401-1902-43300	08/15/2022 pziemer PROFESSIONAL SERVICES	09/07/2022	13,327.33 13,327.33	13,327.33	Open	N 09/07/2022
21307 72993	ST. CROIX RECREATION FUN PLAYGROUND JAYCEES PARK PLAYGROUND EQUIPMENT 400-9050-45530	08/01/2022 pziemer CAPITAL - OTHER	09/07/2022	84,603.94 84,603.94	84,603.94	Open	N 09/07/2022

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
3514771008 72984	STAPLES ADVANTAGE TONER CARTRIDGE -RECORDS 225-2120-42200	08/06/2022 pziemer OFFICE SUPPLIES	09/07/2022	108.59 108.59	108.59	Open	N 09/07/2022
3515238018 73029	STAPLES ADVANTAGE PRINTER 225-2120-42200	08/13/2022 pziemer OFFICE SUPPLIES	09/07/2022	699.99 699.99	699.99	Open	N 09/07/2022
2595 73154	STOUT HYDROSEEDING & FERTILIZING CITY HALL FERTILIZER/WEED CONTROL 101-1940-42220	08/26/2022 pziemer REPAIR & MAINT	09/07/2022	80.00 80.00	80.00	Open	N 09/07/2022
2596 73170	STOUT HYDROSEEDING & FERTILIZING FERTILIZING AND WEED CONTROL 225-2120-43300	08/26/2022 pziemer PROFESSIONAL SERVICES	09/07/2022	100.00 100.00	100.00	Open	N 09/07/2022
2594 73232	STOUT HYDROSEEDING & FERTILIZING FERTILIZING STATION 1 & 2 225-2220-43300	08/26/2022 pziemer PROFESSIONAL SERVICES	09/07/2022	200.00 200.00	200.00	Open	N 09/07/2022
2591 73263	STOUT HYDROSEEDING & FERTILIZING 3RD APP - WEED/FEED - GUS/KWP/TRG/OBfpziemer 400-9050-45530	08/26/2022 pziemer CAPITAL - OTHER	09/07/2022	8,135.00 8,135.00	8,135.00	Open	N 09/07/2022
2592 73264	STOUT HYDROSEEDING & FERTILIZING 3RD APP -WEED/FEED - MMP & MILLS/JCP/pziemer 230-5200-42221 400-9050-45530	08/26/2022 pziemer R&M-ATHLETIC FIELD MAINT CAPITAL - OTHER	09/07/2022	2,670.00 1,995.00 675.00	2,670.00	Open	N 09/07/2022
2593 73265	STOUT HYDROSEEDING & FERTILIZING 3RD APP-WEED/FEED-COLLEGE DRIVE ROUNIpziemer 230-5200-42220	08/26/2022 pziemer REPAIR & MAINT	09/07/2022	1,000.00 1,000.00	1,000.00	Open	N 09/07/2022
I1583979 72985	STREICHERS PROF EQUIP 711NK - INITIAL ISSUE 225-2120-41113	08/10/2022 pziemer UNIFORM ALLOWANCE	09/07/2022	1,627.79 1,627.79	1,627.79	Open	N 09/07/2022
I1584044 73002	STREICHERS PROF EQUIP 711NK - INITIAL ISSUE 225-2120-41113	08/11/2022 pziemer UNIFORM ALLOWANCE	09/07/2022	23.98 23.98	23.98	Open	N 09/07/2022

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I1586420 73243	STREICHERS PROF EQUIP 711NK INITIAL ISSUE 225-2120-41113	08/24/2022 pziemer	09/07/2022	69.99 69.99	69.99	Open	N 09/07/2022
I1586547 73244	STREICHERS PROF EQUIP 727 UNIFORM BELT/EQUIP 225-2120-41113	08/25/2022 pziemer	09/07/2022	63.96 63.96	63.96	Open	N 09/07/2022
I1586616 73245	STREICHERS PROF EQUIP 772 -CSO UNIFORM BOOTS 225-2121-41113	08/25/2022 pziemer	09/07/2022	132.99 132.99	132.99	Open	N 09/07/2022
369245 73255	SULLIVAN CANDY & SUPPLY CONCESSIONS - NACHO CHIPS 230-5204-42210	08/26/2022 pziemer	09/07/2022	13.00 13.00	13.00	Open	N 09/07/2022
40057320 73233	SUTPHEN CORPORATION T20 HOSE ASSEMBLY 225-2220-42220	08/22/2022 pziemer	09/07/2022	875.81 875.81	875.81	Open	N 09/07/2022
10607 72995	TWIN CITIES RECREATION, INC. JAYCEES PARK PLAYGROUND ASSEMBLY 400-9050-45530	08/15/2022 pziemer	09/07/2022	19,270.00 19,270.00	19,270.00	Open	N 09/07/2022
JUL 22 - ADJ 73286	VISIT BRAINERD ADJUSTED LODGING JULY 22 101-9200-43340	08/31/2022 pziemer	09/07/2022	221.38 221.38	221.38	Open	N 09/07/2022
JUNE 22 - ADJ 73287	VISIT BRAINERD ADJUSTED JUNE 22 LODGING TAX REMIT 101-9200-43340	08/31/2022 pziemer	09/07/2022	283.59 283.59	283.59	Open	N 09/07/2022
127596 72954	WATSON COMPANY CONCESSIONS - CANDY/PRETZELS 230-5204-42210	08/09/2022 pziemer	09/07/2022	345.22 345.22	345.22	Open	N 09/07/2022
046609 73030	WEST BRAINERD AUTO SERVICE SQD 430 - TOW 225-2120-42221	08/22/2022 pziemer	09/07/2022	20.00 20.00	20.00	Open	N 09/07/2022

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219145 73285	WIDSETH SMITH NOLTING 22:40 BRAINERD PD STORAGE BLDG 400-9050-43300-22:40	08/26/2022 pziemer	09/07/2022	150.00 150.00	150.00	Open	N 09/07/2022
12272 72966	WINNERS TROPHY MEMORIAL TREE PLAQUE - REPLACEMENT 230-5200-42220	08/06/2022 pziemer	09/07/2022	35.00 35.00	35.00	Open	N 09/07/2022
12306 73018	WINNERS TROPHY K. FINCH -TOWER AWARD ENGRAVING 101-9200-43430	08/22/2022 pziemer	09/07/2022	55.00 55.00	55.00	Open	N 09/07/2022
83293 72975	Z SYSTEMS CABLECAST CAPTIONING 1000 HOURS 101-9200-43434	08/09/2022 pziemer	09/07/2022	5,812.50 5,812.50	5,812.50	Open	N 09/07/2022
IN000663840 73070	ZIEGLER, INC LOADER 115 FUEL FILTERS 235-3100-42220	08/25/2022 pziemer	09/07/2022	111.96 111.96	111.96	Open	N 09/07/2022
PCard: 2257 U.S. BANK Card Holder: CITY HALL							
8/15/22 - 2 73147	AMAZON WHITE BOARD - ENG OFFICE 101-1940-42200	08/15/2022 pziemer	09/07/2022	11.19 11.19	11.19	Open	N 09/07/2022
8/2/22 73151	AMAZON AMAZON AWS JULY 2022 101-1800-43309	08/02/2022 pziemer	09/07/2022	202.23 202.23	202.23	Open	N 09/07/2022
8/18/22 73153	AMAZON QTY 2 DECORATIVE LASER LIGHTS - LAST 230-5211-42210	08/18/2022 pziemer	09/07/2022	271.97 271.97	271.97	Open	N 09/07/2022
8/10/22 73157	BAUDVILLE 2022 WELLNESS AWARDS 278-6515-43430	08/10/2022 pziemer	09/07/2022	230.42 230.42	230.42	Open	N 09/07/2022
8/11/22 73158	BAUDVILLE WELLNESS 25YR EMPLOYEE AWARD 278-6515-43430	08/11/2022 pziemer	09/07/2022	59.99 59.99	59.99	Open	N 09/07/2022

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PCard: 2257 U.S. BANK Card Holder: CITY HALL							
8/1/22 73152	BEST BUY REPLACED TWO TVS COUNCIL CHAMBERS 101-9200-43434	08/01/2022 pziemer	09/07/2022	799.98 799.98	799.98	Open	N 09/07/2022
	MEETING BROADCAST EXPENDITURES			799.98			
8/9/22 73159	DOMINO'S PIZZA ELECTION MEAL - GLUTEN FREE MEAL 101-1410-43430	08/09/2022 pziemer	09/07/2022	18.06 18.06	18.06	Open	N 09/07/2022
	MISCELLANEOUS			18.06			
8/1/22 73144	GOVERNMENT FINANCE OFFICERS ASSN RENEWAL FEES C. HILLMAN 101-1400-43433	08/01/2022 pziemer	09/07/2022	190.00 190.00	190.00	Open	N 09/07/2022
	DUES & SUBSCRIPTIONS			190.00			
8/1/22 - 2 73146	GOVERNMENT FINANCE OFFICERS ASSN OVERVIEW OF PUBLIC PROCUREMENT - C.Hlpziemer 101-1400-43330	08/01/2022 pziemer	09/07/2022	315.00 315.00	315.00	Open	N 09/07/2022
	PROFESSIONAL DEVELOPMENT			315.00			
8/17/22 73160	HR CERTIFICATION INSTITUTE PHR RE-CERTIFICATION K. SCHUBERT 101-1400-43330	08/17/2022 pziemer	09/07/2022	169.00 169.00	169.00	Open	N 09/07/2022
	PROFESSIONAL DEVELOPMENT			169.00			
8/1/22 73149	MCFOA 2022 MEMBERSHIP DUES C.HILLMAN 101-1400-43433	08/01/2022 pziemer	09/07/2022	51.48 51.48	51.48	Open	N 09/07/2022
	DUES & SUBSCRIPTIONS			51.48			
8/8/22 73155	MICKEY'S PIZZA - J&T FOOD SERVICE MEDIATION - ADDITIONAL MEAL 101-9200-43430	08/08/2022 pziemer	09/07/2022	5.68 5.68	5.68	Open	N 09/07/2022
	MISCELLANEOUS			5.68			
8/5/22 - 2 73156	MICKEY'S PIZZA - J&T FOOD SERVICE MEDIATION - MEALS 101-9200-43430	08/05/2022 pziemer	09/07/2022	69.33 69.33	69.33	Open	N 09/07/2022
	MISCELLANEOUS			69.33			
7/29/22 73145	MN GFOA 2022 MNGFOA ANNUAL CONF REG C.HILLMANpziemer 101-1400-43330	08/01/2022 pziemer	09/07/2022	230.00 230.00	230.00	Open	N 09/07/2022
	PROFESSIONAL DEVELOPMENT			230.00			
8/18/22 73150	VISTA PRINT HANG TAGS FOR PARKING LOTS 236-3180-42210	08/18/2022 pziemer	09/07/2022	82.62 82.62	82.62	Open	N 09/07/2022
	OPERATING SUPPLIES			82.62			

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Inv Ref#	Description	Entered By					Post Date

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

8/18/22							
73148	ZOOM VIDEO COMMUNICATIONS	08/18/2022	09/07/2022	29.98	29.98	Open	N
	ZOOM 8/18/22-9/17/22	pziemer					09/07/2022
	101-1800-43309	COMPUTER SUPPORT		29.98			
Total PCard: 2257 U.S. BANK Card Holder: CITY HALL				2,736.93	2,736.93		

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

7/29/22 73084	ACTIVE911 INC ADDITIONAL USER LICENSE 225-2220-43433	08/01/2022 pziemer	09/07/2022	15.25	15.25	Open	N 09/07/2022
	DUES & SUBSCRIPTIONS			15.25			
7/29/22 - 2 73085	ACTIVE911 INC ADDITIONAL USER LICENSE 225-2220-43433	08/01/2022 pziemer	09/07/2022	15.25	15.25	Open	N 09/07/2022
	DUES & SUBSCRIPTIONS			15.25			
7/26/22 73083	AMAZON HOSE REEL CART 225-2220-42210	08/01/2022 pziemer	09/07/2022	48.00	48.00	Open	N 09/07/2022
	OPERATING SUPPLIES			48.00			
7/26/22 - 2 73086	AMAZON SILICONE FLOOR MATS/TOWELS 225-2220-42210	08/01/2022 pziemer	09/07/2022	103.85	103.85	Open	N 09/07/2022
	OPERATING SUPPLIES			103.85			
8/17/22 73169	JME SALES FUELWORKS AUTO NOZZLE 225-2220-42210	08/17/2022 pziemer	09/07/2022	729.50	729.50	Open	N 09/07/2022
	OPERATING SUPPLIES			729.50			
8/23/22 73088	MN FIRE SERVICE CERTIFICATION BOARD FIREFIGHTER RECERTIFICATIONS 225-2220-43330	08/23/2022 pziemer	09/07/2022	1,150.00	1,150.00	Open	N 09/07/2022
	PROFESSIONAL DEVELOPMENT			1,150.00			
8/22/22 73087	MN STATE FIRE CHIEFS ASSOCIATION ANNUAL CONFERENCE REG. QTY 4 225-2500-43330 225-2220-43330	08/22/2022 pziemer	09/07/2022	1,425.00	1,425.00	Open	N 09/07/2022
	PROFESSIONAL DEVELOPMENT			1,000.00			
	PROFESSIONAL DEVELOPMENT			425.00			
Total PCard: 2257 U.S. BANK Card Holder: FIRE				3,486.85	3,486.85		

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PCard: 2257 U.S. BANK Card Holder: LIBRARY							
8/5/22 73094	AMAZON PROGRAMMING SUPPLIES - PLASTER, STICK 211-5501-43430	08/05/2022 pziemer	09/07/2022	32.72 32.72	32.72	Open	N 09/07/2022
8/17/22 73096	AMAZON KEYBOARD 211-5500-42200	08/17/2022 pziemer	09/07/2022	9.99 9.99	9.99	Open	N 09/07/2022
8/17/22 - 2 73097	AMAZON BANK BOXES 211-5500-42200	08/17/2022 pziemer	09/07/2022	27.99 27.99	27.99	Open	N 09/07/2022
8/3/22 73090	CONSUMER REPORTS CONSUMER REPORTS - ANNUAL SUBSCRIPTION 211-5503-43430	08/03/2022 pziemer	09/07/2022	39.00 39.00	39.00	Open	N 09/07/2022
8/26/22 73095	DEMCO INC PROGRAM SUPPLIES - AWARDS 211-5501-43430	08/05/2022 pziemer	09/07/2022	84.73 84.73	84.73	Open	N 09/07/2022
8/4/22 73092	MAILCHIMP MAILCHIMP SUBSCRIPTION 211-5503-43430	08/04/2022 pziemer	09/07/2022	34.00 34.00	34.00	Open	N 09/07/2022
8/4/22 73093	MINNESOTA LIBRARY ASSOCIATION ANNUAL MEMBERSHIP 211-5503-43430	08/04/2022 pziemer	09/07/2022	145.00 145.00	145.00	Open	N 09/07/2022
8/23/22 73098	OFFICE MAX ETHERNET CABLE 211-5500-42200	08/23/2022 pziemer	09/07/2022	21.29 21.29	21.29	Open	N 09/07/2022
8/16/22 73141	PLUNKETT'S PEST CONTROL MONTHLY PEST CONTROL 211-5500-42220	08/16/2022 pziemer	09/07/2022	136.55 136.55	136.55	Open	N 09/07/2022
8/1/22 73089	TARGET ERASERS, HIGHLIGHTERS, STATIONARY 211-5500-42200	08/01/2022 pziemer	09/07/2022	47.75 47.75	47.75	Open	N 09/07/2022

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Inv Ref#	Description	Entered By					Post Date

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

8/4/22							
73091	TARGET	08/04/2022	09/07/2022	51.47	51.47	Open	N
	JANITORIAL/LOCK/TAPE/PILLOW FORT	pziemer					09/07/2022
	211-5501-43430	MISC - SPECIFIED DONATION USE		51.47			
Total PCard: 2257 U.S. BANK Card Holder: LIBRARY				630.49	630.49		

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

8/2/22 73246	COSTCO CONCESSIONS - WATER 230-5204-42210	08/02/2022 pziemer OPERATING SUPPLIES	09/07/2022	12.87 12.87	12.87	Open	N 09/07/2022
8/10/22 73247	COSTCO CONCESSIONS - BUNS 230-5204-42210	08/10/2022 pziemer OPERATING SUPPLIES	09/07/2022	22.14 22.14	22.14	Open	N 09/07/2022
8/19/22 73249	COSTCO SPECIAL EVENTS - OUTDOOR SPEAKERS 230-5211-42210	08/19/2022 pziemer OPERATING SUPPLIES	09/07/2022	299.98 299.98	299.98	Open	N 09/07/2022
8/22/22 73250	MRPA MRPA CONFERENCE T. HARRIS 230-5200-43330	08/22/2022 pziemer PROFESSIONAL DEVELOPMENT	09/07/2022	545.00 545.00	545.00	Open	N 09/07/2022
8/22/22 - 2 73251	MRPA MRPA CONF - K. KAUFMAN 230-5200-43330	08/22/2022 pziemer PROFESSIONAL DEVELOPMENT	09/07/2022	375.00 375.00	375.00	Open	N 09/07/2022
8/16/22 73248	SWANK MOTION PICTURES LAST DANCE SUMMER- GREASE MOVIE 230-5211-42210	08/16/2022 pziemer OPERATING SUPPLIES	09/07/2022	465.00 465.00	465.00	Open	N 09/07/2022
Total PCard: 2257 U.S. BANK Card Holder: PARKS				1,719.99	1,719.99		

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PCard: 2257 U.S. BANK Card Holder: POLICE							
7/26/22 73099	ABRA - BRAINERD SQD 430 - AUTOBODY REPAIR 225-2120-42221	08/01/2022 pziemer	09/07/2022	3,768.75 3,768.75	3,768.75	Open	N 09/07/2022
	SQUAD CAR REPAIR SUPPLIES						
8/4/22 73115	AMAZON FLASHDRIVES 225-2120-42210	08/04/2022 pziemer	09/07/2022	119.99 119.99	119.99	Open	N 09/07/2022
	OPERATING SUPPLIES						
8/9/22 73117	AMAZON PAPER CUTTERS, BLADES, PENS 225-2120-42200	08/09/2022 pziemer	09/07/2022	98.64 98.64	98.64	Open	N 09/07/2022
	OFFICE SUPPLIES						
8/15/22 73133	AMAZON SCISSORS, PICTURE HANGARS 225-2120-42200 225-2120-42220	08/15/2022 pziemer	09/07/2022	36.95 10.99 25.96	36.95	Open	N 09/07/2022
	OFFICE SUPPLIES						
	REPAIR & MAINT						
8/16/22 73136	AMAZON NOTARY STAMP - C. JENSEN 225-2120-42200	08/16/2022 pziemer	09/07/2022	13.98 13.98	13.98	Open	N 09/07/2022
	OFFICE SUPPLIES						
8/24/22 73139	AMAZON CREDIT - PICTURE HANGARS 225-2120-42220	08/24/2022 pziemer	09/07/2022	(25.96) (25.96)	(25.96)	Open	N 09/07/2022
	REPAIR & MAINT						
7/28/22 73104	AXON ENTERPRISE, INC. QTY 3 TASERS 225-2120-41113	08/01/2022 pziemer	09/07/2022	4,243.29 4,243.29	4,243.29	Open	N 09/07/2022
	UNIFORM ALLOWANCE						
8/11/22 73120	BIG JAY'S PIZZA ARCADE BAGS WITH BADGES SUPPLIES 225-2120-42210	08/11/2022 pziemer	09/07/2022	550.00 550.00	550.00	Open	N 09/07/2022
	OPERATING SUPPLIES						
8/2/22 73108	CWC AUDITOR-TREASURER C. JENSEN - NOTARY RECORDING FEE 225-2120-43433	08/02/2022 pziemer	09/07/2022	20.00 20.00	20.00	Open	N 09/07/2022
	DUES & SUBSCRIPTIONS						
8/12/22 73130	DOLLAR TREE BAGS WITH BADGES SUPPLIES 225-2120-42210	08/12/2022 pziemer	09/07/2022	2.16 2.16	2.16	Open	N 09/07/2022
	OPERATING SUPPLIES						

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
PCard: 2257 U.S. BANK Card Holder: POLICE							
8/11/22 73121	DQ GRILL & CHILL BAGS WITH BADGES SUPPLIES 225-2120-42210	08/11/2022 pziemer OPERATING SUPPLIES	09/07/2022	50.00 50.00	50.00	Open	N 09/07/2022
8/11/22 73122	FANCY PANTS CHOCOLATES BAGS WITH BADGES SUPPLIES 225-2120-42210	08/11/2022 pziemer OPERATING SUPPLIES	09/07/2022	15.00 15.00	15.00	Open	N 09/07/2022
8/11/22 73123	GOODY'S GOURMET TREATS BAGS WITH BADGES SUPPLIES 225-2120-42210	08/11/2022 pziemer OPERATING SUPPLIES	09/07/2022	75.00 75.00	75.00	Open	N 09/07/2022
8/2/22 73109	HOME DEPOT STAPLES 225-2120-42220	08/02/2022 pziemer REPAIR & MAINT	09/07/2022	4.17 4.17	4.17	Open	N 09/07/2022
8/11/22 73124	KNOTTY PINE BAKERY LLC BAGS WITH BADGES SUPPLIES 225-2120-42210	08/11/2022 pziemer OPERATING SUPPLIES	09/07/2022	25.00 25.00	25.00	Open	N 09/07/2022
8/12/22 73131	LITTLE CAESARS BAGS WITH BADGES SUPPLIES 225-2120-42210	08/12/2022 pziemer OPERATING SUPPLIES	09/07/2022	103.41 103.41	103.41	Open	N 09/07/2022
8/12/22 73132	LITTLE CAESARS BAGS WITH BADGES SUPPLIES 225-2120-42210	08/12/2022 pziemer OPERATING SUPPLIES	09/07/2022	110.41 110.41	110.41	Open	N 09/07/2022
8/11/22 73125	LOCO ESPRESS, INC BAGS WITH BADGES SUPPLIES 225-2120-42210	08/11/2022 pziemer OPERATING SUPPLIES	09/07/2022	25.00 25.00	25.00	Open	N 09/07/2022
8/11/22 73126	MCDONALDS #17495 BAGS WITH BADGES SUPPLIES 225-2120-42210	08/11/2022 pziemer OPERATING SUPPLIES	09/07/2022	50.00 50.00	50.00	Open	N 09/07/2022
7/26/22 73100	MN BUREAU OF CRIM APPREHENSION 703 - EMPLOYEE MISCONDUCT & DISCIPLINE 225-2120-43330	08/01/2022 pziemer PROFESSIONAL DEVELOPMENT	09/07/2022	250.00 250.00	250.00	Open	N 09/07/2022

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PCard: 2257 U.S. BANK Card Holder: POLICE							
8/1/22 73106	MN BUREAU OF CRIM APPREHENSION 707 LEADERSHIP IN POLICE ORGANIZATION 225-2120-43330	08/01/2022 pziemer	09/07/2022	995.00 995.00	995.00	Open	N 09/07/2022
8/22/22 73137	MN POST BOARD 711NK - POST LICENSE 225-2120-43433	08/22/2022 pziemer	09/07/2022	91.94 91.94	91.94	Open	N 09/07/2022
8/2/22 73110	MN SECRETARY OF STATE - NOTARY C. JENSEN - NOTARY RENEWAL 225-2120-43433	08/02/2022 pziemer	09/07/2022	120.00 120.00	120.00	Open	N 09/07/2022
8/2/22 73111	MN STATE COLLEGES & UNIVERSITIES 705 RECERT: HUMAN FACTOR SCIENCE/PPC 225-2120-43330	08/02/2022 pziemer	09/07/2022	250.00 250.00	250.00	Open	N 09/07/2022
8/2/22 73113	PRI MANAGEMENT GROUP M. HALVERSON-REDACTING RECORDS TRAINING 225-2120-43330	08/02/2022 pziemer	09/07/2022	208.00 208.00	208.00	Open	N 09/07/2022
8/11/22 73129	PURPLE FERN BATH CO, LLC BAGS WITH BADGES SUPPLIES 225-2120-42210	08/11/2022 pziemer	09/07/2022	25.00 25.00	25.00	Open	N 09/07/2022
8/15/22 73135	SIRCHIE FINGER PRINT LABORATORIES, EVIDENCE SUPPLIES 225-2120-42210	08/15/2022 pziemer	09/07/2022	205.46 205.46	205.46	Open	N 09/07/2022
8/9/22 73119	SUPERIOR CELEBRATIONS HALLOWEEN SAFETY EVENT SUPPLIES 225-2120-43305	08/09/2022 pziemer	09/07/2022	239.60 239.60	239.60	Open	N 09/07/2022
8/1/22 73114	TRANSUNION RISK INVESTIGATIONS & PARKING TICKETS 225-2120-42210	08/01/2022 pziemer	09/07/2022	75.00 75.00	75.00	Open	N 09/07/2022
7/26/22 73101	USPS POSTAGE 225-2120-43322	08/01/2022 pziemer	09/07/2022	1.20 1.20	1.20	Open	N 09/07/2022

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PCard: 2257 U.S. BANK Card Holder: POLICE							
7/27/22 73102	USPS POSTAGE 225-2120-43322	08/01/2022 pziemer	09/07/2022	4.50 4.50	4.50	Open	N 09/07/2022
7/27/22 - 2 73103	USPS POSTAGE 225-2120-43322	08/01/2022 pziemer	09/07/2022	9.00 9.00	9.00	Open	N 09/07/2022
7/28/22 73105	USPS POSTAGE 225-2120-43322	08/01/2022 pziemer	09/07/2022	4.50 4.50	4.50	Open	N 09/07/2022
8/1/22 73107	USPS POSTAGE 225-2120-43322	08/01/2022 pziemer	09/07/2022	1.44 1.44	1.44	Open	N 09/07/2022
8/2/22 73112	USPS POSTAGE 225-2120-43322	08/02/2022 pziemer	09/07/2022	9.60 9.60	9.60	Open	N 09/07/2022
8/4/22 73116	USPS POSTAGE 225-2120-43322	08/04/2022 pziemer	09/07/2022	4.50 4.50	4.50	Open	N 09/07/2022
8/9/22 73118	USPS POSTAGE 225-2120-43322	08/09/2022 pziemer	09/07/2022	5.10 5.10	5.10	Open	N 09/07/2022
8/11/22 73127	USPS POSTAGE 225-2120-43322	08/11/2022 pziemer	09/07/2022	4.50 4.50	4.50	Open	N 09/07/2022
8/11/22 - 2 73128	USPS POSTAGE 225-2120-43322	08/11/2022 pziemer	09/07/2022	5.80 5.80	5.80	Open	N 09/07/2022
8/15/22 73134	USPS POSTAGE 225-2120-43322	08/15/2022 pziemer	09/07/2022	1.44 1.44	1.44	Open	N 09/07/2022

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution						

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

8/23/22							
73138	USPS	08/23/2022	09/07/2022	14.70	14.70	Open	N
	POSTAGE	pziemer					09/07/2022
	225-2120-43322	POSTAGE		14.70			

8/24/22							
73140	USPS	08/24/2022	09/07/2022	4.50	4.50	Open	N
	POSTAGE	pziemer					09/07/2022
	225-2120-43322	POSTAGE		4.50			

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

11,816.57	11,816.57
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Inv Ref#	Description	Entered By					Post Date
	GL Distribution						

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

8/18/22							
73143	FLEET FARM	08/18/2022	09/07/2022	113.19	113.19	Open	N
	KEROSENE FOR PATCH TRAILER	pziemer					09/07/2022
	235-3100-42212	MOTOR FUELS		113.19			

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

# of Invoices:	264	# Due:	264	Totals:	885,279.02	885,279.02
# of Credit Memos:	3	# Due:	3	Totals:	(1,957.68)	(1,957.68)
Net of Invoices and Credit Memos:					883,321.34	883,321.34

--- TOTALS BY GL DISTRIBUTION ---

101-0000-14100	DUE FROM COMPONENT UNIT	108.50
101-0000-15510	PREPAID OTHER	1,450.80
101-0000-20200	B21-0009	500.00
101-0000-20803	WATERTOWER DONATIONS-CC	100.00
101-0000-20810	STATE TAX PAYABLE	4.14
101-0000-20811	COUNTY SALES TAX	0.30
101-0000-20812	CITY TAX PAYABLE	0.30
101-0000-22800	OTHER LIABILITIES	76.20
101-1110-43430	MISCELLANEOUS	67.58
101-1400-43330	PROFESSIONAL DEVELOPMENT	714.00
101-1400-43433	DUES & SUBSCRIPTIONS	241.48
101-1410-43430	MISCELLANEOUS	18.06
101-1610-43301	CITY ATTORNEY	5,159.84
101-1700-43350	PRINTING/LEGAL PUBLICATION	67.57
101-1800-42210	OPERATING SUPPLIES	1,538.27
101-1800-43309	COMPUTER SUPPORT	5,012.86
101-1940-42200	OFFICE SUPPLIES	74.59
101-1940-42220	REPAIR & MAINT	1,440.40
101-1940-43300	PROFESSIONAL SERVICES	1,890.71
101-1940-43380	UTILITIES	196.59
101-1940-43410	RENTAL EXPENSE	132.24
101-2400-42210	OPERATING SUPPLIES	228.57
101-2400-43300	PROFESSIONAL SERVICES	2,528.50
101-2400-43350	PRINTING/LEGAL PUBLICATION	92.00
101-9200-43300	PROFESSIONAL SERVICES	1,100.00
101-9200-43340	LODGING TAX REMIT/PR	504.97
101-9200-43430	MISCELLANEOUS	149.33
101-9200-43434	MEETING BROADCAST EXPENDITURES	6,612.48
211-0000-20800	DUE TO OTHER GOVT UNITS	153.00
211-5500-42200	OFFICE SUPPLIES	107.02
211-5500-42220	REPAIR & MAINT	395.50
211-5500-43380	UTILITIES	65.24
211-5501-43430	MISC - SPECIFIED DONATION USE	168.92
211-5503-43430	MISC - USE OF HOLDEN TRUST	218.00
224-2150-42210	OPERATING SUPPLIES	232.08
225-2120-41113	UNIFORM ALLOWANCE	7,443.44
225-2120-42200	OFFICE SUPPLIES	1,000.75
225-2120-42209	SAFETY EQUIPMENT SUPPLIES	760.53

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	GL Distribution						
	225-2120-42210	OPERATING SUPPLIES		1,828.10			
	225-2120-42220	REPAIR & MAINT		9.51			
	225-2120-42221	SQUAD CAR REPAIR SUPPLIES		5,522.51			
	225-2120-42240	SMALL TOOLS		18.99			
	225-2120-43300	PROFESSIONAL SERVICES		1,694.05			
	225-2120-43305	CRIME PREVENTION PROGRAM		239.60			
	225-2120-43322	POSTAGE		70.78			
	225-2120-43330	PROFESSIONAL DEVELOPMENT		1,728.00			
	225-2120-43331	LEASED PAYMENTS		796.96			
	225-2120-43380	UTILITIES		23.52			
	225-2120-43433	DUES & SUBSCRIPTIONS		231.94			
	225-2121-41113	UNIFORM ALLOWANCE		132.99			
	225-2127-43310	MISDEMEANOR PROSECUTOR		16,517.09			
	225-2220-42200	OFFICE SUPPLIES		178.45			
	225-2220-42210	OPERATING SUPPLIES		1,663.12			
	225-2220-42220	REPAIR & MAINT		1,267.31			
	225-2220-42250	PERSONAL PROTECTIVE GEAR		1,998.88			
	225-2220-43300	PROFESSIONAL SERVICES		5,335.75			
	225-2220-43330	PROFESSIONAL DEVELOPMENT		1,575.00			
	225-2220-43331	LEASED PAYMENTS		181.02			
	225-2220-43380	UTILITIES		62.46			
	225-2220-43430	MISCELLANEOUS		212.50			
	225-2220-43433	DUES & SUBSCRIPTIONS		30.50			
	225-2500-43330	PROFESSIONAL DEVELOPMENT		1,000.00			
	225-2700-43300	PROFESSIONAL SERVICES		2,987.00			
	227-3230-43428	USED OIL RECYCLING EXPENSE		100.00			
	230-5200-42210	OPERATING SUPPLIES		508.20			
	230-5200-42220	REPAIR & MAINT		2,741.28			
	230-5200-42221	R&M-ATHLETIC FIELD MAINT		4,599.20			
	230-5200-43330	PROFESSIONAL DEVELOPMENT		920.00			
	230-5200-43380	UTILITIES		32.28			
	230-5204-42210	OPERATING SUPPLIES		465.23			
	230-5211-42210	OPERATING SUPPLIES		1,549.13			
	230-5215-34715	ADULT SOFTBALL USER FEES		345.26			
	235-3100-42212	MOTOR FUELS		113.19			
	235-3100-42220	REPAIR & MAINT		1,523.15			
	235-3100-43300	PROFESSIONAL SERVICES		254.95			
	235-3100-43380	UTILITIES		65.24			
	235-3100-43430	MISCELLANEOUS		276.93			
	235-3125-42220	REPAIR & MAINT		2,058.61			
	235-3170-42210	OPERATING SUPPLIES		1,187.91			
	236-3180-42210	OPERATING SUPPLIES		82.62			
	237-3190-42220	REPAIR & MAINT		152.35			
	237-3190-43350	PRINTING/LEGAL PUBLICATIONS		284.50			
	238-3160-42220	SUGARBERRY CULVERT		488.61			
	278-6515-43430	MISCELLANEOUS		302.38			
	400-1481-43300	PROFESSIONAL SERVICES		2,868.50			
	400-2001-45530	PYMTS TO CONTRACTORS		91,006.15			
	400-9050-43300-22:40	PROFESSIONAL SERVICES		150.00			
	400-9050-45530	CAPITAL - OTHER		120,481.64			
	401-1609-43300	PROFESSIONAL SERVICES		1.76			
	401-1902-43300	PROFESSIONAL SERVICES		13,327.33			
	401-9030-43300-20:07	PROFESSIONAL SERVICES		10,557.70			
	401-9030-43430-21:16	MISCELLANEOUS		120.25			
	401-9030-45530-21:16	CAPITAL-PYMTS TO CONTRACTS		540,488.47			

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--- TOTALS BY FUND ---							
	101 - GENERAL FUND			30,010.28	30,010.28		
	211 - LIBRARY FUND			1,107.68	1,107.68		
	224 - DUI FORFEITURE			232.08	232.08		
	225 - PUBLIC SAFETY FUND			54,510.75	54,510.75		
	227 - RECYCLING FUND			100.00	100.00		
	230 - PARK & RECREATION FUND			11,160.58	11,160.58		
	235 - STREET & SEWER FUND			5,479.98	5,479.98		
	236 - PARKING LOT FUND			82.62	82.62		
	237 - SANITARY SEWER FUND			436.85	436.85		
	238 - STORM SEWER FUND			488.61	488.61		
	278 - HEALTHY EMPLOYE INITIATIVE			302.38	302.38		
	400 - CAPITAL PROJECTS FUND			214,506.29	214,506.29		
	401 - CONSTRUCTION FUND			564,495.51	564,495.51		
--- TOTALS BY DEPT/ACTIVITY ---							
	0000 -			2,393.24	2,393.24		
	1110 - MAYOR & COUNCIL			67.58	67.58		
	1400 - ADMINISTRATION			955.48	955.48		
	1410 - ELECTIONS			18.06	18.06		
	1481 - HISTORIC WATER TOWER REPA			2,868.50	2,868.50		
	1609 - 16:09 BUFFALO HILLS RECON			1.76	1.76		
	1610 - LEGAL-CIVIL ATTORNEY			5,159.84	5,159.84		
	1700 - ENGINEERING			67.57	67.57		
	1800 - IT/GIS			6,551.13	6,551.13		
	1902 - 19:02 CLST CONNECTION			13,327.33	13,327.33		
	1940 - CITY HALL			3,734.53	3,734.53		
	2001 - STREET REMODEL/ADDITION			91,006.15	91,006.15		
	2120 - POLICE DEPARTMENT			21,368.68	21,368.68		
	2121 - COMMUNITY SERVICE			132.99	132.99		
	2127 - MISDEMEANOR PROSECUTOR			16,517.09	16,517.09		
	2150 - DUI FORFEITURE			232.08	232.08		
	2220 - FIRE DEPARTMENT			12,504.99	12,504.99		
	2400 - COMMUNITY DEVL/INSPECTION			2,849.07	2,849.07		
	2500 - CIVIL DEFENSE			1,000.00	1,000.00		
	2700 - ANIMAL CONTROL			2,987.00	2,987.00		
	3100 - S & S MAINTENANCE			2,233.46	2,233.46		
	3125 - SNOW REMOVAL			2,058.61	2,058.61		
	3160 - STORM SEWER EXPENSE			488.61	488.61		
	3170 - TRAFFIC CONTROL			1,187.91	1,187.91		
	3180 - PARKING LOTS EXPENSE			82.62	82.62		
	3190 - SANITARY SEWER EXPENSE			436.85	436.85		
	3230 - RECYCLING EXPENSE			100.00	100.00		

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Inv Ref#	Description	Entered By					Post Date
GL Distribution							
--- TOTALS BY DEPT/ACTIVITY ---							
	5200 - PARK MAIN/ADMINISTRATION			8,800.96	8,800.96		
	5204 - CONCESSIONS			465.23	465.23		
	5211 - SPECIAL EVENTS PROGRAM			1,549.13	1,549.13		
	5215 - ADULT SOFTBALL			345.26	345.26		
	5500 - LIBRARY-BUDGETED			567.76	567.76		
	5501 - SPECIFIED DONATION USE			168.92	168.92		
	5503 - HOLDEN TRUST DONATION USE			218.00	218.00		
	6515 - HEALTHY EMPLOYEE INITIATIVE			302.38	302.38		
	9030 - CONSTRUCTION PROJ-MISC			551,166.42	551,166.42		
	9050 - CAPITAL PROJECTS-MISC			120,631.64	120,631.64		
	9200 - CITY-WIDE			8,366.78	8,366.78		

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, Bieser, Stenglein, Erickson, and Bevans. Mayor Badeaux was noted as present.

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

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

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

- A. **Approval of Bills**
- B. **Approval of Minutes of the Regular City Council Meeting held on August 15th, 2022**
- C. **Approval of Licenses**
- D. **Department Activity Reports**
- E. **Minnesota Lawful Gambling Application Submitted by Central Lakes College Foundation, 501 West College Dr, for an Event to be held on December 26, 2022.**
- F. **Temporary On-Sale Liquor License Application- Submitted by SE'z LLC for an Event to be held on October 7th, 2022, at the Brainerd Armory 1115 Wright Street, Brainerd, MN 56401**

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

Council Committee Reports

Safety and Public Works

Approve Event/Street Closure- Homecoming 5k

Committee Chair O'Day stated that this is an annual event. The route will be slightly different due to construction.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON, DULY CARRIED, TO APPROVE THE ATTACHED EVENT APPLICATION UNDER THE CONDITIONS THE APPLICANT FILL OUT THE PARK USE FORM SO THAT IT CAN BE SCHEDULED ACCORDINGLY AND THAT MILE/COURSE MARKINGS AND SIGNS ARE REMOVED AFTER THE EVENT.

Approve Event/Street Closure- Touch-a-Truck

Committee Chair O'Day stated that this will be the third time the event has taken place. There have been with no issues with the event in previous years. The closure will be Laurel from 6th Street to 8th Street and 7th Street from Front to Laurel.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND BIESER, DULY CARRIED, TO APPROVE THE ATTACHED APPLICATION UNDER THE CONDITION THAT THE APPLICANT REQUEST TRAFFIC CONTROL FOR STREET CLOSURE ONE WEEK PRIOR TO THE EVENT.

Approve Event/Street Closure- Bataan Memorial March

Committee Chair O'Day stated this will be the first time for the event since before COVID.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON, DULY CARRIED, TO APPROVE THE EVENT/STREET CLOSURE APPLICATION FOR THE 21ST BATAAN MEMORIAL DEATH MARCH UNDER THE CONDITIONS THAT THE APPLICANT PROVIDE SUFFICIENT NOTICE TO ADJACENT BUSINESSES PRIOR TO THE EVENT AND COORDINATE WITH THE APPROPRIATE EMERGENCY SUPPORT STAFF.

Approve Change Order 2 for Improvement 19-02- Cuyuna Lakes State Trail (CLST) NP Center Segment

Committee Chair O'Day stated that this change order is reimbursable through the DNR grant.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND BIESER, DULY CARRIED, TO APPROVE CHANGE ORDER 2 FOR IMPROVEMENT 19-02- CUYUNA LAKES STATE TRAIL NP CENTER SEGMENT TO KNIFE RIVER IN THE AMOUNT OF \$3,749.

Personnel and Finance Committee

Accept Retirement of Parks Administrative Specialist Kimberly Finch

Committee Chair Johnson stated that Ms. Finch has given the City enough notice so staff can get some of her institutional knowledge. Her service is very appreciated.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO ACCEPT WITH REGRET THE RETIREMENT OF ADMINISTRATIVE SPECIALIST KIMBERLY FINCH EFFECTIVE DECEMBER 16, 2022, AND TO AUTHORIZE HER SEVERANCE PAYOUT PER THE IBEW ADMINISTRATIVE SUPPORT UNION CONTRACT.

Authorize Staff to Negotiate a Memorandum of Agreement (MOA) for the Acting Transit Coordinator

Committee Chair Johnson stated that with the retirement of the current Transit Coordinator, Ms. Gauthier will temporarily take over the position so that the new City Engineer can get a feel for the department and make further staffing decisions.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO AUTHORIZE STAFF TO NEGOTIATE A MEMORANDUM OF AGREEMENT WITH THE IBEW ADMINISTRATIVE SUPPORT UNION TO APPOINT TRANSIT OPERATIONS SPECIALIST CRYSTAL GAUTHIER AS THE ACTING TRANSIT

COORDINATOR EFFECTIVE AUGUST 23, 2022; FURTHER, SAID TEMPORARY APPOINTMENT SHALL FOLLOW THE PROCESS DESCRIBED IN SECTION 6.04 OF THE EMPLOYEE POLICY MANUAL REGARDING AN ACTING DEPARTMENT HEAD APPOINTMENT.

Accept Resignation of Community Service Officer (CSO) and Request to Hire

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO ACCEPT COMMUNITY SERVICE OFFICER BREVON LESNER'S LETTER OF RESIGNATION, EFFECTIVE ON JULY 27, 2022, AND AUTHORIZE TO HIRE REPLACEMENT.

Approval of Updated Organizational Chart

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO APPROVE THE UPDATED CITY OF BRAINERD ORGANIZATIONAL CHART THAT REFLECTS THAT BPU DEPARTMENT HEADS NOW REPORT TO THE CITY ADMINISTRATOR.

Consider Approval of Telecommuting/ Remote Work Policy

Committee Chair Johnson stated that the policy will be a living document and change as the world climate changes.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE THE TELECOMMUTING/REMOTE WORK POLICY AS PRESENTED.

Authorization to Sign Updated Heartland Animal Rescue Team (HART) Impound Contract

Committee Chair Johnson stated that the rate per capita has not changed. With the 2020 census adjustment it will be another \$1,288 per year for services. Employees cross check that the animals are from within the corporate city limits.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO AUTHORIZE CITY ADMINISTRATOR TO SIGN UPDATED HART IMPOUND CONTRACT.

Consider Requests by Habitat for Forgiveness of Assessments and Loan

Committee Chair Johnson stated that Habitat wants to build two single-family homes on these three lots in the year 2023.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO WAIVE THE CITY'S RIGHT TO REASSESS FOR THE OUTSTANDING NUISANCE ASSESSMENTS AT PIDS 41250768, 41191554, AND 41191555 AS OF AUGUST 15, 2022, AND DIRECT STAFF TO PREPARE NECESSARY PAPERWORK TO REMOVE THE LIEN ON PID 41250768 SO THE PROPERTY CAN BE CONVEYED TO THE BRAINERD HRA AND SOLD TO HABITAT PER THE HRA'S TAX FORFEIT PROPERTY POLICY.

2021 Tax Increment Financing (TIF) Report Summary- Informational

Committee Chair Johnson stated that the TIF Report Summary has been published.

Unfinished Business

Committee Resignations

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND O'DAY, DULY CARRIED, TO ACCEPT KEITH RIEDEL'S RESIGNATION FROM THE AIRPORT COMMISSION.

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 7:42 p.m.

Devan Walstead, 823 G Street, asked about his temporary liquor license that was supposed to be approved at tonight's meeting.

Commissioner Johnson stated that the license was on the consent calendar and was approved with one motion.

The Chair closed public forum at 7:43 p.m.

Staff Report

City Engineer/ Public Works Director Dehn stated that the Mississippi Landing Trailhead Park is progressing, the contractor is laying more concrete this week. Progress continues with the Cuyuna Lakes State Trail work is being done at Laurel and 12th Street. The Streets/Parks Building is moving forward, and the concrete floor is complete. South 6th Street construction will last at least another month. Travelers in that area please use caution, manage speed, and utilize the 4-way stop at Buffalo Hills Lane. There will be two public meetings for the TH210 project on August 31st. The general public will meet at the Crow Wing County Land Services Building 4:30 pm. Businesses will meet at the Chamber of Commerce at 7:30 am. There will also be a virtual option put out by MnDOT as well.

Community Development Director Kramvik stated the Planning Commission will hold its meeting on August 17th. Items include two Conditional Use Permits (CUP), one for Adult and Teen Challenge, and the other at the old Bobbie's Kitchen.

Finance Director Hillman thanked the Primary Election Judges.

City Administrator Bergman stated that she attended the BLAEDC Board Meeting. She attended the County Canvassing Board for the Primary Election. Finally, she and Finance Director Hillman are meeting this week with Department Heads to work on budgets to prepare with the meeting with the Council President and Personnel and Finance Committee Chair.

Mayor Report

Mayor Badeaux stated that previously the Council had asked to put stoplights in at Willow Street, but it was not approved by MnDOT. However, during construction, there has been a 4-way stop. Finally, the Mayor asked for general agreeance from the Council for the Contractor of the Historic Water Tower to put a banner on the Water Tower during construction. It will be put on the tower due to the City not owning any of the land surrounding the tower. The Water Tower committee will discuss the matter this week at their committee meeting.

Council Member Johnson asked to have final approval of the banner before its placement.

Council Member Reports

Member Stenglein stated that she attended the Northside Picnic. It was a great activity for the community.

Adjourn To Closed Session Pursuant MN Statute 13D.05 Subd. 3(C)(3) To Develop Offers For Purchase Of Temporary Construction Easement At 124 6th Street North, Brainerd, MN 56401

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

The Chair adjourned to the closed session at 7:55 p.m.

Adjourn to Closed Session Pursuant to MN Statutes 13D.05, Subd. 3(B) for Attorney/Client Privilege to Discuss IAFF Lawsuit

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

The Chair reconvened the session at 8:14 p.m.

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND ERICKSON TO ACCEPT THE IAFF LAWSUIT AS PRESENTED.

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

Adjourn to Closed Session Pursuant to MN Statute 13D.03 to Discuss Labor Negotiation Strategy

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

The Chair adjourned to closed session at 8:15 p.m.

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

The Chair reconvened the session at 8:23 p.m.

The Chair adjourned the meeting at 8:24 p.m.

Jennifer Bergman
City Administrator

Pursuant to due call and notice thereof, the Brainerd City Council Budget Workshop was called to order at 6:00 P.M. by Council President Bevans.

Members O'Day, Stunek, Johnson, Stenglein, Erickson, Bevans, and Mayor Badeaux were noted as present. Also noted as present were City Administrator Bergman, Finance Director Hillman, City Engineer/ Public Works Director Dehn, Community Development Director Kramvik, Human Resources Director Schubert, Chief Holmes, Chief Bestul, and HRA Director Charpentier. Member Bieser was noted as absent.

2023 Parks Budget Presentation by the Park Board

The Chair recognized Troy Rushmeyer, Chair of the Park Board and City Engineer/ Public Works Director Dehn to present the Park Board Budget. Mr. Rushmeyer thanked staff for all the extensive work on the Park Budget. He stated that the Park Board has been meeting regularly to prepare the budget and masterplan for the parks. Mr. Dehn presented the overview of the Park Department, highlighting the Parks Capital plan and the improvements needed in the City parks. The Park Board requested \$1,905,507 for 2023 which is a 35.34% increase over 2022. Uses for ARPA dollars that are designated to the parks is still being worked out and the master planning of the parks will continue now that City Engineer/ Public Works Director Dehn has come on board.

Member Johnson stated that when \$25,000 is in the budget for trees, that it is an expectation that the Park Board spend it. He asked for clarification on whether the Park Board will continue to ask for such a substantial budget yearly in reference to the \$947,500 in proposed capital expenditures.

Chair Rushmeyer stated that he does not believe Park Board will continue to request such a large budget once projects from the master plan have been executed.

Council discussion took place regarding items in the Parks capital plan.

2023 Budget and Levy Discussion

Finance Director Connie Hillman explained that a city must adopt a budget for at least the General Fund but is not required to adopt a budget for all funds and outlined how a city develops a budget. The discussion of the workshop focuses on the Working Funds (General, Public Safety, Parks, and Streets), debt and capital which are the funds the City needs to levy for operations.

Finance Director Hillman stated that the preliminary budget must be set by September 30th, 2022, with the final budget being set by December 31st, 2022. Finance Director Hillman gave an overview of the proposed budget and levy. The current proposed levy for the proposed 2023 budget is 4.86% increase over 2022. The requested budget levy is \$6,559,982. Ms. Hillman highlighted the various revenue and expense categories, as well as the capital and debt needs for 2023, explaining the assumptions used in the budget and reasons for the changes between the proposed 2023 budget and the 2022 budget.

Finance Director Hillman also gave an overview of possible ways to pay the lawsuit settlement and showed the potential impact to the 2023 levy if the Council chose to levy for part of the settlement.

Council discussion took place.

Council Member Johnson stated that he would be asking the Public Utilities Commission for an interagency loan at the meeting on August 30th.

Council directed staff to meet with Personnel and Finance Chair Johnson and Chair Bevans again to discuss real possibilities for paying the settlement, including removing capital items.

Adjourn

The Chair adjourned the meeting at 7:00 p.m.

Jennifer Bergman
City Administrator

FERRARA'S HEATING, A/C AND REFR

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
42369 DAISY ST	Mechanical	Active	MB003344	08/27/2024	2022-0068	12/31/2022

J.R. JENSEN CONSTRUCTION COMPA

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
814 21ST AVE E	General Commerical	Active			2022-0030	12/31/2022

JAMES KLINK CONSTRUCTION LLC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
11460 COUNTY ROAD 1	General Commerical	Active		12/31/2022	2022-0031	12/31/2022

Total Licensees3

Population: All Records
Licensee.Status = Active AND
Licensee.DateRegistered Between 8/12/2022 12:00:00 AM AND 8/31/2022 12:00:00 AM



HR DIRECTOR REPORT

In this report:

- NeoGov
- Employee Policy Manual
- Union Negotiations
- Special Notes
- Personnel
- Wellness Committee

NeoGov

HR Staff have completed the Onboard training period! We are currently in the process of setting up a time to meet with IT and NeoGov to begin the process of implementing into our payroll system. We have a 30 day check in with our Implementation consultant scheduled for the middle of September.

Employee Policy Manual

On August 1st the City Council approved the revised Employee Policy Manual (EPM). All employees were asked to sign the updated EPM Acknowledgement Form. The timeframe noted is 10 days after receipt of the updated manual. We have finalized that process for the most employees.

Union Negotiations

We have three union contracts that are expiring on December 31, 2022. We have met with the IUOE Street and Parks Department Unions twice and once with the IBEW Administrative Support Union. Staff prepares and presents updates to the Council requesting guidance how to proceed with negotiations. More negotiation sessions are scheduled for later this month.

Special Notes

Sourcewell's Annual meeting was held on August 18, 2022, and we received our 2023 health insurance renewal rates. Our Employee Insurance Committee met with our insurance brokers on August 29th to review both the health and ancillary benefits renewals. Options are being considered at this time and Staff plans to make a recommendation to the City Council at the September 19th Council meeting.

Sourcewell also announced at their August 18th annual meeting that the Brainerd Wellness Committee was selected as their "Wellness Champions". This was determined by the number of participants and the groups overall interaction with wellness. Congratulations to the Brainerd Wellness Committee!

Personnel

New Hires/Promotions for City/BPU/HRA:

- Nicholas Moser - BPU Laborer (8/29)
- Nicholas Karsnia - Police Officer (8/22)
- William Bieser - Council Member (8/1)

Farewell to:

- Anders Stone - Transit Coordinator (8/22)
- Numerous Temporary/Seasonal Employees

Current Job Opportunities:

- Part-time:
Community Service Officer

We have conducted the hiring process for the Water Plant Relief Operator position. A conditional job offer has been made and the individual is proceeding through the pre-employment testing process.

We have conducted two hiring processes for the Assistant Planner position without luck. We have decided to wait until after the September 2022 MN Chapter of the American Planning Association Conference to determine if we should try to readvertise or hold off until after the fall or spring semesters when more graduates may be looking for work.

There are currently four City/BPU/HRA employees with Family & Medical Leave Act (FMLA) issues resulting in intermittent leave when needed. There is one employee absent at this time due to a work-related injury.

Wellness Committee

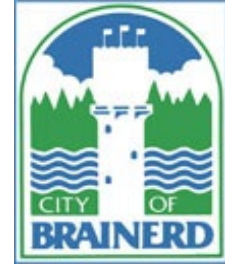
August Lunch N Learn took place on August 29th. This meeting the HR Department set up and discussed Retirement and discussed items that affect our health insurance premiums. We had two retired guest speakers go over their experience and give helpful tips on the best steps to take when planning your retirement! Staff has also developed a checklist that is shared on our Intranet for employees to utilize in the future.

Upcoming events/projects:

- 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 - Work began on 8/24

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. Employees awards will be presented at this event as well.

MEMO



TO: Mayor and City Council
FROM: City Administrator, Jennifer Bergman
DATE: September 6, 2022
RE: City Administrator Report

DEED Main Street Revitalization Program

The EDA will continue to take applications for the DEED Main Street revitalization program until September 5th, 2022. Grant funds are available for property owners located within the River to Rail Corridor for a variety of uses. The grant does require a 70% match but the EDA also has a limited amount of funds available to assist with the match that the Council authorized in ARPA funds.

Annex Lease with R5DC

The City and Region 5 Development Commission (R5DC) have a draft lease agreement for the Annex which we hope to have to the City Council for their approval in October. R5DC will be using the Annex for a satellite office as well as shared workspace. Once the lease has been approved, R5DC will be overseeing the remodel of the Annex including exterior improvements as well as the build out of the interior. They hope to occupy the building in 2023.

Lively/Mills Property

Commissioner O'Day shared with staff that Close Converse has listed the Mills property south of Brainerd. They are selling two tracts of land: [Lively-Land-733.pdf \(closeconverse.com\)](#) and [Lively-Land-49-2.pdf \(closeconverse.com\)](#). Since the EDA has hired Swanson Haskamp to assist in the solicitation of developers and the engagement of private property owners, we sent an email to the Mills family offering the EDA's assistance in soliciting potential developers.

Prosecution Agreement

We received a draft copy of the prosecution agreement from Severson Porter. Chief Bestul, Deputy Chief Davis, Finance Director Hillman and I reviewed the agreement and sent our comments to Attorney Langel for his review. We will send a revised draft to Severson Porter. Once we have a draft prosecution agreement, we will meet with the cities of Baxter and Nisswa to negotiate the Joint Prosecution Services Agreement. We hope to have these on a Council agenda in October.



Brainerd Fire Department Monthly Report August 2022

ACTIVITIES AND PUBLIC EDUCATION

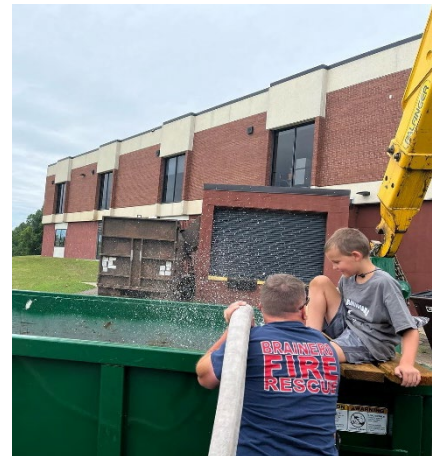
August has been another busy month for us with emergency response, annual testing, and community events. We are always excited to be part of the great community events in our area. We started the month with the Crow Wing County Fair. Firefighters also participated at the Kid's Day event at the fair.



Firefighters attended Baxter's Night to Unite and the North Brainerd National Night Out. These were both excellent community events to be part of.

Chief Holmes helped at the Brainerd Jaycees Rubber Duckie Race. All proceeds from their event goes to youth activities.

Several firefighters participated in the Bags with Badges event hosted by the Brainerd Police Department. It was a wonderful event to be part of.





Brainerd Fire Department Monthly Report August 2022



We completed our annual testing of our equipment and apparatus. This year we tested nearly 12,000 feet of fire hose and 224 feet of ladders. We also completed our annual testing of the ladder truck and all fire pumps. Everything is looking good for another year.

Again this year we were honored to be part of the opening ceremony at Brainerd International Lucas Oil Nationals. As First Responders, we were honored during the ceremony.



At the end of the month, we had a picnic for our fire family. We enjoyed the splash pad and pavilion at Memorial Park. It was great to see everyone after a busy summer. It was a great opportunity for our new firefighters to meet the other families.





Brainerd Fire Department Monthly Report

August 2022



FM/DC Cox was busy with inspections and fire extinguisher training in August. He has been working closely with everyone on the school projects as they work to finish up by the start of school. Several other alarm inspections and tests were done throughout our coverage area.

INSPECTIONS	
Construction Inspection	8
Fire Alarm	24
Fire Pump	2
Hood Suppression	32
Knox Box	3
License Inspection	4
Safety Inspection	3
Special Suppression	2
Sprinkler System	37

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Essentia Health
In partnership with Sourcewell

CRMC
CITYNA REGIONAL MEDICAL CENTER
COURTESY OF THE CITY OF

MEDMINNESOTA
MEDICAL GROUP PC

Life Link III

if Initiative
FOUNDATION

NORTH
MEMORIAL HEALTH

Walmart



Brainerd Fire Department Monthly Report

August 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	5
Rescue & Emergency Medical Service	4
Hazardous Condition	2
Service Calls	9
Good Intent Call	14
Alarm Activation	19
Severe Weather	0
TOTAL	53

Type of NFIRS Incident (National Fire Incident Reporting System)	City of Brainerd Total Incidents
Fire	3
Rescue & Emergency Medical Service	1
Hazardous Condition	0
Service Calls	7
Good Intent Call	10
Alarm Activation	11
Severe Weather	0
TOTAL	32





CITY ENGINEER/PUBLIC WORKS DIRECTOR REPORT SEPTEMBER 6, 2022 CITY COUNCIL MEETING

Recreation Report

Fall Adult Sports

Monday Adult Kickball: 10 teams
Tuesday Lower Men's Softball: 9 teams
Wednesday Upper Men's Softball: 6 teams
Thursday Coed Softball: 9 teams

Leagues kicked off in mid-August and are expected to wrap up in late September to early October.

YMCA Report

YMCA provided their report for summer activities in 2022. Overall, they reported an increase of 132 participants throughout the programming over 2021 (39%).

Special Events

The Last Dance of Summer occurred on August 27th. Due to several different variables (weather, long in duration, other special events occurring that day) it was not attended as heavily as anticipated. We learned a lot being it was our first time running a large-scale event and fitting several activities within one day. Total attendees including spectators was only about 200 people. Good news is several equipment purchases will be reused in the future for other special events. We will re-group and re-think this event for 2023.

The Great Pumpkin Festival is scheduled for October 15th from 1 p.m. to 4 p.m. Event will be held at Gregory Park as done previously. Some of the activities included will be pumpkin rolling races, sack races, three-legged races, wheelbarrow races, bouncy ball (hippity hoppity) races, pumpkin chalk coloring, gourd checkers and more. New this year is pumpkin judging from the pumpkin growing competition. We thank Baxter Wal-Mart and the Boys-N-Berries Farms for their donations to the event and continued support!

Parks Maintenance Report

Master Planning

The Park Board is scheduled to meet on September 6th to continue Parks Master Planning. It is anticipated that the Park Board will identify several priority projects at this planning session. Staff will prepare estimates of the projects and would intend to present those projects and estimates to the City Council in October for possible use of ARPA funds.

Mississippi Landing Trailhead Park Project

The contractor is continuing progress on construction including curb & gutter for East River Road, concrete slabs and foundations for the amphitheater, river outlook, and learning center. Retaining wall blocks for the tiered seating have been placed and continued prep of the area for topsoil and seeding. The next month is expected to see completion of the street construction and erection of building structures. The contractor has indicated that they continue to progress towards the contracted fall completion. Some turf establishment is not expected to be fully vegetated until the following spring in 2023.

Jaycees Park Improvements

The new playground has been put together and the existing swing set relocated to its new home. Parks staff has put together the new borders and Streets has been assisting with the project moving the new wood chips into place. Yet to occur is placement of the ice rink.

Kiwanis Park Improvements

The contractor is expecting to begin work after Labor Day with much of the work expected to be complete by late September. New doors are expected to have a 15 week lead time and installation may be delayed until December.

Maintenance Tasks Completed Month Prior

- Fixed basketball station for temporary use
- Constructing border timbers for JCP playground
- Spraying for bees at miscellaneous parks
- Mowed & trimmed N. 10th retaining pond fence line
- Finished border on new JCP playground
- Weeded planter and removed overgrowth on N. 6th
- Landscaping border at JCP
- Fixed timing issue at splash pad
- Put memorial brick in at splash pad
- Placed a mutt mitt container and sign at Triangle Park
- Cut and removed hazard branch at O'Brien Park
- Removed shrubs from N. 6th sidewalk
- Cut out large tree that took out pier on river at Kiwanis. Got it back floating level. Preparing & planning its removal from the river. DNR instructed not to help but to give advice
- Prepped for Ski Loons
- Prepped for Smiles on Sippi
- Removed graffiti from coll. Bridge
- Trimmed trees
- Removed some stumps
- Repaired Toro mower
- Repaired x-mark
- Getting estimates on field lights
- Planted memorial bush
- Hauled more fill to playground
- Cut rebar for border at JCP
- Got aggriylme for softball fields
- Getting evidence & estimates for police on vandalism cases
- Prepared Equinox for trade-in
- Ordered door stickers for vehicles
- Fixed broken board on pier at Lum Park
- Planted memorial tree, changed plaque and location due to vandalism
- Fixed vandalized kiosk at Lum Park
- Sprayed weeds in parking lot shop
- Watering trees

Streets Maintenance Report

Winter Season Prep

Street staff have been hauling sand for its salt/sand mixing for this winter.

Police Department Impound Lot

Street staff assisted with filling and rough grading of the lot in preparation for gravel base and paving operations.

Street & Parks Building Addition

Building and roof construction is generally completed. The approach aprons into the doors are expected soon. Followed shortly with electrical and mechanical installations. Garage door installation is still dependent on material delivery but is expected for early November. It is anticipated that the building will be ready for occupancy by the end of the year.

Maintenance Tasks Completed Month Prior

Many of the routine maintenance items were deferred from the storm damages seen earlier in the summer. Staff continues to progress with tasks as able to wrap up everything in preparation for winter prep and operations.

- Provided assistance during Primary Election
- Installed storm sewer culvert on Sugarberry
- Mowing in south Brainerd
- Repaired bearings in mower
- Grading on alleys
- Assisted with grading and wood chip placement at JCP
- Completed painting with available white paint (just received additional white paint to address school-area crosswalks)
- Patching on Oakridge Road
- Trimmed hanging branches from concern/report
- Assisted with tree removal for leaning trees nearby Lum Park entrance
- Continued sanitary sewer jetting
- Mowing and street sweeping to continue until completed
- Brushing and additional tree cleanup to take place this fall

Engineering Report

Improvement 19-02 – CLST Project

DeChantel is continuing to construct Laurel and SE 12th Streets. Most of the curb has been placed on these three blocks. Much of the retaining walls have been installed and trail segment graded. Staff would anticipate the project will continue to completion this fall. Staff is coordinating with Mr. Higgins on punch list items remaining on the NP Center segment of the project. Knife River is planning to begin some of this work after September 12th.

Improvement 22-07 – MLT Park Trailhead Project

Progress continues to move ahead on the Mississippi Landing Trailhead project. Curb for East River Road has been placed and preparations for paving continue. The contractor has recently completed much of the retaining wall work for the tiered seating along with the stairs in the amphitheater area. Precast concrete beams and columns are expected for mid-September which will have to be placed by crane. The contractor is continuing to progress in other areas to the extent possible. The restroom building is planned to begin foundation and block placement after Labor Day. CBI anticipates that the work will be complete by the contract end date this fall, however some of the turf establishment may not grow until spring 2023.

Improvement 22-04 – Large Patching Project

Anderson Brothers should be completing the remaining large patches before the Labor Day weekend.

Improvement 21-15 – Buffalo Hills Gully Erosion Project

Crow Wing Soil & Water assisted the City with submission of the MN BWSR Clean Water Fund grant application. Staff is optimistic that the grant request will be awarded and construction may take place in 2023.

MS4 Permit/SWPPP Update

Staff recently met with HR Green to discuss status with the updated SWPPP documents for the City's recent MS4 permit reissuance. HR Green is still coordinating with the City of Baxter staff to complete their remaining portions of the shared work. Once complete, staff would present the final proposed SWPPP document to Council.

TH 371B/S. 6th Street Reconstruction Project

The fence has been installed and retaining wall has been painted on the east side of S. 6th Street. MnDOT will be continuing to topsoiling and finishing the area behind the retaining wall. Much of the gravel base has been placed on 371B and grading occurring on Greenwood Street. Signal poles may soon be removed temporarily to allow for utility conduits to be installed. Stop signs will be installed until new poles and signals can be installed. Currently, the poles are expected to arrive in November.

TH 210/Washington Street Reconstruction Project

MnDOT and SEH held two public open house sessions on August 31st. One for businesses along the corridor and one for the general public. They received several comments regarding different features of the corridor layout as presented. They indicated that the virtual open house is still open until September 12th and would like to continue collecting feedback from the public until that time. Their intention would be to recap with the City's PMT groups to report on the comments collected and steps moving forward. MnDOT is continuing their aim of obtaining Municipal Consent this fall to move into design in 2023.

Transit Report

New Staffing

Andy Stone recently retired with his last day on August 22nd after many years of great service to the Transit program. Crystal Gauthier has been appointed as the acting Transit Coordinator. She has been excited for the opportunity and continues to make progress understanding her current role better moving forward.

RouteMatch Update

The last Public Works update in May referred to the recent acquisition of RouteMatch by Uber. Since that time (July 6th), Uber has sold RouteMatch to Modaxo's TripSpark transit business. The software continues to run smoothly and help desk response times have been prompt and courteous.

Tablet Replacement

New tablets that were ordered earlier in 2022 have arrived. The bus tablets are used for driver routing. Age was an issue with the tablets but also RouteMatch software has gone through a couple changes with recent ownership changes.

MnDOT Operating Agreement

During the budget process, staff provided a total of operating expenses which is approximately \$195,000 greater than what was awarded through MnDOT. A collection of factors led to this difference including:

- MnDOT increasing the award only 2% over 2021
- Increased costs of change to new 3rd Party Contractor, Blue Sky
- Increased costs due to higher inflation including fuels and maintenance

Staff is continuing to review current expenditures verses projected for 2022 to determine actions and/or changes, if any, to propose in 2022, as well as 2023 moving forward.

New Crow Wing County Fuel Agreement

In the past, Transit has purchased fuel through Crow Wing County using their bulk discounts. They are proposing a 3-year agreement that includes a new 10% overhead fee to cover administrative costs, maintenance to the fuel system, and testing compliance fees. The Transportation Advisory Committee took this agreement under discussion in August and staff will be discussing the agreement with CWC further.

Other Activities

- Memorandum of Understanding with St. Francis Catholic School sent to school administration.
- Presented Transit program information to CLC OSP students.
- Coordination with 3rd Party Contractor on their hiring of new dispatching staff.
- Continued transit marketing and increasing social media presence.



Brainerd City Council Agenda Request

Requested Meeting Date: September 6, 2022

Title of Item: Ratify the Hiring of BPU Laborer Nicholas Moser

☐ INFORMATION ONLY ☒ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Kris Schubert & Scott Magnuson	Department: Human Resources/BPU
Presenter (Name & Title): Kris Schubert, HR Director	Estimated Time Needed: 2 minutes
Summary of Issue: We received 16 applications for the BPU Laborer position and conducted 7 interviews. Nicholas Moser was hired for the BPU Laborer position. Nicholas started on Monday August 29, 2022, at Step 2 (\$22.87 per hour) of the 2022 Laborer IBEW Wage Grid.	
Alternatives, Options, Effects on Others/Comments: The BPU Commission, at its August 30, 2022, meeting, recommended to ratify hiring Nicholas Moser. With that action, this item is being placed on the consent calendar for Council approval.	
Recommended Action/Motion: n/a - consent calendar item.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☒ Yes ☐ No <u>Please Explain:</u> This position was included in the 2022 budget.	

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

September 6, 2022

7:00 PM

2nd Floor Conference Room WebEx Teleconference

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

Access Code: 2492 537 0825

1. Approval of Memorandum of Agreement with IBEW Admin Support Union for Acting Transit Coordinator Position
2. Ratify the Promotion of TJ Lokhorst to the Street Maintenance I Position
3. Disposal of Retired Police Squad
4. Ratify the Hiring of Police Officer Hiring Nicholas Karsnia and Request to Hire CSO
5. Consider Approval of a Classification and Compensation Study Request for Proposals
6. Discussion of 2023 Audit Fee
7. Authorization to Apply for League of Minnesota Cities Trust (LMCIT) Loan Program for Extraordinary Expense
8. Adopt Resolution Declaring the Intent to Reimburse Certain Expenditures from Proceeds of Tax-Exempt Bonds
9. Adopt Resolution to Terminate Assessment Agreement



Brainerd City Council Agenda Request

Requested Meeting Date: September 6, 2022

Title of Item: Approve MOA with IBEW Union for Acting Transit Coordinator Position

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Kris Schubert	Department: Human Resources
Presenter (Name & Title): Kris Schubert, HR Director	Estimated Time Needed: 2 minutes
Summary of Issue: On August 15, 2022, the City Council authorized Staff to negotiate a Memorandum of Agreement (MOA) with the International Brotherhood of Electrical Workers Union (IBEW) to appoint Transit Operations Specialist Crystal Gauthier as the Acting Transit Coordinator effective August 23, 2022. This action was requested due to Transit Coordinator Andy Stone's retirement. Both the Union and Ms. Gauthier have approved the attached MOA and Staff is requesting Council approval.	
Alternatives, Options, Effects on Others/Comments: Ms. Gauthier will be placed on Step 1 of the Transit Coordinator wage grid (\$34.41 per hour) during this temporary appointment and the MOA will expire no later than November 1, 2022.	
Recommended Action/Motion: Motion to approve the MOA between the City of Brainerd, IBEW and Crystal Gauthier for Gauthier to be appointed as our Acting Transit Coordinator effective August 23, 2022.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ <u>unknown</u> <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i> The Transit Coordinator and Transit Operations Specialist positions were both included in the 2022 budget.	

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement ("MOA") is entered into between the City of Brainerd (hereinafter, "City"), Crystal Gauthier ("Gauthier"), and the International Brotherhood of Electrical Workers Local Union #31 ("Union"). The City, Gauthier, and the Union are hereinafter referred collectively as the "parties," and individually as a "party."

WHEREAS, the City and the Union are parties to a 2021 - 2022 collective bargaining agreement ("CBA"), governed by the Minnesota Public Employment Labor Relations Act (as amended); and

WHEREAS, Crystal Gauthier is currently employed as the Transit Operations Specialist, a position that is part of the Administrative Support bargaining unit identified in the CBA; and

WHEREAS, the current Transit Coordinator resigned and the City seeks to appoint Gauthier as the Acting Transit Coordinator while the City considers its options that may include searching for and hiring a new Transit Coordinator; and

WHEREAS, the City's Transit Coordinator position is a supervisory position and is not part of the bargaining unit governed by the CBA; and

WHEREAS, Gauthier wishes to work as the Acting Transit Coordinator without losing seniority and benefits provided by the CBA; and

WHEREAS, the City is amenable to allowing Gauthier to work in such a position pending its decision regarding the appointment of a permanent Transit Coordinator; and

WHEREAS, it is anticipated that Ms. Gauthier will continue to perform the duties of Transit Operations Specialist while filling the role of Acting Transit Coordinator.

NOW, THEREFORE, the parties agree as follows:

1. **Appointment as Acting Transit Coordinator.** Subject to the terms of this MOA, Gauthier will work as the Acting Transit Coordinator. While working as the Acting Transit Coordinator, Gauthier will perform all duties assigned by the City. The parties understand, acknowledge, and agree that the terms of the CBA pertaining to Article 8 – Hours of Work-Conditions specifically the sections describing overtime, as well as Article 9 - Wages will apply to the Acting Transit Coordinator position. Gauthier's wages will be paid as provided in this Agreement. Gauthier's schedule as the Acting Transit Coordinator will be dictated by the needs of the City.

2. **Performance of Transit Work.** The parties understand and agree that it is necessary for Gauthier to continue to perform transit work during the term of this MOA in order to ensure continuity of services provided by the City. The Union agrees that, during the term of this MOA, Gauthier may continue to perform her customary transit work without such work being deemed a violation of the CBA or an unfair labor practice. The Union further agrees that the City is not required to offer any other bargaining unit member overtime to complete the transit work before assigning those tasks to Gauthier or allowing her to complete them.
3. **Reassignment.** The parties agree that the City has the right, at its sole discretion, to transfer or reassign Gauthier to the Transit Operations Specialist position at any time during the term of this Agreement. In the event of such a transfer, this MOA will immediately terminate and have no further effect. The parties acknowledge and agree that the City has the sole discretion to transfer or reassign Gauthier pursuant to this Paragraph and that the exercise of that discretion is not subject to the grievance procedure of the CBA.
4. **Compensation While on Special Assignment.** While serving as the Acting Transit Coordinator, Gauthier will receive wages and benefits, including insurance benefits, as provided in the herein and the CBA. Time spent serving as the Acting Transit Coordinator pursuant to this MOA will be counted as years of service for purposes of calculating Gauthier's salary, seniority, and other benefits of the CBA. During the term of this Agreement, Gauthier shall receive benefits in accordance with the CBA, except that the parties agree that, during the term of this Agreement, Gauthier shall not be entitled to request a leave of absence pursuant to Article 4, Section 4 of the CBA.

Gauthier will be an hourly employee and shall be compensated at the rate of \$34.41 per hour which is Step 1 of Transit Coordinator wage grid beginning August 23, 2022, and during the term of this agreement.

5. **Term.** This MOA will be in effect until: the earlier of 1) the City exercises the right described in Paragraph 3 to reassign Gauthier; 2) Gauthier is granted a voluntary transfer or reassignment; 3) Gauthier is laid off in accordance with the provisions of the CBA; 4) Gauthier is terminated from her Transit Operations Specialist position for cause; 5) The City appoints a permanent Transit Coordinator, regardless of whether the City appoints Gauthier or another individual to that position; or 6) 4:30 p.m. on November 1, 2022.
6. **Not Subject to Bumping, Realignment, or Recall.** The parties agree that the Acting Transit Coordinator position that is described in this MOA is not part of the bargaining unit described in the CBA and is not subject to any bumping, realignment, or recall rights. As a result, no employee in the bargaining unit

described in the CBA may claim any right to the Acting Transit Coordinator position through any exercise of bumping, realignment, or recall rights that would otherwise be recognized under the CBA or applicable law. At the expiration or termination of this MOA, Gauthier shall have no further right, entitlement, preference, or other interest with regard to employment in the Acting Transit Coordinator position described in this Agreement, or the Transit Coordinator position, which the parties acknowledge and agree is not subject to the terms of the CBA.

7. **Application of CBA to Gauthier.** Except as expressly provided herein, the terms and conditions of Gauthier's employment with the City will be governed by the CBA while Gauthier is serving as the Acting Transit Coordinator.
8. **No Precedent or Past Practice.** This MOA is limited solely to Gauthier and shall not create any past practice or precedent for either the Union or the City. No party may refer to this MOA or submit this MOA in any proceeding as evidence of a precedent or past practice. Nothing in this MOA shall be construed as requiring the City to provide the same or similar benefits to any other member of the bargaining unit. This MOA may not be used as evidence—whether in negotiations, arbitration, or other proceeding—or otherwise be used in any manner to interpret the CBA, or to seek similar benefits for any City employee(s) other than Gauthier, either through arbitration, negotiation, or other means.
9. **Mutual Drafting.** This MOA is the result of negotiations between the parties and, accordingly, shall not be construed for or against any party, regardless of which party drafted the MOA or any portion thereof. The MOA shall for all purposes be deemed to have been mutually drafted.
10. **Entire Agreement.** This MOA constitutes the entire Memorandum of Agreement between the parties relating to the subject matter of this MOA. No party has relied upon any statements, promises, or representations that are not stated in this MOA. No changes to this MOA are valid unless they are in writing and signed by all parties.

International Brotherhood of Electrical Workers Local Union #31

8/26/2022

Date

Crystal Gauthier
Crystal Gauthier

8/31/22
Date

Its: City Administrator

Date _____



Brainerd City Council Agenda Request

Requested Meeting Date: September 6, 2022

Title of Item: Approve the Promotion of Taylor Lokhorst to Street Maintenance I

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Kris Schubert & Jessie Dehn	Department: Human Resources
Presenter (Name & Title): Kris Schubert, HR Director	Estimated Time Needed: 2 minutes
Summary of Issue: On August 1st, the City Council approved the promotion of Street Maintenance I Chad Lardy to Street Maintenance III/ Sewer Lead. An internal job posting was conducted to fill the Maintenance I position with one employee applying for the position. Staff recommends to promote Taylor Lokhorst to the Street Maintenance I position effective October 3, 2022. Staff is requesting authority to begin the hiring process to backfill Taylor's Park Maintenance position.	
Alternatives, Options, Effects on Others/Comments: The City's Employee Policy Manual states that promoted employees 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. Based on Taylor's current wage, Staff is recommending that he be placed on Step 1 (\$21.74 per hour) of the Street Maintenance I wage grid when he is promoted to this position.	
Recommended Action/Motion: Motion to: 1. Approve the promotion of Taylor Lokhorst to the Street Maintenance I position effective October 3, 2022 and that he be placed on Step 1 (\$21.74 per hour) of the Street Maintenance I Wage Grid. 2. Direct Staff to begin the hiring process to backfill the Park Maintenance position.	
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> The Street Maintenance I and Park Maintenance positions were both included in the 2022 budget.	



Brainerd City Council Agenda Request

Requested Meeting Date: September 6, 2022

Title of Item: Disposal of Retired Police Squad

☐ 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: Chief Mike Bestul	Department: Police
Presenter (Name & Title): Chief Mike Bestul	Estimated Time Needed: 2 minutes
Summary of Issue: Request authorization for the sale of the following retired unmarked police investigator squad that was replaced this year. We would like to use Central Minnesota Dealer Auction, located south of Brainerd, to facilitate the sale. 2014 Chevrolet Impala VIN: 2G1WA5E39E1140267 Brainerd Police Squad #498	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Authorize the sale of retired police squad #498 utilizing Central Minnesota Dealer Auction.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	



Brainerd City Council Agenda Request

Requested Meeting Date: September 6, 2022

Title of Item: Ratification of Hiring Police Officer Nicholas Karsnia and Request to Hire CSO

☐ 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: Chief Mike Bestul	Department: Police
Presenter (Name & Title): Chief Mike Bestul	Estimated Time Needed: 2 minutes
Summary of Issue: Community Service Officer Nicholas Karsnia has successfully completed the police officer pre-employment screening process. Nicholas Karsnia's first day of employment as a police officer was August 22, 2022. Nicholas Karsnia will start at 2022 step 1, rate of \$29.79, pursuant to the current Law Enforcement Labor Services (LELS) Local #65 agreement.	
Alternatives, Options, Effects on Others/Comments: Nicholas Karsnia puts our current staffing level at 25 police officers for the budgeted 26 in 2022. Nicholas Karsnia hiring as a Police Officer leaves the department with 3 available Community Service Officer positions, 2 of which are currently filled.	
Recommended Action/Motion: Ratify the hiring of Police Officer Nicholas Karsnia, starting at LELS step 1 rate of \$29.79, with an effective date of August 22, 2022 and authorize hiring of one Community Service Officer.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☒ Yes ☐ No <u>Please Explain:</u> The position is within the department's 2022 budget.	



Brainerd City Council Agenda Request

Requested Meeting Date: September 6, 2022

Title of Item: Consider Approval of Classification and Compensation Study RFP

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Kris Schubert & Jennifer Bergman	Department: Human Resources & Administration
Presenter (Name & Title): Kris Schubert & Jennifer Bergman	Estimated Time Needed: 2 minutes
Summary of Issue: Attached is a Request for Proposals (RFP) for a Classification and Compensation Study. This is being presented pursuant to Council guidance from last year that wage/market reviews should be conducted every 5 years. Since the last study was conducted in 2018, we are scheduled for our next review in 2023. Also, since our last review in 2018, the Council combined the Street and Parks Departments and our City Charter was changed so the Public Utilities Department employees now report to the City Administrator instead of the Public Utilities Commission.	
Alternatives, Options, Effects on Others/Comments: An additional funding option for this study is that Sourcewell currently provides reimbursement funding for 50% of the costs incurred up to \$10,000 for their 2022-2023 fiscal year for Classification and Compensation Study consultant services. Once the RFP is approved, Staff will contact Sourcewell to inquire about this opportunity as it is a first come, first served basis.	
Recommended Action/Motion: Motion to approve the Classification and Compensation Study Request for Proposals as presented.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ <u>unknown</u> Is this budgeted? ☒ Yes ☐ No <u>Please Explain:</u> This study has been included in our 2023 proposed capital budget.	



CITY OF BRAINERD

REQUEST FOR PROPOSALS (RFP)

CLASSIFICATION AND COMPENSATION STUDY

September 2022

ISSUE DATE: SEPTEMBER 7, 2022
DEADLINE: SEPTEMBER 28, 2022, AT 4:30 PM

**CITY OF BRAINERD
REQUEST FOR PROPOSALS (RFP)
CLASSIFICATION AND COMPENSATION STUDY
2022**

PROJECT INTRODUCTION

The City of Brainerd (City) is soliciting proposals for professional services for the completion of a Classification and Compensation Study. The study shall include the development and implementation of a job evaluation, classification, and compensation system that meets all federal and state compensation laws, such as the Minnesota Local Government Pay Equity Act, Fair Labor Standards Act, and other pertinent laws.

BACKGROUND

The City currently has in place a job evaluation and compensation system that was reviewed and updated by David Drown Associates, Inc. in 2018. Since that time, our Streets and Parks Departments were combined to form a Public Works Department and our City Charter was changed so the Public Utilities Department employees now report to the City Administrator instead of the Public Utilities Commission. All job descriptions were reviewed and updated for the 2018 study. It is the City's desire to use these revised job descriptions as part of the project; however, the City understands that additional information may be required by the organization for evaluation.

Brainerd is a regional center in central Minnesota with a population of approximately 14,395 per the 2020 census. Brainerd is a home-rule charter city, with a strong council / weak mayor form of government. The City is governed by a City Council composed of a Mayor and seven Councilmembers.

We have approximately 70 position titles for our regular full-time and part-time employees. Brainerd employs 118 full-time and 4 part-time employees. Of this, 103 employees are organized in the following unions:

- Teamsters General Local Union No. 346 representing our Police Sergeant Unit. Contract expires: 12/31/24
- Law Enforcement Labor Services Local #65 which represents our Police Officer Unit. Contract expires: 12/31/24
- International Brotherhood of Electrical Workers Local Union #31 representing our Administrative Support Unit. Contract expires: 12/31/22
- International Brotherhood of Electrical Workers Local Union #31 representing our Public Utilities Unit. Contract expires: 12/31/23
- International Union of Operating Engineers, Local No. 49 representing our Street Department Unit. Contract expires: 12/31/22
- International Union of Operating Engineers, Local No. 49 representing our Parks Maintenance Unit. Contract expires: 12/31/22
- United Steel Workers International Union representing our Hydro Dam Unit. Contract expires: 12/31/24

Almost all employees are paid based on our eight-step Salary Administration Plan program. The first six steps are for annual advancement with satisfactory performance. Steps 7 and 8 are reserved for those that achieve an “exceeding” performance expectations rating. A few employees were grandfathered in and have elected to remain on our old “Legacy” pay philosophy.

The City has been in compliance with pay equity requirements in the past (next report is due in January 2023), but will need written confirmation that this continues to be the case under the new classification and compensation plan. Internal equity is currently based on Springsted’s Systematic Analysis and Factor Evaluation (SAFE®) System. The City may be interested in keeping the existing system or adopting another system to better match other area municipalities and for comparison purposes.

SCOPE OF WORK

The selected consultant will provide professional services with integrative support services to complete the following:

1. Conduct a review of the current compensation philosophy, policy, and system with the City Council; seeking direction on changes desired, if any. This review shall include, but not be limited to: a review of the current challenges in recruiting and retaining employees, and a determination of a consistent and competitive market position that the City can strive to maintain.
2. Recommend a job evaluation system; this may include a recommendation to utilize the existing SAFE evaluation system or an alternative.
3. Conduct an evaluation of each position using current job descriptions to determine the job value and assign points to each position; if utilizing the SAFE method, conduct a review of the current position evaluations with recommendations for revisions, as needed. It is highly desired that this process includes employee engagement; the process may include position questionnaires and in-person or virtual consultant interviews with employees, or other method of engagement. Establish an objective classification (job-ranking) hierarchy.
4. Perform a general review of exempt and non-exempt position designations under the Fair Labor Standards Act (FLSA) guidelines; recommend changes as necessary and provide documentation of such changes for City files.
5. Establish appropriate benchmarking standards and conduct a wage/labor market survey. Perform an analysis of the market survey data for the establishment of pay grades, pay ranges, and step progressions within the ranges of the pay structure (step system) to meet the established compensation goals. Work with City staff to establish a list of comparable cities/entities. The comparable labor market survey may also include private employers and/or additional public sector employers for selected positions.
6. Perform a compression analysis to identify individual or group pay compression issues and provide potential solutions. Identify any extreme individual or group inequities and provide a recommended corrective action plan and process to remedy these situations.
7. Perform system testing to assure MN Pay Equity Compliance and provide assistance to Staff with the first State Pay Equity report following compensation review to assure compliance.

8. Present options and recommendations for a classification and compensation plan; the implementation plan options should take budget constraints into consideration and include the cost of implementation.
9. Present findings and recommendations, including final written plan documents and oral reports, at various meetings such as City Council meetings, management groups, employee groups, and union groups. End plan/report must comply with all applicable state and federal laws.
10. Establish and provide concrete schedules for each of the above proposed developments.
11. The classification and compensation system should be provided in computer/software format for implementation and on-going administration.
12. Train HR staff on proper administration and maintenance of the system. Provide implementation support, as requested.
13. Provide recommendations on a system for determining the validity of future requests for reclassification and/or compensation changes.
14. Post contract services involving review of new or significantly altered job descriptions and determination of points and salary for the positions.
15. Post contract services, upon request, to provide documentation regarding system changes for submissions to the Minnesota Department of Management and Budget for pay equity reporting purposes.
16. Propose solid contract terms, including a proposed project timeline, an itemized fee schedule for work included in the scope of work, and a payment plan based on measurable contract milestones.

CONSULTANT SUBMITTAL

The proposal shall contain the following information:

A. Consultant Information

Identify who will be the project manager and provide a listing of personnel to be assigned to the project, if awarded. Provide resumes summarizing the qualifications and experience of the individuals who will be conducting the study. Include specific information on their experience with public sector compensation.

B. Statement of Methods and Procedures

Information stating your firm's approach, means, methods, and procedures to be used to gather the data, analyze findings, and develop recommendations for each aspect identified in the scope of work. Provide a sample of reports, correspondence, questionnaires and/or other instruments to be utilized. Include information on the job evaluation system being proposed (if not utilizing SAFE method).

Detail a "launch" plan to include an employee kick-off communication, as well as communications with management and employees during the study. Identify your firm's approach to engaging union and non-union involvement with the development of the position classifications and compensation schedules. Describe how employee appeals / disputes will be handled.

Provide a detailed breakdown and description of the specific steps, services, and study products that will be provided. Describe how the final product will be structured and presented to Council, management, and employees upon completion. Include any computer/software compatibility information.

C. Management Synopsis

Provide a synopsis, prepared for management review, covering the significant features of the proposal, including overall costs and term of work.

Provide a statement that the proposer agrees to:

- 1) Provide the final report, tables, schedules, charts, spreadsheets, salary surveys, and other materials necessary for the implementation and maintenance of the classification/compensation system in an electronic medium; and
- 2) Appear, virtually or in-person, as appropriate, at a scheduled Council meeting to discuss the final report, recommendations, implementation options, and implementation costs; and
- 3) Provide a statement ensuring validity of the proposal for ninety (90) days following the response deadline below.

D. Work Schedule

Identify a concrete, reasonable timeline indicating tasks required with the start and completion dates for each, including the date of final project completion. It is expected that the work will commence as soon as possible after the contract is awarded.

E. Cost of Services

Provide clearly defined rates, fees, and charges for services, by phase and for total project, with a proposed payment schedule. Proposal shall include potential areas in which the City of Brainerd staff can provide assistance resulting in cost savings to the City. Provide clearly defined additional services and/or reimbursable costs not included in the basic fees, including hourly rates, mileage reimbursement, and fees for post contract services. Fees for post contract services should include a per position fee for performing a job evaluation of positions upon request, for as long as the City wishes to maintain this service. Proposal shall include a “not to exceed” lump sum fee protection.

F. References

Provide an extensive list of references of municipalities in the State of Minnesota who have implemented and are currently utilizing the compensation system being proposed or a similar system designed, developed, and implemented by your firm. Include the name and phone number of the contact person at each municipality, as well as a description of the services performed, implementation date, and the names of personnel from your office that worked on the project at each municipality.

PROJECT COMPLETION

It is the intent of the City to provide as much support and assistance to the consultant to ensure that the project is completed within six (6) months of the initial start date and no later than June 1, 2023.

OTHER

Questions regarding this Request for Proposals should be directed to:

Kris Schubert

Human Resource Director | City of Brainerd

Physical & Mailing address: 501 Laurel Street | Brainerd, MN 56401

P: 218-454-3415

kschubert@ci.brainerd.mn.us

www.ci.brainerd.mn.us

- The City of Brainerd reserves the right to reject any and all proposals for any, or no reason, and furthermore reserves the right to accept any proposal deemed to be in the best interest of the City.
- Minor revisions to original proposals, if requested by the City, may be negotiated following the proposal deadline and prior to being submitted to the Council for approval.
- The City of Brainerd shall not be liable for any expenses incurred by the firm associated with the preparation of the proposal, including but not limited to: onsite or virtual attendance at an oral presentation, onsite visit, preparation of a contract/fee schedule, or final proposal/contract negotiations.
- Prior to any work being performed, the selected firm shall provide a certificate of insurance, including but not limited to: general liability, automobile liability, and workers compensation coverage. Policy coverage limits for the general liability and automobile liability shall be in amounts equal to the City's potential liability.
- Proposals must be submitted by 4:30 PM on Wednesday, September 28, 2022, to Kris Schubert by mail or email. If utilizing mail service, at least one (1) unbound copy of the proposal must be included. Firms submitting the proposal by email will be responsible to verify delivery.
- Finalists may be requested to make a presentation for evaluation.

EVALUATION CRITERIA

Proposals will be evaluated per the following criteria:

- Company experience and key personnel qualifications
- Proposed job evaluation system, survey methodology, and project plan
- References and recommendations from past clients
- Quality and thoroughness of the proposal
- Communications Plan
- Timeline
- Cost

CITY OF BRAINERD POSITION TITLES	
ADMINISTRATION	IT/GIS
City Administrator (1)	IT/GIS Director (1)
Finance Director (1)	IT Specialist (1)
Human Resource Director (1)	
HR Assistant (1)	BRAINERD PUBLIC UTILITIES
Administrative Specialist 2 (1)	Superintendent (1)
Admin Specialist (1)	Finance Director (1)
AP/Adm Specialist (1)	Cashier/Postal Specialist (1)
	Administrative Assistant (1)
COMMUNITY DEVELOPMENT	Billing Representative (1)
Community Development Director (1)	Accounting Supervisor (1)
Assistant Planner (1)	Credit Collection Representative (1)
Building Official (1)	Accounts Receivable Representative (1)
Building Inspector (1)	Accounts Payable/Payables Specialist (1)
Admin Specialist 2 (1)	Accountant 1 (1)
	Technology Supervisor (1)
ENGINEERING/PUBLIC WORKS	IT/Data Analyst (1)
City Engineer/Public Works Director (1)	Operations Manager (1)
Assistant City Engineer	Water Crew Chief (2)
Sr Engineering Tech/Project Coord. (1)	Water Plant Operator (4)
Engineering Tech (1)	Water Plant Relief Operator (1)
Street Foreman (1)	Water Service Worker (2)
Maintenance I (2)	Water Plant Chief Operator (1)
Maintenance II (1)	Wastewater Crew Chief (1)
Maintenance III (4)	Wastewater Supervisor (1)
Recreation Coordinator (1)	Wastewater Operator (3)
Parks Foreman (1)	Hydro Operator (3)
Park Maintenance (5)	Hydro Operator/Mechanic (2)
Admin Specialist (1)	Lineworker Crew Chief (3)
Transit Coordinator (1)	Lineworker (7)
Transit Operations Specialist (1)	Meter Service Worker (1)
	Utility Senior Eng. Tech/Project Manager (1)
FIRE	Meter Tech/Locator (1)
Fire Chief (1)	Maintenance Mechanic (1)
Fire Marshal/Deputy Chief (1)	Maintenance Electrician (1)
Admin Specialist 2 (1)	Material Control (1)
	Facility Grounds Maintenance Worker (1)
POLICE	Laborer (1)
Police Chief (1)	
Deputy Chief (1)	
Lieutenant (1)	
Sergeant (4)	
Police Officer (18)	
CSO (4)	
Administrative Supervisor (1)	
Records Management Lead (1)	
Records Management Tech (4)	



Brainerd City Council Agenda Request

Requested Meeting Date: September 6, 2022

Title of Item: Discussion of 2023 Audit Fees

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☒ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Connie Hillman	Department: Finance
Presenter (Name & Title): Finance Director Hillman	Estimated Time Needed: 5 Minutes
Summary of Issue: Staff received the attached email from CliftonLarsonAllen (CLA) regarding the potential increase in audit fees for the 2022 audit. The City has retained CLA as our auditor for many decades and CLA audits both the Brainerd HRA and BPU, which both entities are included as part of the City's Annual Comprehensive Annual Report. The last time the City went out for RFP for audit services was October 2015 for 2015 audit services.	
Alternatives, Options, Effects on Others/Comments: 2015 Total Audit Fee \$44,000 2016 Total Audit Fee \$44,850 2017 Total Audit Fee \$45,570 2018 Total Audit Fee \$46,020 2019 Total Audit Fee \$46,020 - Total billed and paid \$45,294 2020 Total Audit Fee \$47,500 - Total billed and paid \$45,465 2021 Total Audit Fee \$47,670 Projected 2022 Audit Fee \$52,437 - \$54,821 plus fee for GASB 87 implementation. The Airport pays approximately \$5,000 - \$8,000 of the audit fee, based on revenues.	
Recommended Action/Motion: Council discussion on the potential increase in audit fees, and direction to Staff if Council wishes to go out for an RFP for audit services.	
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> An estimate for the 2022 audit fees will be included in the 2023 budget.	

Connie Hillman

From: Reedy, Mary L. <Mary.Reedy@claconnect.com>
Sent: Monday, August 15, 2022 1:41 PM
To: Connie Hillman
Subject: Audit Fees

Connie,

I just wanted to reach out to let you know about our audit fees for next year's audit. We are looking at a 10 - 15% increase in fees. We will also have to assess the implementation of GASB 87, dealing with leases. That is not included in the increase but will be stated separately in the engagement letter. This increase is more than what we have done in the past and includes inflationary factors as well as accounts for some of the pressures we are facing with the labor market, and I didn't want to wait until December to let you know. I know this will not go over very well, but I just didn't want to blindside you or the council. I will be happy to discuss it with you as I hope that we can continue our relationship with the you and the City.

Thank you,
Mary



Mary Reedy, CPA, CGFM
Principal
State and Local Government

Direct 320-203-5534
CLA (CliftonLarsonAllen LLP)
mary.reedy@CLAconnect.com

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[Send me your files with secure file transfer.](#)



Investment advisory services are offered through CliftonLarsonAllen
Wealth Advisors, LLC, an SEC-registered investment advisor.

CLA is an independent member of Nexia International. See [member firm disclaimer](#) for details.

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CliftonLarsonAllen LLP



Brainerd City Council Agenda Request

Requested Meeting Date: September 6, 2022

Title of Item: Authorization to Apply for LMCIT Loan Program for Extraordinary Expense

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Connie Hillman	Department: Finance
Presenter (Name & Title): Finance Director Hillman	Estimated Time Needed: 5 Minutes
Summary of Issue: Staff is looking for options to cash flow the lawsuit settlement. Staff became aware of a loan program through the League of Minnesota Cities Insurance Trust (LMCIT) for up to \$250,000 to pay for extraordinary expenses. City Staff has reached out to LMCIT Staff and they are working on getting us an application but have also expressed concern if City would qualify for the loan in this circumstance. At this point and time, Staff feels the loan is still something we should seek.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Authorization to apply for the LMCIT loan program for extraordinary expense.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ <u>interest rate unknown</u> <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i> Repayment will be included in budgets for 2023 and beyond if applicable.	



Brainerd City Council Agenda Request

Requested Meeting Date: September 6, 2022

Title of Item: Res-Declaring Intent to Reimburse Certain Expenditures from Bonds

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☒ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Connie Hillman	Department: Finance
Presenter (Name & Title): Finance Director Hillman	Estimated Time Needed: 5 Minutes
Summary of Issue: One of the solutions for paying for and recovering fund balance from the lawsuit settlement is to issue Settlement Bonds. By adopting the attached proposed resolution, the City would be able to reimburse itself from bond proceeds if the payment is made and then the bonds are issued. The City has up to issue 18-months to reimburse itself with bond proceeds after the date of payment.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Adopt resolution declaring the official intent to reimburse certain original expenditures from the proceeds of tax-exempt bonds and establishing compliance with reimbursement bond regulations under the internal revenue code.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ <u>unkown</u> Is this budgeted? ☒ Yes ☐ No <u>Please Explain:</u>	

RESOLUTION XX:22

RESOLUTION DECLARING THE OFFICIAL INTENT TO REIMBURSE CERTAIN ORIGINAL EXPENDITURES FROM THE PROCEEDS OF TAX-EXEMPT BONDS AND ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE

WHEREAS, the Internal Revenue Service has issued Treasury Regulations, Section 1.150-2 (the "Reimbursement Regulations") under the Internal Revenue Code of 1986, as amended (the "Code"), providing that proceeds of tax-exempt bonds used to reimburse prior expenditures will not be deemed spent unless certain requirements are met; and

WHEREAS, the City of Brainerd, Minnesota, municipal corporation, and a political subdivision of the State of Minnesota (the "City"), expects to incur certain expenditures that may be financed temporarily from sources other than tax-exempt bonds, and later reimbursed from the proceeds of tax-exempt bonds; and

WHEREAS, the City has determined to make a declaration of its official intent (the "Declaration") to reimburse an original expenditure described in Treasury Regulations, Section 1.148-6(d)(3)(ii)(B), including extraordinary legal judgments in amounts in excess of reasonable insurance coverage, from the proceeds derived from the sale of tax-exempt bonds issued by the City or another political subdivision in accordance with the Reimbursement Regulations.

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

1. The City may incur an original expenditure in connection with the settlement of a lawsuit with a former union of the City, which would result in a formal court order approving the settlement (a legal judgment), in an amount in excess of reasonable insurance coverage (collectively, the "Project").

2. The City reasonably expects to reimburse the expenditures made for the Project from the proceeds of tax-exempt bonds in a principal amount currently estimated not to exceed \$1,900,000. All reimbursed expenditures related to the Project will be capital expenditures, costs of issuance of the tax-exempt bonds, expenditures described in Section 1.148-6(d)(3)(ii)(B), or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Reimbursement Regulations.

3. This Declaration has been made not later than 60 days after payment of any original expenditure to be subject to a reimbursement allocation with respect to the proceeds of tax-exempt bonds, except for the following expenditures: (a) costs of issuance of tax-exempt bonds; (b) costs in an amount not in excess of the lesser of \$100,000 or 5% of the proceeds of the tax-exempt bonds; or (c) "preliminary expenditures" up to an amount not in excess of 20% of the aggregate issue price of the tax-exempt bonds that are reasonably expected by the City to finance the Project. The term "preliminary expenditures" includes architectural, engineering, surveying, soil testing, bond issuance and similar costs that are incurred prior to commencement of acquisition, construction, or rehabilitation of the Project, excluding land acquisition, site preparation, and similar costs incident to commencement of construction.

4. A reimbursement allocation with respect to tax-exempt bonds will be made not later than 18 months after the later of: (i) the date the original expenditure is paid; or (ii) the date the Project is placed in service or abandoned, but in no event more than 3 years after the original expenditure.

5. This Declaration is an expression of the reasonable expectations of the City based on the facts and circumstances known to the City as of the date hereof. The anticipated original expenditures for the Project and the principal amount of the tax-exempt bonds described in paragraph 2 are consistent with the City's budgetary and financial circumstances. No sources other than proceeds of tax-exempt bonds are reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside pursuant to the City's budget or financial policies to pay such expenditures for which bonds are issued.

6. The action is intended to constitute a declaration of official intent for purposes of the Reimbursement Regulations.

The motion for the adoption of the foregoing resolution was duly seconded by member _____ and, after a full discussion thereof and upon a vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

Whereupon the resolution was declared duly passed and adopted.

Adopted this ___ day of September 2022

KELLY
BEVANS
President of the Council

Approved this ___ day of September 2022

DAVE
BADEAUX
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator

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

I, the undersigned, being the duly qualified and acting Clerk of the City of Brainerd, Minnesota (the "City"), DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full and true and complete transcript of the minutes of a meeting of the City Council of said City, duly called and held on September 6, 2022, insofar as such minutes relate to a resolution declaring official intent to reimburse.

WITNESS my hand on this _____ day of September 2022.

Clerk



Brainerd City Council Agenda Request

Requested Meeting Date: September 6, 2022

Title of Item: Adopt Resolution XX Approving Termination of Assessment Agreement

☐ 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: Eric Charpentier, HRA Director	Department: HRA
Presenter (Name & Title): Connie Hillman, Finance Director	Estimated Time Needed: 5 Minutes
Summary of Issue: The Brainerd Housing and Redevelopment Authority (HRA) created a TIF District and issued bonds to acquire and demolish several properties on South 6th between Maple to Norwood. The property was then sold to a developer who constructed what is now known as the SEH building on the corner of 6th and Maple. Part of the sale required the property owner to enter into an assessment agreement with the HRA which increased the value of the property by a minimum of 3% per year through the end of 2031 (see attached). This was done so that the HRA would receive enough increment to pay off the bond debt as well as an interfund loan that the agency has that has funded the increment shortfall on a yearly basis.	
Alternatives, Options, Effects on Others/Comments: This property was recently sold to a new buyer in July of 2022. The purchaser has proposed paying off the outstanding bond debt that the HRA owes in the amount of \$266,000 and in return for that payment, they have requested that the minimum assessment agreement be terminated, allowing for the real estate taxes to normalize back to a market level. However, in order to do that, the HRA must receive consent from the City, County and School District that will acknowledge the termination of the assessment agreement which will result in an estimated market value for the property to be less than the minimum market value established for the property in the assessment agreement.	
Recommended Action/Motion: Adopt Resolution approving the termination of an assessment agreement between the Housing and Redevelopment Authority in and for the City of Brainerd and for the City of Brainerd, Minnesota, Nelson-Kuepers, LLP.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☐ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

**CITY OF BRAINERD
CROW WING COUNTY
STATE OF MINNESOTA**

Resolution No. _____

**RESOLUTION APPROVING TERMINATION OF AN ASSESSMENT AGREEMENT
BETWEEN THE HOUSING AND REDEVELOPMENT AUTHORITY IN AND FOR THE
CITY OF BRAINERD, MINNESOTA AND NELSON-KUEPERS, LLP**

BE IT RESOLVED by the City Council (the “Council”) of the City of Brainerd, Minnesota (the “City”) as follows:

Section 1. Recitals.

1.01. The Housing and Redevelopment Authority in and for the City of Brainerd, Minnesota (the “Authority”) and Nelson-Kuepers, LLP (the “Redeveloper”) entered into that certain Assessment Agreement, dated March 25, 2005 (the “Assessment Agreement”), which established a minimum market value for certain property legally described as:

Lots 9 through 12, inclusive, Block 101 along with the Easterly 10 feet of Lots 13 and 14, Block 101 (P.I.N. 09196101009Z009)

Lot 7, Block 101 (P.I.N. 091961010070009)

All of Lot 8, Block 101, and all of Lots 15 through 18, inclusive, Block 101, and the Northerly 10' of Lot 19 (P.I.N. 09196101008Z889)

North 5 inches of Lot 5, and all of Lot 6, Block 101, (P.I.N. 09196101005Z889)

(the “Property”) and improvements constructed on the Property, pursuant to Minnesota Statutes, Sections 469.174 to 469.1799, as amended, and a Contract for Private Redevelopment, dated March 25, 2005 (the “Contract”), between the Authority and Redeveloper.

1.02. The Property was sold to 416 S 6th LLC, a Minnesota limited liability company (the “Owner”), and as provided in Minnesota Statutes, Section 469.177, subdivision 8 (the “Act”), the Assessment Agreement is binding upon the Owner. Authority and Owner agree that the minimum market value established for the Property in the Assessment Agreement is greater than the estimated market value resulting from the most recently available assessment of the Property.

1.03. In consideration of payment by the Owner to the HRA of \$266,000, representing the outstanding balance of a tax increment revenue note issued by the HRA in 2005 to facilitate redevelopment of a project on the Property, the parties to the Assessment Agreement have agreed to

terminate the Assessment Agreement by mutual consent of the Authority and Redeveloper, pursuant to the Act.

1.04. The Act requires approval of termination of the Assessment Agreement by the governing body of the City of Brainerd. The Act also requires approval of such termination by the governing bodies of Crow Wing County and Independent School District No. 181 (Brainerd Public Schools) because termination of the Assessment Agreement will result in an estimated market value for the Property as of the most recently available assessment that is less than the minimum market value established for the Property in the Assessment Agreement.

Section 2. Termination Approved.

2.01. The Council hereby approves the termination by the Authority and Redeveloper of the Assessment Agreement.

Approved by the City Council of the City of Brainerd this 6th day of September, 2022.

Mayor

ATTEST:

City Clerk/Treasurer

ASSESSMENT AGREEMENT

COPY 2/8/07

and

ASSESSOR'S CERTIFICATION

By and Between

**THE HOUSING AND REDEVELOPMENT AUTHORITY
IN AND FOR THE CITY OF BRAINERD, MINNESOTA**

and

NELSON-KUEPERS, LLP

This Document was drafted by:

KENNEDY & GRAVEN, Chartered (MTN)
470 US Bank Plaza
200 South Sixth Street
Minneapolis, Minnesota 55402

ASSESSMENT AGREEMENT

THIS AGREEMENT, made on or as of the 25th day of March, 2005 by and between the **Housing and Redevelopment Authority in and for the City of Brainerd, Minnesota**, a public body, corporate and politic (the "Authority") and **Nelson-Kuepers, LLP**, a Minnesota limited liability partnership (the "Redeveloper").

WITNESSETH, that

WHEREAS, on or before the date hereof the Authority and Redeveloper have entered into a Contract for Private Redevelopment dated March 25, 2005 (the "Redevelopment Contract"), pursuant to which the Authority is to facilitate development of certain property in the Authority of Brainerd hereinafter referred to as the "Property" and legally described in Exhibit A hereto; and

WHEREAS, pursuant to the Redevelopment Contract the Redeveloper is obligated to construct certain improvements upon the Property (the "Minimum Improvements"); and

WHEREAS, the Authority and Redeveloper desire to establish a minimum market value for the Property and the Minimum Improvements to be constructed thereon, pursuant to Minnesota Statutes, Section 469.177, Subdivision 8; and

WHEREAS, the Authority and the City Assessor (the "Assessor") have reviewed the preliminary plans and specifications for the improvements and have inspected such improvements;

NOW, THEREFORE, the parties to this Agreement, in consideration of the promises, covenants and agreements made by each to the other, do hereby agree as follows:

1. The minimum market value which shall be assessed for ad valorem tax purposes for the Property described in Exhibit A, together with the Minimum Improvements constructed thereon shall be \$1,644,500 as of January 2, 2006, notwithstanding the progress of construction by such date, and as of each January 2 thereafter, such minimum market value shall be automatically increased by 3%, until termination of this Agreement under Section 2 hereof.

2. The minimum market value herein established shall be of no further force and effect and this Agreement shall terminate on the following: The date of receipt by the Authority of the final payment from Crow Wing County of Tax Increments from the Authority's TIF District No. 1-1. The event referred to in this Section shall be evidenced by a certificate or affidavit executed by the Authority.

3. This Agreement shall be promptly recorded by the Authority. The Redeveloper shall pay all costs of recording.

4. Neither the preambles nor provisions of this Agreement are intended to, nor shall they be construed as, modifying the terms of the Redevelopment Contract between the Authority and the Redeveloper.

5. This Agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties.

6. Each of the parties has authority to enter into this Agreement and to take all actions required of it, and has taken all actions necessary to authorize the execution and delivery of this Agreement.

7. In the event any provision of this Agreement shall be held invalid and unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

8. The parties hereto agree that they will, from time to time, execute, acknowledge and deliver, or cause to be executed, acknowledged and delivered, such supplements, amendments and modifications hereto, and such further instruments as may reasonably be required for correcting any inadequate, or incorrect, or amended description of the Property or the Minimum Improvements or for carrying out the expressed intention of this Agreement, including, without limitation, any further instruments required to delete from the description of the Property such part or parts as may be included within a separate assessment agreement.

9. Except as provided in Section 8 of this Agreement, this Agreement may not be amended nor any of its terms modified except by a writing authorized and executed by all parties hereto.

10. This Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

11. This Agreement shall be governed by and construed in accordance with the laws of the State of Minnesota.

THE HOUSING AND
REDEVELOPMENT AUTHORITY IN
AND FOR THE CITY OF BRAINERD,
MINNESOTA

By M. Tiplady
Its Vice Chair

By  _____
Its Executive Director

[illegible]

On this 25th day of March, 2005, before me, a notary public within and for Crow Wing County, personally appeared M. Tiplady and Douglas P. Grant to me personally known who by me duly sworn, did say that they are the ~~Vice-Chair~~ and Executive Director of the Housing and Redevelopment Authority in and for the City of Brainerd, Minnesota (the "Authority") named in the foregoing instrument; that the seal affixed to said instrument is the seal of said Authority; that said instrument was signed and sealed on behalf of said Authority pursuant to a resolution of its governing body; and said M. Tiplady and Douglas P. Grant acknowledged said instrument to be the free act and deed of said Authority.




Notary Public

NELSON-KUEPERS, LLP

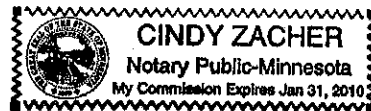
By *Douglas Kuepers*
Its *Partner* *Partner*

STATE OF *Minnesota*
COUNTY OF *Crow Wing*) ss.

On this *25th* day of *March*, 2005, before me, a notary public within and for *Crow Wing* County, personally appeared *Douglas Kuepers and Krista Nelson*, the *Partners* of Nelson-Kuepers, LLP, a Minnesota limited liability partnership, and acknowledged the foregoing instrument on behalf of the limited liability partnership.

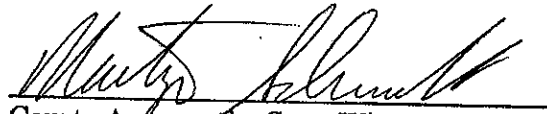


Cindy Zacher
Notary Public



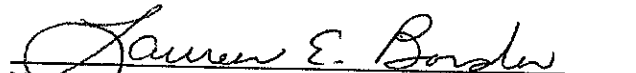
CERTIFICATION BY COUNTY ASSESSOR

The undersigned, having reviewed the plans and specifications for the improvements to be constructed and the market value assigned to the land upon which the improvements are to be constructed, hereby certifies as follows: The undersigned Assessor, being legally responsible for the assessment of the above described property, hereby certifies that the values assigned to the land and improvements are reasonable.


County Assessor for Crow Wing County

STATE OF MINNESOTA)
) ss
COUNTY OF CROW WING)

The foregoing instrument was acknowledged before me this 29 day of March, 2005 by Marty Schmidt, the County Assessor of Crow Wing County.


Notary Public

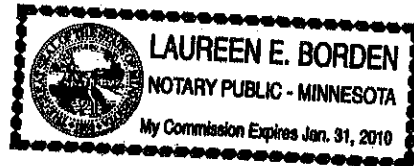


EXHIBIT A of ASSESSMENT AGREEMENT

Legal Description of Property

1. Lots 9 through 12, inclusive, Block 101 along with the Easterly 10 feet of Lots 13 and 14, Block 101 (P.I.N. 09196101009Z009)
2. Lot 7, Block 101 (P.I.N. 091961010070009)
3. All of Lot 8, Block 101, and all of Lots 15 through 18, inclusive, Block 101, and the Northerly 10' of Lot 19 (P.I.N. 09196101008Z889)
4. North 5 inches of Lot 5, and all of Lot 6, Block 101, (P.I.N. 09196101005Z889)

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

September 6, 2022

7:15 PM

Council Chambers

WebEx Teleconference Call-In Information Call Toll-

Free: 1-844-992-4726

Access Code: 2485 543 1347

1. Event/ Street Closure Application- Brainerd Fire Department Open House
2. Event/ Street Closure Application- St. Francis Marathon
3. Approve Temporary Construction Easement- Historic Water Tower Project
4. Approve Electrical/ Mechanical at Street & Parks Building
5. Direction on Open Code Enforcement Cases



Brainerd City Council Agenda Request

Requested Meeting Date: September 22, 2022

Title of Item: Approve Event/Street Closure Application - Fire Department Open House

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer/PW Director Dehn	Department: All
Presenter (Name & Title): City Engineer/PW Director Dehn	Estimated Time Needed: 2 Minutes
Summary of Issue: Attached to this request is an event and street closure application for the annual Brainerd Fire Department Open House to be held on October 13, 2022 from 5 pm to 7pm on East River Road.	
Alternatives, Options, Effects on Others/Comments: The event consists of fire prevention, fire apparatus, and emergency provider displays. The applicant has requested closure of East River Road between the Fire Department and Police Department for the event. The applicant intends to use the electrical outlets from the fire department. There will be no amplified sound. Restrooms in the fire department will be provided for attendees. Waste Partners is contracted for waste removal.	
Recommended Action/Motion: Staff recommends approval of the attached application under the condition that the application request traffic control for the street closure one week prior to the event.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	



SPECIAL EVENT APPLICATION

Date of Application: August 16, 2022

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

Type of event:

☐
☒

Event – City Parking Lot
Event with Street Closure

☐
☐

Event – City Park
Other _____

Name of event: Brainerd Fire Department Open House

Organizer Information

Organizer's Name:

Tim Holmes

Organizer's Address:

23 Laurel Street

Event Contact Person:

Tim Holmes

Event Contact Daytime Phone:

218-828-2312

Event Contact E-mail Address:

tholmes@ci.brainerd.mn.us

Contact Name/Number Day of Event:

same

For Profit/Nonprofit Status (type): _____

Applicant information (if different from the event organizer):

Applicant Name:

Applicant Address:

Applicant Phone:

Applicant E-mail Address:

Event Information

Event Details (list each date separately)

Event Date	Start Time	End Time	Event Location(s) – see locations listed below
October 13	5 pm	7 pm	23 Laurel Street

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

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

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

Description of Activities

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

Fire prevention activities, fire apparatus and emergency provider displays

Site Information

Electrical usage

☒

Yes

☐

No

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

On-scene

Amplified Sound

☐

Yes

☒

No

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

Restrooms provided

☒

Yes

☐

No

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

Company contracted for restrooms: _____

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

Signs, banners, and/or posters/flyers

☐

Yes

☒

No

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

Trash Receptacle Disposal

☒

Yes

☐

No

Company contracted for trash receptacle disposal: _____

Waste Partners

Additional Event Information

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

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

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

Street Closure Request Information

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

East River Road between Front and Laurel Street

Date and time for beginning of street closures: October 13 at 4 pm

Date and time for reopening of streets: October 13 at 8 pm

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

No residential or businesses are located in the closed street area. Traffic cones will be requested by the Fire Department and obtained prior to the event from the Street Department.

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

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

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

Hold Harmless Agreement and Insurance Information

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

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

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

Signature of Event Applicant

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

A handwritten signature in blue ink, appearing to read "Tim Holmes", written over a horizontal line.

Signature of Applicant

Tim Holmes

Print Name

Contacts, Permits, and Fees Checklist

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

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

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

Contact Information

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

For Official Use Only

Department Sign-offs Required

Department	Date/Initials	Comments
Brainerd Public Utilities	_____	No Comments
City Administration	_____	No Comments
Engineering Department	8/29/22 JD	See conditions below
Fire Department	_____	No Comments
Fire Support/EMS	_____	No Comments
Parks Department	_____	No Comments
Planning Department	_____	No Comments
Police Department	_____	No Comments

Event Application Approval

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

City Administrator

Date

Approval Conditions

Applicant request traffic control materials at least one week in advance of the event.

Certification of Street Closure Approval

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



Brainerd City Council Agenda Request

Requested Meeting Date: September 6, 2022

Title of Item: Approve Event/Street Closure Application - St. Francis School Marathon

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer/PW Director Dehn	Department: All
Presenter (Name & Title): City Engineer/PW Director Dehn	Estimated Time Needed: 2 Minutes
Summary of Issue: Attached to this request is the event/street closure application for the annual St. Francis School Marathon to be held October 19, 2022 from 8:30 am to 12:30 pm on the street around St. Francis including Juniper Street, N. 9th Street, N. 10th Street, and Kingwood Street.	
Alternatives, Options, Effects on Others/Comments: The applicant is requesting closure of these streets for the event. The event is the annual school marathon where children can walk, run, or ride their bikes. Approximately 175 students participate. There will be signs and banners scattered throughout the event area indicating the event is taking place. The applicant has indicated they will hand out fliers to adjacent residences and businesses before the event.	
Recommended Action/Motion: Staff recommends approval of the attached application under the condition the applicant notify the adjacent residences/businesses of the event, signs are removed after event conclusion, and an insurance certificate is submitted to the City per the permit requirements before the event.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	



SPECIAL EVENT APPLICATION

Date of Application: 8/19/2022

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

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

Name of event: St. Francis School Marathon

Organizer Information

Organizer's Name: Jennifer Nagel
Organizer's Address: 817 Juniper Street
Event Contact Person: Jennifer Nagel
Event Contact Daytime Phone: 218-829-2344
Event Contact E-mail Address: jennifer.nagel@sf-school.org
Contact Name/Number Day of Event: Jennifer Nagel
For Profit/Nonprofit Status (type): Non-profit, school event

Applicant information (if different from the event organizer):

Applicant Name: _____
Applicant Address: _____
Applicant Phone: _____
Applicant E-mail Address: _____

Event Information

Event Details (list each date separately)

Event Date	Start Time	End Time	Event Location(s) – see locations listed below
Wed. Oct. 19	8:30am	12:30pm	Around the block consisting of 9th and 10th Juniper,
			down to 10th and Kingwood to 9th and Kingwood

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

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

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

Description of Activities

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

Annual school marathon - participants are school children grades preschool-4th walking, running, or riding their bikes- approximately 175 students, parents, and staff

Site Information

Electrical usage

☒

Yes

☐

No

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

Amplified Sound

☐

Yes

☐

No

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

Restrooms provided

☐

Yes

☒

No

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

Company contracted for restrooms: _____

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

Signs, banners, and/or posters/flyers

☐

Yes

☐

No

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

Signs will be distributed throughout area indicating the Marathon is in progress

Trash Receptacle Disposal

☒

Yes

☐

No

Company contracted for trash receptacle disposal: _____

Additional Event Information

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

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

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

Street Closure Request Information

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

The intersections on the blocks consisting of 9th and 10th Juniper, down to
10th and Kingwood to 9th and Kingwood (no change from previous years)

Date and time for beginning of street closures: Oct 19th 8:00am

Date and time for reopening of streets: Oct 19th 1:00pm

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

We will distribute flyers to residents and businesses in the area of the marathon
(street closures)

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

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

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

Hold Harmless Agreement and Insurance Information

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

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

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

Signature of Event Applicant

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

Signature of Applicant

Jennifer Nagel

Print Name

Contacts, Permits, and Fees Checklist

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

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

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

Contact Information

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

For Official Use Only

Department Sign-offs Required

Department	Date/Initials	Comments
Brainerd Public Utilities		No Comments
City Administration		No Comments
Engineering Department	8/29/22 JD	See conditions below
Fire Department		No Comments
Fire Support/EMS		No Comments
Parks Department		No Comments
Planning Department		No Comments
Police Department		No Comments

Event Application Approval

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

City Administrator

Date

Approval Conditions

Remove signs after the event. Requests for traffic control should be submitted one week prior to the event. Please submit required insurance certificate to city hall before the event.

Certification of Street Closure Approval

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



Brainerd City Council Agenda Request

Requested Meeting Date: September 6, 2022

Title of Item: Approve Temporary Construction Easement - Historic Water Tower Project

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer/PW Director Dehn	Department: Engineering
Presenter (Name & Title): City Engineer/PW Director Dehn	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached is a signed temporary construction easement for the parcel owned by Breen & Person as it pertains to the Historic Water Tower rehabilitation project.	
Alternatives, Options, Effects on Others/Comments: The easement consists of an area that encumbers the parcel containing parking between the Breen & Person business and Tower Motors. This area would be utilized for general construction purposes including construction equipment use and storage, material staging and stockpiling, and ingress and egress to the construction area. Access to the water tower would be done utilizing an existing access easement through the Breen & Person building, however in a limited fashion. Construction workers would mainly utilize this access at the beginning and end of the working day with much of the materials delivered via crane on the temporary construction easement area. Mr. Brad Person has waived his request for monetary compensation in return for recognition with the Water Tower Committee of his donation to the project. Attached is a copy of the easement signed by Mr. Person and the site plan submitted by HyTec Construction.	
Recommended Action/Motion: Staff recommends approval of the attached easement as presented.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

(Above space reserved for recording data)

TEMPORARY CONSTRUCTION EASEMENT

THIS EASEMENT GRANT is made by **MAROONS, LLC**, a Minnesota limited liability company ("Grantor") in favor of and to the **CITY OF BRAINERD**, a Minnesota municipal corporation (hereinafter referred to as the "Grantee").

Recitals

A. Grantor is the owner of tracts of land with Parcel Identification Numbers: 41251151 (the "Office Parcel") and 41250503 (the "Parking Lot Parcel"), which are legally described as follows:

See attached Exhibit A.

B. The Office Parcel is subject to an existing "easement for maintenance of the existing historic water tower... and for access to said tower."

C. A construction project to install a roof on the historic water tower is anticipated to commence in 2022 and the Parking Lot Parcel is needed for material and equipment storage and crane operations.

D. Grantee seeks to obtain, and Grantor desires to convey, a temporary construction easement to facilitate the roof replacement project.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following grants, agreements, and covenants and restrictions are made:

1. GRANT OF TEMPORARY CONSTRUCTION EASEMENT. Grantor hereby grants to Grantee a temporary construction easement over the Parking Lot Parcel for general construction purposes including construction equipment use and storage, material staging and stockpiling, and ingress and egress to the construction area. To the extent necessary, said easement includes ingress and egress across the Office Parcel and through the existing office building as needed to access the interior of the water tower. Other than personnel entering the tower, equipment and personnel entering and exiting the Parking Lot Parcel shall do so via Washington Street.
2. TERM. The Temporary Construction Easement shall be granted upon full execution of the Easement and shall expire December 31, 2023.
3. RESTORATION. Grantee shall, upon completion of construction and prior to termination, restore as necessary the surface of the Parking Lot Parcel to a condition equal or better to that existing prior to exercising its rights under this Easement.
4. WARRANTY OF TITLE. Grantor warrants and covenants that Grantor has full authority to grant the Temporary Construction Easement provided herein, free and clear of all other claims.
5. RUNNING OF BENEFITS AND BURDENS. All provisions of this instrument including the benefits and burdens, run with the Parcel and are binding upon and inure to the heirs, assigns, successors, tenants and personal representatives of the parties.

[Signatures begin on the following page.]

EXHIBIT A
TO
TEMPORARY CONSTRUCTION EASEMENT

PID 060252100D00009

That part of the Northeast Quarter of the Northwest Quarter of Section 25, Township 45 North, Range 31 West, Crow Wing County, Minnesota, described as follows: Commencing at the intersection of the South line of Washington Street and the East line of Sixth Street, Original Town of Brainerd, according to the record plat on file in the Crow Wing County Recorder's Office; thence North 89 degrees 58 minutes 15 seconds East, assumed bearing, 150.00 feet along said South line of Washington to the Point of Beginning of the tract to be described; thence South 00 degrees 00 minutes 35 seconds West 127.20 feet; thence North 89 degrees 01 minutes 39 seconds East 130.02 feet; thence North 00 degrees 00 minutes 35 seconds East 125.06 feet to said South line of Washington Street; thence South 89 degrees 58 minutes 15 seconds West 130.00 feet along said South line of Washington Street to the Point of Beginning.

Subject to reservations, restrictions, easements and mineral rights of record.

AND

PID 060252100EA0009

That part of the Northeast Quarter of the Northwest Quarter of Section 25, Township 45 North, Range 31 West, Crow Wing County, Minnesota, described as follows: Commencing at the intersection of the South line of Washington Street and the East line of Sixth Street, Original Town of Brainerd, according to the record plat on file in the Crow Wing County Recorder's Office; thence North 89 degrees 58 minutes 15 seconds East, assumed bearing, 150.00 feet along said South line of Washington to the Point of Beginning of the tract to be described; thence South 00 degrees 00 minutes 35 seconds West 127.20 feet; thence South 89 degrees 01 minutes 39 seconds West 74.98 feet; thence South 89 degrees 58 minutes 15 seconds West 75.03 feet to said east line of Sixth Street; thence North 00 degrees 00 minutes 35 seconds East 128.43 feet along said east line of Sixth Street to the point of beginning. Subject to reservations, restrictions, easements and mineral rights of record.

EXCEPT a circle having a radius of 16 feet and a center point located in the center of the existing historic water tower and described more or less as follows: Beginning at the intersection of the south line of Washington Street and the east line of South 6th Street; thence North 89 degrees 58 minutes 15 seconds East, assumed bearing, 74.80 feet along the South line of Washington Street; thence South 00 degrees 00 minutes 35 seconds West 53.60 feet to said center of circle; and

Reserving an easement for maintenance of the existing historic water tower within a circle more or less as described above; and for access to said tower; and

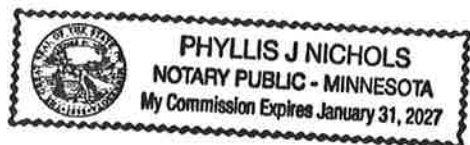
Reserving an easement for the maintenance of existing public utilities that may be located on the parcel.

MAROONS, LLC

By: [Signature]
Its: Chief manager

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

The foregoing instrument was acknowledged before me this 31 day of Aug, 2022, by Israhk Persson.

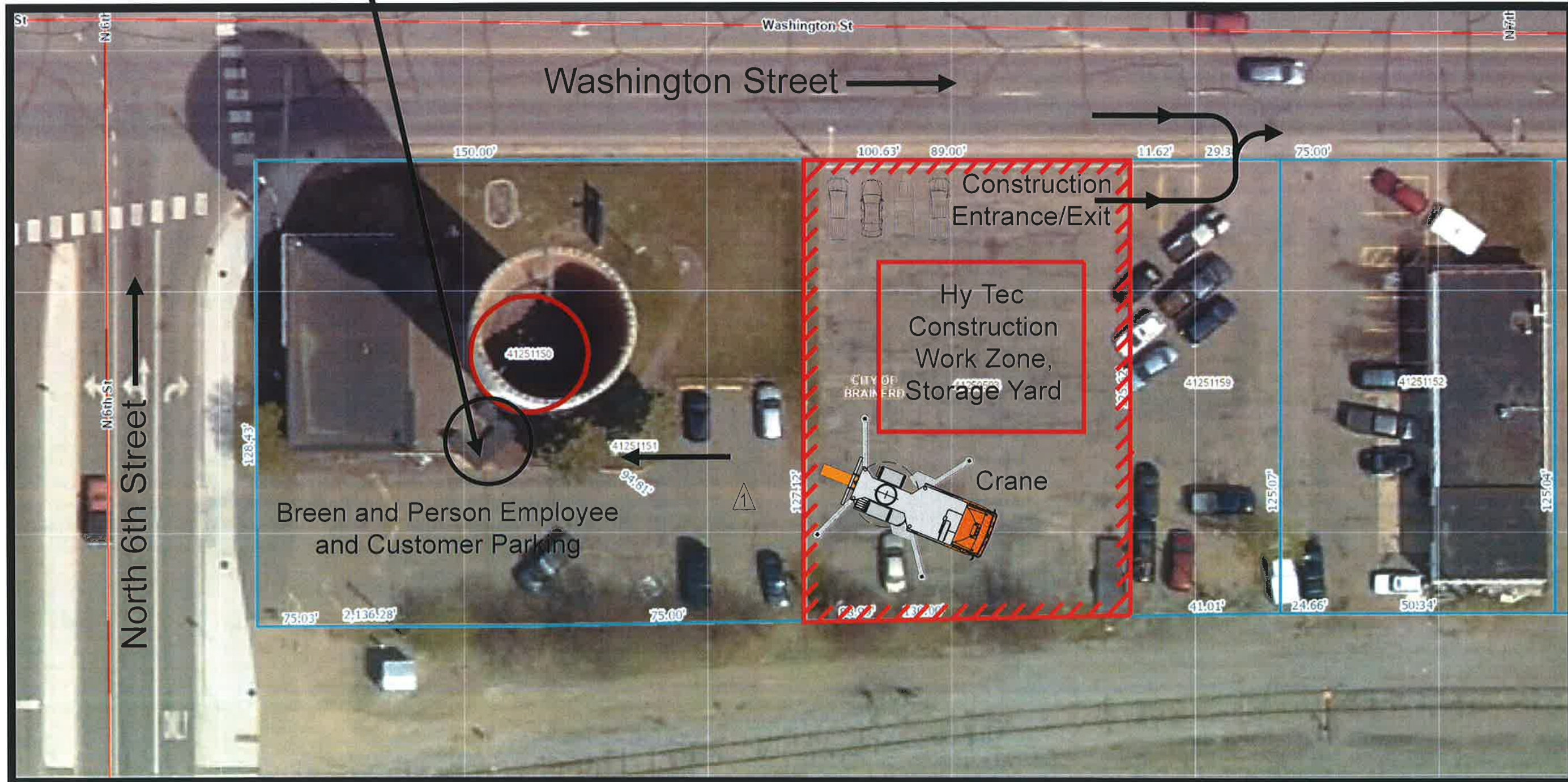


Phyllis Nichols
Notary Public

City of Brainerd 122 6th Street North Brainerd, Minnesota 56401

Construction Schedule:
August 29 - November 30, 2022

Access Water Tower
thru Breen and
Person Office Area
7 A.M. - 5:00 P.M.



Coordinate Parking with Breen and Person
During Days of Crane Operation

1 Site Plan
T1.0 1" = 30'-0"

REVISIONS	
1.	Revise Temporary Easement 07/20/2022
2.	
3.	

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Registered Architect under the laws of the State of Minnesota.
Date _____ Reg. No. _____

11360 BUSINESS 371
BRainerd, MN 56401
PHONE 218/829-8529
FAX 218/829-5383
www.hytecconst.com
lic #BC-20050648

HYTEC
CONSTRUCTION

City of Brainerd
Brainerd, Minnesota
Site Plan
DATE: June 2022
SHEET: S1.0



Brainerd City Council Agenda Request

Requested Meeting Date: September 6, 2022

Title of Item: Approve Electrical/Mechanical at Street & Parks Building

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer/PW Director Dehn	Department: Engineering/Public Works
Presenter (Name & Title): City Engineer/PW Director Dehn	Estimated Time Needed: 15 Minutes
Summary of Issue: On 3/15/21, Council awarded the Brainerd Street Garage Parks Addition contract to Nor-Son, Inc. in the total amount of \$504,553. The plan as bid did not include Electrical and Mechanical items as listed in the original estimate. These items are necessary for permanent occupancy of the building. Installation of 5 Reznor heater units were approved for a cost of \$13,200.	
Alternatives, Options, Effects on Others/Comments: Staff received quotes for this work from Pike Plumbing & Heating (Mechanical) for \$37,100, Holden Electric (Electrical) for \$31,410, and Jim's Electric (Electrical) for \$29,944. To date, Holden Electric has obtained materials for the work and been paid a portion for materials on hand. With the addition of the Mechanical and Electrical items as quoted, the total cost would be \$586,263. The original budget was \$468,109. This represents 25% over the original budgeted amount.	
Recommended Action/Motion: Staff recommends approval of the quotes from Pike Plumbing & Heating and Holden Electric for the additional mechanical and electrical work at the Brainerd Street & Parks Building Addition for a total project cost of \$586,263.	
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> \$ 586,263 <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i> The full amount of this project is not budgeted due to the bids being higher than the estimated costs, but costs over and above the budget are anticipated to come out of capital fund 400.	



P.O. Box 452
830 Brook Street
Brainerd, MN 56401

SERVING YOU SINCE 1940!

829-4332

QUOTATION

August 26, 2022

Valid 30 days

To: WSN
Attn: Nate Thiesse
Re: Brainerd Streets and Sewer Addition - HVAC

We propose to provide labor and material for the following:

- Install two Reznor UDX300 hanging unit heaters
 - o 600kBTU total input capacity
 - o Vented thru roof
 - o One year parts warranty
 - o Mounting brackets included
- Install two Honeywell T1 thermostats
- Install black iron gas piping from NG meter to both unit heaters
 - o Regulators included
 - o Shut off included
- Install two S&P exhaust fan assemblies
 - o 4500 cfm total capacity
 - o Speed control included
 - o Backdraft dampers
 - o Ducted with 1" duct linear down wall to 12" AFF
- Install two NCA 24X36 intake louvers
 - o Mill finish
 - o Insulated low leakage 5" frame
 - o 6" damper blades
 - o 120 volts Belimo actuators with end switches
 - o 4" extruded aluminum outside louver
- Install two Honeywell Vulcan gas detector systems
 - o 120 volts
 - o Two CO sensors
 - o Two NO2 sensors
- Allowance of \$800 for roofer included
- Allowance of \$1000 for permit and plan review included

Labor and material for the sum of:

\$37,100.00

Note! No electrical of any kind included.

Balancing of system by Pike Plumbing and Heating included- if third party is to balance system – this will be extra.,
HVAC holes in precast by others.

Joe Hines

Accepted by: _____ Date: _____
Payable in full within 30 days of invoice.



7669 College Rd
Baxter, MN 56425
Phone: 218-829-4759
Fax: 218-829-4121
Email: smoser@holdenelectric.com

Bid Proposal

6/18/2021

TO:

Att: Nate T.

JOB:

Brainerd Street Department Building

Bid Date: **6/18/2021**

Work Description: Wire new 90 by 66 addition per email specs dated 6/17/21

Our total Base bid estimate is : **\$31,410.00**

Exclusions:

Sincerely,

Scott Moser

Scott Moser



June 21st, 2021

Proposal #: 2021161 – Streets, Sewer, Parks Storage Addition – Brainerd, MN

Attn: Nate

Jim's Electric is pleased to provide you with this Electrical Proposal for:

- The City of Brainerd Streets, Sewer and Park Storage Addition, a 100'x65' pre-cast building with steel joist roof system
 - Proposal is based on the 2020 national electrical code
 - Project to be design build and wired to code – all wiring methods assumed acceptable as allowed by code
 - Surface piping assumed acceptable on pre-cast (no recessing)

We are in receipt of the following documents:

- Plans (dated 3-4-21)

Project Specifics:

- **Sub Panel**
 - Furnish and install (1) 100a 3-phase sub panel
 - Assumes the existing service has adequate capacity and a spare breaker to tie into and that there is a clear path for routing the feeder conduit
- **Lighting**
 - Furnish and install the following:
 - (15) LED high bays – provide battery back up on (2) fixtures for emergency lighting
 - (4) LED wall pack – up to 150w HID equal
 - (2) exit/emergency combo lights
- **Lighting Control**
 - Furnish and install the following:
 - (2) single pole switches
 - Provide dusk to dawn control of exterior lighting
- **Power**
 - Furnish and install the following:
 - (12) duplex receptacles on up to (4) 20a circuits
 - (2) exterior receptacles
 - Wire for the following general equipment:
 - (2) OH doors – 20a max – includes wiring for door sensors and control – all devices to be furnished by others



June 21st, 2021

Proposal #: 2021161 – Streets, Sewer, Parks Storage Addition – Brainerd, MN

- Wire for the following mechanical equipment:
 - (2) gas hanging heaters – 20a max – includes wiring thermostat adjacent to heater – thermostat furnished by others
 - CO/NO System:
 - Wire for (1) controller – 20a max
 - Wire for (1) damper
 - Wire for (1) exhaust fan – 20a max – interlock to end switch on damper
 - Wire up to (4) low voltage sensors – all sensors furnished by others
 - System may require more devices or equipment wiring – final requirements – TBD

We have included the following general items with this proposal:

- Electrical Permit and inspection fees
- If applicable, sales tax
- Mobilization to site
- Work to be completed during regular workdays (M-F) and hours between (7am to 5pm)
- Proposal Price valid for (30) days
- Warranty on workmanship. Material warranty is covered by the manufacture. Please ask if you are interested in a full service no questions asked warranty package.
- (1) Temporary Electric service fed from existing electrical

We have excluded the following with this proposal:

- Prevailing Wage Rates/Performance & Payment Bond/Overtime or holiday hours
- Labor and other costs associated with repair of manufactures products.
- Stacking of trades or condensed schedules
- Rock excavation/ Frost charges/Surveying of any type
- Cutting or patching of any walls, floors, or ceiling materials/Painting of any type
- Variable Frequency Drive, Starters, or transformers or the like to make equipment work or compatible with building voltage.
- Delays due to inclement weather
- Dumpster or construction waste removal/Temporary toilets
- Roof patching for electrical penetrations
- Utility charges
- **Calculations and Verification for ASHRAE Compliance/Engineering Fees**
- **Data-Comm./Security/Surveillance/Audio/Fire (system pricing available upon request)**



June 21st, 2021

Proposal #: 2021161 – Streets, Sewer, Parks Storage Addition – Brainerd, MN

Base Bid Price: \$29,944.00

****Pricing subject to final project schedule****

Please consider the following options:

1. Three Way Switching

- a. Provide (2) three-way switches at back man door for shop area high bays – replace (2) base bid single poles with three-way switches

Add: \$750.00

2. Office Area

- a. Provide demo and minor modification to office area – Includes demo, (4) receptacles, (1) wall occupancy sensor, (2) 2x4 lay-ins and (1) data jack – final scope TBD

Budget: \$2,200.00 - \$3,000.00

Thank you for the opportunity to provide you with this proposal. Please call should you have any questions or wish to discuss additional options.

Sincerely,

Jesse Grant

President

Cell (218)820-9775

jesseg@jimselectric.com

Jake Francis

Estimator

Cell (218) 821-1877

jakef@jimselectric.com



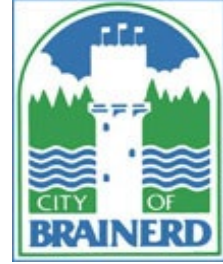
Brainerd City Council Agenda Request

Requested Meeting Date: September 6, 2022

Title of Item: Direction on Active Code Enforcement Cases

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☒ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Community Development Director	Department: Community Development
Presenter (Name & Title): James Kramvik, CCD	Estimated Time Needed: 10 minutes
Summary of Issue: With the adoption of Ordinance No. 1524, the revised Section 320 of the City Code dictates that violations of the City Code shall, after receiving a notice of violation, be issued up to 3 administration citations for non-compliance. Once 3 citations have been issued, the violation shall be brought before the Safety & Public Works Committee for review. The Committee shall then make a recommendation to the City Council as to how to proceed with enforcement of the violation. Staff is bringing 2 properties before the Committee for review. Staff is looking for direction from the Council as how to proceed with the cases..	
Alternatives, Options, Effects on Others/Comments: Attached are case files for 9206 Northtown St. and 15284 Beaver Dam Rd. Per Section 320, action that could be taken against these properties include: - Continued administrative citations in an amount determined by the City Council - Abatement of the offense (depending on the type of offense) - Legal action (at the recommendation of the City Attorney depending on the type of offense) - Cease corrective action	
Recommended Action/Motion: See attached memo.	
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: September 6, 2022

RE: Recommendations for Active Code Enforcement Cases

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

- **9206 Northtown Street**

- Received one (1) Notice of Violation letter and three (3) Citations for Unlicensed/Inoperable Vehicles
 - First Letter 6/8/22 – Last Citation 8/8/22
 - \$600 in open citations

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

- **15284 Beaver Dam Road**

- Received two (2) Notice of Illegal Use Zoning Letters 4/8/22 and 6/15/22
- Received one (1) Property Inspection Letter 4/11/22
- Received three (3) Possible Rental Letters 4/11/22, 5/26/22, and 6/15/22
- Property was placarded as a Non-Licensed Rental Dwelling 5/4/22 and 5/26/22
- Received one (1) Inspection Request Letter 6/15/22
- Received three (3) Administrative Citations for Non-Licensed Rental
 - First Letter 4/11/22 – Last Citation 8/5/22
 - \$600 in open citations

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

9206 Northtown St





06/08/2022 14:46

June 08, 2022

JAGER, MATTHEW L
9206 NORTHTOWN 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: 9206 NORTHTOWN ST
Real Estate Code: 41330653

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 06/22/2022

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



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

EN22-0225

Date of Violation: 08/08/2022

Parcel ID: 41330653

Violator(s): JAGER, MATTHEW L
9206 NORTHTOWN ST
BRainerd, MN 56401

Location/Address of Violation: **9206 NORTHTOWN 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: 08/18/2022

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: 08/08/2022

Representative's Signature:

(served via first class mail)



This citation charges you with one or more violations of the
Housing Maintenance Code, Ordinance No. 1304

Administrative Citation

THIS IS THE ONLY NOTICE YOU WILL RECEIVE

Department of Building Safety – 218-828-2307

Violator(s): KAIKKONEN, KRISTOPHER

Date of Violation: 08/05/2022

Mailing Address: 15284 BEAVER DAM RD Parcel ID: 41330502
BRAINERD, MN 56401

Location/Address of Violation: **15284 BEAVER DAM RD**

VIOLATION

Section	Subdivision, Chapter or Article	Description	Fine
425	3001	License Required	\$300.00

425.3001 **License Required.** No person shall allow to be occupied, or let to another for occupancy, any dwelling unit unless the owner has first obtained a license under the terms of this article. NOTE: Any "Lease to Own" or "Rent to Own" type arrangement is still a rental and must be registered as such until such time as the rental dwelling purchase transaction is recorded. NOTE: Any "Contract for Deed" not properly recorded with the county as required by Minnesota State Statute 507.235 shall be considered a rental and subject to Section 425.

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: 08/15/2022

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 may 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: 08/05/2022

Representative's Signature:

(served via first class mail)



This citation charges you with one or more violations of the
Housing Maintenance Code, Ordinance No. 1304

Administrative Citation

THIS IS THE ONLY NOTICE YOU WILL RECEIVE

Department of Building Safety – 218-828-2307

Violator(s): KAIKKONEN, KRISTOPHER

Date of Violation: 07/13/2022

Mailing Address: 15284 BEAVER DAM RD Parcel ID: 41330502
BRainerd, MN 56401

Location/Address of Violation: **15284 BEAVER DAM RD**

VIOLATION

Section	Subdivision, Chapter or Article	Description	Fine
425	3001	License Required	\$100.00

425.3001 **License Required.** No person shall allow to be occupied, or let to another for occupancy, any dwelling unit unless the owner has first obtained a license under the terms of this article. NOTE: Any "Lease to Own" or "Rent to Own" type arrangement is still a rental and must be registered as such until such time as the rental dwelling purchase transaction is recorded. NOTE: Any "Contract for Deed" not properly recorded with the county as required by Minnesota State Statute 507.235 shall be considered a rental and subject to Section 425.

Citation Amount Due: \$100.00

Payment Due By: 30 Days from Date of Violation

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

Re-Inspection Date: 07/23/2022

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 may 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: 07/13/2022

Representative's Signature:

(served via first class mail)



Inspection Request

06/15/2022

KAIKKONEN, KRISTOPHER
15284 BEAVER DAM RD
BRAINERD, MN 56401

RE: **Hazardous Building Investigation – Brainerd City Code, Section 450**
Address: 15284 BEAVER DAM RD
Parcel Number: 41330502

Structure Description: Single Family Dwelling – Tenant Occupied

Dear Property Owner:

The City of Brainerd has embarked on a program of concentrated code enforcement for the repair or removal of dilapidated buildings under the provisions of the above stated City Codes. This program is a positive effort to remove the blighted and hazardous conditions from our neighborhoods.

It has been brought to the attention of the Building Safety Division that a **structure located at 15284 BEAVER DAM RD** may be in a state of disrepair due to inadequate maintenance, dilapidation, physical damage, or abandonment to such an extent that it constitutes a fire hazard or a hazard to the safety and health of the occupants or the public and may need to be repaired or removed. I am requesting access to the structure to conduct an inspection to determine the extent of the disrepair.

Please contact this office to schedule this inspection. You can contact us one of three ways:

1. Call our office at 218-828-2307
2. Email our office at building@ci.brainerd.mn.us
3. Visit our office located on the second floor in City Hall at 501 Laurel Street.

You are expected to reply to this request as soon as possible but **not more than ten (10) days** from the date of this letter. Please feel free to contact us with any questions or concerns you may have regarding the inspection.

Respectfully,
City of Brainerd

Darrin Deseth
Community Development Department - Building Safety Division

06/15/2022

KAIKKONEN, KRISTOPHER
15284 BEAVER DAM RD
BRAINERD, MN 56401

RE: Ordinance No. 425 – Rental Housing Code
Street Address: 15284 BEAVER DAM RD
Parcel ID: 41330502
Legal Description: NE1/4 OF SW1/4 EXC N 874.74 FT THEREOF.

Dear Property Owner:

The City of Brainerd has adopted a housing maintenance code by ordinance, thereby establishing a policy to enhance the supply of safe, sanitary, and adequate housing for its citizens and to prevent the deterioration of existing housing in the city. It has come to our attention that the above-described property might be a rental property. **If this property is a rental dwelling, it should be registered immediately.**

A license fee has been established, which is \$32.00 per dwelling unit per year. Enclosed is a rental housing license application form for your convenience. The Housing Maintenance Code may be accessed on our website. Go to www.ci.brainerd.mn.us and click on the Building Department link.

If this property is not a rental dwelling: Please complete the declaration of non-rental section on the enclosed application so that we may remove this property from the contact list. **The completed application, with or without payment submittal, should be returned no later than 06/29/2022.**

You may contact Jason Stockinger, Building/Housing Inspector at 218/828-2309 if you have any questions regarding this matter.

Respectfully,

CITY OF BRAINERD



DARRIN DESETH,
Building Official



CITY OF BRAINERD
Department of Building Safety

Notice of CODE VIOLATION

PROPERTY ADDRESS 15284 Beaver Dam Rd DATE 5.4.22

Ref: City Code 425.1800. **Rental License Required.** No person shall allow to be occupied, or let to another for occupancy, any dwelling unit unless the owner has first obtained a license.

Landlords who rent an unlicensed rental dwelling may not be allowed to accept or collect rent.

Contact the Department of Building Safety
Phone: 218/828-2309 Location: City Hall – 501 Laurel Street

Code references are available online at www.ci.brainerd.mn.us

Issued by: Joan Stockaiger

DO NOT REMOVE THIS PLACARD UNTIL AUTHORIZED BY GOVERNING AUTHORITY

DANGER

DO NOT ENTER

UNSAFE TO OCCUPY

This Building Deemed Hazardous Under
Minnesota Statute Chapter #463

AND CANNOT BE OCCUPIED FOR ANY PURPOSE

Building Dept.

CITY OF BRAINERD

By Jane Stoen

Date 4-18-22

Any unauthorized person removing this sign

will be prosecuted

APRIL 11TH, 2022

KAIKKONEN, KRISTOPHER
15284 BEAVER DAM RD
BRAINERD, MN 56401



www.ci.brainerd.mn.us

RE: Ordinance No. 425 – Rental Housing Maintenance Code
Street Address: 15284 BEAVER DAM RD
Parcel ID: 080333100D00009

Legal Description: 09_ANRES - BRAINERD-ANNEXED NORTH RESIDENTIAL

Dear Property Owner:

The City of Brainerd has adopted a housing maintenance code by ordinance, thereby establishing a policy to enhance the supply of safe, sanitary, and adequate housing for its citizens and to prevent the deterioration of existing housing in the city. It has come to our attention that the above-described property might be a rental property. **If this property is a rental dwelling, it should be registered immediately.**

A license fee has been established, which is \$32.00 per dwelling unit per year. Enclosed is a rental housing license application form for your convenience. The Housing Maintenance Code may be accessed on our website. Go to www.ci.brainerd.mn.us and click on the Building Department link.

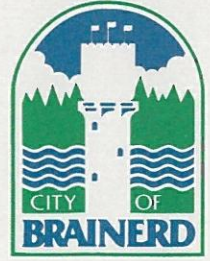
If this property is not a rental dwelling: Please complete the declaration of non-rental section on the enclosed application so that we may remove this property from the contact list. **The completed application, with or without payment submittal, should be returned no later than APRIL 21ST, 2022.**

You may contact Jason Stockinger, Building/Housing Inspector at 218/828-2309 if you have any questions regarding this matter.

Respectfully,

CITY OF BRAINERD

DARRIN DESETH,
Building Official



www.ci.brainerd.mn.us

April 11, 2022

Mr. Brion Hartwig
10251 W Cree Bay Cir
Pequot Lakes, MN 56472

RE: Pole Building located on Premises with living quarters at 15284 Beaver Dam RD.

Dear Mr. Hartwig

An inspection of the property listed above was performed by Building Inspector Jason Stockinger and Assistant Planner James Kramvik from the City of Brainerd on April 1st 2022. Upon arrival, the exterior of the structure appeared to be a standard pole style building. Once Mr. Stockinger and Mr. Kramvik entered the building, they noticed it was constructed with steel I-Beams and tin covered walls. The building is primarily being used as a shop with a small living area located on an upper level of the building. The tenant indicated that this space was leased as a residential living unit.

Upon completion of inspection, the following violations of the City Code were documented.

- Currently an unlicensed rental unit within the city limits of Brainerd
- Needs a means of egress from unit (window too small)
- Graspable handrail on staircase
- Smoke detectors required on all levels
- Carbon monoxide detector located within 10 feet of sleeping area
- Outlet covers missing
- Space heaters used for heating purposes
- Non-conforming septic/waste system

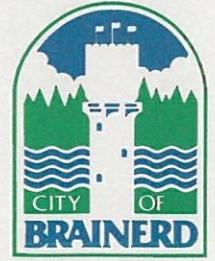
Past records indicate that an accessory structure remodel permit was issued to construct bathrooms and a separate shop within the building. Building inspections were not completed for this remodel. Also, a permit was not issued for an accessory dwelling unit. This property was zoned R-2 (Medium Residential District) at the time of issuance of the accessory structure remodel permit. Accessory dwelling units are not permitted in the R-2 District. As indicated by previous correspondence with the City of Brainerd, this accessory structure cannot be used for commercial purposes. In addition, this building cannot be used as a dwelling unit. The accessory structure pole building can only be used for storage by a tenant residing in the primary dwelling unit or the property owner.

If you have any further questions regarding details of the inspection conducted by Mr. Stockinger and Mr. Kramvik or regarding requirements of the City Code, please contact the Community Development Department at (218) 828-2307.

Sincerely,

Jason Stockinger
Building Inspector

April 8th, 2022



www.ci.brainerd.mn.us

Kristopher Kaikkonen
15284 Beaver Dam Rd.
Brainerd, MN 56401

Dear Mr. Kaikkonen,

You are receiving this letter due to concerns about non-permitted uses, unpermitted building, and unlicensed rentals on your property at 15284 Beaver Dam Rd. This property is zoned in the R-2 (Medium Density Residential) District. It has come to our attention that the large pole building is currently leased for commercial storage and a residential living unit. Both commercial storage and accessory dwelling units are not allowed in the R-2 District. It has also come to our attention that the primary dwelling unit is currently being used as a rental dwelling unit. There are no registered rentals on file with the City of Brainerd regarding this property.

A letter dated 09-18-2017 from the City of Brainerd indicated that a lot-split would be required to build a residential structure on the same lot as the pole barn. There is no recorded lot split on the property or any approved building permits for the installation of a residential accessory dwelling unit. In addition to being an unlicensed rental, multiple code violations were noted on the property by the Housing Inspector on 04-01-2022. The violations include but are not limited to: a means of egress from unit, graspable handrail on staircase, smoke detectors required on all levels, carbon monoxide detector located within 10 feet of sleeping area, outlet covers missing, space heaters used for heating purposes, and non-conforming septic/waste system.

A letter dated 10-24-2011 from the City of Brainerd warned about potential zoning violations related to interior improvements to the pole barn accessory structure. The letter reiterated that the R-2 District does not permit commercial uses. Upon inspection by the Assistant Planner, and discussion with the current tenant, the pole barn is being leased for commercial storage.

Please contact the Community Development Department at (218) 828-2309 to determine the steps going forward to correct, unpermitted zoning uses, unpermitted building projects, and unlicensed rentals.

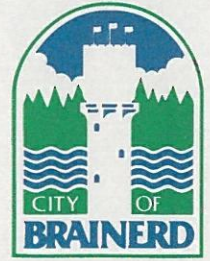
Failure to comply with the regulations set forth in City Code, Zoning Code, and Rental Code may result in further administrative action.

Respectfully,

David C. Chanski, MPA
Community Development Director

MARCH 21ST, 2022

KAIKKONEN, KRISTOPHER
PO BOX 1084
BRAINERD, MN 56401



www.ci.brainerd.mn.us

RE: Ordinance No. 425 – Rental Housing Maintenance Code

Street Address: 15284 BEAVER DAM RD

Parcel ID: 080333100D00009

Legal Description: 09_ANRES - BRAINERD-ANNEXED NORTH RESIDENTIAL

Dear Property Owner:

The City of Brainerd has adopted a housing maintenance code by ordinance, thereby establishing a policy to enhance the supply of safe, sanitary, and adequate housing for its citizens and to prevent the deterioration of existing housing in the city. It has come to our attention that the above-described property might be a rental property. **If this property is a rental dwelling, it should be registered immediately.**

A license fee has been established, which is \$32.00 per dwelling unit per year. Enclosed is a rental housing license application form for your convenience. The Housing Maintenance Code may be accessed on our website. Go to www.ci.brainerd.mn.us and click on the Building Department link.

If this property is not a rental dwelling: Please complete the declaration of non-rental section on the enclosed application so that we may remove this property from the contact list. **The completed application, with or without payment submittal, should be returned no later than APRIL 4TH, 2022.**

You may contact Jason Stockinger, Building/Housing Inspector at 218/828-2309 if you have any questions regarding this matter.

Respectfully,

CITY OF BRAINERD

DARRIN DESETH,
Building Official



Brainerd City Council Agenda Request

Requested Meeting Date: September 6, 2022

Title of Item: First Reading Proposed Ordinance 1536 - An Ordinance Amending Chapter 1 and 2 of the Brainerd City Charter

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☒ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Jennifer Bergman, City Administrator	Department: Administration
Presenter (Name & Title): Jennifer Bergman, City Administrator	Estimated Time Needed: 5 Minutes
Summary of Issue: On the June 20th City Council meeting, the Council held the final reading of Ordinance 1532, an ordinance amending the City Charter (see attached). Ordinances to amend the City Charter must be a unanimous vote; the ordinance failed on a 4-3 vote. The discussion at the Council was that there were too many changes to the Charter in one ordinance. The Charter Commission discussed the ordinance at their July meeting and recommended that the Council consider three separate ordinances.	
Alternatives, Options, Effects on Others/Comments: Ordinance 1536 amends two sections of the Charter: 1) Chapter One, Section 2 removing the written description of the Wards and replacing it with "The City shall be divided into four wards in accordance with state law;" and, 2) Chapter Two, Section 14 by changing the elections of President and Vice President to the first meeting in January as opposed to the first meeting of the City Council after the regular City election.	
Recommended Action/Motion: Motion to conduct the 1st reading of Proposed Ordinance No. 1536, an ordinance amending Chapter One, Section Two and Chapter Two, Section 14 of the Brainerd City Charter. * Note: a vote to dispense with the actual reading of the ordinance must be unanimous.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☐ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

ORDINANCE

No. _____

AN ORDINANCE AMENDING THE CITY CHARTER

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Chapter One is amended as follows, with underlined language added and deleted language struck out.

CHAPTER ONE

NAME, BOUNDARIES, POWERS AND DIVISIONS

2. The City shall be divided into four wards in accordance with state law. ~~That the Council be empowered to divide the City of Brainerd by ordinance into four (4) wards as equal in size and population as practicable. The Council must, within 60 days after each U.S. decennial census, readjust the boundaries of the four (4) wards provided there is a 10% or more deviation in population among said wards and if the Council does not do so, the Charter Commission of the City of Brainerd is empowered to do so.~~
 - d. ~~FIRST WARD: All of the territory south of the main line of the Burlington Northern Santa Fe Railroad and east of the Mississippi River beginning at the mainline railroad tracks and following said River south to the south City limits/Woodland Hills Lane, thence east to Greenwood Street, thence south to the centerline of the South 6th Street/Business Highway 371, thence northeast to the centerline of County Road 117, thence east to the centerline of the Spur Line Trail, thence north to the centerline of Willow Street, thence west to the centerline of South 6th Street/Business Highway 371, thence north to the centerline of Rosewood Street, thence east to the centerline of South 7th Street, thence north to the centerline of Quince Street, thence east to the centerline of the Spur Line Trail, thence north to the mainline railroad tracks of the Burlington Northern Santa Fe Railroad, thence west to the Mississippi River to the point of beginning.~~
 - b. ~~SECOND WARD: All of the territory within the City limits west/northwest of the Mississippi River, and, southeast of the Mississippi River commencing at the intersection of the centerline of the Mississippi River and the main line of the Burlington Northern Santa Fe Railroad, thence east along the railroad tracks to the centerline of North 8th Street, thence north to the centerline of Washington Street, thence east to the centerline of North 10th Street, thence north to the centerline of Grove Street, thence east to the centerline of North 11th Street, thence north along North 11th Street to the centerline of Evergreen Avenue, thence northeast to the Public Access driveway, thence north along the driveway to the centerline of the Mississippi River.~~

- c. ~~THIRD WARD: All of the territory north of the main line of the Burlington Northern Railroad and east of a line commencing at the intersection of the Burlington Northern Santa Fe main line track and the centerline of North 8th Street, thence north along North 8th Street to the centerline of Washington Street, thence east to the centerline of North 10th Street, thence north to center line of Grove Street, thence east to the centerline of North 11th Street, thence north to the centerline of Evergreen Avenue, thence northeast to the Public Access Driveway, thence north along the driveway to the centerline of the Mississippi River, thence northeasterly along the centerline of the Mississippi River to the east City limits.~~
- d. ~~FOURTH WARD: All of the territory South of the main line of the Burlington Northern Railroad and east of a line commencing at the intersection of the Burlington Northern Santa Fe main line track and the centerline of the Spur Line Trail, thence south to the centerline of Quince Street, thence west to the centerline of South 7th Street, thence south to the centerline of Rosewood Street, thence west to the centerline of South 6th Street/Business Highway 371 thence south to the centerline of Willow Street, thence east to the centerline of the Spur Line Trail, thence south to the centerline of County Road 117, thence west to the centerline of South 6th Street/Business Highway 371, thence south to the south City limits.~~

SECTION TWO: Chapter Two is amended and renumbered as follows, with underlined language added and deleted language struck out.

CHAPTER TWO

OFFICERS AND ELECTIONS

14. At the first meeting in January of the City Council after the regular City election it shall proceed to elect by ballot from its members ~~number~~ a President and Vice-President. The President shall preside over the meetings of the City council and appoint all standing and temporary committees thereof, and during absence of the Mayor from the City, or the Mayor's inability for any reason to discharge the duties of the office, the said President shall exercise all the powers and discharge all the duties of the Mayor.

SECTION THREE: Upon passage, this ordinance becomes effective 90 days after its publication.

Adopted this _____ day of _____, 2022

KELLY BEVANS

President of the Council

Approved this _____ day of _____, 2022

DAVE BADEAUX
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator

ORDINANCE

No. _____

AN ORDINANCE AMENDING THE CITY CHARTER

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Chapter One is amended as follows, with underlined language added and deleted language struck out.

CHAPTER ONE

NAME, BOUNDARIES, POWERS AND DIVISIONS

2. The City shall be divided into four wards in accordance with state law. ~~That the Council be empowered to divide the City of Brainerd by ordinance into four (4) wards as equal in size and population as practicable. The Council must, within 60 days after each U.S. decennial census, readjust the boundaries of the four (4) wards provided there is a 10% or more deviation in population among said wards and if the Council does not do so, the Charter Commission of the City of Brainerd is empowered to do so.~~
 - d. ~~FIRST WARD: All of the territory south of the main line of the Burlington Northern Santa Fe Railroad and east of the Mississippi River beginning at the mainline railroad tracks and following said River south to the south City limits/Woodland Hills Lane, thence east to Greenwood Street, thence south to the centerline of the South 6th Street/Business Highway 371, thence northeast to the centerline of County Road 117, thence east to the centerline of the Spur Line Trail, thence north to the centerline of Willow Street, thence west to the centerline of South 6th Street/Business Highway 371, thence north to the centerline of Rosewood Street, thence east to the centerline of South 7th Street, thence north to the centerline of Quince Street, thence east to the centerline of the Spur Line Trail, thence north to the mainline railroad tracks of the Burlington Northern Santa Fe Railroad, thence west to the Mississippi River to the point of beginning.~~
 - b. ~~SECOND WARD: All of the territory within the City limits west/northwest of the Mississippi River, and, southeast of the Mississippi River commencing at the intersection of the centerline of the Mississippi River and the main line of the Burlington Northern Santa Fe Railroad, thence east along the railroad tracks to the centerline of North 8th Street, thence north to the centerline of Washington Street, thence east to the centerline of North 10th Street, thence north to the centerline of Grove Street, thence east to the centerline of North 11th Street, thence north along North 11th Street to the centerline of Evergreen Avenue, thence northeast to the Public Access driveway, thence north along the driveway to the centerline of the Mississippi River.~~

- c. ~~THIRD WARD: All of the territory north of the main line of the Burlington Northern Railroad and east of a line commencing at the intersection of the Burlington Northern Santa Fe main line track and the centerline of North 8th Street, thence north along North 8th Street to the centerline of Washington Street, thence east to the centerline of North 10th Street, thence north to center line of Grove Street, thence east to the centerline of North 11th Street, thence north to the centerline of Evergreen Avenue, thence northeast to the Public Access Driveway, thence north along the driveway to the centerline of the Mississippi River, thence northeasterly along the centerline of the Mississippi River to the east City limits.~~
- d. ~~FOURTH WARD: All of the territory South of the main line of the Burlington Northern Railroad and east of a line commencing at the intersection of the Burlington Northern Santa Fe main line track and the centerline of the Spur Line Trail, thence south to the centerline of Quince Street, thence west to the centerline of South 7th Street, thence south to the centerline of Rosewood Street, thence west to the centerline of South 6th Street/Business Highway 371 thence south to the centerline of Willow Street, thence east to the centerline of the Spur Line Trail, thence south to the centerline of County Road 117, thence west to the centerline of South 6th Street/Business Highway 371, thence south to the south City limits.~~

SECTION TWO: Chapter Two is amended and renumbered as follows, with underlined language added and deleted language struck out.

CHAPTER TWO

OFFICERS AND ELECTIONS

14. At the first meeting in January of the City Council after the regular City election it shall proceed to elect by ballot from its members ~~number~~ a President and Vice-President. The President shall preside over the meetings of the City council and appoint all standing and temporary committees thereof, and during absence of the Mayor from the City, or the Mayor's inability for any reason to discharge the duties of the office, the said President shall exercise all the powers and discharge all the duties of the Mayor.
36. The City Council may at its discretion defer payment of certain special assessments for street improvements as defined in Chapter 429 of the Minnesota Statutes where a financial hardship exists. The Council shall by Ordinance or Resolution define the circumstances wherein such deferments may be made.
- ~~36-37.~~ No appropriation shall be made without a vote of a majority of all the members of the City Council in its favor, which shall be taken by ayes and nays vote, and entered among the proceedings of the Council. No vote of the City Council shall

be reconsidered or rescinded at any meeting unless there shall be present at such meeting as large a number of Council Members as were present when said vote was originally taken.

37-38. The City Council shall examine, audit, and adjust the accounts of the City at such times as it deems proper or as otherwise required by law.

38-39. The City Council shall have the power to make purchases on behalf of the City and may make purchases through such methods or designees as the Council may determine from time to time by Ordinance or Resolution. The provisions of this section shall not apply to purchases made by, or on behalf of the Public Utilities Commission or the Park Board or the departments under their control respectively.

SECTION THREE: Chapter Three is amended and renumbered as follows, with deleted language struck out.

CHAPTER THREE

FINANCES

2. Except as otherwise provided herein, all disbursements shall be made by check or electronic transfer. Checks shall be signed by the Mayor and countersigned by the City Administrator. All payments are to be reviewed and approved by the City Council.

The City Council shall annually levy taxes to provide for the following specifically designated fund:

A PERMANENT IMPROVEMENT FUND, for paying such portion of the cost of improving streets and ~~alleys as shall devolve upon the City, under the provisions of Subdivision (11) of this Section 46.~~ For the support of this fund the City Council shall annually levy on taxable property of the City taxes to an amount not to exceed 9% of the City's previous year's total levy. No part of this fund shall be used for any other purpose. ~~In anticipation of the collection of such taxes for the then current year and succeeding years, the City Council may at the proper time, and from time to time, issue and dispose of certificates of indebtedness in an aggregate amount equal to eighty (80) per cent of such levy in the then current year and estimated amount for not more than ten succeeding years;; provided, that the issuable aggregate of such certificates of indebtedness shall at no time exceed the sum of money then in the permanent improvement revolving fund under the provisions of Section 49 of the City Charter, as herewith amended, together with the additional amount of bonds that may or can be issued thereunder, added to the total of cash payments guaranteed by bonds of owners of real property abutting on such or similar street or alley improvements. These certificates shall be known as Re-paving Certificates of Indebtedness, and on~~

every one shall be stated the particular purpose for which it is issued or describe the specific improvement on which it is based. Such certificates shall be consecutively numbered, with date of issue, date of maturity, bear interest, payable semi-annually, have proper interest coupons attached, be signed by the Mayor, countersigned by the City Administrator, and be attested by the corporate seal; and, so far as practicable, shall be in denominations of not less than \$500.00. Whenever occasion arises for the issuance of such repaying certificates, it shall be the duty of the City Council to make requisite calculations, computations and estimates with respect to the quantity and various times of collection of taxes so levied and to be levied, and thereupon, as the circumstances may require, to issue and sell one or more of such certificates. All such certificates shall be so issued as to mature serially, on proper dates, to the end that eighty (80) per cent of the estimated tax collection for this fund in each and every year will pay the certificates as they mature, and succeeding issues shall appear in regular order following previously issued certificates; and whenever there is an unused or unappropriated margin of such eighty (80) per cent of the estimated tax collection for this fund, over and above the aggregate amount of all such certificates theretofore issued, then and under such circumstances the earliest maturing certificates of the next succeeding issue shall be made to mature at such times and in such manner as to assure payment thereof out of, and at the time of collection of, such prior unused or unappropriated margin of such eighty (80) per cent of such estimated tax collection. If in any year the taxes collected for this fund shall not be sufficient to pay the certificates maturing in that year, the deficit shall be paid from the general fund. The earliest maturing certificates of the first issue hereunder shall mature on the first day of December in the year following the year of their issuance, and the other certificates in such issue, to mature later and serially, shall be distributed in succeeding serials and follow in such order of maturity that eighty (80) per cent of the estimated tax collections, year by year, will pay such certificates in each and every year thereafter. Neither the City Council nor any officer of the City shall in any year appropriate, expend or disburse any part of this fund, or do any other act therewith, at such time or in such manner as to render the available balance thereof insufficient to pay, when due, the certificates maturing in that particular year. The City Council shall, at the proper time, and from time to time, prepare for every issue and sale of such re-paving certificates of indebtedness by appropriate resolution setting forth in sufficient detail the date of issuance, number or quantity, specific denominations, and various dates of maturity thereof, the rate of interest thereon, and the nature or character, location, extent, and approximate total cost of the particular improvement on which the same are founded. The sale of such certificates of indebtedness shall be made, conducted, and carried on in the manner provided for sales of bonds under the certain provisions of section 49 of the City Charter, as herewith amended; provided, further, that no certificate shall be sold for less than par and accrued interest.

SECTION FOUR: Chapter Five – Streets – is repealed in its entirety. Chapter Six – Public Utilities Commission – is renumbered as Chapter Five. Chapter Seven – The Park and Recreation Board – is renumbered as Chapter Six. Chapter Eight – Public Library Board – is renumbered as Chapter Seven. Chapter Nine – General Provisions – is renumbered as Chapter Eight.

SECTION FIVE: Upon passage, this ordinance becomes effective 90 days after its publication.

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: September 6, 2022

Title of Item: First Reading Proposed Ordinance 1537 - An Ordinance Amending Chapters 3 of the Brainerd City Charter

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☒ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Connie Hillman, Finance Director	Department: Administration
Presenter (Name & Title): Connie Hillman, Finance Director	Estimated Time Needed: 5 Minutes
Summary of Issue: On the June 20th City Council meeting, the Council held the final reading of Ordinance 1532, an ordinance amending the City Charter (see attached). Ordinances to amend the City Charter must be a unanimous vote; the ordinance failed on a 4-3 vote. The discussion at the Council was that there were too many changes to the Charter in one ordinance. The Charter Commission discussed the ordinance at their July meeting and recommended that the Council consider three separate ordinances.	
Alternatives, Options, Effects on Others/Comments: Ordinance 1537 amends the language in the Permanent Improvement Fund. The recommended change is to eliminate references to Subdivision 11 Section 46 and Section 49 as this was renumbered. The rest of the section outlines certificates and the issuing of debt. The funds levied for permanent improvement fund are transfers to the construction fund (401) and used to maintain streets and alleys. The City issues debt under the sections of state statute that apply, such as 429 bonds. The amendment does keep the requirement to levy taxes in amount not to exceed 9% of the City's previous year's total levy to be used specifically for streets.	
Recommended Action/Motion: Motion to conduct the 1st reading of Proposed Ordinance No. 1537, an ordinance amending Chapter 3 of the Brainerd City Charter. * Note: a vote to dispense with the actual reading of the ordinance must be unanimous.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☐ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

ORDINANCE

No. _____

AN ORDINANCE AMENDING THE CITY CHARTER

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Chapter Three is amended and renumbered as follows, with deleted language struck out.

CHAPTER THREE

FINANCES

2. Except as otherwise provided herein, all disbursements shall be made by check or electronic transfer. Checks shall be signed by the Mayor and countersigned by the City Administrator. All payments are to be reviewed and approved by the City Council.

The City Council shall annually levy taxes to provide for the following specifically designated fund:

A PERMANENT IMPROVEMENT FUND, for paying such portion of the cost of improving streets and ~~alleys as shall devolve upon the City, under the provisions of Subdivision (11) of this Section 46.~~ For the support of this fund the City Council shall annually levy on taxable property of the City taxes to an amount not to exceed 9% of the City's previous year's total levy. No part of this fund shall be used for any other purpose. ~~In anticipation of the collection of such taxes for the then current year and succeeding years, the City Council may at the proper time, and from time to time, issue and dispose of certificates of indebtedness in an aggregate amount equal to eighty (80) per cent of such levy in the then current year and estimated amount for not more than ten succeeding years;; provided, that the issuable aggregate of such certificates of indebtedness shall at no time exceed the sum of money then in the permanent improvement revolving fund under the provisions of Section 49 of the City Charter, as herewith amended, together with the additional amount of bonds that may or can be issued thereunder, added to the total of cash payments guaranteed by bonds of owners of real property abutting on such or similar street or alley improvements. These certificates shall be known as Re-paving Certificates of Indebtedness, and on every one shall be stated the particular purpose for which it is issued or describe the specific improvement on which it is based. Such certificates shall be consecutively numbered, with date of issue, date of maturity, bear interest, payable semi-annually, have proper interest coupons attached, be signed by the Mayor, countersigned by the City Administrator, and be attested by the corporate seal; and, so far as practicable, shall be in denominations of not less than~~

~~\$500.00. Whenever occasion arises for the issuance of such repaying certificates, it shall be the duty of the City Council to make requisite calculations, computations and estimates with respect to the quantity and various times of collection of taxes so levied and to be levied, and thereupon, as the circumstances may require, to issue and sell one or more of such certificates. All such certificates shall be so issued as to mature serially, on proper dates, to the end that eighty (80) per cent of the estimated tax collection for this fund in each and every year will pay the certificates as they mature, and succeeding issues shall appear in regular order following previously issued certificates; and whenever there is an unused or unappropriated margin of such eighty (80) per cent of the estimated tax collection for this fund, over and above the aggregate amount of all such certificates theretofore issued, then and under such circumstances the earliest maturing certificates of the next succeeding issue shall be made to mature at such times and in such manner as to assure payment thereof out of, and at the time of collection of, such prior unused or unappropriated margin of such eighty (80) per cent of such estimated tax collection. If in any year the taxes collected for this fund shall not be sufficient to pay the certificates maturing in that year, the deficit shall be paid from the general fund. The earliest maturing certificates of the first issue hereunder shall mature on the first day of December in the year following the year of their issuance, and the other certificates in such issue, to mature later and serially, shall be distributed in succeeding serials and follow in such order of maturity that eighty (80) per cent of the estimated tax collections, year by year, will pay such certificates in each and every year thereafter. Neither the City Council nor any officer of the City shall in any year appropriate, expend or disburse any part of this fund, or do any other act therewith, at such time or in such manner as to render the available balance thereof insufficient to pay, when due, the certificates maturing in that particular year. The City Council shall, at the proper time, and from time to time, prepare for every issue and sale of such re-paying certificates of indebtedness by appropriate resolution setting forth in sufficient detail the date of issuance, number or quantity, specific denominations, and various dates of maturity thereof, the rate of interest thereon, and the nature or character, location, extent, and approximate total cost of the particular improvement on which the same are founded. The sale of such certificates of indebtedness shall be made, conducted, and carried on in the manner provided for sales of bonds under the certain provisions of section 49 of the City Charter, as herewith amended; provided, further, that no certificate shall be sold for less than par and accrued interest.~~

SECTION TWO: Upon passage, this ordinance becomes effective 90 days after its publication.

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: September 6, 2022

Title of Item: First Reading Proposed Ordinance 1538 - An Ordinance Amending Chapters 2 and 5 of the Brainerd City Charter

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☒ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Jennifer Bergman, City Administrator	Department: Administration
Presenter (Name & Title): Jennifer Bergman, City Administrator	Estimated Time Needed: 5 Minutes
Summary of Issue: On the June 20th City Council meeting, the Council held the final reading of Ordinance 1532, an ordinance amending the City Charter (see attached). Ordinances to amend the City Charter must be a unanimous vote; the ordinance failed on a 4-3 vote. The discussion at the Council was that there were too many changes to the Charter in one ordinance. The Charter Commission discussed the ordinance at their July meeting and recommended that the Council consider three separate ordinances.	
Alternatives, Options, Effects on Others/Comments: Ordinance 1538 would eliminate Chapter Five - Streets - in its entirety and add the following language to Chapter 2: "The City Council may at its discretion defer payment of certain special assessments for street improvements as defined in Chapter 429 of the Minnesota Statutes where a financial hardship exists. The Council shall by Ordinance or Resolution define the circumstances wherein such deferments may be made." During the review of the Charter, former City Engineer Paul Sandy reviewed the Streets Chapter and recommended eliminating the majority of the chapter as it is covered in state statute (see attached memo from P Sandy).	
Recommended Action/Motion: Motion to conduct the 1st reading of Proposed Ordinance No. 1538, an ordinance amending Chapters 2 and 3 of the Brainerd City Charter. * Note: a vote to dispense with the actual reading of the ordinance must be unanimous.	
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:	

ORDINANCE

No. _____

AN ORDINANCE AMENDING THE CITY CHARTER

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Chapter Two is amended and renumbered as follows, with underlined language added and deleted language struck out.

CHAPTER TWO

OFFICERS AND ELECTIONS

~~36.~~ The City Council may at its discretion defer payment of certain special assessments for street improvements as defined in Chapter 429 of the Minnesota Statutes where a financial hardship exists. The Council shall by Ordinance or Resolution define the circumstances wherein such deferments may be made.

~~36-37.~~ No appropriation shall be made without a vote of a majority of all the members of the City Council in its favor, which shall be taken by ayes and nays vote, and entered among the proceedings of the Council. No vote of the City Council shall be reconsidered or rescinded at any meeting unless there shall be present at such meeting as large a number of Council Members as were present when said vote was originally taken.

~~37-38.~~ The City Council shall examine, audit, and adjust the accounts of the City at such times as it deems proper or as otherwise required by law.

~~38-39.~~ The City Council shall have the power to make purchases on behalf of the City and may make purchases through such methods or designees as the Council may determine from time to time by Ordinance or Resolution. The provisions of this section shall not apply to purchases made by, or on behalf of the Public Utilities Commission or the Park Board or the departments under their control respectively.

SECTION TWO: Chapter Five – Streets – is repealed in its entirety. Chapter Six – Public Utilities Commission – is renumbered as Chapter Five. Chapter Seven – The Park and Recreation Board – is renumbered as Chapter Six. Chapter Eight – Public Library Board – is renumbered as Chapter Seven. Chapter Nine – General Provisions – is renumbered as Chapter Eight.

SECTION THREE: Upon passage, this ordinance becomes effective 90 days after its publication.

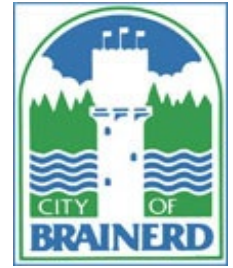
Adopted this _____ day of _____, 2022

KELLY BEVANS
President of the Council

Approved this _____ day of _____, 2022

DAVE BADEAUX
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator



MEMO

TO: Brainerd Charter Commission

FROM: Paul Sandy, City Engineer/Public Works Director

DATE: 03/21/2022

SUBJECT: Changes to Brainerd City Charter Chapter 5 – Streets

City staff have taken some time to review Chapter 5 of the Charter in its entirety and have reviewed the section with the City Attorney. These changes to this section are recommended by Staff as we move forward in the Charter revision process.

1. The City Council may by a vote of two-thirds of the members thereof, vacate any highway, street, lane, or alley, or portion of either, and such power of vacating highways, streets, lanes, and alleys within the City of Brainerd is vested exclusively in the City Council and no court or other body or authority shall have any power to vacate any such highway, street, lane or alley.

Recommendation: This section of the Charter speaks to vacating streets, highways, lanes, and alleys and special voting requirements. Minnesota Statute § 412.851 covers, in detail, the Council process in vacating streets. The section of statute also requires that a 4/5 vote of the Council for a proposed vacation without a petition, in which is one difference between the statute (requires simple majority) and the Charter. In staff's opinion, that alone does not warrant retaining this section of the Charter, and that the statutory process makes more sense. Also, to the contrary of the charter language, courts can vacate streets under Minnesota Statute § 505.14, but is rarely done.

It is staff's recommendation that this section of the Charter be struck in its entirety.

2. The City Council shall have power to designate districts or portions of the streets and alleys of the City for the purpose of cleaning the same and may provide for the cleaning of such districts by a contract on such terms as shall be deemed advisable.

Recommendation: This section of the Charter speaks to the city setting aside districts for street cleaning. The city's current practice is sweeping the entirety of the city at least twice per year. The district language in the Charter is old and is not in practice by city maintenance forces.

It is staff's recommendation that this section of the Charter be struck in its entirety.

3. It is hereby made the duty of all owners of land adjoining any street, lane or alley in said City, to construct, reconstruct and maintain in good repair such sidewalks along the side of the street, lane or alley next to the lands of such owners respectively, as may have been heretofore constructed, or shall hereafter be constructed, or directed by the City Council to be built, and of such material and width, and upon such places and grades as the City Council may by ordinance or otherwise prescribe. Whenever the City Council shall deem it necessary

that any sidewalk in the City of Brainerd shall be constructed or re-constructed, it shall by resolution direct such construction or re-construction, specifying the width thereof, and the material of which the same is to be constructed. The publication of such resolution once in the official paper of the City shall be sufficient notice to the owners of the land along which said sidewalk is to be built to construct the same, and unless such owners shall each along each owner's respective land, construct and fully complete such sidewalks within two (2) weeks after the publication of such resolution as aforesaid, the City Council shall forthwith proceed to ascertain the expense of constructing the same and assess and levy such expense upon and against each lot and parcel of land upon which such sidewalk shall front. Such assessment shall be collected in the same way in all things as provided for the collection of special assessments under the provisions of Section 75 of this Charter. And the City Council may either before or after making such assessment cause such portion of such sidewalks as have not been built by the owners of such land fronting on the same and all street crossings to be built by the City, or upon contract or by any other person as the council may determine.

Recommendation: This section of the Charter gets into sidewalk maintenance and adjacent owners being responsible for constructing, reconstructing, and maintaining walks when they fall into disrepair. The city currently constructs and reconstructs walks in line with capital improvement projects but does not assess for any of the sidewalk improvement costs. Being that this is the current practice, and staff does not see homeowners constructing or reconstructing walks in the future, any reference to constructing or reconstructing walks should be removed from the Charter. It is also staff's recommendation that we continue to not assess for constructing or reconstructing walks in the future.

When it comes to maintenance of said walks or keeping walks in a state of good repair, the current practice is to enforce this section on a complaint driven basis. This has long been a discussion point within the engineering department and will likely need to be re-worked in its entirety, dependent on the discussions by the Commission.

Chair Czeczok brought forward something that occurred in 2010 related to a Charter amendment that was passed by the voters in Brainerd. The question was as follows:

Shall Sections 76 and 77 of the Charter of the City of Brainerd pertaining to the construction, reconstruction and repair of sidewalks be amended to state that a property owner who is required to make such sidewalk improvements will be assessed for such expense based on the actual benefit to the property with any excess costs that exceed the benefit paid as a current expense of the City?

This Charter amendment basically references that they city would follow our Street Assessment Policy for making repairs to city walks and would assess based on the actual benefit to the owner for the repairs thereto. Some cities do rely on homeowners to repair sidewalks, and some do assess for sidewalk repair and replacement per Minnesota Statute § 429.021, subd. 1(1). The issue with assessing for anything related to sidewalks is that which there is some benefit, but it is typically relatively small. People are appealing assessments at a higher rate than they used to, and it is a challenge to demonstrate benefit.

It is staff's recommendation that this section of the Charter be struck in its entirety. This would mean that the city would solely be responsible for repair, constructing, and reconstructing walkways at its expense. There would need to be funding allocated annually for a project such as this, that would fall in line with our annual maintenance projects such as crack sealing, seal coating, large patches, and street striping. Staff recommends that a future line item be added to the 5-Year Street and Sewer Capital plan for sidewalk repairs, such as trippers, heaves, and other areas of non-compliance with ADA standards.

It is also important to note that, if the Charter Commission and Council elect to move this direction, that City Code § 805.11 should also be changed if this section is deleted, as it requires property owners to maintain sidewalks (and alleys?), and if they do not, the City can perform the improvement and assess the costs.

4. If the owner of any lot or parcel of land shall suffer any sidewalk along the same to become broken, rotten or out of repair, it shall be the duty of the City Engineer to immediately repair the same in a good, substantial and thorough manner, and to report to the City Council the cost of such repairs in each case, and a description of the lot or parcel of land abutting which such repairs are made, and such report shall be filed and carefully preserved by the City Administrator. And the City Council shall once in each year, at, or as near as conveniently may be, the time of levying the yearly City taxes, assess and levy upon each of the parcels of land fronting or abutting upon sidewalks which have been repaired by the City, the cost of making such repairs. In each case such assessment for all such repairs within the year may be combined in one assessment roll and be collected as provided for in other special assessments in this Charter. In case any such sidewalk shall become so out of repair as to become dangerous and cannot be made safe without being rebuilt, and there are no funds to defray the expense of such rebuilding, it shall be the duty of the City Engineer to remove the same entirely, and the expense of such removal shall be added to the cost of rebuilding when the same shall be reconstructed and collected with the assessment for such reconstruction.

Recommendation: This section gets to process and procedure for identifying issues with existing walks, repairing them promptly, and assessing for the costs of the repair to the property owner. It also talks to that, if there is not enough money to defray the costs of repairs to the walks, that they be removed in their entirety and reconstructed. When a complaint is received, the engineering department will typically work directly with the adjacent owners on making the repair. We have not assessed for a repair in some time, and typically, the homeowner or business owner has paid these costs up front. Follow up on these issues, admittedly, has not been that great in the past. If the Commission and Council move forward with the recommendations in this memo, then this would be a non-issue moving forward.

It is staff's recommendation that this section of the Charter be struck in its entirety.

5. It shall be the duty of the City Council, before ordering the construction of any new sidewalk, to cause ground on which is to be built to be properly graded.

Recommendation: Staff suspects this is an old provision enacted to prevent property owners from constructing a sidewalk without a proper base. Being that sidewalks are being constructed and reconstructed by the city, and if the Commission and Council move forward with repairs being a part of the city's duties, this section becomes obsolete.

It is staff's recommendation that this section of the Charter be struck in its entirety.

6. No railway company or street company shall have any right in cleaning their tracks through any part of the City or otherwise, to pile up snow or other material and leave the same piled upon any traveled portion of any street in the City. Any such company shall be liable to any person who shall be injured by means of any obstruction caused by the company or its servants for all damages sustained.

Recommendation: There is not a good way to enforce this provision of the Charter effectively but through complaints or by city staff visually seeing this take place. No one should be dumping snow on city streets, whether it is a property owner or the railroad. Staff feels this section can be handled by ordinance in city code.

It is staff's recommendation that this section of the Charter be struck in its entirety.

7. It shall require a two-thirds (2/3) vote of the members elect of the City Council to determine, in the first instance to make any improvement for which a special assessment may be levied, except in respect to sidewalks, when a majority shall suffice. But this restriction shall not apply to any subsequent act of the Council touching such improvement, or the special assessment to provide means therefor.

Recommendation: This section of Chapter 5 deals with voting requirements for assessments. State law does specifically allow cities to alter assessment process via Charter, however, staff follows Minnesota Statute § 429 for assessment proceedings. The only real difference between this statute and the Charter is the 2/3 vote requirement rather than a simple majority. If this is not a significant issue for the Charter Commission or Council, then staff would recommend this section be deleted.

It is staff's recommendation that this section of the Charter be struck in its entirety.

1. The City Council may at its discretion defer payment of certain special assessments for street improvements as defined in Chapter 429 of the Minnesota Statutes where a financial hardship exists. The Council shall by Ordinance define the circumstances wherein such deferments may be made.

The City Council does endorse the principal of deferment of special assessments for those citizens where the payment of said special assessments constitute a financial hardship. The Council, in accordance therewith, may defer the payment of a special assessment on homestead property owned by a person who has a financial hardship, and the payment of the assessment would create a further financial hardship.

The deferment may be granted upon an application by the owner on a form prescribed by the County Auditor supplemented by the City Administrator to establish the qualification of the owner for said deferment. All deferments shall be subject to renewal each following year upon the filing of a similar application not later than August 15. The Council shall either grant or deny the deferment, and if it grants the deferment, the deferred assessment shall bear interest at the rate established in the Resolution adopting the assessment. If the Council grants the deferment, the Administrator shall notify the County Auditor who shall record a notice of the deferment with the County Recorder setting forth the amount of the assessment.

A hardship shall be deemed prima facie to exist when all of the following apply:

- A. The applicant, his spouse and family combined shall not have an annual gross income in excess of the low-income limits established by the Housing and Redevelopment Authority of the City of Brainerd in effect at the time of application. All data necessary to confirm applicant's income shall be furnished to the City Administrator.
- B. The total special assessments to be deferred exceed the sum specified in the most current Resolution adopted by the City Council setting this amount.
- C. The applicant certifies that the total assets of the applicant and spouse, exclusive of the homestead, do not exceed the sum specified in the most current Resolution adopted by the City Council setting this amount.
- D. The Crow Wing County Assessor's estimated market value of the applicant's homestead is less than the sum specified in the most current Resolution adopted by the City Council setting this amount.

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

The option to defer payment of special assessments shall terminate and all amounts accumulated plus applicable interest shall become due upon the occurrence of any one of the following events:

- A. The death of the owner when there is no spouse who is eligible for deferment;
- B. The sale, transfer, or subdivision of all or any part of the property;
- C. Loss of homestead status on the property;
- D. Determination by the Council for any reason that there would be no hardship to require immediate or partial payment; or
- E. Failure to file a renewal application within the time prescribed in this section.

Recommendation: This Charter section allows for deferrals for financial hardship cases. This is a Charter issue as this kind of deferral is not reflected in state law, so it needs to remain in the charter somewhere, either in Streets (because it is limited to street improvements, or perhaps in Finance. This language also requires an ordinance on the subject. Ordinance 974 was an ordinance amending the Charter and adding in the language you see, and Resolution 49:88 specifically addresses deferment of assessment for senior citizens. Both of which can be seen attached.

There needs to be some discussion from the Commission on this section as it relates to the Streets section of the Charter. If the Commission elects to follow staff's recommendations, much of this section would be deleted and the only thing outstanding would-be deferments of assessments. This could stay in the streets section or be moved to another location.

Staff does not recommend any additions to the streets section of the Charter or issues the Streets section should address. With the recommended deletions, the only section left related to Streets in the charter would be the deferment of assessments, unless this section were removed, then Section 5 of the Charter could be deleted in its entirety.

Staff will be available at the Charter Commission meeting to answer any questions from the Commission about this section.



Brainerd City Council Agenda Request

Requested Meeting Date: September 6th, 2022

Title of Item: Call for Public Hearing for the Removal of Library Board Member

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) *provide copy of published hearing notice ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading
Submitted by: Brainerd Public Library	Department: Administration
Presenter (Name & Title): Administrator Bergman	Estimated Time Needed: 5 min
Summary of Issue: The Library Board is requesting that City Council remove Mr. Loyal Hyatt from the Library Board for non-attendance. Mr. Hyatt has not attended a Library Board meeting since August 2021. The Library Board needs to have a quorum to conduct business, which has been difficult.	
Alternatives, Options, Effects on Others/Comments: Per the Charter: Every person appointed to any office by the City Council or Mayor may be removed from such office by a vote of two thirds of all the Council Members authorized to be elected. But any officer appointed by the Mayor shall not be removed except for cause, nor unless first furnished with a copy of the charges, nor until such person shall have reasonable opportunity to be heard in person, or by counsel in his or her defense. The Council shall fix the time and place for the hearing of such officer, of which not less than ten days' notice shall be given to such officer and shall have the power to compel the attendance of witnesses and the production of papers, and to hear and determine the case; and if such officer shall refuse or neglect to appear and answer such charges, the City Council may declare such office vacant. Among such causes shall be continued absence by a member of a board from three successive regular meetings of such board, or neglect of duty of any officer.	
Recommended Action/Motion: Motion to set a public hearing for September 19th, 2022 at 7:30 p.m.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

Brainerd Public Library
Board of Directors
416 South 5th St
Brainerd, MN 56401

May 16, 2022

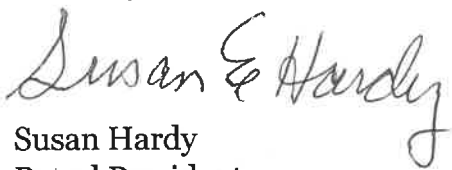
Mayor Dave Badeaux
501 Laurel Street
Brainerd, MN 56401

Dear Mayor Badeaux,

The Brainerd Public Library Board of Directors has attempted to contact board member Loyal Hyatt, including an official letter asking for his resignation due to non-attendance, sent April 2, 2022. The Board has received no response of any kind from Mr. Hyatt. The last meeting Mr. Hyatt attended was in August 2021. According to library board bylaws, "members who miss three consecutive, unexcused meetings may be asked to resign at the direction of the Board of Directors." The Board would now ask the Mayor to announce the vacancy on the board and to find a replacement for Mr. Hyatt.

Please refer any questions to Brainerd Public Library Branch Manager Laurel Hall, at 218-829-5574 or halll@krls.org.

Sincerely,

A handwritten signature in cursive script that reads "Susan E. Hardy". The signature is written in dark ink and is positioned above the printed name and title.

Susan Hardy
Board President
Brainerd Public Library



Brainerd City Council Agenda Request

Requested Meeting Date: September 6, 2022

Title of Item: Consider Resolution to Dissolve the Cable TV Advisory Committee

☐ 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: Shawn Strong	Department: IT/GIS
Presenter (Name & Title): Shawn Strong, IT/GIS Director	Estimated Time Needed: 5 minutes
Summary of Issue: The Cable TV Advisory Committee was established with the initial adoption of the cable franchise agreements in 2005. During the franchise agreement renewal process in 2021, the requirement of the City to maintain a Cable TV Advisory Committee was removed. Committee membership has been difficult to fill and has not had a quorum since 2019. The cable TV channel has been re-established with input from Committee members. The Committee members themselves have requested that the Committee be dissolved.	
Alternatives, Options, Effects on Others/Comments: Options 1. Status Quo, leave Committee in place as is. 2. Adopt resolution to dissolve Committee.	
Recommended Action/Motion: Adopt the resolution acknowledging and applauding the accomplishments of the Cable TV Advisory Committee and dissolving the Committee until a time at which the City Council deems it necessary to reestablish.	
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>	

RESOLUTION NO. xx:22

RESOLUTION DISOLVING THE CABLE TV ADVISORY COMMITTEE

WHEREAS, the City Council established the Cable TV Advisory Committee in 2005; and,

WHEREAS, the Cable TV Advisory Committee was instrumental in the development and adoption of the cable franchise agreements in 2005 (15 years) and renewal in 2021 (10 years); and,

WHEREAS, the Public, Education, and Government (PEG) cable TV channel is now broadcasting most City meetings live and rebroadcasting recordings on subsequent days; and,

WHEREAS, the volunteer members of the Cable TV Advisory Committee have faithfully served the Brainerd community; and,

WHEREAS, the Cable TV Advisory Committee has not been assigned any new tasks by the City Council;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Brainerd, Minnesota, that the accomplishments of the Cable TV Advisory Committee are recognized and applauded, and the Committee is dissolved until a time at which the City Council deems it necessary to re-establish the committee.

Adopted this ____ day of September 2022

KELLY BEVANS
President of the Council

Approved this ____ day of September 2022

DAVE BADEAUX
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator



Brainerd City Council Agenda Request

Requested Meeting Date: September 6, 2022

Title of Item: Conditional Use Permit for Ice and Water Vending Maching - 1202 S 6th St.

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Community Development Director	Department: Community Development
Presenter (Name & Title): James Kramvik	Estimated Time Needed: 5 minutes
Summary of Issue: Todd Sutton, 8415 Bent Creek Island Rd, Bismarck, ND 58503, has submitted an application for a Conditional Use Permit to operate an ice and water vending machine at 1202 S 6th St that is under the required 1,000 square feet of floor area for commercial buildings (principal structure). The applicant is proposing to demo the existing structure on the lot and replace it with the ice and water vending machine.	
Alternatives, Options, Effects on Others/Comments: The Planning Commission considered this CUP request during their regular meeting on August 17th. Discussion occurred on whether this building meets the definition of commercial/ retail establishments and if this building is an accessory use or primary use. Planning Commission voted 4-1 to recommend approval of this CUP request with the conditions that the applicant submit to staff the lighting (2700k lighting color or warmer) and fencing/screening plans that meet current residential standards.	
Recommended Action/Motion: Motion to approve the Conditional Use Permit for the operation of the ice and water vending machine at 1202 S 6th St with the conditions that the applicant submit to staff the lighting (2700k lighting color or warmer) and fencing/screening plans that meet current residential standards.	
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: August 17, 2022

RE: Conditional Use Permit – Ice Vending Machine - 1202 S 6th St

Todd Sutton, 8415 Bent Creek Island Rd, Bismarck, ND 58503, has submitted an application for a Conditional Use Permit to operate an ice and water vending machine at 1202 S 6th St that is under the required 1,000 square feet of floor area for commercial buildings (principal structure).

Property Area: 15,055 SQFT

Adjacent Uses: North: Residential
East: Motor vehicle fuel sales/ Retail Establishment
South: Residential
West: Residential

Adjacent Zoning: North: TN-2 (Traditional Neighborhood 2) District
East: TN-2 (Traditional Neighborhood 2) District
South: TN-2 (Traditional Neighborhood 2) District
West: TN-1 (Traditional Neighborhood 1) District

Findings of Fact

1. **1202 S 6th St** is located in a TN-2 (Traditional Neighborhood 2) District. Zoning Ordinance [Section 515-3 \(Allowed Uses\) Appendix A: Table of Uses](#) permits the operation of commercial/retail establishments in the TN-2 District as a permitted use.
2. Commercial buildings (principal structure) having less than 1,000 square feet of floor area may only be allowed upon approval of a Conditional Use Permit as regulated by [Section 515-4-2.D Building Design Standards](#).
 - a. *The proposed structure is 8.33' x 24' which totals approximately 200 SQFT of floor space. The interior space is for maintenance purposes only.*
3. [Table 515-2-9.1. TN-2 Dimensional Standards – Density, Lot Size, Coverage and Height Standards](#)
 - a. Lot Size (minimum) – 4,000 SQFT
 - b. Front Yard Setback – 0' – 20' if Commercial
 - c. Side Yard Setback – 5'/10' corner
 - d. Rear Yard Setback – 10'
 - i. *The proposed structure will meet rear and side yard setbacks. The applicant proposes construction of the ice and water vending machine*

within the footprint of the existing building approximately 60' from the front property line. The existing building meets the current front yard setback requirement in the TN-2 District. The proposed structure should not exceed the 20' front yard setback maximum.

4. [515-4-12.K Off-Street Parking \(Number of Required Spaces\)](#) Retail Stores and Service Establishments. At least one (1) off-street parking space per 200 square feet of floor area.
 - a. *The structure size is approximately 200 SQFT which requires (1) off-street parking space. The applicant is proposing (7) off-street parking spaces in the site plan.*
5. [Criteria for Granting Conditional Use Permits](#). In granting a Conditional Use Permit, the City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety, morals and general welfare of occupants or surrounding lands. Among other things, the City Council shall make the following findings where applicable.
 - a. The proposed use conforms to the Zoning District and is a permitted Conditional Use identified on the Appendix A: Table of Uses.
 - i. *Commercial/ retail establishments are a permitted use in the TN-2 District. The TN-2 Zoning District is intended to provide for compact, pedestrian-oriented mix of residential and neighborhood-serving commercial uses.*
 - b. The proposed use meets the regulations and standards established in this Ordinance.
 - i. *There are no special standards associated with this use. This structure will be required to adhere to Zoning Code Section 515-4-2.D the commercial use design standards which limit metal panels to twenty-five percent of the exterior building. The applicant indicated that there is an exterior option that will meet the ordinance.*
 - 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.
 - i. *The structure will not be dangerous, injurious, or noxious to the surrounding properties. The applicant stated that the mechanical processes are housed internally in the machine and would not create noise issues to surrounding properties.*
 - d. The proposed use shall be sited, oriented, and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
 - i. *The applicant proposes to demolish the existing building and repair the parking lot. The site plan depicts a landscape buffer between curb cuts along South 6th Street and Vine St.*
 - ii. [Per Section 515-4-10.3c](#) *A six (6) foot high fence or landscaped screen, providing eighty (80) percent year around opacity, shall be required wherever a non-residential use abuts directly upon land zoned for residential purposes. Staff recommends installation of the required screening along the south property line. The west property line has an existing privacy fence.*

- e. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
 - i. *The proposed use is consistent with the environment and the neighborhood as it is across the street from a motor vehicle fuel station and convenience store. South 6th St is a mix of commercial and residential uses.*
 - f. The proposed use shall organize vehicular access and parking to minimize traffic congestion in a residential neighborhood.
 - i. *The site plan provides abundant off-street parking for the proposed vending machine.*
 - g. The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.
 - i. **Economic Development Goal 1:** Support infill and redevelopment throughout Brainerd as a strategic component of growth.
 - 1. **Policy 1:** Drive infill development and redevelopment towards areas where current infrastructure is present, or places where high levels of blight or disinvestment exists.
6. Conditions. In reviewing applications for conditional use permits, the City may attach whatever reasonable conditions are deemed necessary to mitigate anticipated adverse impacts associated with the proposed use, to protect the value of property within the Zoning District, and to achieve the goals of the City's Comprehensive Plan. In determining such conditions, special consideration shall be given to protecting nearby properties from objectionable views, noise, traffic, and other characteristics associated with such uses.

As of this writing, no one has contacted the Community Development Department with concerns about the Conditional Use Permit application for the proposed ice and water vending machine.

Staff Recommendation

Staff recommends approval of the Conditional Use Permit for the operation of the ice and water vending machine at 1202 S 6th St with the conditions that the structure meets front yard setback requirements of the TN-2 District and the required screening is installed along the south property line.



Community Development 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

CONDITIONAL USE PERMIT
REZONING
VARIANCE

RESIDENTIAL

☒ (\$250.00)
☐ (\$300.00)
☐ (\$250.00)

COMMERCIAL

☒ (\$400.00 + \$500.00 escrow deposit)
☐ (\$500.00)
☐ (\$400.00 + \$500.00 escrow deposit)

PROPERTY ADDRESS: 1202 S 6th street Brainerd

LEGAL DESCRIPTION: Lot(s): _____ Block: _____ Addition: _____
(attach description if lengthy)

Property Owner Name: Todd L. Sutton

Street Address: 8415 Bent Creek Rd City: Bismark State: ND Zip Code: 58503

Phone Number: 701-580-5462 Fax: _____ E-mail: T.Sutton17@Gma.7.Com

Applicant Name: (If different than Property Owner) _____

Street Address: _____ City: _____ State: _____ Zip Code: _____

Phone Number: _____ Fax: _____

Description of Request: Bot Lot above, and will Remove old Restaurant that is on Lot. Will also clean-up lot and Repair + Fix Bot holes and Toned Surface. We Then want to Install a Permanent "ICP Machine" on Surface area where the Restaurant was. I have attached a Site Plan and Specs of the "Ice-Machine".

Property Owner Signature

7/28/2022
Date

(Please print name)

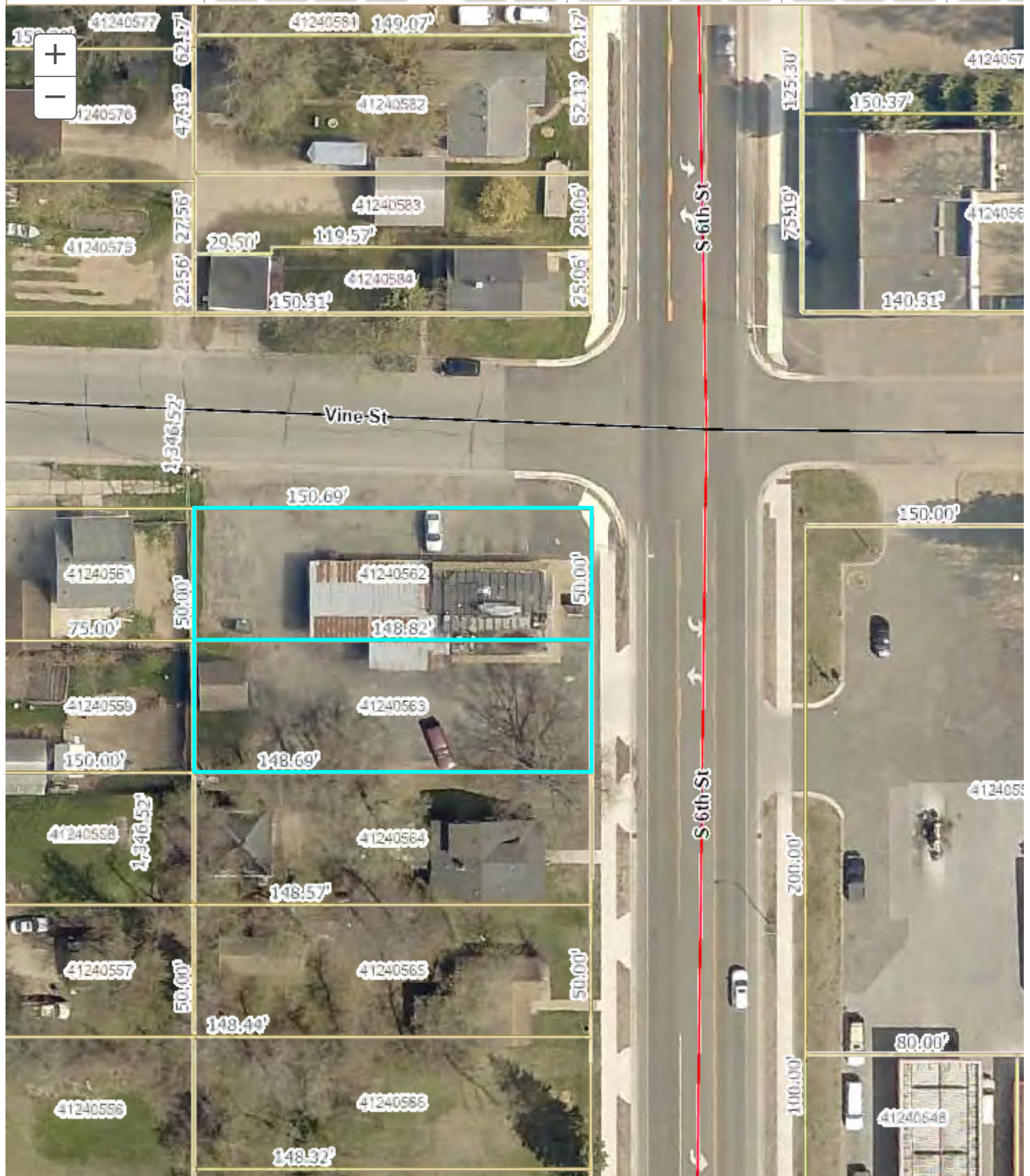
Applicant Signature

7/28/2022
Date

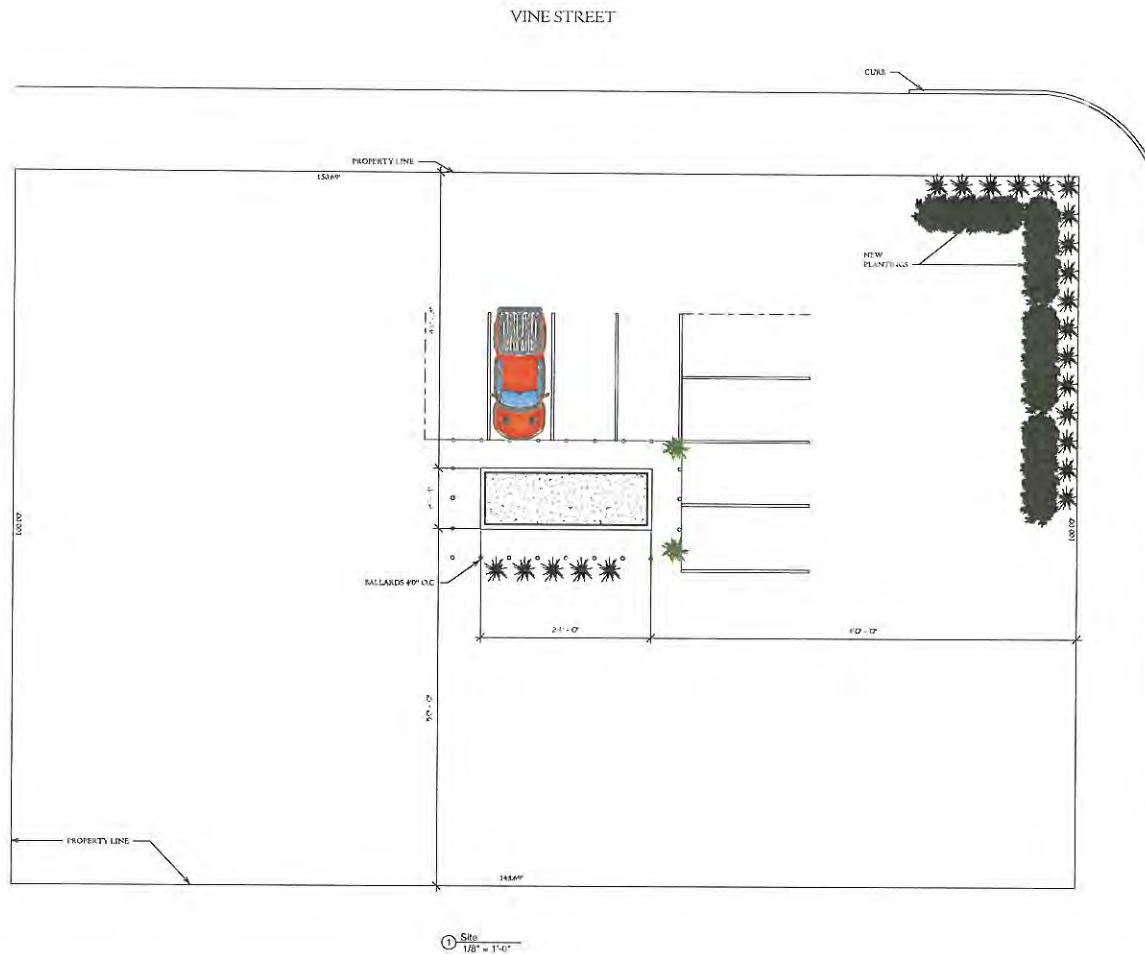
(Please print name)

(OVER)

Crow Wing County



Scale 1:



Drawn by: RLZ

Todd Sutton
Ice Vendor

Document Date:
July 15th, 2022

rev. date remark

Site Plan

A1.1

address

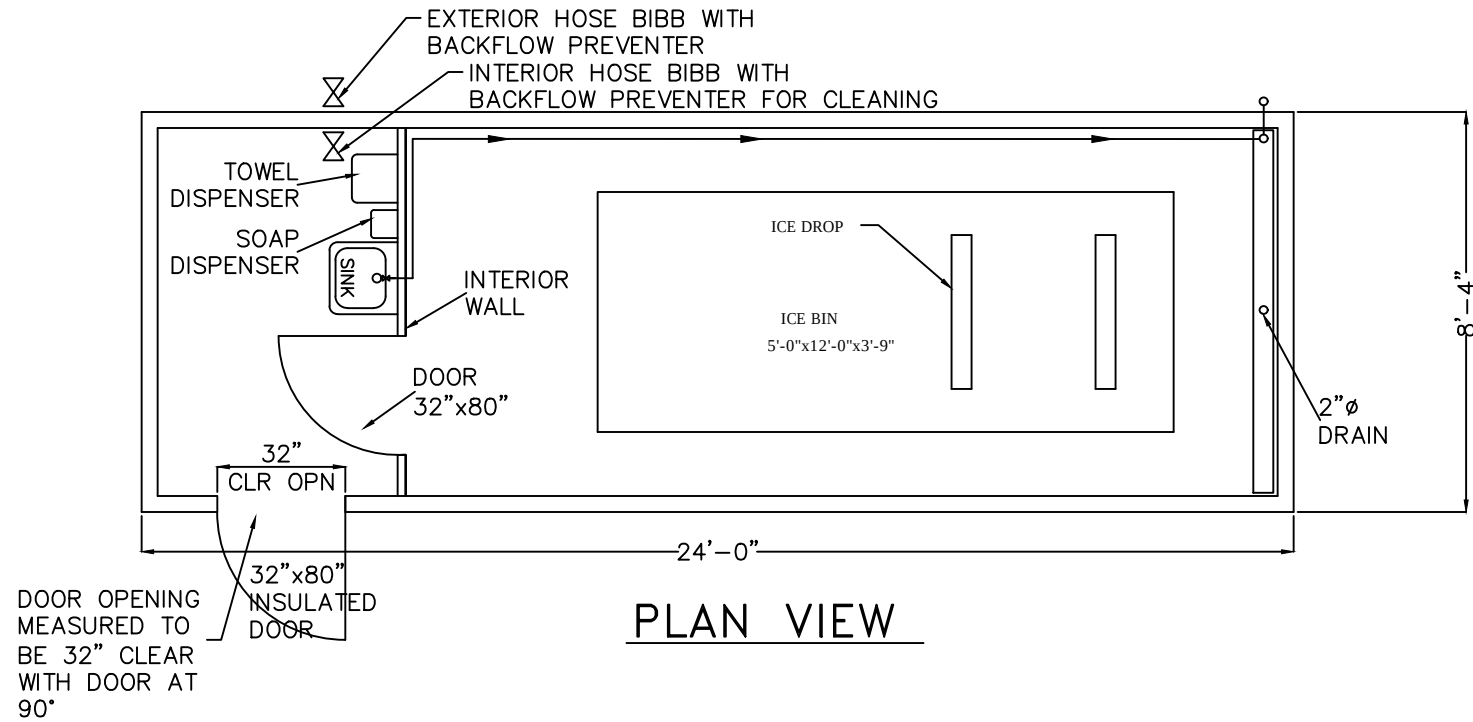
client name



FRESH FROM THE SOURCE

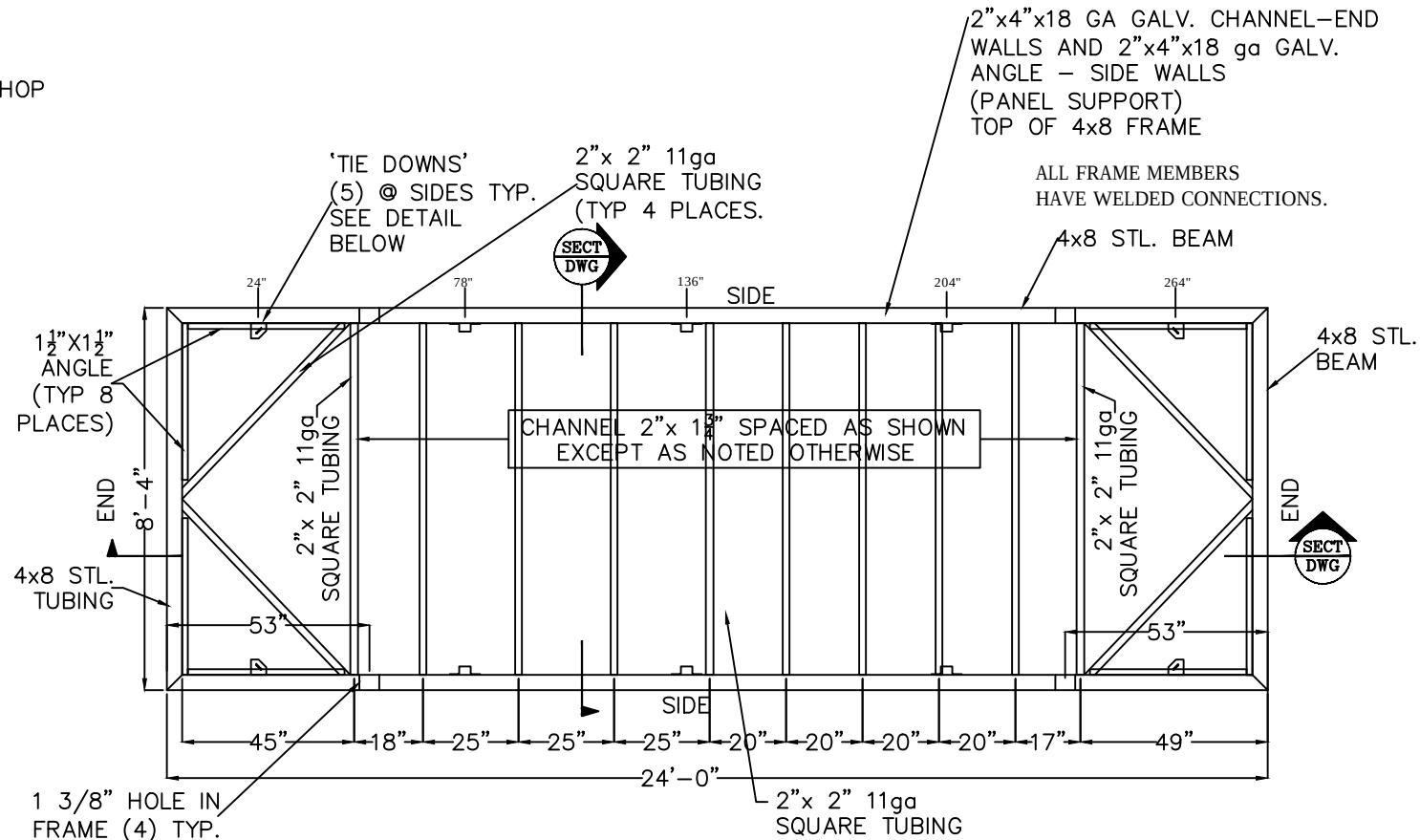






MATERIAL	
(2)	FRAME SIDE 4"x8"x3/16" RECT. TUBING 24'-0" ASTM A500 Gr. B, Fy=46ksi
(2)	FRAME END 4"x8"x3/16" RECT. TUBE A500 8'-4" ASTM A500 Gr. B, Fy=46ksi
(8)	FOLDED ANGLE 1 1/2"x1 1/2"x11 ga A36 3'-4" ASTM A-1011 CS Type B, Fy=50ksi
(7)	"C" CHANNEL 2"x1 3/4"x11 ga A500 7'-8" ASTM A-1011 CS Type B, Fy=50ksi
(3)	SQ TUBE 2"x2"x11 ga A500 7'-8" ASTM A-513 Gr. 1008/1010/1015, Fy=50ksi
(4)	SQ TUBE 2"x2"x11 ga A500 5'-4" ON ANGLE ASTM A-513 Gr. 1008/1010/1015, Fy=50ksi
(10)	TIE DOWN BRACKETS - 7ga A36 BENT PLATES
(4)	1" SCH 40 PIPE 1.5" FROM BOTTOM INSIDE FRAME MEMBER TYP

- 1) FRAME PAINTED WITH ONE COAT OF SHOP PRIMER.
- 2) FRAME IS NOT EXPOSED TO THE ELEMENTS IN THE COMPLETED BUILDING.
- 3) ALL FRAME MEMBERS HAVE WELDED CONNECTIONS.



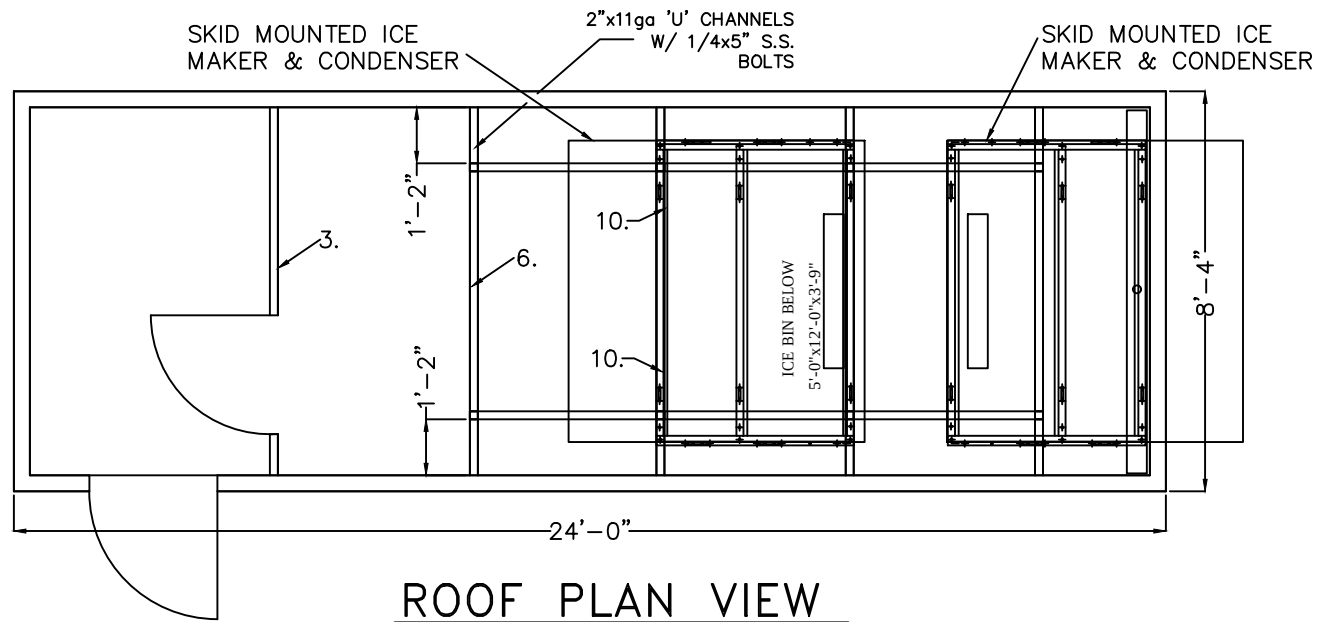
43581

Apr 30, 2021

ICC-NTA, LLC, 305 N Oakland Ave
Nappanee, Indiana 46550

These documents are applicable only to the elements and loading criteria specifically provided herein. These documents shall not be construed in any way to specify, certify or design any aspects of the building not contained herein. Specified design criteria are based solely on information provided by the client and must be verified and approved by the local authority having jurisdiction. ICC-NTA, LLC is not responsible for fabrication or erection. If it is suspected that these documents have been modified, substituted or altered in any way, contact ICC-NTA, LLC at (574) 773-7975 to obtain a file copy.

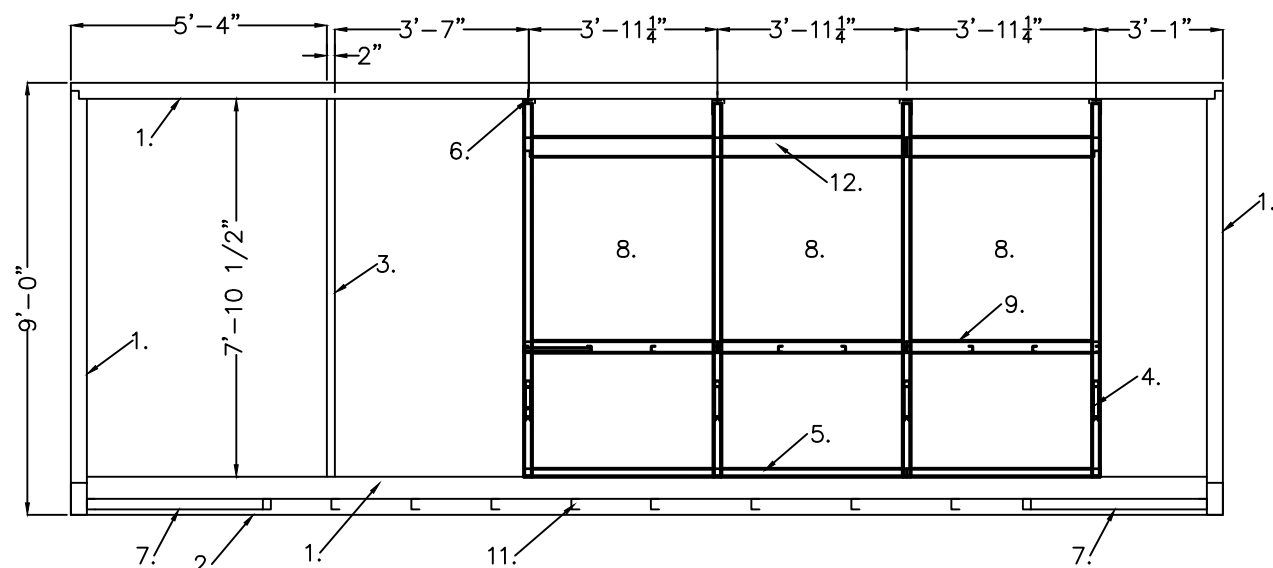
REVISIONS:	SCALE: NTS	APPROVED BY:	Ice House America Jacksonville, FL 32224	TITLE: FLOOR PLAN/FRAME PLAN	JOB NO: ICE101620-59
	DATE: 12/18/2020	DRAWN BY: AI		MODEL: M - 101 - CO	DRAWING NO: A1



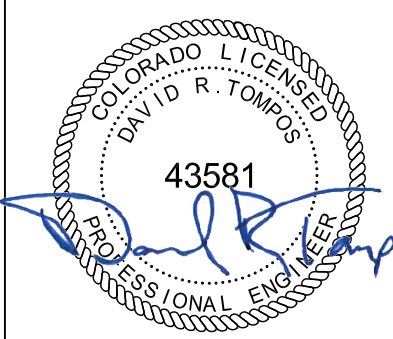
LEGEND

MATERIAL/SPECIFICATION

1. PERMATHERM 4" INSULATED PANEL
2. 4x8x3/16" STL. TUBE
3. 2" INSULATED PANEL
4. 2"x2"x14 GA SS TUBE
5. 2"x2"x11 GA ANGLE
6. 1"x2"x11 GA 'U' CHANNEL
7. 1 1/2"x1 1/2"x3/16" S.S. ANGLE
8. 14 GA SS LINER PANELS
9. NOT USED
10. 3"x3"x3/16" MOUNTING FRAME
11. 1.75x2"x1.75 11 GA "C" CHANNEL
12. 2"x5" 11 GA ANGLE
13. NOT USED
14. 1.5"x1.5"x14 GA SS TUBE



NOTE: ALL WELDS IN CONTACT WITH ICE PRODUCT TO BE FOOD GRADE WELDS PER STATE DEPT OF HEALTH (DHEC) STANDARDS

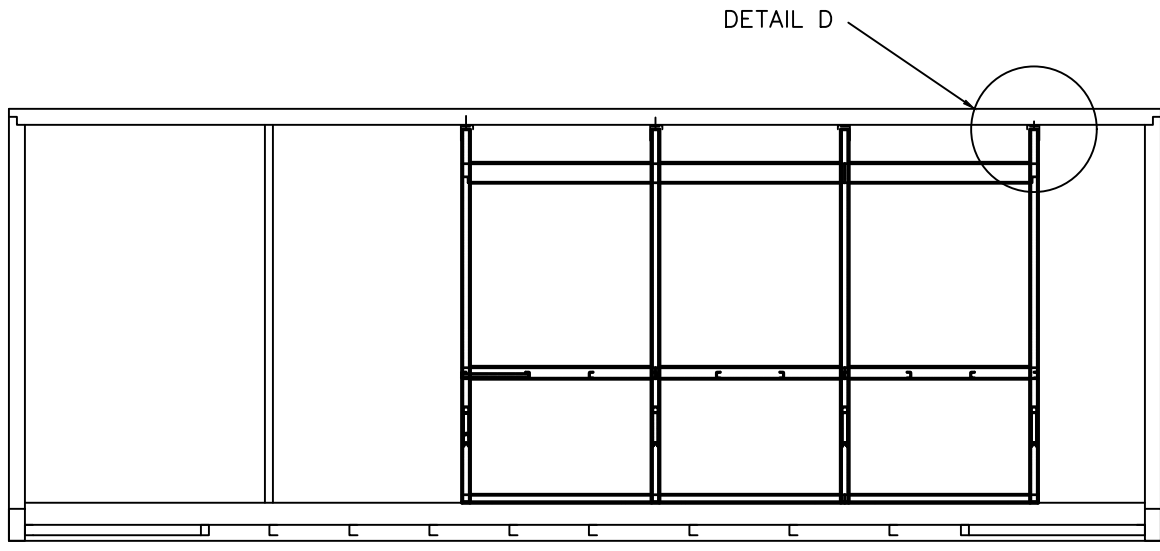


Apr 30, 2021

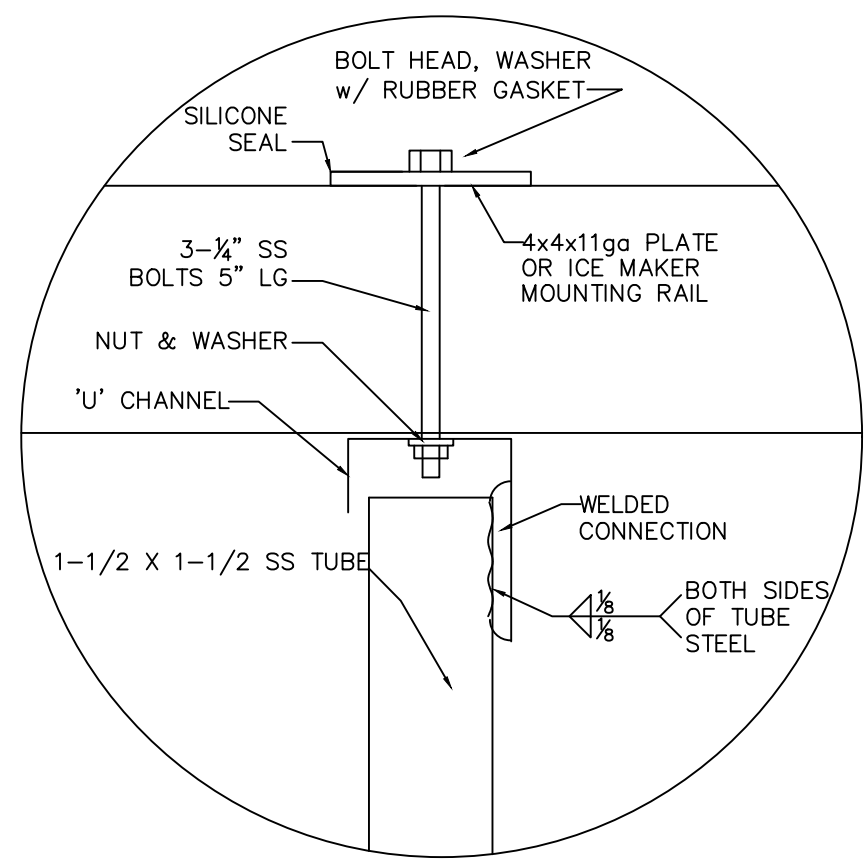
ICC-NTA, LLC, 305 N Oakland Ave
Nappanee, Indiana 46550

These documents are applicable only to the elements and loading criteria specifically provided herein. These documents shall not be construed in any way to specify, certify or design any aspects of the building not contained herein. Specified design criteria are based solely on information provided by the client and must be verified and approved by the local authority having jurisdiction. ICC-NTA, LLC is not responsible for fabrication or erection. If it is suspected that these documents have been modified, substituted or altered in any way, contact ICC-NTA, LLC at (574) 773-7975 to obtain a file copy.

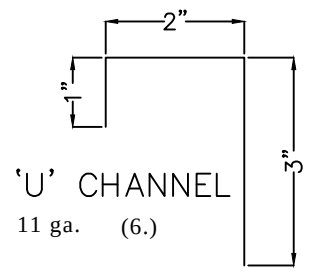
REVISIONS:	SCALE: NTS	APPROVED BY:	Ice House America Jacksonville, FL 32224	TITLE: ROOF SUPPORT	JOB NO: ICE101620-59
	DATE: 12/18/2020	DRAWN BY: AI		MODEL: M - 101 - CO	DRAWING NO: A2



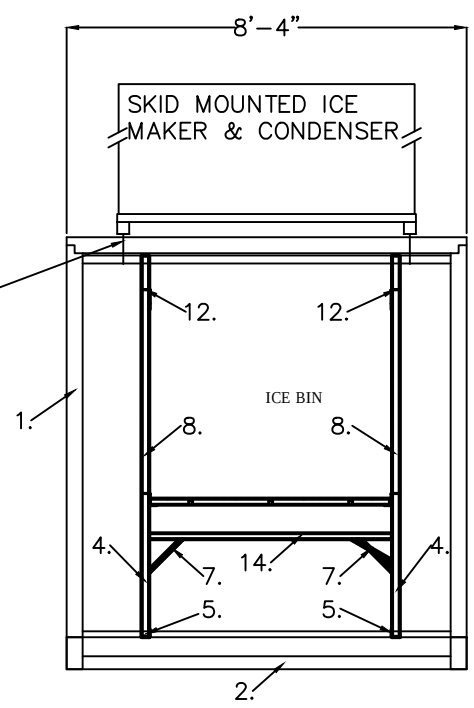
SEC SIDE VIEW



DETAIL D



ICE MAKER CONNECTION TO ICE BIN (SEE DETAIL D)



END VIEW

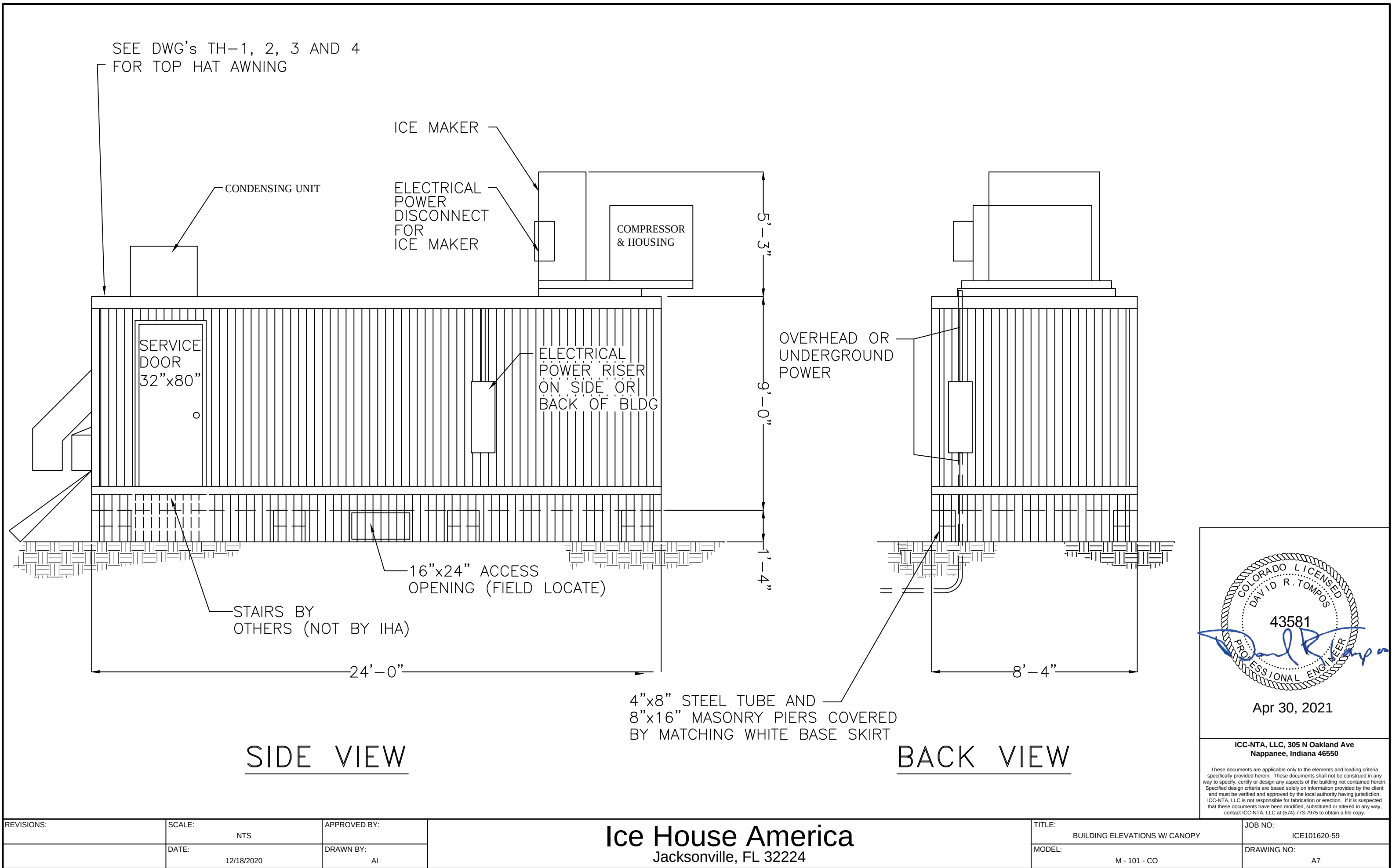
SEE MATERIAL LIST ON DWG A1

Apr 30, 2021

ICC-NTA, LLC, 305 N Oakland Ave
Nappanee, Indiana 46550

These documents are applicable only to the elements and loading criteria specifically provided herein. These documents shall not be construed in any way to specify, certify or design any aspects of the building not contained herein. Specified design criteria are based solely on information provided by the client and must be verified and approved by the local authority having jurisdiction. ICC-NTA, LLC is not responsible for fabrication or erection. If it is suspected that these documents have been modified, substituted or altered in any way, contact ICC-NTA, LLC at (574) 773-7975 to obtain a file copy.

REVISIONS:	SCALE: NTS	APPROVED BY:	Ice House America Jacksonville, FL 32224	TITLE: ROOF SUPPORT DETAILS	JOB NO: ICE101620-59
	DATE: 12/18/2020	DRAWN BY: AI		MODEL: M - 101 - CO	DRAWING NO: A3



SEE DWG's TH-1, 2, 3 AND 4
FOR TOP HAT AWNING

CONDENSING UNIT

ICE MAKER

ELECTRICAL
POWER
DISCONNECT
FOR
ICE MAKER

COMPRESSOR
& HOUSING

SERVICE
DOOR
32"x80"

ELECTRICAL
POWER RISER
ON SIDE OR
BACK OF BLDG

OVERHEAD OR
UNDERGROUND
POWER

16"x24" ACCESS
OPENING (FIELD LOCATE)

STAIRS BY
OTHERS (NOT BY IHA)

24'-0"

5'-3"

9'-0"

1'-4"

8'-4"

4"x8" STEEL TUBE AND
8"x16" MASONRY PIERS COVERED
BY MATCHING WHITE BASE SKIRT

SIDE VIEW

BACK VIEW

PROFESSIONAL ENGINEER
DAVID R. TOMPOS
43581
APR 30, 2021

ICC-NTA, LLC, 305 N Oakland Ave
Nappanee, Indiana 46550

These documents are applicable only to the elements and loading criteria specifically provided herein. These documents shall not be construed in any way to specify, certify or design any aspects of the building not contained herein. Specified design criteria are based solely on information provided by the client and must be verified and approved by the local authority having jurisdiction. ICC-NTA, LLC is not responsible for fabrication or erection. If it is suspected that these documents have been modified, substituted or altered in any way, contact ICC-NTA, LLC at (574) 773-7975 to obtain a file copy.

REVISIONS:	SCALE: NTS	APPROVED BY:	Ice House America Jacksonville, FL 32224	TITLE: BUILDING ELEVATIONS W/ CANOPY	JOB NO: ICE101620-59
	DATE: 12/18/2020	DRAWN BY: AI		MODEL: M - 101 - CO	DRAWING NO: A7

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Todd Sutton has submitted a request for a Conditional Use Permit to operate a self-service ice and water retail vending machine structure at 1202 6th St S, Brainerd MN, 56401. The property included in this application is described as:

LOTS 11 & 12 BLK 317

LOTS 9 & 10 BLK 317

TOWN OF BRAINERD & FIRST ADDITION TO BRAINERD

P.I.N. 41240562

P.I.N. 41240563

Section 24, Township 45, Range 31

The property is zoned TN-2 (Traditional Neighborhood 2) District, and Zoning Ordinance APPENDIX A: TABLE OF USES allows for commercial/ retail establishments as a permitted use in the TN-2 District. Zoning Ordinance Section 515-4-2.D.1 requires a Conditional Use Permit for commercial buildings (principal structure) having less than 1,000 square feet of floor area. 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, August 17, 2022 in the Council Chambers at Brainerd City Hall, 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 4th day of August 2022



James L. Kramvik
Community Development Director

Publication Date: August 7, 2022



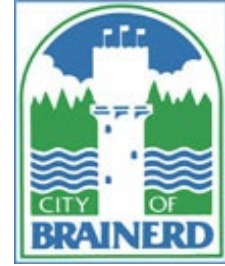
Brainerd City Council Agenda Request

Requested Meeting Date: September 6, 2022

Title of Item: Conditional Use Permit for Residential Addiction Recovery Facility at 2501 Greenwood St

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Community Development Director	Department: Community Development
Presenter (Name & Title): James Kramvik	Estimated Time Needed: 5 minutes
Summary of Issue: Sam Anderson has submitted a request on behalf of Central Minnesota Adult and Teen Challenge for a Conditional Use Permit to operate a residential addiction recovery facility with outpatient services at 2501 Greenwood St, Brainerd MN, 56401. The current owner of this property is Evangelical Lutheran Good Samaritan, Parcel Number 41010613.	
Alternatives, Options, Effects on Others/Comments: The Planning Commission considered this CUP request during their regular meeting on August 17th. Planning Commission voted unanimously to recommend approval of this CUP request with the condition that any future development of parking lots conform to the residential lighting and screening standards.	
Recommended Action/Motion: Motion to approve a Conditional Use Permit to operate a residential addiction recovery facility with outpatient services at 2501 Greenwood St. with the condition that any future development of parking lots conform to the residential lighting and screening standards.	
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: August 17, 2022

RE: Conditional Use Permit – Residential Addiction Recovery Facility with Outpatient Services – 2501 Greenwood St.

Sam Anderson has submitted a request on behalf of Central Minnesota Adult and Teen Challenge for a Conditional Use Permit to operate a residential addiction recovery facility with outpatient services at 2501 Greenwood St, Brainerd MN, 56401. The current owner of this property is Evangelical Lutheran Good Samaritan, Parcel Number 41010613.

Property Area: 18.76 Acres (approximately 9 acres of the total 27.76 acres will remain with Good Samaritan)

Adjacent Uses: North: Evangelical Lutheran Good Samaritan – Senior Living
East: Central Minnesota Adult and Teen Challenge
South: Undeveloped Land
West: Multi-family and Single Family Residential

Adjacent Zoning: North: TN-2 (Traditional Neighborhood 2) District
East: TN-2 (Traditional Neighborhood 2) District
South: TN-2 (Traditional Neighborhood 2) District
West: TN-1 (Traditional Neighborhood 1) District

Findings of Fact

1. **2501 Greenwood St (Parcel Number 41010613)** is located in a PSP (Public Semi-Public) District. Zoning Ordinance [Section 515-3 \(Allowed Uses\) Appendix A: Table of Uses](#) permits the operation of semi-public community centers, public and private schools, places of worship, and hospitals in the PSP District as a permitted uses.
2. **Purpose of Public Semi-Public Zoning District.** The PSP Zoning District is intended to identify lands used for community gathering spaces for purposes of education, recreation, congregation, worship, health, or similar. Lands zoned PSP contain 1.0 acres of land or provide a mix of community uses from a single facility or campus.
 - a. *Central Minnesota Adult and Teen Challenge encompasses many of the permitted uses in the PSP District and fulfills the purpose of the PSP district by offering congregation, health, worship, and education services. A statement from the Teen Challenge USA website about their approach to recovery, “We base the curriculum and community of our addiction recovery centers on God’s Word—the Bible. Addiction recovery centers that offer*

practical, appropriate, and accessible Bible-based courses facilitate the transition from alcoholism and substance abuse to a life of freedom in Christ. At Adult and Teen Challenge USA, we offer a chance to start over, become a new person, live a godly life, and find freedom through a restored purpose and an eternal hope. We do this through classes, individual study, personal mentoring, work ethics training, and involvement in the Christian community.”

3. **Permitted Uses.** Any residential use must be accessory to the principal public-semi-public use and must obtain a Conditional Use Permit. Such use may not be separated from the principal use without an amendment to the CUP and may require rezoning. All principal uses must be identified as a public-semi-public use on the Table of Uses.
 - a. *The applicant proposes to purchase three former memory care units of the Woodland Good Samaritan organization. The buildings currently have 16 bedrooms each with small common spaces in the middle. Two of the buildings would be used for residential recovery services providing a total of 32 bedrooms with 64 spaces if two occupants were placed in each room. DHS would license the various services provided at the facility. The proposed residential recovery services would require a Conditional Use Permit.*
4. [Table 515-2-9.1. TN-2 Dimensional Standards – Density, Lot Size, Coverage and Height Standards](#)
 - a. Lot Size (minimum) – 1.0 Acre
 - b. Front Yard Setback – 20’
 - c. Side Yard Setback – 10’/20’ corner
 - d. Rear Yard Setback – 10’
 - i. *The three buildings exceed the required setback standards of the PSP district. The property exceeds the lot size requirement of the PSP district.*
5. Criteria for Granting Conditional Use Permits. In granting a Conditional Use Permit, the City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety, morals and general welfare of occupants or surrounding lands. Among other things, the City Council shall make the following findings where applicable.
 - a. The proposed use conforms to the Zoning District and is a permitted Conditional Use identified on the Appendix A: Table of Uses.
 - i. *The PSP Zoning District is intended to identify lands used for community gathering spaces for purposes of education, recreation, congregation, worship, health, or similar. Central Minnesota Adult and Teen Challenge encompasses many of the permitted uses in the PSP District table of Uses Appendix A: Table of uses such as semi-public community centers, public and private schools, places of worship, and hospitals. Residential use in the PSP District requires a Conditional Use Permit.*
 - b. The proposed use meets the regulations and standards established in this Ordinance.
 - i. *There are no special standards associated with this use.*

- 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.
 - i. *The proposed use will not be dangerous, injurious, or noxious to adjacent properties 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.
 - i. *The proposed Central Minnesota Adult and Teen Challenge campus is adjacent to their existing property along Business 371. The proposed site was used for group housing and should not create a condition that would cause an undesirable relationship between buildings and grounds to adjacent properties.*
 - ii. *The two buildings closest to Greenwood Street has a 6' privacy fence connecting the two buildings.*
- e. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
 - i. *The proposed use is consistent with the environment and the neighborhood as it is adjacent to both Central Minnesota Adult and Teen Challenge and Evangelical Lutheran Good Samaritan. Both properties have large campuses and are zoned PSP District.*
- f. The proposed use shall organize vehicular access and parking to minimize traffic congestion in a residential neighborhood.
 - i. [515-4-12.K.36 Off-Street Parking \(Number of Required Spaces\) Other Uses.](#) Other uses not specifically mentioned herein shall be determined on an individual basis by the City Council upon recommendation by the Planning Commission. Factors to be considered in such determination shall include (without limitation) the national parking standards for size of building, type of use, number of employees, expected volume and turnover of customer traffic and expected frequency and number of delivery or service vehicles.
 - 1. *Each building provides 12 parking spaces for a total of 36 spaces on the property. The proposed use is very similar to the previous memory care units and the site should have sufficient off-street parking to meet the needs of staff and residents.*
- g. The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.
 - 1. **Land Use Goal 2:** Through thoughtful planning, maintain the unique identity of the city and all the appropriate land uses that support it.
 - a. **Policy 1:** Support development that enhances the identity and community character of Brainerd.
 - 2. **Land Use Goal 3:** Support and invest in the incremental enhancements of quality of life.
 - a. **Policy 2:** Encourage and attract stores and services for the daily needs of our community.

6. Conditions. In reviewing applications for conditional use permits, the City may attach whatever reasonable conditions are deemed necessary to mitigate anticipated adverse impacts associated with the proposed use, to protect the value of property within the Zoning District, and to achieve the goals of the City's Comprehensive Plan. In determining such conditions, special consideration shall be given to protecting nearby properties from objectionable views, noise, traffic, and other characteristics associated with such uses.

As of this writing, no one has contacted the Community Development Department with concerns about the Conditional Use Permit application for a residential addiction recovery facility with outpatient services.

Staff Recommendation

Staff recommends approval of the Conditional Use Permit for the operation of a residential addiction recovery facility with outpatient services.



Community Development 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)

PROPERTY ADDRESS: 2501 Greenwood Street

LEGAL DESCRIPTION: Lot(s): _____ Block: _____ Addition: See Attached
(attach description if lengthy)

Property Owner Name: The Evangelical Lutheran Good Samaritan Society - Proposed: Minnesota Teen Challenge: see attached

Street Address: 4800 W. 57th St. City: Sioux Falls State: SD Zip Code 57108

Phone Number: 970-539-4358 Fax: _____ E-mail: rmertz@good-sam.com

Applicant Name: (If different than Property Owner) Sam Anderson Center Director MnTC Brainerd

Street Address: 2424 Business 371 City: Brainerd State: MN Zip Code: 56401

Phone Number: 218-833-8740 Fax: 218-833-8778 E-mail: sam.anderson@mntc.org

Description of Request: Please See attached

Property Owner Signature

See Attached

8/1/2022

Date

(Please print name)

Samuel S. Anderson

Applicant Signature

8/1/2022

Date

Samuel S Anderson

(Please print name)

(OVER)



4800 W 57th Street
Sioux Falls, SD 57108

Phone: 605-362-3100
www.good-sam.com

SANFORD
HEALTH

August 1, 2022

City of Brainerd, Minnesota
501 Laurel Street
Brainerd, MN 56401
Phone: (218) 828-2307
<https://www.ci.brainerd.mn.us/>

Re: Authorization of Minnesota Teen Challenge, Inc. to Apply for a Conditional Use Permit

To Whom It May Concern:

The purpose of this letter is to authorize Minnesota Teen Challenge, Inc., to apply for a conditional use permit on the property that The Evangelical Lutheran Good Samaritan Society owns, parcel ID No. 41010613 and 41010612 as depicted in Exhibit A.

Should you have any questions or concerns, please do not hesitate to contact Ryan Mertz, Real Estate Services Consultant: 970-539-4358; rmertz@good-sam.com.

Sincerely,

Joel Fluit
Executive Director, Systems Operations
The Evangelical Lutheran Good Samaritan Society

Request for Conditional Use Permit:

We are proposing purchasing the three former and now vacant memory care units of the Woodland Good Samaritan organization and associated acreage conditional on the approval of a CUP with the city of Brainerd. For the past 14 years Minnesota Adult & Teen Challenge has been providing addiction recovery services to adult men at our facility at 2424 Business 371. The land directly to the South of our campus on Business 371 and along Greenwood to the three buildings located at 2501 Greenwood Street is the property we are in negotiations to purchase. If approved by this commission and the city council, we hope to relocate our current outpatient services currently at 603 Oak Street to one of the three buildings. After that, we plan to provide housing to women seeking help from addiction in our community and region. Down the road our dream is to one day provide residential recovery services to women with children. There is a desperate need for such programming where moms can bring their small children into a recovery program with them. One other possible consideration would be to provide housing to employees of our facilities. The buildings currently have 16 bedrooms each with small common spaces in the middle. One of the buildings would be primarily converted to offices and classrooms and we do not anticipate any residents living there. The other two facilities have a total of 32 bedrooms with 64 spaces if two occupants were placed in each room. If we were to eventually provide services to women with children, code would require the children be included in the total number of residents allowed by code. They have non-commercial kitchens in all three and two of the buildings have commercial dish rooms. We would be preparing the food for residents in our current commercial kitchen at 2424 Business 371 and "hot box" delivering meals to the residents.

DHS has a range of licensure for providing the various services we are proposing and would be applied for and secured as required.

Crow Wing County land website describes the two property lots as:

The three buildings are located on the SW corner of this parcel.

Parcel number: 41010613

NW1/4 OF NW1/4 SEC. 1, EXCEPT N. 535 FT THEREOF PLATTED AS BRAINERD WOODLAND ACRES.

We would also be purchasing the acreage to the East of the buildings:

Parcel number 41010612

Description:

"PART OF SW1/4 OF NW1/4 LYING N. OF THE BURLINGTON NORTHERN R. R. ROW. EXC ALL THAT PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 44 NORTH, RANGE 31 WEST, CROW WING COUNTY, MINNESOTA, LYING NORTH OF THE NORTHERN PACIFIC RAILWAY COMPANY'S RIGHT OF WAY; WHICH LIES SOUTHEASTERLY OF A LINE RUN PARALLEL WITH AND DISTANT 50 FEET NORTHWESTERLY OF LINE 1 DESCRIBED BELOW: COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 1; THENCE NORTHERLY ON AN AZIMUTH OF 02 DEGREES 23 MINUTES 07 SECONDS ALONG THE WEST LINE THEREOF FOR 62.19 FEET; THENCE ON AN AZIMUTH OF

232 DEGREES 45 MINUTES 56 SECONDS FOR 74.23 FEET TO THE POINT OF BEGINNING OF LINE 1 TO BE DESCRIBED; THENCE NORTHEASTERLY ALONG THE LAST DESCRIBED COURSE FOR 1765.95 FEET TO TANGENT SPIRAL POINT; THENCE DEFLECT TO THE LEFT ON A SPIRAL CURVE OF DECREASING RADIUS (SPIRAL ANGLE 02 DEGREES 29 MINUTES 50 SECONDS) FOR 300 FEET AND THERE TERMINATING; TOGETHER WITH THAT PART OF TRACT A HEREINBEFORE DESCRIBED, ADJOINING AND NORTHERLY OF THE ABOVE DESCRIBED STRIP, WHICH LIES WESTERLY OF A LINE RUN PARALLEL WITH AND DISTANT 33 FEET EASTERLY OF THE WEST LINE OF SAID SECTION 1, AND SOUTHERLY OF LINE 2 DESCRIBED BELOW: COMMENCING AT THE POINT OF BEGINNING OF LINE 1 DESCRIBED ABOVE; THENCE NORTHERLY ON AN AZIMUTH OF 322 DEGREES 45 MINUTES 56 SECONDS FOR 37.00 FEET; THENCE DEFLECT TO THE RIGHT ON A TANGENTIAL CURVE, HAVING A RADIUS OF 160.00 FEET AND A DELTA ANGLE OF 61 DEGREES 56 MINUTES 36.16 SECONDS FOR 172.98 FEET; THENCE ON AN AZIMUTH OF 23 DEGREES 38 MINUTES 58.21 SECONDS FOR 228.21 FEET; THENCE DEFLECT TO THE LEFT ON A TANGENTIAL CURVE, HAVING A RADIUS OF 400.00 FEET AND A DELTA ANGLE OF 21 DEGREES 18 MINUTES 08.73" FOR 148.72 FEET; THENCE ON TANGENT TO SAID CURVE FOR 62.31 FEET TO THE POINT OF BEGINNING OF LINE 2 TO BE DESCRIBED; THENCE EASTERLY AT AN ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS FOR 63 FEET AND THERE TERMINATING; CONTAINING 4.12 ACRES, MORE OR LESS, OF WHICH 3.23 ACRES IS ENCUMBERED BY AN EXISTING HIGHWAY EASEMENT AND 0.38 ACRE IS ENCUMBERED BY AN EXISTING ROAD EASEMENT; ALSO A RIGHT TO USE THE FOLLOWING DESCRIBED STRIPS FOR HIGHWAY PURPOSES, WHICH RIGHT SHALL CEASE ON DECEMBER 1, 2027, OR ON SUCH EARLIER DATE UPON WHICH THE COMMISSIONER OF TRANSPORTATION DETERMINES BY FORMAL ORDER THAT IT IS NO LONGER NEEDED FOR HIGHWAY PURPOSES: A STRIP BEING THAT PART OF TRACT A HEREINBEFORE DESCRIBED, ADJOINING AND EASTERLY OF THE SECOND ABOVE DESCRIBED STRIP, WHICH LIES NORTHERLY, WESTERLY, AND SOUTHERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON LINE 3 DESCRIBED BELOW, DISTANT 200 FEET SOUTHERLY OF ITS POINT OF TERMINATION (MEASURED ALONG SAID LINE 3); THENCE SOUTHEASTERLY AT A RIGHT ANGLE FROM THE TANGENT OF THE CURVE AT SAID POINT TO A POINT DISTANT 63 FEET EASTERLY OF THE WESTERLY LINE OF SAID SECTION 1; THENCE NORTHERLY PARALLEL WITH SAID WESTERLY LINE TO THE POINT OF TERMINATION OF LINE 2 DESCRIBED ABOVE; THENCE WESTERLY ALONG SAID LINE 2 FOR 30 FEET TO THE EASTERLY LINE OF THE SECOND ABOVE DESCRIBED STRIP AND THERE TERMINATING; BEGINNING AT THE POINT OF BEGINNING OF LINE 1 DESCRIBED ABOVE; THENCE NORTHERLY ON AN AZIMUTH OF 322 DEGREES 45 MINUTES 56 SECONDS FOR 37.00 FEET; THENCE DEFLECT TO THE RIGHT ON A TANGENTIAL CURVE, HAVING A RADIUS OF 160.00 FEET AND A DELTA ANGLE OF 61 DEGREES 56 MINUTES 36.16 SECONDS FOR 172.98 FEET; THENCE ON AN AZIMUTH OF 23 DEGREES 38 MINUTES 58.21 SECONDS FOR 228.21 FEET; THENCE DEFLECT TO THE LEFT ON A TANGENTIAL CURVE, HAVING A RADIUS OF 400.00 FEET AND A DELTA ANGLE OF 21 DEGREES 18 MINUTES 08.73 SECONDS FOR 148.72 FEET; THENCE ON TANGENT TO SAID CURVE FOR 62.31 FEET AND THERE TERMINATING; A STRIP BEING THAT PART OF TRACT A HEREINBEFORE DESCRIBED, ADJOINING AND NORTHWESTERLY OF THE FIRST ABOVE DESCRIBED STRIP AND EASTERLY OF THE SECOND ABOVE DESCRIBED STRIP, WHICH LIES SOUTHEASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE POINT OF INTERSECTION OF THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND A LINE RUN PARALLEL WITH AND DISTANT 65 FEET NORTHWESTERLY OF LINE OF 1 THE POINT DESCRIBED OF ABOVE; DISTANT 322.55 FEET SOUTHWESTERLY OF THE POINT TERMINATION OF SAID LINE 1 TO (MEASURED ALONG SD LINE 1) THENCE NORTHWESTERLY AT A RIGHT ANGLE FOR 15 FEET; THENCE SOUTHWESTERLY PARALLEL

WITHSAID LINE 1 TO AN INTERSECTION WITH THE EASTERLY LINE OF THE SECOND ABOVE DESCRIBED STRIP AND THERE TERMINATING;"

If approved both parties would be requesting to re-plat the first parcel 41010613 prior to sale in order to allow the Woodland Good Samaritan Home to retain the ownership of the paved path that goes through the woods to the North of those three buildings along the North Western edge of the property as their residents really enjoy going for rides through the woods on the paved path way.

As far as the acres of land, we hope to one day build a softball field, mowed pathways through the woods for quiet reflection and perhaps some Frisbee golf for the residents.

Minnesota Adult & Teen Challenge is one of the largest and most respected providers of addiction recovery services in the state of Minnesota with endorsements from both local leaders as well as state officials.

Respectfully Submitted,

Sam Anderson

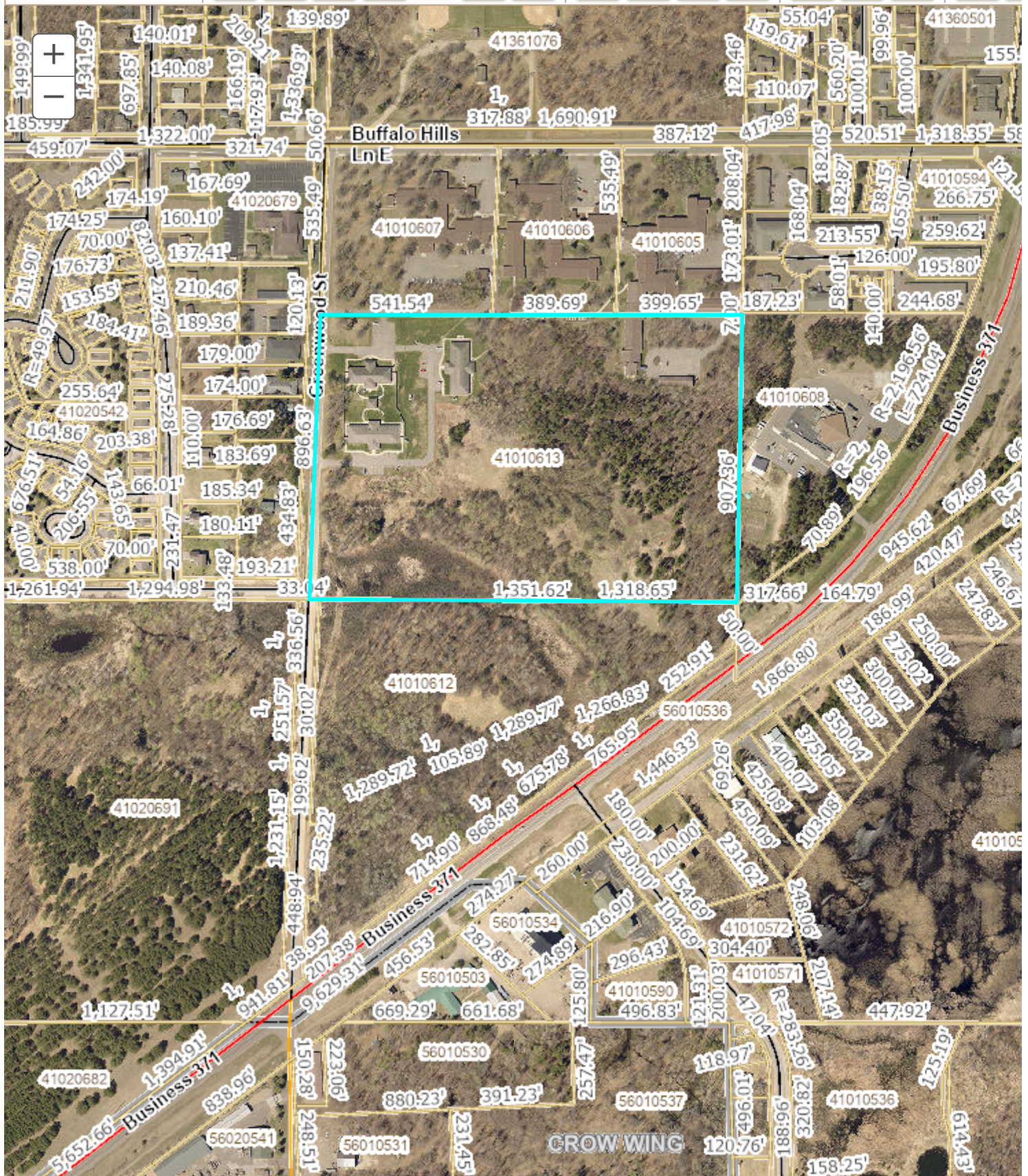
Center Director

Central Minnesota Adult & Teen Challenge

2424 Business 371

Brainerd MN 56401

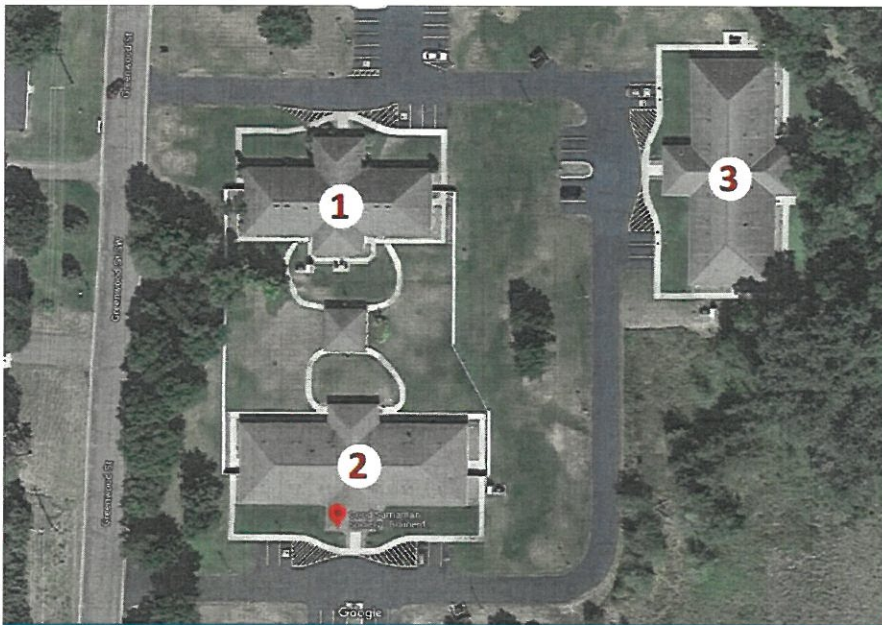
www.mntc.org

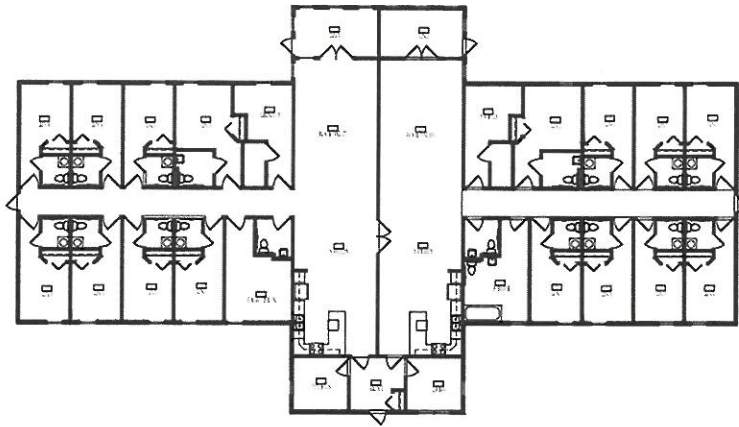
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Scale 1: 5000

EXHIBIT A



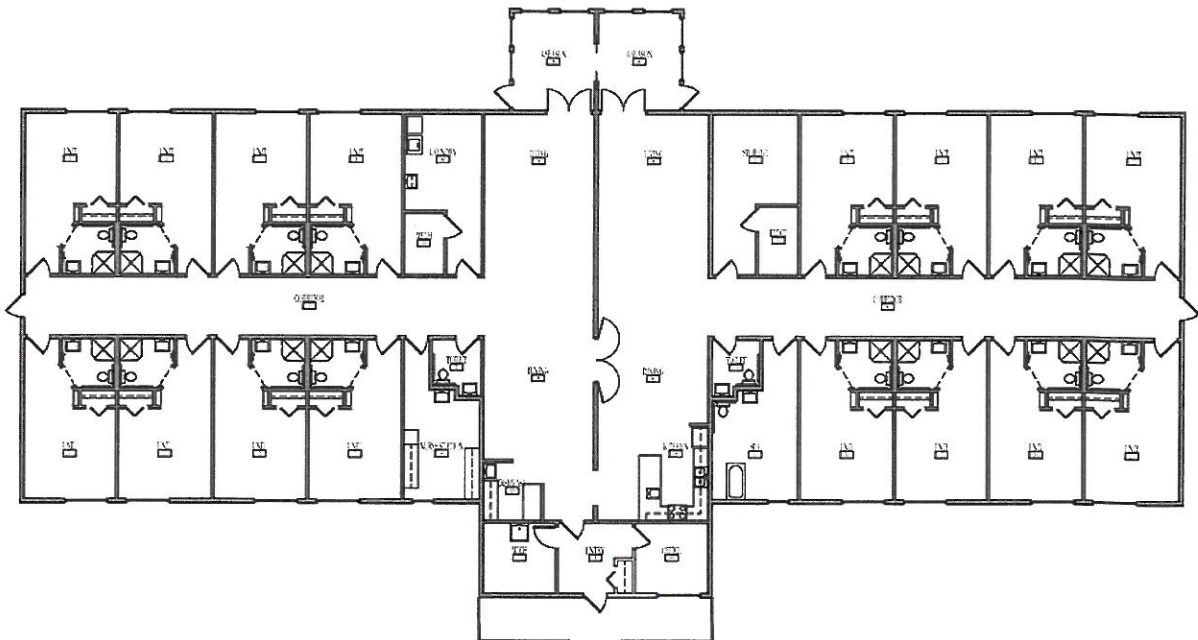




Building 1 with smaller footprint. Rooms are smaller with only $\frac{1}{2}$ bath in each room. This is where we would propose converting to offices and classroom space.



Front of Building 1



Floor plan for buildings 2 and 3 – larger buildings with showers in individual rooms.



Side of building 1 with fence and building 2 in the background.



Building 2 front



Building 3



Fenced in courtyard with pavilion between building 1 and 2.

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Sam Anderson has submitted a request on behalf of Central Minnesota Adult and Teen Challenge for a Conditional Use Permit to operate a residential addiction recovery facility with outpatient services at 2501 Greenwood St, Brainerd MN, 56401. The current owner of this property is EVANGELICAL LUTHERAN GOOD SAMARITAN. The property included in this application is described as:

*NW1/4 OF NW1/4 SEC. 1, EXCEPT N. 535 FT
THEREOF PLATTED AS BRAINERD WOODLAND ACRES.
P.I.N. 41010613
Section 1, Township 44, Range 31*

The property is zoned PSP (Public Semi-Public) District, and Zoning Ordinance Section 515-2-17 (B) allows for residential uses as an accessory to the principal public-semi-public use with a Conditional Use Permit. 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, August 17, 2022 in the Council Chambers at Brainerd City Hall, 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 4th day of August 2022



James L. Kramvik
Community Development Director

Publication Date: August 7, 2022