

CITY COUNCIL AGENDA

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

The public is invited to attend these meetings in person

Attend by phone **City Council**: 1-844-992-4726 Meeting Access Code: 2493 502 6895

Attend by phone **Safety and Public Works Committee 7:15 PM**: 1-844-992-4726 Meeting
Access Code: 2490 593 3835

Attend by phone: **Personnel and Finance Committee 7:00 PM**: 1-844-992-4726 Meeting
Access Code: 2484 513 0980

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

____ G. Johnson ____ W. Bieser ____ T. Stenglein ____ T. Erickson

____ M. O'Day ____ K. Stunek ____ 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:

[110722 COUNCIL AP INV REGISTER.pdf](#)

B. **Approval Of Minutes**

Documents:

[2022-10-17 CC Draft.pdf](#)

C. **Approval Of Licenses**

Contractor Licenses-

Documents:

20221107 Contractor Licenses.pdf

D. Department Activity Reports

Documents:

PW Report.pdf

Fire Chief Report.pdf

HR Directors Report.pdf

6. Annual Presentation By The Center

7. Conduct Dangerous Dog Hearing

Documents:

MA - Dangerous Dog Hearing.pdf

8. Council Committee Reports

A. Safety And Public Works Committee 7:15 PM

WebEx Teleconference Call-In Information

Call Toll-Free: 1-844-992-4726 Access Code: 2490 593 3835

Documents:

11-07 SPW Agenda.pdf

1. Approve Addition Of Rectangular Rapid-Flashing Beacon At N 3rd Street And Holly Street Intersection

Documents:

SPW - 3rd-Holly RRFB.pdf

2. Discussion On Grant Application Candidates

Documents:

SPW - Grant Application Candidates.pdf

3. Direction On Active Code Enforcement Cases

Documents:

SPW - Active Code Cases.pdf

B. Personnel And Finance Committee 7:00 PM

WebEx Teleconference Call-In Information

Call Toll-Free: 1-844-992-4726 Access Code: 2484 513 0980

Documents:

11-07 PF Agenda.pdf

1. Authorize Advertisement For Bids - Memorial Park Softball Lights

Documents:

PF - Authorize Bid Memorial Park Lights.pdf

2. Ratify The Hiring Of Samuel Jensen As Park Maintenance

Documents:

PF - Park Maintenance Position.pdf

3. Ratify The Hiring Of Cari LaRose As Administrative Specialist - Public Works Department

Documents:

PF - Hiring Admin Spec PW Dept..pdf

4. Ratify The Hiring Of Community Service Officer Jason Boller

Documents:

PF-Ratify hiring CSO Jason Boller.pdf

5. Accept Resignation Of Lineworker Jonathan Engholm

Documents:

PF - Resignation of Lineworker .pdf

6. Approve Revised Assistant Planner Job Description

Documents:

PF - Revised Assistant Planner Description.pdf

7. Approve Health Insurance Memorandums Of Agreements (MOA) With Unions For 2023 Health Insurance Plans

Documents:

PF -MOA 2023 Health Plan Unions.pdf

8. Adopt Resolution Relating To Finance Transferring Certain Funds To And From Sinking Funds 301 And 313

Documents:

PF - Res. Close Bond Funds.pdf

9. Approval Of Deferment Of Assessments

Documents:

PF - Deferment of Assessments.pdf

10. Adopt Budget For Coronavirus State And Local Fiscal Recovery Funds (SLFRF)- Part Of The American Rescue Plan Act Of 2021 (ARPA)

Documents:

PF - Budget ARPA.pdf

11. Consider Setting A Budget Workshop

Documents:

PF - Budget Workshop.pdf

9. Unfinished Business

A. Adopt Resolution Adopting Contested Assessments- 2022 Nuisance Abatement

This is the held over public hearing from 10/17 of contested assessments.

Continue Public Hearing from 10/17

Adopt Resolution

Documents:

MA - Res Contested Nuisance Abatement Assessments.pdf

B. Adopt Resolution Adopting Additional Assessments- 2022 Nuisance Abatement

This is the additional nuisance roll added on 10/17.

Hold Public Hearing

Adopt Resolution

Documents:

MA - Res. Adopting Add 2022 Abatements.pdf

C. Public Hearing And Adopt Resolution For Petition To Vacate Alley Submitted By My Neighbor To Love- Alley Blocks M And E, West

Brainerd

Documents:

MA - PH and RES Vacating Alley.pdf

D. Public Hearing And Discussion Of 2022 - 2023 Downtown Snow Removal

Documents:

MA - PH and DTSS Discussion.pdf

E. Call For Applicants - Informational

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

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

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

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

Library Board -- 1 term (Expire 2023)

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

Economic Development Authority (EDA) – 1 term (Expire 2028) 1 term (Expire 2026)

10. New Business

A. Adopt Resolution Declaring Costs To Be Assessed, Ordering Preparation Of Proposed Assessment, And Ordering A Public Hearing On Proposed 2021 - 2022 Assessment Downtown Special Services District And Downtown Snow Removal

Documents:

MA - Declaring Assessment DTSS.pdf

B. Consider Preliminary Plat For Creekside Community Development

Documents:

MA - Preliminary Plat.pdf

C. Consider Conditional Use Permit For A Boarding House On NW 3rd St.

Documents:

MA - CUP Boarding House - NW 3rd St.pdf

D. Consider Conditional Use Permit For A 12-Unit Apartment On NW 3rd Street

Documents:

MA - CUP 12 Unit Apt - NW 3rd St.pdf

E. Set Special Meeting To Canvass The 2022 General Election Results

Documents:

MA - Canvass Election Results.pdf

11. Public Forum

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

12. Staff Reports

(Verbal: Any Updates since Packet)

13. Mayor's Report

14. Council Member Reports

15. Adjourn To Closed Session Pursuant To Minnesota Statute 13D.03 To Discuss Labor Negotiation Strategy.

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

MISSION

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

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 11/07/2022 - 11/07/2022

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
96121 74355	AAA EQUIPMENT CENTER X-MARK MOWER PARTS 230-5200-42220	10/18/2022 pziemer REPAIR & MAINT	11/09/2022	53.64 53.64	53.64	Open	N 11/09/2022
309966 74269	ACE HARDWARE CITY PIT GATE CHAIN 235-3100-42220	10/14/2022 pziemer REPAIR & MAINT	11/09/2022	25.16 25.16	25.16	Open	N 11/09/2022
309967 74270	ACE HARDWARE CITY PIT GATE EYE HOOK 235-3100-42220	10/14/2022 pziemer REPAIR & MAINT	11/09/2022	4.49 4.49	4.49	Open	N 11/09/2022
309978 74271	ACE HARDWARE BROOM HANDLE 237-3190-42220	10/14/2022 pziemer REPAIR & MAINT	11/09/2022	10.79 10.79	10.79	Open	N 11/09/2022
309897 74274	ACE HARDWARE CAUTION TAPE - MISC SHOP 230-5200-42220	10/12/2022 pziemer REPAIR & MAINT	11/09/2022	13.49 13.49	13.49	Open	N 11/09/2022
310070 74275	ACE HARDWARE SILICONE SEALANT 237-3190-42220	10/19/2022 pziemer REPAIR & MAINT	11/09/2022	37.75 37.75	37.75	Open	N 11/09/2022
310114 74293	ACE HARDWARE SILICONE SEALANT FOR LAUREL ST BRIDGE 235-3100-42220	10/20/2022 pziemer REPAIR & MAINT	11/09/2022	198.94 198.94	198.94	Open	N 11/09/2022
310138 74305	ACE HARDWARE EVIDENCE STORAGE BIN 225-2120-42210	10/21/2022 pziemer OPERATING SUPPLIES	11/09/2022	13.49 13.49	13.49	Open	N 11/09/2022
310170 74311	ACE HARDWARE ROTARY RASP 235-3100-42220	10/24/2022 pziemer REPAIR & MAINT	11/09/2022	7.19 7.19	7.19	Open	N 11/09/2022
309939 74318	ACE HARDWARE RED HEAT BULB 225-2220-42210	10/13/2022 pziemer OPERATING SUPPLIES	11/09/2022	10.79 10.79	10.79	Open	N 11/09/2022

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309604 74328	ACE HARDWARE DOOR HOLD KICK-DWN 211-5500-42220	10/01/2022 pziemer REPAIR & MAINT	10/09/2022	7.19 7.19	7.19	Open	N 11/09/2022
310234 74350	ACE HARDWARE BIFOCAL SAFETY READERS 230-5200-42210	10/26/2022 pziemer OPERATING SUPPLIES	11/09/2022	15.29 15.29	15.29	Open	N 11/09/2022
310318 74489	ACE HARDWARE SPRAY PAINT AND PRIMER 235-3100-42220	10/28/2022 pziemer REPAIR & MAINT	11/09/2022	44.94 44.94	44.94	Open	N 11/09/2022
310300 74495	ACE HARDWARE HEAVY DUTY TRASHBAGS 235-3100-42220	10/28/2022 pziemer REPAIR & MAINT	11/09/2022	13.99 13.99	13.99	Open	N 11/09/2022
310293 74571	ACE HARDWARE COLLEGE DR. BRIDGE PRIMER 230-5200-42220	10/28/2022 pziemer REPAIR & MAINT	11/09/2022	64.94 64.94	64.94	Open	N 11/09/2022
6574227881507 74255	ADVANCE AUTO PARTS SWEEPER 111 AMBER MARKER LIGHT 235-3100-42220	10/05/2022 pziemer REPAIR & MAINT	11/09/2022	125.28 125.28	125.28	Open	N 11/09/2022
6574229882244 74330	ADVANCE AUTO PARTS TRUCK 101 DRIVING LIGHT BULB 235-3100-42220	10/25/2022 pziemer REPAIR & MAINT	11/09/2022	5.59 5.59	5.59	Open	N 11/09/2022
6574230182357 74504	ADVANCE AUTO PARTS TRUCKS 104 AND 119 OIL FILTERS 235-3100-42220	10/28/2022 pziemer REPAIR & MAINT	11/09/2022	13.00 13.00	13.00	Open	N 11/09/2022
6574230482404 74562	ADVANCE AUTO PARTS SMALL WIRE TIES 235-3100-42220	10/31/2022 pziemer REPAIR & MAINT	11/09/2022	5.24 5.24	5.24	Open	N 11/09/2022
08863233 74317	AMERICAN WELDING-GAS INC WELDING TRIGGER ASSEMBLY 235-3100-42220	10/24/2022 pziemer REPAIR & MAINT	11/09/2022	50.27 50.27	50.27	Open	N 11/09/2022

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08867320 74406	AMERICAN WELDING-GAS INC FRICTION CHOP SAW BLADE 235-3100-42220	10/26/2022 pziemer	11/09/2022	112.23 112.23	112.23	Open	N 11/09/2022
	REPAIR & MAINT						
08894434 74565	AMERICAN WELDING-GAS INC GAS CYLINDER RENTAL 235-3100-42220	10/31/2022 pziemer	11/09/2022	80.80 80.80	80.80	Open	N 11/09/2022
	REPAIR & MAINT						
31732 74522	ANDERSON BROTHERS CONSTRU STORM SEWER FIX 238-3160-42220	10/27/2022 pziemer	11/09/2022	2,610.00 2,610.00	2,610.00	Open	N 11/09/2022
	REPAIR & MAINT						
31732-A 74523	ANDERSON BROTHERS CONSTRU STORM SEWER FIX 238-3160-42220	10/27/2022 pziemer	11/09/2022	1,500.00 1,500.00	1,500.00	Open	N 11/09/2022
	REPAIR & MAINT						
31732-B 74524	ANDERSON BROTHERS CONSTRU EMERGENCY SANITARY SEWER FIX 237-3190-42220	10/27/2022 pziemer	11/09/2022	2,500.00 2,500.00	2,500.00	Open	N 11/09/2022
	REPAIR & MAINT						
2530062858 74264	ARAMARK UNIFORM SERVICES RUGS AND OVERALLS 235-3100-43430	10/13/2022 pziemer	11/09/2022	113.53 113.53	113.53	Open	N 11/09/2022
	MISCELLANEOUS						
2530065389 74295	ARAMARK UNIFORM SERVICES RUGS AND OVERALLS 235-3100-43430	10/20/2022 pziemer	11/09/2022	81.70 81.70	81.70	Open	N 11/09/2022
	MISCELLANEOUS						
2530067962 74493	ARAMARK UNIFORM SERVICES RUGS AND OVERALLS 235-3100-43430	10/27/2022 pziemer	11/09/2022	113.53 113.53	113.53	Open	N 11/09/2022
	MISCELLANEOUS						
INV-00156-A 74298	ASL INTERPRETING SERVICES INC INTERPRETING SERVICES 225-2120-43300	10/20/2022 pziemer	11/09/2022	90.95 90.95	90.95	Open	N 11/09/2022
	PROFESSIONAL SERVICES						
X11032022/FD 74541	AT&T MOBILITY ACCT 287312856222 FD PHONES 225-2220-43321	10/25/2022 pziemer	11/09/2022	305.84 305.84	305.84	Open	N 11/09/2022
	TELEPHONE						

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X11032022 ADM 74554	AT&T MOBILITY ACCT 287292136423 ADMIN 9/26/22-10/25/22 101-1400-43321	10/25/2022 pziemer TELEPHONE	11/09/2022	99.32 99.32	99.32	Open	N 11/09/2022
X11032022/COM DEV 74555	AT&T MOBILITY ACCT 287292136423 COM DEV 9/26/22-10/25/22 101-2400-43321	10/25/2022 pziemer TELEPHONE	11/09/2022	99.32 99.32	99.32	Open	N 11/09/2022
X11032022 ENG 74556	AT&T MOBILITY ACCT 287292136423 ENG 9/26/22-10/25/22 101-1700-43321	10/25/2022 pziemer TELEPHONE	11/09/2022	275.10 275.10	275.10	Open	N 11/09/2022
X11032022 IT 74557	AT&T MOBILITY AT&T IT ACCT 287292136423 9/26/22-10/25/22 101-1800-43321	10/25/2022 pziemer TELEPHONE	11/09/2022	175.78 175.78	175.78	Open	N 11/09/2022
X11032022 PARKS 74558	AT&T MOBILITY ACCT 287292136423 PARKS 9/26/22-10/25/22 230-5200-43321	10/25/2022 pziemer TELEPHONE	11/09/2022	121.09 121.09	121.09	Open	N 11/09/2022
X11032022 STREETS 74559	AT&T MOBILITY ACCT 287292136423 STREETS 9/26/22-10/25/22 235-3100-43321 237-3190-43321	10/25/2022 pziemer TELEPHONE TELEPHONE	11/09/2022	175.78 137.55 38.23	175.78	Open	N 11/09/2022
X11032022 TRANSIT 74560	AT&T MOBILITY ACCT 287292136423 TRANSIT 9/26/22-10/25/22 203-9000-43321	10/25/2022 pziemer TELEPHONE	11/09/2022	49.66 49.66	49.66	Open	N 11/09/2022
X11032022 PD 74564	AT&T MOBILITY ACCT 287287520356 POLICE DEPT PHONES 225-2120-43309 225-2120-43321	10/25/2022 pziemer COMPUTER TECHNICAL SUPPORT TELEPHONE	11/09/2022	2,016.52 782.10 1,234.42	2,016.52	Open	N 11/09/2022
00041960 74277	BARATTO BROTHERS CONSTRUCTION INC BD Payment Refund 101-0000-21800 101-0000-36300	10/19/2022 pziemer Commercial State Surcharge - Value Commercial State Surcharge - Value	11/09/2022	49.13 47.16 1.97	49.13	Open	N 11/09/2022
P56108834 74282	BATTERIES PLUS BATTERIES 225-2120-42210	10/19/2022 pziemer OPERATING SUPPLIES	11/09/2022	21.36 21.36	21.36	Open	N 11/09/2022

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P56181940 74299	BATTERIES PLUS CREDIT - BATTERIES RETURNED 225-2120-42210	10/21/2022 pziemer	11/09/2022	(10.68) (10.68)	(10.68)	Open	N 11/09/2022
P56543222 74540	BATTERIES PLUS BATTERIES 225-2220-42210	11/01/2022 pziemer	11/09/2022	10.20 10.20	10.20	Open	N 11/09/2022
0300142 74567	BOLTON & MENK 2022 BRIDGE SAFETY INSPECTIONS 101-1700-43300	10/28/2022 pziemer	11/09/2022	2,400.00 2,400.00	2,400.00	Open	N 11/09/2022
OCT 2022 73909	BRAINERD LAKES AREA DEV C OCT 22 ECONOMIC DEVELOPMENT CONSULTING 295-6510-43300	09/28/2022 pziemer	11/09/2022	2,916.67 2,916.67	2,916.67	Open	N 11/09/2022
OCT 22 COBRA 74292	BRAINERD PUBLIC UTILITIES REMIT OCT 2022 COBRA 101-0000-20850	10/20/2022 pziemer	11/09/2022	76.20 76.20	76.20	Open	N 11/09/2022
W21540 74256	BROTHERS FIRE PROTECTION 2022 ANNUAL FIRE SPRINKLER INSPECTION 101-1940-43300	10/07/2022 pziemer	11/09/2022	335.00 335.00	335.00	Open	N 11/09/2022
143569 74272	BS&A SOFTWARE BSA ONLINE SERVICE FEE 101-1800-43309	10/19/2022 pziemer	11/09/2022	302.00 302.00	302.00	Open	N 11/09/2022
38186 74268	BUSINESS WATCH INTERNATIONAL INC 2022 APS COMPUTER SUPPORT 225-2120-43309	10/01/2022 pziemer	11/09/2022	500.00 500.00	500.00	Open	N 11/09/2022
29414288 74310	CANON FINANCIAL SERVICE 11/1/22-11/30/22 FD COPIER LEASE 225-2220-43331	10/22/2022 pziemer	11/09/2022	80.69 80.69	80.69	Open	N 11/09/2022
DH19241 74279	CDW GOVERNMENT, INC CISCO SWITCH 24 PORT X2 101-1800-42210	10/06/2022 pziemer	11/09/2022	671.70 671.70	671.70	Open	N 11/09/2022

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DL96479 74348	CDW GOVERNMENT, INC ADOBE LICENSING 11/7/22-11/6/23 101-1800-43309 101-0000-15510	10/17/2022 pziemer COMPUTER SUPPORT PREPAID OTHER	11/09/2022	2,693.09 448.85 2,244.24	2,693.09	Open	N 11/09/2022
OCT 2022 STREETS 74508	CENTERPOINT ENERGY 9/16/22-10/17/22 STREET DEPT UTILITIES 235-3100-43380	10/25/2022 pziemer UTILITIES	11/09/2022	255.20 255.20	255.20	Open	N 11/09/2022
OCT 2022 FD 74509	CENTERPOINT ENERGY 9/16/22-10/17/22 FIRE DEPT UTILITIES 225-2220-43380 225-2220-43380	10/25/2022 pziemer UTILITIES UTILITIES	11/09/2022	140.87 81.54 59.33	140.87	Open	N 11/09/2022
OCT 2022 PD 74510	CENTERPOINT ENERGY 9/16/22-10/17/22 POLICE DEPT UTILITIES 225-2120-43380	10/25/2022 pziemer UTILITIES	11/09/2022	23.52 23.52	23.52	Open	N 11/09/2022
OCT 2022 CH 74511	CENTERPOINT ENERGY 9/16/22-10/17/22 CH/ANNEX UTILITIES 101-1940-43380 101-1940-43380	10/25/2022 pziemer UTILITIES UTILITIES	11/09/2022	396.03 284.87 111.16	396.03	Open	N 11/09/2022
OCT 2022 LIB 74512	CENTERPOINT ENERGY 9/16/22-10/17/22 LIBRARY UTILITIES 211-5500-43380	10/25/2022 pziemer UTILITIES	11/09/2022	593.66 593.66	593.66	Open	N 11/09/2022
OCT 2022 PARKS 74513	CENTERPOINT ENERGY 9/16/22-10/17/22 PARKS DEPT UTILITIES 230-5200-43380	10/25/2022 pziemer UTILITIES	11/09/2022	81.54 81.54	81.54	Open	N 11/09/2022
412029-00 74525	CHAMBERLAIN OIL COMPANY NITRILE GLVOES 237-3190-42220	10/01/2022 pziemer REPAIR & MAINT	11/09/2022	250.00 250.00	250.00	Open	N 11/09/2022
0280094101222 74281	CHARTER COMMUNICATIONS REDUNDANT INTERNET 10/12/22-11/11/22 101-1800-43321	10/12/2022 pziemer TELEPHONE	11/09/2022	84.98 84.98	84.98	Open	N 11/09/2022
01308446 74242	CITY OF BRAINERD P22-0544 WATER TOWER COM. STATE SURC 400-1481-43430	10/17/2022 pziemer MISCELLANEOUS	11/09/2022	192.50 192.50	192.50	Open	N 11/09/2022

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01308892 74250	CITY OF BRAINERD P22-0831 WATER TOWER STATE SURCHARGE 400-1481-43430	10/18/2022 pziemer	11/09/2022	15.00 15.00	15.00	Open	N 11/09/2022
244711 74291	CIVICPLUS WEBSITE HOSTING 12/8/22-12/7/23 101-1800-43309 101-0000-15510	10/20/2022 pziemer	11/09/2022	2,714.85 226.24 2,488.61	2,714.85	Open	N 11/09/2022
202291 74319	CLAREY'S SAFETY EQUIPMENT OXYGEN SENSOR 225-2220-42210	10/19/2022 pziemer	11/09/2022	305.63 305.63	305.63	Open	N 11/09/2022
TRX 163 -FD 74320	CUB FOODS - BRAINERD OPEN HOUSE FOOD 225-2220-43430	10/13/2022 pziemer	11/09/2022	192.07 192.07	192.07	Open	N 11/09/2022
TRX 8 - FD 74321	CUB FOODS - BRAINERD OPEN HOUSE FOOD 225-2220-43430	10/13/2022 pziemer	11/09/2022	332.00 332.00	332.00	Open	N 11/09/2022
21:16 PAY REQ 5 74290	CUSTOM BUILDERS, INC MSP LANDING TRAILHEAD PAY REQ 5 401-9030-45530-21:16	10/19/2022 pziemer	11/09/2022	347,954.84 347,954.84	347,954.84	Open	N 11/09/2022
5423/CH 74313	CWC TREASURER 3RD QTR 22 CITY HALL EXPENSES 101-1940-42220	10/04/2022 pziemer	11/09/2022	2,156.25 2,156.25	2,156.25	Open	N 11/09/2022
5423/FD 74314	CWC TREASURER 3RD QTR 22 FIRE DEPT EXPENSES 225-2220-42221	10/04/2022 pziemer	11/09/2022	1,032.44 1,032.44	1,032.44	Open	N 11/09/2022
5423/PD 74315	CWC TREASURER 3RD QTR 2022 POLICE DEPT EXPENSE 225-2120-42220	10/04/2022 pziemer	11/09/2022	706.29 706.29	706.29	Open	N 11/09/2022
5423/LIB 74316	CWC TREASURER 3RD QTR 22 LIBRARY EXPENSES 211-5500-42220	10/04/2022 pziemer	11/09/2022	3,789.27 3,789.27	3,789.27	Open	N 11/09/2022

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1754566 74257	DAHLHEIMER BEVERAGE CLEANER/TOILET PAPER 211-5500-42220	10/10/2022 pziemer	11/09/2022	157.75 157.75	157.75	Open	N 11/09/2022
1758307 74322	DAHLHEIMER BEVERAGE OPEN HOUSE SUPPLIES 225-2220-43430	10/13/2022 pziemer	11/09/2022	32.00 32.00	32.00	Open	N 11/09/2022
31107 74415	DAY'S SEWER SERVICE, LLC OPEN HOUSE PORT TOILETS 225-2220-43430	10/17/2022 pziemer	11/09/2022	300.00 300.00	300.00	Open	N 11/09/2022
IMP 19-02 PAY REQ 3 74544	DECHANTAL EXCAVATING LLC PAY REQ 3 CUYUNA LAKES STATE TRAIL 401-1902-45530	11/01/2022 pziemer	11/09/2022	212,650.40 212,650.40	212,650.40	Open	N 11/09/2022
10624995129 74414	DELL MARKETING LP COMPUTER REPAIR DIAGNOSTICS 101-1800-42220	10/26/2022 pziemer	11/09/2022	39.00 39.00	39.00	Open	N 11/09/2022
OCT 2022 73907	DESTINATION DOWNTOWN BRAINERD COALI OCT 22 ECONOMIC DEVELOPMENT CONSULTING 295-6510-43300	09/28/2022 pziemer	11/09/2022	1,945.83 1,945.83	1,945.83	Open	N 11/09/2022
00040955 74276	DOOLEY INVESTMENTS LLC BD Payment Refund 101-2400-32210 101-0000-21800 101-0000-36300	10/19/2022 pziemer Residential Re-Roof Only Residential State Surcharge - Flat Residential State Surcharge - Flat	11/09/2022	71.00 70.00 0.96 0.04	71.00	Open	N 11/09/2022
67783/FD 74421	ENVIROTECH NOV 22 FIRE DEPT JANITORIAL SERVICES 225-2220-43300	10/27/2022 pziemer	11/09/2022	254.95 254.95	254.95	Open	N 11/09/2022
67783/CH 74422	ENVIROTECH NOV 22 CITY HALL JANITORIAL SERVICES 101-1940-43300	10/27/2022 pziemer	11/09/2022	1,890.71 1,890.71	1,890.71	Open	N 11/09/2022
67783/PD 74423	ENVIROTECH NOV 22 POLICE DEPT JANITORIAL 225-2120-43300	10/27/2022 pziemer	11/09/2022	1,344.39 1,344.39	1,344.39	Open	N 11/09/2022

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67783/STRTS 74424	ENVIROTECH NOV 22 STREET DEPT JANITORIAL 235-3100-43300	10/27/2022 pziemer	11/09/2022	254.95 254.95	254.95	Open	N 11/09/2022
MNBAX257303 74312	FASTENAL COMPANY 14.5 UV BLACK CABLE TIE 230-5200-42220	10/13/2022 pziemer	11/09/2022	41.86 41.86	41.86	Open	N 11/09/2022
1033 74323	FIRST ARRIVING LLC 1/14/23-1/13/24 DIGITAL DASHBOARD LI 225-0000-15510	10/13/2022 pziemer	11/09/2022	838.80 838.80	838.80	Open	N 11/09/2022
85801 74329	FIRST IMPRESSION PRINTING RENTAL HOUSING CORRECTION NOTICES 101-2400-42210	10/19/2022 pziemer	11/09/2022	315.40 315.40	315.40	Open	N 11/09/2022
103422712 74515	FLEETPRIDE VEHICLE INSP. BOOKS - LESS SALES TAX 235-3100-42220	10/31/2022 pziemer	11/09/2022	62.25 62.25	62.25	Open	N 11/09/2022
110287-1 74258	FORUM COMMUNICATIONS COMPANY NOH: COND. USE - KINNEY 101-2400-43350	10/08/2022 pziemer	11/09/2022	68.75 68.75	68.75	Open	N 11/09/2022
110294-1 74259	FORUM COMMUNICATIONS COMPANY NOH: VARIANCE REQ. WIESE 101-2400-43350	10/07/2022 pziemer	11/09/2022	49.52 49.52	49.52	Open	N 11/09/2022
110260-1 74260	FORUM COMMUNICATIONS COMPANY NOH: PRELIMINARY PLATT - KINNEY 101-2400-43350	10/07/2022 pziemer	11/09/2022	77.19 77.19	77.19	Open	N 11/09/2022
110268-1 74261	FORUM COMMUNICATIONS COMPANY NOH: COND. USE - KINNEY 101-2400-43350	10/07/2022 pziemer	11/09/2022	65.15 65.15	65.15	Open	N 11/09/2022
110179-1 74262	FORUM COMMUNICATIONS COMPANY ORD 1538 - CITY CHARTER 101-9200-43350	10/07/2022 pziemer	11/09/2022	133.23 133.23	133.23	Open	N 11/09/2022

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110045-1 74263	FORUM COMMUNICATIONS COMPANY ORD 1537 - CITY CHARTER 101-9200-43350	10/07/2022 pziemer LEGAL PUBLICATIONS	11/09/2022	302.31 302.31	302.31	Open	N 11/09/2022
110204-1 74267	FORUM COMMUNICATIONS COMPANY ORD 1635 CITY CHARTER - WARDS 101-9200-43350	10/13/2022 pziemer LEGAL PUBLICATIONS	11/09/2022	268.18 268.18	268.18	Open	N 11/09/2022
113714-1 74349	FORUM COMMUNICATIONS COMPANY NOTICE: TITLE VI TRANSIT 203-9000-43350	10/12/2022 pziemer PRINTING/LEGAL PUBLICATION	11/09/2022	47.03 47.03	47.03	Open	N 11/09/2022
112137-1 74518	FORUM COMMUNICATIONS COMPANY NOH: DTSR CORRECTION HEARING 401-1003-43350	10/26/2022 pziemer LEGAL PUBLICATIONS	11/09/2022	69.98 69.98	69.98	Open	N 11/09/2022
112135-1 74519	FORUM COMMUNICATIONS COMPANY NOH: ALLEY VACATION KINNEY 101-1700-43350	10/26/2022 pziemer PRINTING/LEGAL PUBLICATION	11/09/2022	77.18 77.18	77.18	Open	N 11/09/2022
113419-1 74520	FORUM COMMUNICATIONS COMPANY NOH: NUISANCES 101-22-A 101-2400-43350	10/25/2022 pziemer PRINTING/LEGAL PUBLICATION	11/09/2022	160.46 160.46	160.46	Open	N 11/09/2022
MP3161231022 74575	FORUM COMMUNICATIONS COMPANY PW ADMIN & ENG TECH JOB POSTINGS 101-1700-43350 101-1700-43350	10/31/2022 pziemer PRINTING/LEGAL PUBLICATION PRINTING/LEGAL PUBLICATION	11/09/2022	1,320.00 770.00 550.00	1,320.00	Open	N 11/09/2022
06625023-00 74278	GOODIN COMPANY SEWER PARTS 237-3190-42220	10/14/2022 pziemer SANITARY SEWER CLEANOUT REPAIR	11/09/2022	36.98 36.98	36.98	Open	N 11/09/2022
36245 74416	GRAND FORKS FIRE EQUIPMENT LLC STRUCTURAL FF BOOTS 225-2220-42250	10/24/2022 pziemer PERSONAL PROTECTIVE GEAR	11/09/2022	546.37 546.37	546.37	Open	N 11/09/2022
154012126-1 74283	GRANITE ELECTRONICS SQD 436 - RADIO REPAIR 225-2120-42221	10/05/2022 pziemer SQUAD CAR REPAIR SUPPLIES	11/09/2022	240.35 240.35	240.35	Open	N 11/09/2022

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150012158-1 74324	GRANITE ELECTRONICS PAGERS X2 *DONATION 404-9055-43430	10/17/2022 pziemer	11/09/2022	936.00 936.00	936.00	Open	N 11/09/2022
136000182-1 74325	GRANITE ELECTRONICS PAGER BELT AND ANTENNA 225-2220-42210	10/18/2022 pziemer	11/09/2022	47.70 47.70	47.70	Open	N 11/09/2022
OCT 2022 74530	HEARTLAND ANIMAL RESCUE OCT 2022 ANIMAL BOARDING/ADMIN FEE 225-2700-43430 225-2700-43300	10/31/2022 pziemer	11/09/2022	2,880.00 1,068.00 1,812.00	2,880.00	Open	N 11/09/2022
3035420 74531	HEARTLAND TIRE INC. SQD 428 TIRES 225-2120-42221	10/03/2022 pziemer	11/09/2022	739.96 739.96	739.96	Open	N 11/09/2022
3035421 74532	HEARTLAND TIRE INC. SQD 434 - TIRE REPAIR 225-2120-42221	10/03/2022 pziemer	11/09/2022	37.55 37.55	37.55	Open	N 11/09/2022
3035601 74533	HEARTLAND TIRE INC. SQD 435 - TIRE REPAIR 225-2120-42221	10/11/2022 pziemer	11/09/2022	37.55 37.55	37.55	Open	N 11/09/2022
23915 74243	HENGEL CONSTRUCTION CONCRETE FOR 2 MEMORIAL BENCHES 230-5200-42220	10/13/2022 pziemer	11/09/2022	152.00 152.00	152.00	Open	N 11/09/2022
24089 74356	HENGEL CONSTRUCTION CONCRETE FOR MEMORIAL BENCHES 230-5200-42220	10/19/2022 pziemer	11/09/2022	187.00 187.00	187.00	Open	N 11/09/2022
9/30/22 74247	HILLMAN, CONNIE REIMBURSE MILEAGE - MNGFOA CONFERENCE 101-1400-43330	10/01/2022 pziemer	11/09/2022	113.75 113.75	113.75	Open	N 11/09/2022
68842 74249	HOLDEN ELECTRIC PAY REQ 3 - ST & SWR ADDITION 400-2001-45530	10/18/2022 pziemer	11/09/2022	10,910.00 10,910.00	10,910.00	Open	N 11/09/2022

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10/26/22 74417	HOLMES, TIM MSFCA - PARKING REIMBURSEMENT 225-2220-43330	10/22/2022 pziemer	11/09/2022	20.00 20.00	20.00	Open	N 11/09/2022
156567 74303	HRGREEN IMP 21-15 BUFFALO HILLS GULLY THRU 9/ 401-9030-43300-21:15	10/21/2022 pziemer	11/09/2022	1,663.50 1,663.50	1,663.50	Open	N 11/09/2022
156566 74304	HRGREEN IMP 21-11 MS4 UPDATE THRU 9/30/22 401-9030-43300-21:11	10/21/2022 pziemer	11/09/2022	975.00 975.00	975.00	Open	N 11/09/2022
13199 74552	HYTEC CONSTRUCTION INC PAY REQ 2 BRD WATER TOWER REPAIRS 400-1481-45530	10/26/2022 pziemer	11/09/2022	104,975.00 104,975.00	104,975.00	Open	N 11/09/2022
41644 74252	INDEPENDENT TESTING TECHNOLOGIES IMP 19-02 PROF SVCS 401-1902-43300	10/15/2022 pziemer	11/09/2022	2,360.00 2,360.00	2,360.00	Open	N 11/09/2022
IN3977590 74300	INNOVATIVE OFFICE SOLUTIONS LLC EVIDENCE LABELS 225-2120-42210	10/21/2022 pziemer	11/09/2022	31.50 31.50	31.50	Open	N 11/09/2022
IN3980357 74353	INNOVATIVE OFFICE SOLUTIONS LLC OFFICE SUPPLIES - PRINTER TONER 225-2120-42200	10/25/2022 pziemer	11/09/2022	243.99 243.99	243.99	Open	N 11/09/2022
IN145239 74326	JEFFERSON FIRE & SAFETY WILDLAND HELMETS X2 *DNR GRANT 225-2220-42250	10/12/2022 pziemer	11/09/2022	553.30 553.30	553.30	Open	N 11/09/2022
4328 74354	KELLY'S SERVICE SQD 435 BATTERY 225-2120-42221	10/24/2022 pziemer	11/09/2022	249.95 249.95	249.95	Open	N 11/09/2022
10/12/22 74405	KITCHIGAMI REGIONAL LIBRARY - CC 9/15/22-10/12/22 REMIT LIBRARY CC CH/pziemer 211-0000-20800	10/12/2022	11/09/2022	132.70 132.70	132.70	Open	N 11/09/2022

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037015 74517	L & M STEEL METAL TUBES 235-3125-42220	10/24/2022 pziemer REPAIR & MAINT	11/09/2022	196.34 196.34	196.34	Open	N 11/09/2022
20221011 #520 74346	LAKES AREA MAT SERVICE INC POLICE DEPT FLOOR MATS 225-2120-43300	10/11/2022 pziemer PROFESSIONAL SERVICES	11/09/2022	42.92 42.92	42.92	Open	N 11/09/2022
20221025 #520 74347	LAKES AREA MAT SERVICE INC POLICE DEPT FLOOR MATS 225-2120-43300	10/25/2022 pziemer PROFESSIONAL SERVICES	11/09/2022	42.92 42.92	42.92	Open	N 11/09/2022
20221011 #522 74403	LAKES AREA MAT SERVICE INC CITY HALL FLOOR MATS 101-1940-43410	10/11/2022 pziemer RENTAL EXPENSE	11/09/2022	44.08 44.08	44.08	Open	N 11/09/2022
20221025 #522 74404	LAKES AREA MAT SERVICE INC CITY HALL FLOOR MATS 101-1940-43410	10/25/2022 pziemer RENTAL EXPENSE	11/09/2022	44.08 44.08	44.08	Open	N 11/09/2022
OCT 2022 74296	LAKES AREA WILDLIFE CONTROL ANIMAL CONTROL CONTRACT OCT 2022 225-2700-43300	10/21/2022 pziemer PROFESSIONAL SERVICES	11/09/2022	2,987.00 2,987.00	2,987.00	Open	N 11/09/2022
00023269 74419	LAKES PRINTING WALL POSTER - ZONING MAP 101-2400-42210	10/01/2022 pziemer OPERATING SUPPLIES	11/09/2022	37.90 37.90	37.90	Open	N 11/09/2022
2183163634102722 74494	LIND MASONRY AND CONSTRUCTION PD COLD STORAGE 400-9050-45500-22:40	10/27/2022 pziemer CAPITAL OUTLAY	11/09/2022	121,155.64 121,155.64	121,155.64	Open	N 11/09/2022
218316363411222 74543	LIND MASONRY AND CONSTRUCTION PD IMPOUND BUILDING 400-9050-45500-22:40	11/02/2022 pziemer CAPITAL OUTLAY	11/09/2022	4,980.00 4,980.00	4,980.00	Open	N 11/09/2022
0303607-IN 74351	LOCATORS - SUPPLIES INC TJ LOKHORST RAIN AND COLD WEATHER GE 235-3100-42220	10/25/2022 pziemer REPAIR & MAINT	11/09/2022	289.95 289.95	289.95	Open	N 11/09/2022

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P45650 74492	MACQUEEN EQUIPMENT INC SWEEPER 111 MARKER LIGHT ASSEMBLY 235-3100-42220	10/27/2022 pziemer	11/09/2022	100.94 100.94	100.94	Open	N 11/09/2022
INV10450175 74273	MARCO REPLACEMENT DESK PHONES 7841X23 400-9050-45530	10/11/2022 pziemer	11/09/2022	1,866.45 1,866.45	1,866.45	Open	N 11/09/2022
INV10520260 74566	MARCO MICROSOFT 365 9/16/22-10/15/22 101-1800-43309	10/30/2022 pziemer	11/09/2022	2,312.00 2,312.00	2,312.00	Open	N 11/09/2022
484629134 74245	MARCO FINANCING CITY HALL COPIER LEASE 3RD FLOOR 11/1 101-1800-43331 101-0000-15510	10/19/2022 pziemer	11/09/2022	1,306.95 871.30 435.65	1,306.95	Open	N 11/09/2022
85502 74577	MENARDS WIRING HARNESS AND FLASHLIGHT 238-3160-42220	11/03/2022 pziemer	11/09/2022	56.48 56.48	56.48	Open	N 11/09/2022
84109 74309	MENARDS - BAXTER HARDWARE-MEMORIAL BENCHES 230-5200-42220	10/12/2022 pziemer	11/09/2022	134.67 134.67	134.67	Open	N 11/09/2022
PAY REQ 1 20-07 74251	MICHEL'S TRENCHLESS INC IMP 20-07 PAY REQ 1 401-9030-45530-20:07	10/19/2022 pziemer	11/09/2022	263,167.10 263,167.10	263,167.10	Open	N 11/09/2022
9388583 74572	MIDWEST MACHINERY CO OIL -MISC SHOP 230-5200-42220	10/26/2022 pziemer	11/09/2022	130.05 130.05	130.05	Open	N 11/09/2022
574166 74521	MILLS MOTORS INC T4 ENGINE LEAK 225-2220-42220	10/31/2022 pziemer	11/09/2022	266.35 266.35	266.35	Open	N 11/09/2022
P00016152 74294	MN DEPT OF TRANSPORTATION COLLEGE/QUINCE TRAFFIC SIGNAL REPAIR 235-3100-42220	10/18/2022 pziemer	11/09/2022	241.63 241.63	241.63	Open	N 11/09/2022

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1411001578 74301	MOTOROLA EVIDENCE LIBRARY STORAGE 224-2150-42210	10/20/2022 pziemer	11/09/2022	700.32 700.32	700.32	Open	N 11/09/2022
514095 74516	MUTT MITT 24 CASES MUTT MITTS 230-5200-42220	10/31/2022 pziemer	11/09/2022	2,795.02 2,795.02	2,795.02	Open	N 11/09/2022
551649 74248	NAPA AUTO PARTS VAC TRUCK HYDRAULIC FITTINGS 237-3190-42220	10/17/2022 pziemer	11/09/2022	52.33 52.33	52.33	Open	N 11/09/2022
1118914-0 74526	OFFICE SHOP WHITE BOARD ERASERS, CITY HALL 101-1940-42200	10/31/2022 pziemer	11/09/2022	5.98 5.98	5.98	Open	N 11/09/2022
1118827-1 74527	OFFICE SHOP ELECTIONS - BATTERIES FOR VOTING BOOTH 101-1410-43430	10/31/2022 pziemer	11/09/2022	56.24 56.24	56.24	Open	N 11/09/2022
1118827-0 74570	OFFICE SHOP BATTERIES - ELECTION VOTING BOOTHS 101-1410-43430	10/27/2022 pziemer	11/09/2022	112.48 112.48	112.48	Open	N 11/09/2022
1647-157317 74573	O'REILLY AUTOMOTIVE STORES INC. MOTOR OIL, SHOP TOWELS, ADDITIVES 230-5200-42220	11/02/2022 pziemer	11/09/2022	138.34 138.34	138.34	Open	N 11/09/2022
82962 74244	PIKE PLUMBING AND HEATING LIFT VENTILATOR/MOTOR 235-3100-42220	10/12/2022 pziemer	11/09/2022	812.77 812.77	812.77	Open	N 11/09/2022
28460375 74302	QUILL CORPORATION COPY PAPER 225-2120-42200	10/19/2022 pziemer	11/09/2022	213.90 213.90	213.90	Open	N 11/09/2022
SEPT 2022 74514	RATWIK, ROSZAK AND MALONEY SEPT 22 RETAINER/SPEC. SERVICES 101-1610-43301 101-0000-14100 101-1610-43301 401-1902-43300	10/01/2022 pziemer	11/09/2022	9,235.80 4,894.30 31.00 3,262.50 279.00	9,235.80	Open	N 11/09/2022

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	GL Distribution						
	401-1609-43300	PROFESSIONAL SERVICES		180.00			
	101-0000-14100	DUE FROM COMPONENT UNIT		589.00			
317-53513 74352	ROYAL TIRE INC SWEEPER 111 TIRE REPAIR 235-3100-42220	10/26/2022 pziemer REPAIR & MAINT	11/09/2022	62.12 62.12	62.12	Open	N 11/09/2022
10/13/22 74284	RUNDE, ANTHONY REIMB T2D CONFERENCE HOTEL/MEALS 225-2120-43330	10/13/2022 pziemer PROFESSIONAL DEVELOPMENT	11/09/2022	130.12 130.12	130.12	Open	N 11/09/2022
OCT 2022 74297	SEVERSON PORTER LAW PROSECUTION AGREEMENT OCT 2022 225-2127-43310	10/21/2022 pziemer MISDEMEANOR PROSECUTOR	11/09/2022	16,517.09 16,517.09	16,517.09	Open	N 11/09/2022
434764 74253	SHORT ELLIOTT HENDRICKSON IMP 19-02 NP/CUYUNA TRAIL 401-1902-43300	10/15/2022 pziemer PROFESSIONAL SERVICES	11/09/2022	22,277.37 22,277.37	22,277.37	Open	N 11/09/2022
434651 74254	SHORT ELLIOTT HENDRICKSON IMP 20-07 BRD MN I&I SEWER STUDY 401-9030-43300-20:07	10/12/2022 pziemer PROFESSIONAL SERVICES	11/09/2022	15,383.35 15,383.35	15,383.35	Open	N 11/09/2022
2608 74265	STOUT HYDROSEEDING & FERTILIZING FERTILIZING AND WEED CONTROL 101-1940-42220	10/14/2022 pziemer REPAIR & MAINT	11/09/2022	80.00 80.00	80.00	Open	N 11/09/2022
2613 74266	STOUT HYDROSEEDING & FERTILIZING FERTILIZING AND WEED CONTROL 225-2120-43300	10/14/2022 pziemer PROFESSIONAL SERVICES	11/09/2022	100.00 100.00	100.00	Open	N 11/09/2022
2612 74327	STOUT HYDROSEEDING & FERTILIZING FERTILIZING STATION 1 & 2 225-2220-43300	10/14/2022 pziemer PROFESSIONAL SERVICES	11/09/2022	200.00 200.00	200.00	Open	N 11/09/2022
I1594733 74285	STREICHERS PROF EQUIP 715 - UNIFORM PANTS 225-2120-41113	10/12/2022 pziemer UNIFORM ALLOWANCE	11/09/2022	82.98 82.98	82.98	Open	N 11/09/2022
I1594922 74286	STREICHERS PROF EQUIP 711NK - INITIAL ISSUE 225-2120-41113	10/13/2022 pziemer UNIFORM ALLOWANCE	11/09/2022	134.98 134.98	134.98	Open	N 11/09/2022

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I1594925 74287	STREICHERS PROF EQUIP 702 - UNIFORM PANTS 225-2120-41113	10/13/2022 pziemer	11/09/2022	169.98	169.98	Open	N 11/09/2022
	UNIFORM ALLOWANCE			169.98			
I1595228 74288	STREICHERS PROF EQUIP 711NK - INITIAL ISSUE 225-2120-41113	10/14/2022 pziemer	11/09/2022	64.99	64.99	Open	N 11/09/2022
	UNIFORM ALLOWANCE			64.99			
I1595229 74289	STREICHERS PROF EQUIP 711NK - INITIAL ISSUE 225-2120-41113	10/14/2022 pziemer	11/09/2022	129.98	129.98	Open	N 11/09/2022
	UNIFORM ALLOWANCE			129.98			
CM293988 74306	STREICHERS PROF EQUIP CREDIT 727 RETURNED UNIFORM PANTS 225-2120-41113	10/10/2022 pziemer	11/09/2022	(169.98)	(169.98)	Open	N 11/09/2022
	UNIFORM ALLOWANCE			(169.98)			
I1591147 74307	STREICHERS PROF EQUIP 703 - UNIFORM SHIRT 225-2120-41113	10/01/2022 pziemer	11/09/2022	69.98	69.98	Open	N 11/09/2022
	UNIFORM ALLOWANCE			69.98			
I1591222 74308	STREICHERS PROF EQUIP 727 UNIFORM PANTS 225-2120-41113	10/01/2022 pziemer	11/09/2022	182.97	182.97	Open	N 11/09/2022
	UNIFORM ALLOWANCE			182.97			
I1596584 74418	STREICHERS PROF EQUIP 776JB - CSO UNIFORM NAMEPLATE 225-2121-41113	10/21/2022 pziemer	11/09/2022	43.97	43.97	Open	N 11/09/2022
	UNIFORM ALLOWANCE			43.97			
I1596906 74490	STREICHERS PROF EQUIP 711NK -UNIFORM UNDER VEST SHIRTS 225-2120-41113	10/25/2022 pziemer	11/09/2022	159.97	159.97	Open	N 11/09/2022
	UNIFORM ALLOWANCE			159.97			
I1597097 74491	STREICHERS PROF EQUIP 776JB - CSO UNIFORM BOOTS 225-2121-41113	10/25/2022 pziemer	11/09/2022	145.00	145.00	Open	N 11/09/2022
	UNIFORM ALLOWANCE			145.00			
OCT 2022 73910	SWANSON HASKAMP CONSULTING OCT 22 ECONOMIC DEVELOPMENT CONSULTING 295-6510-43300	09/28/2022 pziemer	11/09/2022	2,658.33	2,658.33	Open	N 11/09/2022
	PROFESSIONAL SERVICES			2,658.33			

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20220272 74503	TWM ARCHITECTURE KIWANIS PARK IMPROVEMENTS 400-9050-45530	10/25/2022 pziemer CAPITAL - OTHER	11/09/2022	1,237.50 1,237.50	1,237.50	Open	N 11/09/2022
6701285 74413	U.S. BANK GO IMP BONDS 2021A 101-0000-14100 305-7610-46620	10/25/2022 pziemer DUE FROM COMPONENT UNIT PAYING AGENT FEES	11/09/2022	500.00 380.00 120.00	500.00	Open	N 11/09/2022
019/228 2023 74246	USA NORTHLAND DIRECTORIES 2023 ADVERTISING 203-0000-15510	10/19/2022 pziemer PREPAID OTHER	11/09/2022	599.00 599.00	599.00	Open	N 11/09/2022
9918885727/HR 74528	VERIZON WIRELESS 9/24/22-10/23/22 HR PHONE 101-1400-43321	10/23/2022 pziemer TELEPHONE	11/09/2022	46.15 46.15	46.15	Open	N 11/09/2022
9918885727/PK 74529	VERIZON WIRELESS 9/24/22-10/23/22 PARKS CELL PHONES 230-5200-43321	10/23/2022 pziemer TELEPHONE	11/09/2022	86.16 86.16	86.16	Open	N 11/09/2022
OCT 2022 73908	VISIT BRAINERD OCT 22 ECONOMIC DEVELOPMENT CONSULTING 295-6510-43300	09/28/2022 pziemer PROFESSIONAL SERVICES	11/09/2022	2,937.50 2,937.50	2,937.50	Open	N 11/09/2022
2AX81845 74545	WASTE PARTNERS INC OCT 22 CITY HALL WASTE REMOVAL 101-1940-43380	10/31/2022 pziemer UTILITIES	11/09/2022	144.36 144.36	144.36	Open	N 11/09/2022
2AX81846 74546	WASTE PARTNERS INC OCT 22 DOWNTOWN WASTE REMOVAL 401-1003-43300	10/31/2022 pziemer PROFESSIONAL SERVICES	11/09/2022	222.77 222.77	222.77	Open	N 11/09/2022
2AX81844 74547	WASTE PARTNERS INC OCT 22 FIRE DEPT WASTE REMOVAL 225-2220-43380	10/31/2022 pziemer UTILITIES	11/09/2022	105.30 105.30	105.30	Open	N 11/09/2022
2AX81847 74548	WASTE PARTNERS INC OCT 22 POLICE DEPT WASTE REMOVAL 225-2120-43380	10/31/2022 pziemer UTILITIES	11/09/2022	124.45 124.45	124.45	Open	N 11/09/2022

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2AX81842 74549	WASTE PARTNERS INC OCT 22 PARKS WASTE REMOVAL 230-5200-43380 UTILITIES	10/31/2022 pziemer	11/09/2022	476.19 476.19	476.19	Open	N 11/09/2022
2AX81843 74550	WASTE PARTNERS INC OCT 22 STREET DEPT WASTE REMOVAL 235-3100-43380 UTILITIES	10/31/2022 pziemer	11/09/2022	99.45 99.45	99.45	Open	N 11/09/2022
2AX81848 74551	WASTE PARTNERS INC OCT 22 WASTE OIL REMOVAL 227-3230-43428 USED OIL RECYCLING EXPENSE	10/31/2022 pziemer	11/09/2022	64.35 64.35	64.35	Open	N 11/09/2022
044269 74505	WEST BRAINERD AUTO SERVICE TOW: DRUG CASE 22014468 223-2140-42210 OPERATING SUPPLIES	10/30/2022 pziemer	11/09/2022	40.00 40.00	40.00	Open	N 11/09/2022
12413 74420	WINNERS TROPHY 2023 DOG TAGS 101-1400-42210 OPERATING SUPPLIES	10/27/2022 pziemer	11/09/2022	315.90 315.90	315.90	Open	N 11/09/2022
R-018999-000-13 74563	WSB & ASSOCIATES IMP 21:16 MSP LANDING TRAILHEAD SEPT 401-9030-43300-21:16 PROFESSIONAL SERVICES	10/31/2022 pziemer	11/09/2022	26,616.00 26,616.00	26,616.00	Open	N 11/09/2022
R-020548-000-4 74576	WSB & ASSOCIATES HARRISON SRTS PROF SVCS SEPT 22 401-1708-43300 PROFESSIONAL SERVICES	10/31/2022 pziemer	11/09/2022	1,179.50 1,179.50	1,179.50	Open	N 11/09/2022
0191079-IN 74280	ZARNOTH BRUSH WORKS INC 71" POLY CABLEWRAP BROOM REFILL-SKID 230-5200-42220 REPAIR & MAINT	10/01/2022 pziemer	11/09/2022	524.00 524.00	524.00	Open	N 11/09/2022
PCard: 2257 U.S. BANK Card Holder: CITY HALL							
10/6/22 74334	AMAZON RACK MOUNT KIT 101-1800-42210 OPERATING SUPPLIES	10/06/2022 pziemer	11/09/2022	37.98 37.98	37.98	Open	N 11/09/2022
10/3/22 74335	AMAZON AWS SEPT 2022 101-1800-43309 COMPUTER SUPPORT	10/03/2022 pziemer	11/09/2022	215.29 215.29	215.29	Open	N 11/09/2022

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10/12/22 74340	AMAZON EARBUDS & SCREEN PROTECTOR 101-1800-42210	10/12/2022 pziemer OPERATING SUPPLIES	11/09/2022	25.96 25.96	25.96	Open	N 11/09/2022
09/29/22 74341	AMAZON FULL BODY HARNESS 237-3190-42220	10/01/2022 pziemer SIZE LARGE SAFETY HARNESS	11/09/2022	486.62 486.62	486.62	Open	N 11/09/2022
9/30/22 74401	ARROWWOOD RESORT MNGFOA CONF. STAY - C.HILLMAN 101-1400-43330	10/01/2022 pziemer PROFESSIONAL DEVELOPMENT	11/09/2022	408.63 408.63	408.63	Open	N 11/09/2022
10/7/2022 74336	ICMA MEMBERSHIP RENEWALS ANNUAL MEMBERSHIP - BERGMAN 101-1400-43433	10/07/2022 pziemer DUES & SUBSCRIPTIONS	11/09/2022	837.00 837.00	837.00	Open	N 11/09/2022
10/18/22 74333	ZOOM VIDEO COMMUNICATIONS ZOOM 10/18/22-11/17/22 101-1800-43309	10/18/2022 pziemer COMPUTER SUPPORT	11/09/2022	29.98 29.98	29.98	Open	N 11/09/2022
Total PCard: 2257 U.S. BANK Card Holder: CITY HALL				2,041.46	2,041.46		

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PCard: 2257 U.S. BANK Card Holder: FIRE							
9/26/22 74357	AMAZON SHOWER CURTAINS 225-2220-42210	10/01/2022 pziemer OPERATING SUPPLIES	11/09/2022	59.76 59.76	59.76	Open	N 11/09/2022
9/30/22 74359	AMAZON HOSE REEL CART 225-2220-42210	10/01/2022 pziemer OPERATING SUPPLIES	11/09/2022	60.00 60.00	60.00	Open	N 11/09/2022
9/30/22 - 2 74366	AMAZON TWIST NOZZLE, GARDEN HOSE 225-2220-42210	10/01/2022 pziemer OPERATING SUPPLIES	11/09/2022	78.56 78.56	78.56	Open	N 11/09/2022
10/17/22 74367	APPLE SIMSUSHARE APP 225-2220-43330	10/17/2022 pziemer PROFESSIONAL DEVELOPMENT	11/09/2022	10.78 10.78	10.78	Open	N 11/09/2022
10/19/22 74369	APPLE CREDIT - RETURN OF SALES TAX 225-2220-43330	10/19/2022 pziemer PROFESSIONAL DEVELOPMENT	11/09/2022	(0.79) (0.79)	(0.79)	Open	N 11/09/2022
10/18/22 74368	DIGI-KEY SWITCH TOGGLE 225-2220-42210	10/18/2022 pziemer OPERATING SUPPLIES	11/09/2022	34.61 34.61	34.61	Open	N 11/09/2022
09/30/22 74365	FIRESTORE ONLINE INC. CREDIT SALES TAX FROM PREVIOUS CHARGE 225-2220-42250	10/01/2022 pziemer PERSONAL PROTECTIVE GEAR	11/09/2022	(26.23) (26.23)	(26.23)	Open	N 11/09/2022
9/30/22 74358	FORESTRY SUPPLIERS WILDLAND BACKPACK FIRE PUMPS X10 *DNE 225-2220-42210	10/01/2022 pziemer OPERATING SUPPLIES	11/09/2022	1,985.95 1,985.95	1,985.95	Open	N 11/09/2022
10/22/22 74362	HOLIDAY INN FIRE CHIEFS CONFERENCE - SCHELLIN 225-2220-43330	10/22/2022 pziemer PROFESSIONAL DEVELOPMENT	11/09/2022	409.48 409.48	409.48	Open	N 11/09/2022
10/22/22 - 2 74363	HOLIDAY INN FIRE CHIEFS CONFERENCE - RUBADO 225-2220-43330	10/22/2022 pziemer PROFESSIONAL DEVELOPMENT	11/09/2022	409.48 409.48	409.48	Open	N 11/09/2022

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74364	HOLIDAY INN	10/22/2022	11/09/2022	614.22	614.22	Open	N
	FIRE CHIEFS CONFERENCE - COX	pziemer					11/09/2022
	225-2220-43330	PROFESSIONAL DEVELOPMENT		614.22			

10/12/22

74360	HOME DEPOT	10/12/2022	11/09/2022	25.96	25.96	Open	N
	MUMS FOR FIREHOUSE	pziemer					11/09/2022
	225-2220-42210	OPERATING SUPPLIES		25.96			

10/19/22

74361	HOME DEPOT	10/19/2022	11/09/2022	270.19	270.19	Open	N
	SMOKE AND CO ALARMS * DONATED FUNDS	pziemer					11/09/2022
	225-2220-42210	OPERATING SUPPLIES		270.19			

10/10/22

74370	PARTY WORLD	10/10/2022	11/09/2022	13.47	13.47	Open	N
	RIBBONS FOR OPEN HOUSE SUPPLIES	pziemer					11/09/2022
	225-2220-43430	MISCELLANEOUS		13.47			

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3,945.44

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PCard: 2257 U.S. BANK Card Holder: LIBRARY							
9/30/22 - 3 74395	AMAZON SAFETY SUPPLIES 211-5500-42220	10/01/2022 pziemer	11/09/2022	24.85	24.85	Open	N 11/09/2022
	REPAIR & MAINT			24.85			
9/30/22 - 4 74396	AMAZON OFFICE/PROGRAM SUPPLIES 211-5501-43430	10/01/2022 pziemer	11/09/2022	39.55	39.55	Open	N 11/09/2022
	MISC - SPECIFIED DONATION USE			39.55			
10/04/22 74397	MAILCHIMP MONTHLY EMAIL SUBSCRIPTION 211-5503-43430	10/04/2022 pziemer	11/09/2022	34.00	34.00	Open	N 11/09/2022
	MISC - USE OF HOLDEN TRUST			34.00			
10/11/22 74400	MENARDS LEAF BLOWER 211-5500-42220	10/11/2022 pziemer	11/09/2022	39.01	39.01	Open	N 11/09/2022
	REPAIR & MAINT			39.01			
10/4/22 74402	MN DRIVERS MANUALS MN DRIVERS MANUALS 211-5505-43430	10/04/2022 pziemer	11/09/2022	328.71	328.71	Open	N 11/09/2022
	MISC - COPY MACHINE PYMTS			328.71			
10/11/22 74399	TARGET VOLUNTEER APPRECIATION - FOOD 211-5501-43430	10/11/2022 pziemer	11/09/2022	35.56	35.56	Open	N 11/09/2022
	MISC - SPECIFIED DONATION USE			35.56			
10/11/22 74398	USPS POSTAGE 211-5500-43322	10/11/2022 pziemer	11/09/2022	84.00	84.00	Open	N 11/09/2022
	POSTAGE			84.00			
Total PCard: 2257 U.S. BANK Card Holder: LIBRARY				585.68	585.68		

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

10/10/22 74344	BOYS-N-BERRIES PUMPKINS- GREAT PUMPKIN FESTIVAL 230-5211-42210	10/10/2022 pziemer	11/09/2022	90.00	90.00	Open	N 11/09/2022
	OPERATING SUPPLIES			90.00			
9/29/22 74337	COSTCO CONCESSIONS - BUNS 230-5204-42210	10/01/2022 pziemer	11/09/2022	8.58	8.58	Open	N 11/09/2022
	OPERATING SUPPLIES			8.58			
10/14/22 74338	COSTCO SPECIAL EVENTS TABLE 230-5211-42210	10/14/2022 pziemer	11/09/2022	69.99	69.99	Open	N 11/09/2022
	OPERATING SUPPLIES			69.99			
10/14/22 74339	PARTY WORLD GREAT PUMPKIN FESTIVAL - SPECIAL EVENT 230-5211-42210	10/14/2022 pziemer	11/09/2022	425.77	425.77	Open	N 11/09/2022
	OPERATING SUPPLIES			425.77			
10/21/22 74345	WALGREEN CO PHOTO DEVELOPING - TROPHIES 230-5212-42210	10/21/2022 pziemer	11/09/2022	3.80	3.80	Open	N 11/09/2022
	OPERATING SUPPLIES			0.38			
	OPERATING SUPPLIES			3.42			
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PCard: 2257 U.S. BANK Card Holder: POLICE							
9/29/22 74374	AMAZON FLASHDRIVES 225-2120-42210	10/01/2022 pziemer OPERATING SUPPLIES	11/09/2022	42.48 42.48	42.48	Open	N 11/09/2022
10/11/22 74383	AMAZON SD MEDIA CARDS 225-2120-42210	10/11/2022 pziemer OPERATING SUPPLIES	11/09/2022	119.98 119.98	119.98	Open	N 11/09/2022
10/10/22 74382	BCA CJTE UNIT 729 - DMT RECERT 225-2120-43330	10/10/2022 pziemer PROFESSIONAL DEVELOPMENT	11/09/2022	75.00 75.00	75.00	Open	N 11/09/2022
10/15/22 74388	BCA CJTE UNIT 718 - DMT RECERT 225-2120-43330	10/15/2022 pziemer PROFESSIONAL DEVELOPMENT	11/09/2022	75.00 75.00	75.00	Open	N 11/09/2022
9/28/22 74373	CITY OF ST. CLOUD MH - BCA USER CONF. PARKING DAY 2 225-2120-43330	10/01/2022 pziemer PROFESSIONAL DEVELOPMENT	11/09/2022	7.50 7.50	7.50	Open	N 11/09/2022
10/12/22 74384	COUNTRY INN & SUITES K. MARQUART - MNJIS BASIC TRAINING 225-2120-43300	10/12/2022 pziemer PROFESSIONAL SERVICES	11/09/2022	108.66 108.66	108.66	Open	N 11/09/2022
10/13/22 74385	DOLLAR TREE FIREARMS TRAINING SUPPLIES 225-2120-43330	10/13/2022 pziemer PROFESSIONAL DEVELOPMENT	11/09/2022	10.00 10.00	10.00	Open	N 11/09/2022
10/8/22 74381	MICKEY'S PIZZA - J&T FOOD SERVICE BASKETBALL CAMP SUPPLIES - LUNCH 225-2120-42210	10/08/2022 pziemer OPERATING SUPPLIES	11/09/2022	506.43 506.43	506.43	Open	N 11/09/2022
10/14/22 74391	MINNESOTA T'S DEPT TRAINING SHIRTS 225-2120-41113	10/19/2022 pziemer UNIFORM ALLOWANCE	11/09/2022	491.71 491.71	491.71	Open	N 11/09/2022
9/26/22 74371	SIRCHIE FINGER PRINT LABORATORIES, EVIDENCE SUPPLIES 225-2120-42210	10/01/2022 pziemer OPERATING SUPPLIES	11/09/2022	28.77 28.77	28.77	Open	N 11/09/2022

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
PCard: 2257 U.S. BANK Card Holder: POLICE							
10/13/22 74386	SKD TACTICAL TRT EQUIPMENT - FAST MAGS 225-2131-42210	10/13/2022 pziemer OPERATING SUPPLIES	11/09/2022	64.98 64.98	64.98	Open	N 11/09/2022
10/01/22 74376	TRANSUNION RISK INVESTIGATIONS & PARKING TKT COLLECTI 225-2120-42210	10/01/2022 pziemer OPERATING SUPPLIES	11/09/2022	75.00 75.00	75.00	Open	N 11/09/2022
10/06/22 74379	ULINE EVIDENCE STORAGE SUPPLIES 225-2120-42210	10/06/2022 pziemer OPERATING SUPPLIES	11/09/2022	258.37 258.37	258.37	Open	N 11/09/2022
9/27/22 74372	USPS POSTAGE 225-2120-43322	10/01/2022 pziemer POSTAGE	11/09/2022	4.65 4.65	4.65	Open	N 11/09/2022
10/4/22 74375	USPS POSTAGE 225-2120-43322	10/04/2022 pziemer POSTAGE	11/09/2022	5.40 5.40	5.40	Open	N 11/09/2022
10/05/22 74377	USPS POSTAGE 225-2120-43322	10/05/2022 pziemer POSTAGE	11/09/2022	5.40 5.40	5.40	Open	N 11/09/2022
10/06/22 74378	USPS POSTAGE 225-2120-43322	10/06/2022 pziemer POSTAGE	11/09/2022	10.65 10.65	10.65	Open	N 11/09/2022
10/14/22 74387	USPS POSTAGE 225-2120-43322	10/14/2022 pziemer POSTAGE	11/09/2022	15.00 15.00	15.00	Open	N 11/09/2022
10/17/22 74389	USPS POSTAGE 225-2120-43322	10/17/2022 pziemer POSTAGE	11/09/2022	11.35 11.35	11.35	Open	N 11/09/2022
10/19/22 74392	USPS POSTAGE 225-2120-43322	10/19/2022 pziemer POSTAGE	11/09/2022	6.10 6.10	6.10	Open	N 11/09/2022

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

10/19/22 - 2

74393	USPS POSTAGE 225-2120-43322	10/19/2022 pziemer	11/09/2022	2.40	2.40	Open	N 11/09/2022
	POSTAGE			2.40			

10/20/22

74394	USPS POSTAGE 225-2120-43322	10/20/2022 pziemer	11/09/2022	1.44	1.44	Open	N 11/09/2022
	POSTAGE			1.44			

10/06/22

74380	WALMART COMMUNITY/GECRB HALLOWEEN SAFETY EVENT SUPPLIES 225-2120-43305	10/06/2022 pziemer	11/09/2022	19.40	19.40	Open	N 11/09/2022
	CRIME PREVENTION PROGRAM			19.40			

10/17/22

74390	WALMART COMMUNITY/GECRB HALLOWEEN SAFETY EVENT SUPPLIES 225-2120-43305	10/17/2022 pziemer	11/09/2022	19.40	19.40	Open	N 11/09/2022
	CRIME PREVENTION PROGRAM			19.40			

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

1,965.07

1,965.07

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

10/18/22 74342	FLEET FARM BOB ANDERSON INSULATED BIBS 235-3100-42220	10/18/2022 pziemer	11/09/2022	139.99	139.99	Open	N 11/09/2022
	REPAIR & MAINT			139.99			

10/18/22 - 2 74343	FLEET FARM TJ LOCKHORST CARHARTT BIB PURCHASE 235-3100-42220	10/18/2022 pziemer	11/09/2022	139.99	139.99	Open	N 11/09/2022
	REPAIR & MAINT			139.99			

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

# of Invoices:	243	# Due:	243	Totals:	1,250,305.19	1,250,305.19
# of Credit Memos:	4	# Due:	4	Totals:	(207.68)	(207.68)
Net of Invoices and Credit Memos:					1,250,097.51	1,250,097.51

--- TOTALS BY GL DISTRIBUTION ---

101-0000-14100	DUE FROM COMPONENT UNIT	1,000.00
101-0000-15510	PREPAID OTHER	5,168.50
101-0000-20850	DUE TO COMPONENT UNIT	76.20
101-0000-21800	Residential State Surcharge - Flat	48.12
101-0000-36300	Residential State Surcharge - Flat	2.01
101-1400-42210	OPERATING SUPPLIES	315.90
101-1400-43321	TELEPHONE	145.47
101-1400-43330	PROFESSIONAL DEVELOPMENT	522.38
101-1400-43433	DUES & SUBSCRIPTIONS	837.00
101-1410-43430	MISCELLANEOUS	168.72
101-1610-43301	CITY ATTORNEY	8,156.80
101-1700-43300	PROFESSIONAL SERVICES	2,400.00
101-1700-43321	TELEPHONE	275.10
101-1700-43350	PRINTING/LEGAL PUBLICATION	1,397.18
101-1800-42210	OPERATING SUPPLIES	735.64
101-1800-42220	REPAIR & MAINT	39.00
101-1800-43309	COMPUTER SUPPORT	3,534.36
101-1800-43321	TELEPHONE	260.76
101-1800-43331	LEASE PAYMENTS	871.30
101-1940-42200	OFFICE SUPPLIES	5.98
101-1940-42220	REPAIR & MAINT	2,236.25
101-1940-43300	PROFESSIONAL SERVICES	2,225.71
101-1940-43380	UTILITIES	540.39
101-1940-43410	RENTAL EXPENSE	88.16
101-2400-32210	Residential Re-Roof Only	70.00
101-2400-42210	OPERATING SUPPLIES	353.30
101-2400-43321	TELEPHONE	99.32
101-2400-43350	PRINTING/LEGAL PUBLICATION	421.07
101-9200-43350	LEGAL PUBLICATIONS	703.72
203-0000-15510	PREPAID OTHER	599.00
203-9000-43321	TELEPHONE	49.66
203-9000-43350	PRINTING/LEGAL PUBLICATION	47.03
211-0000-20800	DUE TO OTHER GOVT UNITS	132.70

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	GL Distribution						
	211-5500-42220	REPAIR & MAINT		4,018.07			
	211-5500-43322	POSTAGE		84.00			
	211-5500-43380	UTILITIES		593.66			
	211-5501-43430	MISC - SPECIFIED DONATION USE		75.11			
	211-5503-43430	MISC - USE OF HOLDEN TRUST		34.00			
	211-5505-43430	MISC - COPY MACHINE PYMTS		328.71			
	223-2140-42210	OPERATING SUPPLIES		40.00			
	224-2150-42210	OPERATING SUPPLIES		700.32			
	225-0000-15510	PREPAID OTHER		838.80			
	225-2120-41113	UNIFORM ALLOWANCE		1,317.56			
	225-2120-42200	OFFICE SUPPLIES		457.89			
	225-2120-42210	OPERATING SUPPLIES		1,086.70			
	225-2120-42220	REPAIR & MAINT		706.29			
	225-2120-42221	SQUAD CAR REPAIR SUPPLIES		1,305.36			
	225-2120-43300	PROFESSIONAL SERVICES		1,729.84			
	225-2120-43305	CRIME PREVENTION PROGRAM		38.80			
	225-2120-43309	COMPUTER TECHNICAL SUPPORT		1,282.10			
	225-2120-43321	TELEPHONE		1,234.42			
	225-2120-43322	POSTAGE		62.39			
	225-2120-43330	PROFESSIONAL DEVELOPMENT		297.62			
	225-2120-43380	UTILITIES		147.97			
	225-2121-41113	UNIFORM ALLOWANCE		188.97			
	225-2127-43310	MISDEMEANOR PROSECUTOR		16,517.09			
	225-2131-42210	OPERATING SUPPLIES		64.98			
	225-2220-42210	OPERATING SUPPLIES		2,889.35			
	225-2220-42220	REPAIR & MAINT		266.35			
	225-2220-42221	R&M BUILDING		1,032.44			
	225-2220-42250	PERSONAL PROTECTIVE GEAR		1,073.44			
	225-2220-43300	PROFESSIONAL SERVICES		454.95			
	225-2220-43321	TELEPHONE		305.84			
	225-2220-43330	PROFESSIONAL DEVELOPMENT		1,463.17			
	225-2220-43331	LEASED PAYMENTS		80.69			
	225-2220-43380	UTILITIES		246.17			
	225-2220-43430	MISCELLANEOUS		869.54			
	225-2700-43300	PROFESSIONAL SERVICES		4,799.00			
	225-2700-43430	MISCELLANEOUS		1,068.00			
	227-3230-43428	USED OIL RECYCLING EXPENSE		64.35			
	230-5200-42210	OPERATING SUPPLIES		15.29			
	230-5200-42220	REPAIR & MAINT		4,235.01			
	230-5200-43321	TELEPHONE		207.25			
	230-5200-43380	UTILITIES		557.73			
	230-5204-42210	OPERATING SUPPLIES		8.58			
	230-5211-42210	OPERATING SUPPLIES		585.76			
	230-5212-42210	OPERATING SUPPLIES		0.38			
	230-5215-42210	OPERATING SUPPLIES		3.42			
	235-3100-42220	STREET GARAGE VENTILATION SYSTEM D&R		2,536.76			
	235-3100-43300	PROFESSIONAL SERVICES		254.95			
	235-3100-43321	TELEPHONE		137.55			
	235-3100-43380	UTILITIES		354.65			
	235-3100-43430	MISCELLANEOUS		308.76			
	235-3125-42220	REPAIR & MAINT		196.34			
	237-3190-42220	REPAIR & MAINT		3,374.47			
	237-3190-43321	TELEPHONE		38.23			
	238-3160-42220	REPAIR & MAINT		4,166.48			
	295-6510-43300	PROFESSIONAL SERVICES		10,458.33			
	305-7610-46620	PAYING AGENT FEES		120.00			
	400-1481-43430	MISCELLANEOUS		207.50			

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
	400-1481-45530	PYMTS TO CONTRACTORS		104,975.00			
	400-2001-45530	PYMTS TO CONTRACTORS		10,910.00			
	400-9050-45500-22:40	CAPITAL OUTLAY		126,135.64			
	400-9050-45530	CAPITAL - OTHER		3,103.95			
	401-1003-43300	PROFESSIONAL SERVICES		222.77			
	401-1003-43350	LEGAL PUBLICATIONS		69.98			
	401-1609-43300	PROFESSIONAL SERVICES		180.00			
	401-1708-43300	PROFESSIONAL SERVICES		1,179.50			
	401-1902-43300	PROFESSIONAL SERVICES		24,916.37			
	401-1902-45530	PYMTS TO CONTRACTORS		212,650.40			
	401-9030-43300-20:07	PROFESSIONAL SERVICES		15,383.35			
	401-9030-43300-21:11	PROFESSIONAL SERVICES		975.00			
	401-9030-43300-21:15	PROFESSIONAL SERVICES		1,663.50			
	401-9030-43300-21:16	PROFESSIONAL SERVICES		26,616.00			
	401-9030-45530-20:07	CAPITAL-PYMTS TO CONTRACTS		263,167.10			
	401-9030-45530-21:16	CAPITAL-PYMTS TO CONTRACTS		347,954.84			
	404-9055-43430	MISCELLANEOUS		936.00			

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--- TOTALS BY FUND ---							
	101 - GENERAL FUND			32,698.34	32,698.34		
	203 - TRANSIT FUND			695.69	695.69		
	211 - LIBRARY FUND			5,266.25	5,266.25		
	223 - DRUG FORFEITURE			40.00	40.00		
	224 - DUI FORFEITURE			700.32	700.32		
	225 - PUBLIC SAFETY FUND			41,825.72	41,825.72		
	227 - RECYCLING FUND			64.35	64.35		
	230 - PARK & RECREATION FUND			5,613.42	5,613.42		
	235 - STREET & SEWER FUND			3,789.01	3,789.01		
	237 - SANITARY SEWER FUND			3,412.70	3,412.70		
	238 - STORM SEWER FUND			4,166.48	4,166.48		
	295 - EDA FUND			10,458.33	10,458.33		
	305 - 2021A DEBT SERVICE FUND			120.00	120.00		
	400 - CAPITAL PROJECTS FUND			245,332.09	245,332.09		
	401 - CONSTRUCTION FUND			894,978.81	894,978.81		
	404 - FIRE DEPARTMENT CAPITAL			936.00	936.00		
--- TOTALS BY DEPT/ACTIVITY ---							
	0000 -			7,865.33	7,865.33		
	1003 - 10:03 DWNTWN MAIN CNTRACT			292.75	292.75		
	1400 - ADMINISTRATION			1,820.75	1,820.75		
	1410 - ELECTIONS			168.72	168.72		
	1481 - HISTORIC WATER TOWER REPA			105,182.50	105,182.50		
	1609 - 16:09 BUFFALO HILLS RECON			180.00	180.00		
	1610 - LEGAL-CIVIL ATTORNEY			8,156.80	8,156.80		
	1700 - ENGINEERING			4,072.28	4,072.28		
	1708 - 17:08 SRTS & S 6TH SIDEWA			1,179.50	1,179.50		
	1800 - IT/GIS			5,441.06	5,441.06		
	1902 - 19:02 CLST CONNECTION			237,566.77	237,566.77		
	1940 - CITY HALL			5,096.49	5,096.49		
	2001 - STREET REMODEL/ADDITION			10,910.00	10,910.00		
	2120 - POLICE DEPARTMENT			9,666.94	9,666.94		
	2121 - COMMUNITY SERVICE			188.97	188.97		
	2127 - MISDEMEANOR PROSECUTOR			16,517.09	16,517.09		
	2131 - TACTICAL TEAM			64.98	64.98		
	2140 - DRUG FORFEITURE			40.00	40.00		
	2150 - DUI FORFEITURE			700.32	700.32		
	2220 - FIRE DEPARTMENT			8,681.94	8,681.94		
	2400 - COMMUNITY DEVL/INSPECTION			943.69	943.69		
	2700 - ANIMAL CONTROL			5,867.00	5,867.00		
	3100 - S & S MAINTENANCE			3,592.67	3,592.67		
	3125 - SNOW REMOVAL			196.34	196.34		

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Inv Ref#	Description	Entered By					Post Date
GL Distribution							
--- TOTALS BY DEPT/ACTIVITY ---							
3160	- STORM SEWER EXPENSE			4,166.48	4,166.48		
3190	- SANITARY SEWER EXPENSE			3,412.70	3,412.70		
3230	- RECYCLING EXPENSE			64.35	64.35		
5200	- PARK MAIN/ADMINISTRATION			5,015.28	5,015.28		
5204	- CONCESSIONS			8.58	8.58		
5211	- SPECIAL EVENTS PROGRAM			585.76	585.76		
5212	- KICKBALL PROGRAM			0.38	0.38		
5215	- ADULT SOFTBALL			3.42	3.42		
5500	- LIBRARY-BUDGETED			4,695.73	4,695.73		
5501	- SPECIFIED DONATION USE			75.11	75.11		
5503	- HOLDEN TRUST DONATION USE			34.00	34.00		
5505	- TAXABLE FEES			328.71	328.71		
6510	- ECONOMIC DEVELOPMENT AUTH			10,458.33	10,458.33		
7610	- 2021A GO IMPR BONDS			120.00	120.00		
9000	- TRANSIT FUND			96.69	96.69		
9030	- CONSTRUCTION PROJ-MISC			655,759.79	655,759.79		
9050	- CAPITAL PROJECTS-MISC			129,239.59	129,239.59		
9055	- FIRE DEPARTMENT CAPITAL			936.00	936.00		
9200	- CITY-WIDE			703.72	703.72		

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: Stunek, Johnson, Bieser, Stenglein, Erickson, O'Day, 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 STUNEK AND STENGLEIN, DULY CARRIED, TO APPROVE THE AGENDA WITH THE ADDITION OF ADOPT RESOLUTION DECLARING ASSESSMENTS AND ORDERING PUBLIC HEARING FOR NUISANCE ABATEMENTS TO OLD BUSINESS.

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

- A. Approval of Bills**
- B. Approval of Minutes**
 - a. Regular City Council Meeting held on October 3rd, 2022**
 - b. City Council Workshop held on October 11th, 2022**
- C. Approval of Licenses**
- D. Department Activity Report**
- E. Adopt Resolution Accepting 3rd Quarter Donations**
- F. On-Sale/Sunday Liquor License- Submitted by Tara Bemidji LLC, 612 Front Street, Brainerd- Contingent Upon Approvals**
- G. Temporary Liquor License Submitted by Jackpine Brewery, for an Event to be held on November 11, 2022, at Ya Sure Kombucha, 216 S 8th Street, Brainerd**

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

Council Committee Reports

Personnel and Finance Committee

Accept the Resignation of Engineering Technician Justin Larson

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED TO ACCEPT WITH REGRET ENGINEERING TECHNICIAN JUSTIN LARSON'S RESIGNATION EFFECTIVE OCTOBER 21, 2022; FURTHER, TO AUTHORIZE STAFF TO BEGIN THE HIRING PROCESS FOR THE POSITION.

Approve the Promotion of Crystal Gauthier to Transit Coordinator

Committee Chair Johnson stated that at this time, the Transit Operations Specialist position will not be backfilled, other administrative staff will take over the duties.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO APPROVE THE PROMOTION OF CRYSTAL GAUTHIER TO THE TRANSIT COORDINATOR POSITION EFFECTIVE OCTOBER 18, 2022, AND THAT SHE BE PLACED ON STEP 2 (\$36.13 PER HOUR) OF THE TRANSIT COORDINATOR WAGE GRID.

Consider Classification and Compensation Study Proposals

Committee Chair Johnson stated that out of the three proposals that were submitted, Flaherty and Hood are providing additional services options that fit the needs of the City. The City has \$45,000 budgeted, Sourcewell will reimburse the City \$10,000 towards the cost of the study.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO ACCEPT FLAHERTY & HOOD PA'S CLASSIFICATION AND COMPENSATION STUDY PROPOSAL INCLUDING THE ADDITIONAL SERVICE OPTIONS AS IDENTIFIED IN AN AMOUNT NOT TO EXCEED \$53,250.

Discussion of Civil Attorney Contract 2023-2024

Committee Chair Johnson stated that the retainer for 2023 will remain flat and increase by \$2,000 in 2024. Non-retainer services will increase by \$5-\$10 as outlined in the memo.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO AUTHORIZE STAFF TO ENTER INTO AN AGREEMENT WITH RATWICK, ROSZAK & MALONEY FOR 2023 AND 2024.

Adopt Resolution Establishing Deferred Assessment Criteria

Committee Chair Johnson stated that the median household value has increased to \$170,000 from \$110,000 in 2016 and gave an overview of the other changes. He also stated that staff did an excellent job reviewing the criteria.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK TO ADOPT RESOLUTION ESTABLISHING CRITERIA FOR DEFERMENT OF ASSESSMENTS.

RESOLUTION 37:22

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

Safety and Public Works

Event/Street Closure Application- Spooktacular

Committee Chair O'Day stated that the event consists of a trick or treat event with children's activities like pumpkin painting, cookie decorating, vendors selling goods, and live music. The applicant is requesting closure of S. 7th Street between Front and Laurel Streets, as in previous years.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND BIESER, DULY CARRIED, TO APPROVE THE EVENT AND STREET CLOSURE APPLICATION WITH THE CONDITIONS LISTED WITHIN THE APPLICATION.

Approve Event/ Alley Closure Application- Zion Lutheran Church Trunk or Treat

Committee Chair O'Day stated the church has in the past, and during this event, closed the north/south alley behind the church for the event. This is so that traffic cannot utilize the alley for safety reasons during the event.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON, DULY CARRIED, TO APPROVE APPLICATION WITH THE CONDITIONS AS PRESENTED.

Discussion on Downtown Snow Removal and Special Services District

Committee Chair O'Day stated that they reviewed possible changes and had discussion on the costs.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND BIESER, DULY CARRIED, TO SET THE PUBLIC HEARING FOR NOVEMBER 7, 2022, AT 7:30 P.M.

Discussion on North 3rd Street Sidewalk

Committee Chair O'Day stated that committee spent a majority of the time on this discussion. Due to homeowner opinions the committee decided to go with option #3.

Mayor Badeaux stated that he had previously had a long discussion about sidewalks in North Brainerd and assessed the sidewalks himself. He does not believe that sidewalks need to be on both sides of every street. The cost and the priorities of homeowners are important to consider.

Member Bieser stated that due to North 3rd Street being main access to the hospital, he supported staff's recommendation of option #4. The walkability score of this neighborhood is lower than the national average.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON TO ADJUST PLANS TO LEAVE EXISTING SIDEWALK ON NORTH HALF OF BLOCK AND INSTALL NEW SIDEWALK ON SOUTH HALF OF BLOCK BETWEEN JUNIPER AND IVY.

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

Adopt Resolution Approving Title VI Program Plan

Committee Chair O'Day stated that this is a plan addressing anti-discrimination.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND BIESER TO ADOPT RESOLUTION ENDORSING THE TRANSIT PROGRAM'S TITLE VI PROGRAM.

RESOLUTION 38:22

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

Approve Transit Capital Vehicle Grant Agreement- 2022 Bus Purchase

Committee Chair O'Day stated that the bus will most likely not be seen until 2025.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON, DULY CARRIED, TO EXECUTE THE AGREEMENT WITH THE FTA AND MNDOT TRANSIT FOR THE PURCHASE OF THE 2022 BUDGETED BUS AT A LOCAL COST OF \$13,100.

Approve HR Green Contract Amendment- Buffalo Hills Gully Project

Committee Chair O'Day stated that this amendment comes with no cost to the City.

Mayor Badeaux stated that he does not appreciate that the City is taking on precedent of taking responsibility for million-year-old impressions.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND BIESER, DULY CARRIED, TO APPROVE THE CONTRACT AMENDMENT AS PRESENTED.

Approve Proposal from Widseth for Engineering Services for SPRA Lum Park Road Project

Committee Chair O'Day stated that Widseth scored higher than the other proposals and was chosen even though it was the highest cost.

Member Bieser stated that he would be abstaining from the vote due to his employment with the firm.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON TO APPROVE THE PROPOSAL FROM WIDSETH FOR ENGINEERING SERVICES FOR THE LUM PARK ROAD RECONSTRUCTION PROJECT IN THE AMOUNT NOT TO EXCEED \$89,628.

Council Members Stunek, Johnson, Stenglein, Erickson, O'Day, and Bevans voted "aye". No member voted "nay". Member Bieser abstained from voting. The Chair declared the motion carried.

Adopt Resolution Approving Agreement with CWC - SPRA Lum Park Road Project

Committee Chair O'Day stated that the County would be the fiscal agent because of the way the grant is awarded.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON TO ADOPT RESOLUTION FOR CROW WING COUNTY TO ACT AS THE FISCAL AGENT ON BEHALF OF THE CITY FOR THE SPRA FUNDING.

RESOLUTION 39:22

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

Adopt Resolution Declaring Sufficiency of Petition and Setting a Public Hearing on a Vacation Commenced by a Majority of Abutting Landowners- Alley Blocks M and E, West Brainerd

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND BIESER TO ADOPT RESOLUTION DECLARING THAT THE PETITION IS SUFFICIENT AND SETS THE PUBLIC HEARING ON THE PROPOSED VACATION FOR NOVEMBER 7, 2022, AT 7:30 PM.

RESOLUTION 40:22

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

Direction on Active Code Enforcement Cases

Committee Chair O'Day gave an overview of the case, it is one that the Council has heard previously at 401 Holly Street.

Member Erickson stated that due to the City not knowing where the property line is, it is in the City's best interest to cease action.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND BIESER TO CEASE CORRECTIVE ACTION.

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

Unfinished Business

Adopt Resolution for Assessment- 2022 Nuisance Abatement and 2021-2022 Downtown Special Services District

Community Development Director Kramvik stated that staff is recommending two nuisance assessments be waived PID 41191552 & 41191107. He gave an overview of details of both properties and the reason for the recommendation.

City Engineer/ Public Works Director Dehn stated that the notice of hearing was published, and letters were sent to those who are being assessed. If there are contested assessments, staff asks that Council adopt the assessment as certified, withholding those contested assessments.

The Chair opened the public hearing at 7:58 p.m.

The following people came forward to contest Nuisance Abatement Assessment:

Mike Thelen, 4117 Sunset View Rd, 218 2nd Ave NE, PID 41191789
Anna Marie Bell, 923 9th Ave NE, PID 41191107
Matt Jaeger, 9260 Northtown St, PID 41330653
Rory Parker, 1720 Laurel St, PID 41300794
Wallace Goodrich, 14639 Ridgeway Rd, 4th Ave NE, PID 41191502
Craig Matich, 823 Brook Street, PID 41360827

Member Erickson recommended a property assessment be waived PID 41300564 he gave an overview of the property and situation.

The following people came forward to contest Downtown Snow Removal and Downtown Special Services Assessment:

Steve Hensel, 623 Laurel St, PID 41241457
Lois Hensel, 623 Laure St, PID 41241457

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND JOHNSON TO ADOPT THE ASSESSMENTS AS PRESENTED LESS THE NINE PROPERTIES CONTESTED AND ADJOURN THE PUBLIC HEARING TO NOVEMBER 7TH AT 7:30 P.M.

RESOLUTION 41:22

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

Adopt Resolution Declaring Assessments And Ordering Public Hearing For Nuisance Abatements

Community Development Director Kramvik stated that staff has discovered an additional \$26,790 in nuisance assessments. A new resolution must, therefore, be adopted, declaring these costs to be assessed, order the preparation of the proposed assessment, and call a public hearing on the proposed assessment.

Member Johnson asked how \$26,790 in assessments was lost.

Community Development Director Kramvik stated that the software with enforcements that were started before the cutoff date, August 31, 2021, yet the citations or abatements happened afterward.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK TO ADOPT RESOLUTION WHICH DECLARES THE COST TO BE ASSESSED, ORDERS THE PREPARATION OF THE PROPOSED ASSESSMENT, AND SETS A PUBLIC HEARING ON THE PROPOSED ASSESSMENT FOR NOVEMBER 7, 2022, AT 7:30 PM.

RESOLUTION 42:22

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

Accept Committee Resignation

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND ERICKSON, DULY CARRIED, TO ACCEPT THE RESIGNATION OF DAVID HAINES ON THE RENTAL DWELLING BOARD OF APPEALS.

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)
Library Board—1 term (Expire 2023)

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

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

Public Forum

The Chair opened public forum at 8:25 p.m.

Chuck Marohn, 616 N 4th Street, stated that he does not have a property dispute with his neighbor, he has a property dispute with City Council. He stated that there are no property monuments on his land. He explained how a survey of the block would work. He stated that he and the previous adjacent property owner agreed where the lot line was and now the City Council has created a big problem.

The Chair closed the public forum at 8:35 p.m.

Staff Reports

Community Development Director Kramvik stated that the City is seeing an influx of redevelopment. The Community Development has issued several permits in the last couple of months for infill. He gave an overview of the Planning Commission items that will be reviewed on Wednesday, October 19th, at its regular meeting.

City Engineer/ Public Works Director Dehn stated that progress is still happening at the Police cold storage building, Streets/Parks building is coming along, and the CLST is paved there are a few things to clean up before finishing up.

IT/GIS Director Strong stated that Charter got the hardware that they have been waiting for a year on. Hopefully, by New Years the City of Brainerd meetings will be on Charter cable.

City Administrator Bergman stated that the EDA met to make recommendations to the Initiative Foundation for 33 grants for the DEED Mainstreet Program. The EDA also conducted strategic planning to revisit their goals and action steps for 2023-2024. She gave a shoutout to Chief Holmes for being awarded Fire Officer of the Year. He was nominated by Battalion Chief Rubado, Chief Bestul, and Baxter Police Chief Exsted.

Mayor Report

Mayor Badeaux congratulated Ms. Kaufman and the Parks Department for their hard work on the Great Pumpkin Festival. The groundbreaking for the historic water tower roof project took place, the project should take about five weeks to complete. The tower is one step closer to preservation. He thanked everyone involved and the donors.

Council Member Reports

Member Johnson tipped his cap to City Engineer Dehn for having secured 27 trees for College Drive. The Initiative Foundation drafted an e-mail with his signature that was 100% false, to those who were denied initial round funding and he apologizes for the error.

Member Stunek went to the Fire Department Open House and sat in a truck.

Member O'Day attended the Pumpkin Festival and Fire Department Open House, he congratulated Chief Holmes. He also stated that in meeting with the Project Management Team for Highway 210 he believes the plan for 2026 is getting closer to what the public needs.

Member Erickson also gave a shoutout to Ms. Kaufman and the Parks staff for the Great Pumpkin Festival.

Member Bevans stated that he attended Fire Department Open House, The Pumpkin Festival, Water Tower groundbreaking, and Park United Methodist 150th Anniversary.

Adjourn

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

The Chair adjourned the meeting at 8:45 p.m.

Jennifer Bergman
City Administrator

Brainerd Contractor License List

11/03/2022

BILL OLSON PLUMBING INC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
4405 BEDMAN DR NW	Plumbing Contractor	Active	PC644471	12/31/2022	2022-0041	12/31/2022

ELITE REFRIGERATION HEATING &

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
9324 NOVEMBER DR	Mechanical	Active	MB720872	02/03/2023	2022-0072	12/31/2022

EZ HOME SOLUTIONS

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
25959 HAMLINE AVE N	Commercial Roofing	Active			2022-0010	12/31/2022

HORIZON HEATING & SERVICES INC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
PO BOX 9	Plumbing Contractor	Active	PC645766	12/31/2023	2022-0039	12/31/2022
PO BOX 9	Mechanical	Active	MB003818	11/10/2024	2022-0071	12/31/2022

KOSEC CONSTRUCTION, LLC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
7094 320TH ST	Excavator	Active			2022-0022	12/31/2022

ROTHMEYER TEC INC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
19041 ALPACA ST NW	General Commercial	Active			2022-0034	12/31/2022

SUTTON HOME PROJECTS LLC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
928 35TH AVE N	Commercial Roofing	Active		12/31/2022	2022-0011	12/31/2022

THE TRADESMEN CONSTRUCTION I

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
4015 MINNESOTA ST	General Commercial	Active		12/31/2022	2022-0035	12/31/2022
Total Licensees						8

Population: All Records
Licensee.DateRegistered Between 10/13/2022 12:00:00 AM AND 11/3/2022 12:00:00 AM



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

Recreation Report

Fall Adult Sports

Monday, Adult Kickball Champions 5Rocks Distillery



Tuesday, Lower Men's Softball Champions Shep's Busch Pounders



Thursday, Coed Softball Champions Dunmire's



Awards

Photos are being printed and plaques created for all summer and fall champions and runner-up.

Post Season Survey

Our democratic way of hearing Adult Softball and Kickball participants voices is being coordinated, administered and analyzed within the next month and a half. We can report back with any alarming concerns or new adjustments made by majority suggestion or concern.

Winter Sports

Hoping to have registration open for Youth Pond Hockey and Adult 4 on 4 no later than Mid-November. We do currently have returning volunteer coaches. At a staff level we do believe we have a solid idea for of equipment and jersey purchasing for 2023 and working on that process currently.

Great Pumpkin Festival – October 15, 2022, 1 – 4 p.m.

Had an attendance of around 650 people. Several great new additions such as handing out pumpkin seeds for children to grow then be judged, surprisingly that went very well. An impressive pumpkin was grown 60 inches in circumference! The horses were a hit as expected. Also, to note the weather was not ideal but we still had good turnout. We have new ideas for 2023 that should grow the event even larger.



Job Postings

We are now live for accepting applications for Warming House Attendant and Pond Hockey Official.

Parks Maintenance Report

Master Planning

The Park Board completed Buffalo Hills Park and is scheduled to meet on November 15th to continue Parks Master Planning for Lum Park.

Mississippi Landing Trailhead Park Project

The contractor is continuing progress on construction including concrete walk flatwork and retaining walls and construction of the kayak/canoe launch area. The next month is expected to see continued retaining wall work as materials are provided and completion of the majority of concrete walks. Building construction is expected to continue during the cold weather months with turf establishment expected to take place during spring in 2023.

Kiwanis Park Improvements

The contractor has submitted received all the approvals necessary to begin construction. It is planned to have work occur during the next couple months with new doors to be installed when they arrive in December.

Parks Maintenance Position

Staff is bringing recommendation of ratification of the hire of Samuel Jensen to the Parks Maintenance position at the November 7, 2022 Council meeting.

Public Works Administrative Specialist Position

Staff is bringing recommendation of ratification of the hire of Cari LaRose to the Public Works Administrative Specialist position at the November 7, 2022 Council meeting.

Maintenance Tasks Completed Month Prior

- Assembled, poured slabs, mounted and landscaped memorial benches. Misc. Parks.
- Made concrete base anchors for ball fields.
- Moving picnic tables into pavilions for winter.
- Replaced vandalized sink. GGP
- Secured video for police for misc. incidents in parks.
- Landscaped two areas by river for Rotary Park.
- Repaired drinking fountain. MMP
- Blew down Splash pad and filled with anti-freeze.
- Blew out all irrigation lines and non-insulated structures in all parks.
- Cutting and removing hazard branches.
- Winterized and capped fountain. GGP
- Removed flags from parks for winter.
- Repaired X-Mark mower issues.
- Removed hazard tree.
- Prepped for special event and removed after. GGP
- Removed vandalized drinking fountain. GGP
- Took down volleyball nets.
- Secured Smashed garage door at JCP . Have good footage of the Vandals.
- Conducting interviews.
- MRPA convention.
- Bringing in and washing garbage cans.
- Patched holes in trail. KWP.
- Made cover for irrigation box. BAP
- Closed most restrooms.
- Took down Pickleball nets.
- Removed basketball stanchion. MMP
- Removed broken spring toy. Kwp, Replacement has been ordered.
- Landscaping holes at GGP
- Removed downtown flowers and hanging baskets and city hall beds.
- Garbage runs and Dog park maintenance.
- Repaired vandalized pier guardrail Boom Lake side.
- Closed down dump station for RV LUM.

Streets Maintenance Report

Winter Season Prep

Street staff have completed outfitting the plow trucks ahead of the snow season.

Street & Parks Building Addition

Electrical installation is mainly completed. Pike's has begun installing the heaters with fans a couple weeks out yet. Once these are complete, Holden Electric will complete the final electrical connections. Garage door installation is still dependent on material delivery but is expected for late 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.

- Continued street sweeping operations
- Continued sanitary sewer jetting
- Sanitary sewer video taping for future construction needs
- Picked up cold patch mix
- Removed refuse materials collected throughout the year from City site to landfill
- Assisted Parks with removal of Kiwanis Fishing Pier
- Removed shrubs and tree from Gregory Park
- Pavement repairs at Maple Lot
- Brushing and additional tree cleanup to take place this fall

Engineering Report

Improvement 19-02 – CLST Project

DeChantel has completed much of the work on this project. Some punch list items remain and SEH is coordinating those items with the contractor.

TH 371B/S. 6th Street Reconstruction Project

Most of the work on Greenwood Street and S. 6th Street has been completed. The intersection at S. 6th Street and Buffalo Hills is open is expected to remain as a 4-way stop until signal poles can be installed.

TH 210/Washington Street Reconstruction Project

Staff and Council members met to discuss thoughts on the current concept of the corridor. Another City PMT meeting with MnDOT is occurring on November 4 to discuss those thoughts and steps moving forward. MnDOT is continuing their aim of obtaining Municipal Consent this fall to move into design in 2023.

Other Activities

- Began advertisement of Engineering Technician position.
- Reviewed proposals, awarded and had a Kick-Off meeting with Widseth for the Lum Park SPRA project.
- Laid out new signage for S. 5th Street adjacent to the High School.
- Prepared DTSS/DTSR assessments for 2021-2022 season and presentations for 2022-2023 season.
- Continued review and discussion of Harrison Elementary SRTS project design.
- Surveys and design development for South Brainerd Reconstruction project.

Transit Report

Title VI Plan

Staff will be providing the Title VI plan to the TAC committee for their review and approval at the upcoming TAC meeting.

Marketing Plan

Staff will be providing the draft Marketing Plan to the TAC committee for their review and approval at the upcoming TAC meeting.

2021 Bus Orders

MnDOT has updated many programs that 2021 bus orders may continue to be delayed until 2023-2024 with potential for cost increases based on new model years and costs.

2019 Audit and Comprehensive Review Program

MnDOT is currently auditing the 2019 Transit operating contract. They will also be performing a Comprehensive Review in 2023 of the Transit program to ensure that the program is meeting all the requirements necessary for funding under the current federal and state framework. Both of these items will require a considerable amount of staff time to complete.

Other Activities

- Continued coordination with Blue Sky staff to discuss system needs, staff concerns and further coordination efforts moving forward.
- Continued transit marketing and increasing social media presence.



Brainerd Fire Department Monthly Report October 2022

ACTIVITIES AND PUBLIC EDUCATION

October was Fire Safety month and we held our open house with a great turnout of attendees. We want to thank all of our emergency partners for their participation and for making it another successful event.



We presented fire safety education to children at St. Francis Catholic School, Lake Region Christian School, Little Lambs Preschool, Brainerd TCC Head Start, Baxter TCC Head Start, Stepping Stones Child Care, Stare Academy, and several family day cares and home school groups. We also presented fire extinguisher training to 43 employees at Brainerd Lakes Surgical Center.



Firefighters also attended Halloween Trunk or Treat events at Trinity Lutheran Church, a Family Day Care and the Northland Arboretum.



Brainerd Fire Department Monthly Report

October 2022

ACTIVITIES AND PUBLIC EDUCATION CONTINUED



A special thank you to Firefighter Rosier for his development and implementation of the Smoke and Carbon Monoxide Alarm program focusing on the elderly and those unable to service their own alarms.

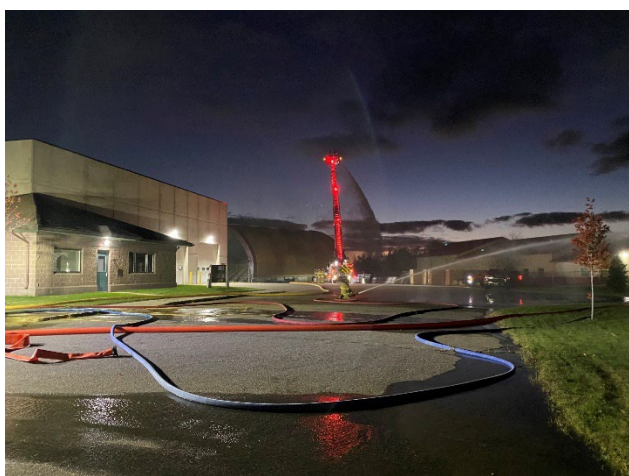
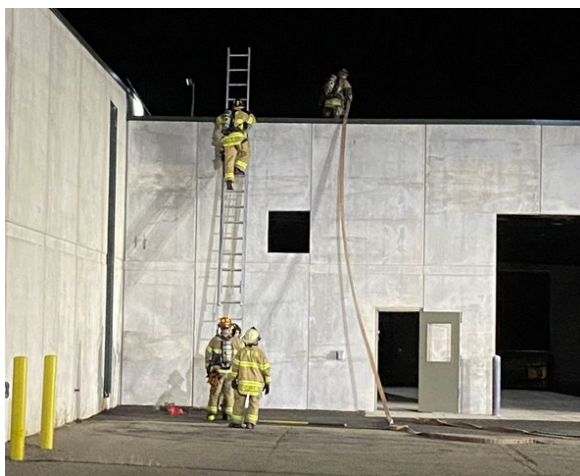
Fire crews visited 14 homes and installed smoke alarms and carbon monoxide alarms, along with replacement batteries. We plan to continue with the delivery of this program to our residents.



Command staff members attended the MN State Fire Chiefs Annual Conference in Duluth. Educational sessions were held with a focus on leadership, firefighter health and wellness, and command level strategies and tactics. Chief Holmes was presented with the 'Fire Officer of the Year – Population Over 10,000' award.

TRAINING

October firefighter training included Technical Rescue and Ropes. Firefighters also participated in training drills focusing on Commercial / Industrial Response, which included apparatus placement, flowing large volumes of water, ground ladders, vertical ventilation, and aerial operations for elevated master streams.





Brainerd Fire Department Monthly Report October 2022

INSPECTIONS	
Fire Alarm	6
Fire Pump	2
Hood Suppression	34
Licensing Inspection	4
Safety Inspection	1
Special Suppression	1
Sprinkler System	23

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	5
Hazardous Condition	1
Service Calls	11
Good Intent Call	20
Alarm Activation	14
Severe Weather	0
TOTAL	56
Type of NFIRS Incident (National Fire Incident Reporting System)	City of Brainerd Total Incidents
Fire	3
Rescue & Emergency Medical Service	4
Hazardous Condition	1
Service Calls	6
Good Intent Call	9
Alarm Activation	8
Severe Weather	0
TOTAL	31





HR DIRECTOR REPORT

In this report:

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

Employee Policy Manual

All employees have now submitted their signed Acknowledgement Page for the recently updated Employee Policy Manual.

Union Negotiations

We have three union contracts that are expiring on December 31, 2022. Staff continues to prepare and present updates to the Council requesting guidance how to proceed with negotiations. More negotiation sessions are scheduled for later this month.

Wellness Committee

Biometric Screening Event – On September 28th, our Wellness Committee hosted this event. The Committee's goal was to have 35 employees attend and we ended up just under that goal with 30 employees screened. By holding this event, it helps us reach our requirements to have at least 60% of our employees complete an annual medical review. This is a requirement from The Better Health Collective (formerly Sourcewell) in order to receive our annual Wellness Grant funding. Said funding pays for all of our Wellness events including our Lunch 'N Learns as well as our Employee Appreciation Event and awards. Thank you to all that completed the screening!

Our annual Flu Shot Clinic took place on October 25th and 26th. With the two clinic options we had 26 participants!

November 2nd was our annual Chili Cook-Off. Employees had the options to participate in the cook off, to make a \$3 donation, or donate either jelly or peanut butter that will be going towards Operation Sandwich. The winner of the Chili Cook-off was Jay Personius! Thank you to all that participated and a big thank you to Katie Kaufman for organizing such a fun event!

Personnel

New Hires/Promotions for City/BPU/HRA:

Cari LaRose - Administrative Specialist - Public Works Dept. (10/31)
Samuel Jensen - Park Maintenance (11/14)
Jason Boller - Community Service Officer (11/3)
Tanner Josephson - Water Plant Relief Operator (11/1)

Farewell to:

Kimberly Finch - Administrative Specialist - Public Works Dept (Last working day=11/10; Retirement Effective December 16th)

Current Job Opportunities:

Full-time

Engineering Technician - Accepting applications; deadline is November 8th.

Assistant Planner - We completed two hiring processes without luck. Staff has requested Council approval to modify the minimum qualifications hoping to increase our applicant pool. We will repost again after Council consideration and will accept applications until the position is filled.

Police Officer - We completed two hiring processes without luck. Staff is discussing our options.

Part-time:

Pond Hockey Officials - Accepting applications until filled

Warming House Attendant - Accepting applications until filled.

Special Notes

Our 2023 Open Enrollment meeting and presentations were held on October 24th. Employees have until November 7th to elect their 2023 benefits. We are currently updating our 2023 COBRA information for retirees as well.

Staff will be distributing the 2023 Health Insurance Election Forms to the Mayor and Council on November 14th. The deadline to submit their election is November 29th. Please reach out to the HR Department if you are having issues or have any questions!

Our 2021-2022 performance review period ended on August 31, 2022. Employees have completed their final performance review form for supervisor review and final rating determination.

To comply with our revised Employee Policy Manual, review forms were provided to City-appointed boards for any Department Head that is the primary staff liaison for their input as well.



Brainerd City Council Agenda Request

Requested Meeting Date: November 7, 2022

Title of Item: Conduct Dangerous Dog Hearing

Agenda ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Ordinance 1 st Reading ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* <i>*provide copy of published hearing notice</i>
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Submitted by: Jennifer Bergman, City Administrator **Department:** Admin

Presenter: Joe Langel, City Attorney

Estimated Time Needed: 15 minutes

Summary of Issue:

On October 19, 2019, Billy Jack Young's dog, Lily, attacked the neighbors dog. Lily was deemed a potentially dangerous dog and Mr. Young was court ordered to pay the vet bills for the dog who was attacked. Mr. Young's dog attacked another dog on October 21st, 2022. Having been found to be potentially dangerous and after the owner has noticed that the dog is potentially dangerous, the dog aggressively bites, attacks or endangers the safety of humans or domestic animals, is the standard to declare it a dangerous dog. Mr. Young signed off on the potentially dangerous dog notice received in 2019 (see attached).

Alternative, Options, Effects on Others/Comments:

This is an evidentiary hearing to determine if Lily is a dangerous dog. Under state law, a dog is dangerous if it was previously found to be potentially dangerous and then subsequently aggressively bit, attacked or endangered the safety of a domestic animal. ACO O'Brien will present his evidence first, after which the dog owner, will have the opportunity to present his evidence. ACO O'Brien may be allowed rebuttal. The Council can ask questions of any witness. Once the testimony is complete, the Council can discuss the matter and then make a motion setting forth findings on whether Lily is a dangerous dog. If the ACO's declaration that Lily is dangerous is upheld, the motion will need to include an order to the owner to deliver the dog to the ACO to have it euthanized, unless the owner provides an alternative proposal acceptable to the Council, which may include permanent removal of the animal from the City.

Recommended Action/Motion:

1) Conduct the dangerous dog hearing and make a determination of the facts and issue an order as to whether or not the said animal is properly characterized as dangerous.

Financial Impact:

Is there a cost associated with this request:

What is the total cost, with tax and shipping:

Is this budgeted? (Please Explain)

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

(To Be Completed by Dog Owner)

RECEIVED OCT 28 2022

Date of Request: 10/28/22

OWNER:

Full Name: Mazzy-Mae Lavonne DeNio

Date of Birth: 05/23/02

Address: REDACTED (First, Middle, Last)

Home Phone #: _____

City/State/Zip: Brainerd MN 56401

Alternate/Cell Phone #: REDACTED

ANIMAL:

Name of Animal: Lily

Date Seized (if applicable): _____

Breed: American Pit Bull Color(s): Black and white Markings: White mark on chest

Return completed form to the Brainerd Police Department.

Pursuant to Brainerd City Ordinance 900.25:

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

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

[Signature]
Signature of Dog Owner/Representative

10/28/22
Date

FOR OFFICE USE ONLY:

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

Date Notice was Served: _____

Date to City Administrator: _____

Date of Next Regular Council Meeting: _____

347.52 DANGEROUS DOGS; REQUIREMENTS.

(a) An owner of a dangerous dog shall keep the dog, while on the owner's property, in a proper enclosure. If the dog is outside the proper enclosure, the dog must be muzzled and restrained by a substantial chain or leash and under the physical restraint of a responsible person. The muzzle must be made in a manner that will prevent the dog from biting any person or animal but that will not cause injury to the dog or interfere with its vision or respiration.

(b) An owner of a dangerous dog must renew the registration of the dog annually until the dog is deceased. If the dog is removed from the jurisdiction, it must be registered as a dangerous dog in its new jurisdiction.

(c) An owner of a dangerous dog must notify the animal control authority in writing of the death of the dog or its transfer to a new location where the dog will reside within 30 days of the death or transfer, and must, if requested by the animal control authority, execute an affidavit under oath setting forth either the circumstances of the dog's death and disposition or the complete name, address, and telephone number of the person to whom the dog has been transferred or the address where the dog has been relocated.

(d) An animal control authority shall require a dangerous dog to be sterilized at the owner's expense. If the owner does not have the animal sterilized within 30 days, the animal control authority shall seize the dog and have it sterilized at the owner's expense.

(e) A person who owns a dangerous dog and who rents property from another where the dog will reside must disclose to the property owner prior to entering the lease agreement and at the time of any lease renewal that the person owns a dangerous dog that will reside at the property.

(f) A person who transfers ownership of a dangerous dog must notify the new owner that the animal control authority has identified the dog as dangerous. The current owner must also notify the animal control authority in writing of the transfer of ownership and provide the animal control authority with the new owner's name, address, and telephone number.

History: 1988 c 711 s 3; 1Sp2001 c 8 art 8 s 20; 2008 c 325 s 8

**BRAINERD POLICE DEPARTMENT
NOTICE OF POTENTIALLY DANGEROUS DOG**

Date of Notification: 11/02/2019

ICR #: 19014393

OWNER:

Full Name: Billy Jack Young Date of Birth: 03/05/1972
(First, Middle, Last)
Address: 1324 14th Ave NE Home Phone #: _____
City/State/Zip: Brainerd, MN 56401 Alternate/Cell Phone #: 218-838-8706

ANIMAL:

Name of Animal: Lily Sex: F Altered: ☐ Yes ☐ No Age: 2 y
Breed: Pit bull Color(s): Black and White Markings: _____
Current Rabies Vaccination? ☒ Yes ☐ No Veterinary Clinic: Brainerd Animal Hospital

INCIDENT:

Date of Incident: 10/19/2019 Time of Incident: 1844
Location of Incident: 1402 14th Ave NE, Brainerd
Parties or Animals Bitten: Louie

You are placed on notice that your dog has been defined by Minnesota State Statute 347.50 as Potentially Dangerous.

- ☒ On above date, said dog, without provocation, inflicted bite(s) on a human or domestic animal on public or private property.
- ☐ On above date, said dog, without provocation, chased or approached a person, including a person on a bicycle, upon a street, sidewalk, or any public or private property, other than the dog owner's property, in an apparent attitude of attack.
- ☐ The dog has a known propensity, tendency, or disposition to attack, unprovoked, causing injury or threatening the safety of humans or domestic animals.

Your dog has been defined as a POTENTIALLY DANGEROUS DOG. You should familiarize yourself with the State Statutes regarding such dogs. Pursuant to Brainerd City Ordinance 900.25, you may request a hearing before the City Council to determine the validity of the Dangerous Dog declaration by completing the attached *Potentially Dangerous Dog Request for Hearing* form and returning it to our office within 10 days of this notification. As an owner of a potentially dangerous dog, **you must have a microchip implanted in the dog for identification within 14 days of the receipt of this letter.** Proof of microchip implant must be provided to the Brainerd Police Department, including the name of the microchip manufacturer and the identification number of the microchip.

Note: Once a dog has been defined as a potentially dangerous dog and the owner has been notified as such, if the dog further acts in an aggressive manner, it may be defined as a dangerous dog.

I hereby acknowledge receipt of this Notice of Potentially Dangerous Dog.

Billy Young
Signature of Dog Owner/Representative

11/02/2019

Date

715
Issuing Officer & Badge Number

11/02/2019

Date

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

November 7, 2022

7:15 PM

Council Chambers

WebEx Teleconference Call-In Information Call Toll-

Free: 1-844-992-4726 Access Code: 2490 593 3835

1. Approve Addition of Rectangular Rapid-Fire Beacon at N 3rd Street and Holly Street Intersection
2. Discussion on Grant Application Candidates
3. Direction on Active Code Enforcement Cases



Brainerd City Council Agenda Request

Requested Meeting Date: November 7, 2022

Title of Item: Approve Addition of RRFB at N 3rd Street and Holly Street Intersection

Agenda ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Ordinance 1 st Reading ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* <i>*provide copy of published hearing notice</i>
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Submitted by: City Engineer/PW Director Dehn

Department: Public Works

Presenter: City Engineer/PW Director Dehn

Estimated Time Needed: 2 Minutes

Summary of Issue:

Staff received a request to explore the possibility of including an RRFB installation located at the “main” pedestrian crossing connecting the parking lots adjacent to Holly Street to the hospital on the west side of N. 3rd Street.

Alternative, Options, Effects on Others/Comments:

Staff presented this option to the SPW Committee at the October 3, 2022 meeting. Based on the higher concentration of pedestrian crossings at this location and N. 3rd Street being a through route without stop control, staff feels that installation of this crossing enhancement would be warranted. When discussed with Police Chief Bestul, his comment was that this would be a valuable addition to the intersection.

TAPCO provided a quote for an RRFB assembly for materials and delivery only at a cost of \$8,768.06. Installation would likely be a few thousand dollars above that amount. It is likely that staff would be able to include this installation for less than \$15,000. Should Council wish to include this installation in the project, staff would explore the best avenue to include this. Options would be to change order the work into the existing contract with DeChantal or to order and install this sign assembly separate from the contract.

Recommended Action/Motion:

Staff recommends installing an RRFB crossing at N. 3rd Street at Holly Street/Essentia Health.

Financial Impact:

Is there a cost associated with this request: Yes

What is the total cost, with tax and shipping: Approx. \$15,000

Is this budgeted? (Please Explain) No, the addition would be funded through the 400 construction fund.



Traffic and Parking Control Co., Inc.
 5100 West Brown Deer Road
 Brown Deer, Wisconsin 53223
 Phone (800) 236-0112 • TAPCOnet.com • Fax (800) 444-0331

SALES QUOTE

Customer Copy

Number	Q22016946
Date	10/11/2022
Page	1

Sell To Cust. C96569	The City of Brainerd Jessie Dehn 501 Laurel St BRAINERD, MN 56401 USA				Ship To Cust.	The City of Brainerd Jessie Dehn 501 Laurel St BRAINERD, MN 56401 USA				
Customer PO #		Expires	Slsp		Terms		Freight		Ship Via	
RRFB		11/10/2022	Deidre Jones		Net 30 DAYS		PREPAY/ADD		BEST RATE	

Item	Description	Quantity	UM	Price	Extension
	Double-Sided AC w/Radio RRFB System iNX Push Buttons:				
600632	PEDX RRFB, 120VAC, Radio, SOP, DS, Amber, iNX, H Pole 2x	1	EA	5,755.50	\$5,755.50
500603	AC RRFB	2	Each		
2180-BRKT-R	Cabinet Bracket Set, Fits Round Poles 2-3/8" & Up,	2	Each		
144162	Push Button, iNX, No Braille, Yellow	2	Each		
146153-50	Cable, Bulk, 6C 18AWG, Outdoor/Burial Rated,	1	Each		
138089	RRFB, Dimmable, Assembly with Universal	4	Each		
145332	Grommet Kit, Five 5/8" ID, Two 7/8" ID, Bagged	2	Each		
IGK0007	Install Guide Kit, Install Guide, RRFB, Crosswalk,	1	Each		
373-05075	W11-2,30"x30"x.080 DG3 FYG, Pedestrian Crossing (Symbol) Fed Spec - Fluorescent Yellow-Green Sign	4	EA	98.36	\$393.44
117357	W16-7mPR, 24"x18"x.080 DG3 FYG, MN Spec Diagonal Right Down Arrow (C1502116)	2	EA	73.56	\$147.12
117358	W16-7mPL, 24"x18"x.080 DG3 FYG, MN Spec Diagonal Left Down Arrow (C1502115)	2	EA	73.56	\$147.12
373-1380A	Standard Aluminum Pole, 13' Schedule 80 6061-T6 4.5" OD, T.O.E. Stamped, Anodized Clear	2	EA	562.50	\$1,125.00
203-00014A	Base, Aluminum, Square, Anodized Clear Door, SP-5444-PNC	2	EA	283.50	\$567.00
109482A	Collar Assembly for Square Aluminum Base PB-5325, Anodized Clear	2	EA	147.56	\$295.12
111937	J-Bolt 5/8-11x4x18" GR 55Galv w/Nut & 5/8" Washer Set	8	EA	16.16	\$129.28

Shipment within _____
 Acceptance By _____
 Date _____
 By _____

Merchandise	Freight	Tax	Total
\$8,768.06	\$0.00	\$0.00	\$8,768.06

All prices are listed in **US Dollars (USD)**
 For terms and conditions, please visit: <https://www.tapconet.com/terms-conditions>



Traffic and Parking Control Co., Inc.
5100 West Brown Deer Road
Brown Deer, Wisconsin 53223
Phone (800) 236-0112 • TAPCOnet.com • Fax (800) 444-0331

SALES QUOTE

Customer Copy

Number	Q22016946
Date	10/11/2022
Page	2

Sell To Cust. C96569	The City of Brainerd Jessie Dehn 501 Laurel St BRAINERD, MN 56401 USA				Ship To Cust.	The City of Brainerd Jessie Dehn 501 Laurel St BRAINERD, MN 56401 USA				
Customer PO #		Expires	Slsp		Terms		Freight		Ship Via	
RRFB		11/10/2022	Deidre Jones		Net 30 DAYS		PREPAY/ADD		BEST RATE	

Item	Description	Quantity	UM	Price	Extension
030-00006	Washer Flat 1-1/16"ID x2.5OD"x.125" Galvanized For 1" A/B, for use w/item # 111644 (not incl)	8	EA	5.36	\$42.88
107265	Sign Mounting Kit, Banded, Flared Leg, Standard For Mounting B2B Static Signs to a Large Pole	4	EA	41.40	\$165.60

Plus Shipping and Handling

Furnish only quote. Installation is not included.
Solar powered equipment requires no shading
or obstructions

TAPCO will make every effort to ship all systems
in normal process; however, as a result of global
supply chain constraints some components might
be
impacted by extended lead times.

Thank you! Deidre Jones
Email: Deidre.jones@tapconet.com
Phone: 262-649-5227

Shipment within _____
Acceptance By _____
Date _____
By _____

Merchandise	Freight	Tax	Total
\$8,768.06	\$0.00	\$0.00	\$8,768.06

All prices are listed in **US Dollars (USD)**
For terms and conditions, please visit: <https://www.tapconet.com/terms-conditions>



Brainerd City Council Agenda Request

Requested Meeting Date: November 7, 2022

Title of Item: Discussion on Grant Application Candidates

Agenda	Action Requested:	
☐ CONSENT AGENDA	☐ Approve/Deny Motion	☒ Direction Requested
☐ P&F COMMITTEE	☐ Adopt Resolution (attach draft)	☐ Discussion Item
☒ SPW COMMITTEE	☐ Ordinance 1 st Reading	☐ Hold Public Hearing*
☐ MAIN AGENDA	<i>*provide copy of published hearing notice</i>	

Submitted by: City Engineer/PW Director Dehn

Department: Public Works

Presenter: City Engineer/PW Director Dehn

Estimated Time Needed: 5 Minutes

Summary of Issue:

There are currently 3 infrastructure-related grant solicitations available that staff is recommending submitting applications for funding.

Alternative, Options, Effects on Others/Comments:

See attached memo.

Recommended Action/Motion:

Staff is recommending approval to apply for the 3 grants as presented.

Financial Impact:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping:

Is this budgeted? (Please Explain)



MEMO

TO: SAFETY & PUBLIC WORKS COMMITTEE

FROM: CITY ENGINEER/PUBLIC WORKS DIRECTOR JESSIE DEHN

DATE: NOVEMBER 7, 2022

SUBJECT: GRANT APPLICATION CANDIDATES

There are several infrastructure-related grants currently being solicited for applicants including from sources like MnDOT and MnDNR. Based on needs and priority of projects, as well as the eligibility of those priority projects, staff is recommending applying for three grant programs.

SURFACE TRANSPORTATION BLOCK GRANT PROGRAM (STBGP)

The STBGP program is a competitive grant program that identifies priority projects within the Area Transportation Partnership which includes counties, cities and other agencies. Applications are reviewed and grants are awarded based on needs, availability and available funding.

Staff is recommending proposing the local share costs of the TH 210/Washington Street Reconstruction project as an application for STBGP funding. The project is currently planned for construction in 2026-2027. The STBGP grant is for projects in FY 2027. Below is a preliminary estimate of costs for the project.

Total Local Costs = \$4,000,000
BPU Watermain = \$1,500,000
Sanitary Sewer = \$125,000
Street Costs = \$2,375,000

This funding source would not be eligible for utility or engineering costs, however this could help provide funding to cover a significant amount of the street costs associated with the project. The program requires a 20% local match. If awarded funding to cover the entire costs, the local match would be roughly \$475,000, resulting in a grant amount of \$1,900,000. Staff would recommend applying for the maximum amount that the ATP would be willing to award to the project. Applications are due January 9th, 2023.

Jessie Dehn, P.E.
City Engineer/Public Works Director
City of Brainerd, MN

HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP)

The HSIP program is a competitive grant program that assists with funding projects that addresses safety risk areas. One measure of safety risk is crash history. Based on one of the intersections with the highest crash rates within the City, staff is recommending proposing the construction of a roundabout intersection improvement at the intersection of S. 6th Street (MN Highway 371B) and Willow Street.

This intersection has a high crash history including a number of serious crashes. In the last 10 years, there have been 63 crashes at this intersection, 18 of which included some level of injury, 2 of those were serious injury crashes. This intersection was discussed in 2017 to identify improvements to address the issues at this location. It was stated at that time that the intersection did not meet the warrants to install a traffic control signal.

In discussions with the MnDOT District Traffic Engineer, this intersection continues to be concerning due to the conditions and continued crashes. However, the intersection would likely still not meet warrants for a traffic control signal and could potentially cause some of the speeding issues found with the highway traffic to increase. The Traffic Engineer would likely support a roundabout intersection improvement project should an Intersection Control Evaluation (ICE) study show that a roundabout would be an appropriate solution at this location.

The HSIP program is currently identifying projects in the years 2024-2027. This program requires a 10% local match. Based on discussions with MnDOT, this project could cost roughly \$2,000,000, which half covered by MnDOT and half covered by the City based on intersection legs. Using that methodology, should the project receive grant funding, the City's local match requirement would be roughly \$100,000.

Based on this cost and using a methodology that evaluates the Benefit/Cost Ratio based on dollars assigned to various types of crashes, this project has a Benefit/Cost Ratio of 3.89. The HSIP program requires a ratio of at least 1, which makes this project a good candidate for this funding based on that criteria. Applications are due November 23rd, 2022.

TRANSPORTATION ALTERNATIVES PROGRAM (TA)

The TA program is a competitive grant program that funds various projects that improve safety for those who walk and bike within the community. The timing of the grant funding projects in FY 2027. There are several future programmed projects constructing segments of Cuyuna Lakes State Trail including MnDOT TH 25 bridge, NP Center to 28th Street extension, and the TH 210/Washington Street reconstruction project. Based on those factors, staff is recommending proposing a trail project along 10th Avenue NE between TH 25 and TH 210 as an application for TA grant funding.

This project would include curb adjustment to accommodate a trail section along 10th Avenue. Currently, as part of the TH 210 project, the trail would travel further west, nearly to 5th Avenue NE, to then return back east along TH 210. This project would provide a more direct off-street route for trail users to travel from south of this area to access future extensions of the trail heading east towards Crosby. In discussions with MnDNR, they would also be supportive of the project and would be willing to provide their assistance as available.

Jessie Dehn, P.E.
City Engineer/Public Works Director
City of Brainerd, MN

Projects utilizing this funding would require to be constructed in 2023 or 2024. Based on an preliminary estimate, the total project construction costs would be roughly \$225,000. The program requires a 20% local match, resulting in roughly \$45,000 of local funds required, not including engineering costs. Applications are due December 30th, 2022.



Jessie Dehn, P.E.
City Engineer/Public Works Director
City of Brainerd, MN



Brainerd City Council Agenda Request

Requested Meeting Date: November 7, 2022

Title of Item: Direction on Active Code Enforcement Cases

Agenda ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Ordinance 1 st Reading ☒ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* <i>*provide copy of published hearing notice</i>
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Submitted by: Community Development Director

Department: Community Development

Presenter: James Kramvik, CDD

Estimated Time Needed: 5 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 three (3) administration citations for non-compliance. Once three (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 two (2) properties before the Committee for review. Staff is looking for direction from the Council as how to proceed with the case.

Alternative, Options, Effects on Others/Comments:

Attached are the case files for 426 B Street and 624 8th Ave NE.

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

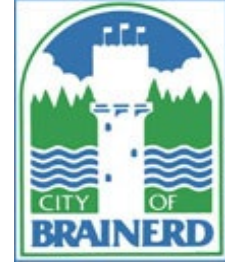
Financial Impact:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping:

Is this budgeted? (Please Explain)

MEMO



TO: Mayor and City Council

FROM: James Kramvik, Community Development Director

DATE: November 7, 2022

RE: Recommendations for Active Code Enforcement Cases

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

- **426 B Street – no response from property owner**
 - Received one (1) Notice of Violation Letter (9/16/22) and three (3) Citations for junk/debris
 - First Citation 10/4/22 – Last Citation 10/28/22
 - \$600 in open citations

Staff recommends issuing a 10 day order to correct letter and begin working with the city attorney for abatement of the property.

- **624 8th Ave NE – no response from property owner**
 - Received one (1) Notice of Violation Letter (9/16/22) and three (3) Citations for junk/debris
 - First Citation 10/4/22 – Last Citation 10/28/22
 - \$600 in open citations

Staff recommends issuing a 10 day order to correct letter and begin working with the city attorney for abatement of the property.



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

EN22-0409

Date of Violation: 10/28/2022

Parcel ID: 41191158

Violator(s): STEVENS, AARON CHARLES
426 B ST NE
BRainerd, MN 56401

Location/Address of Violation: **426 B ST NE**

VIOLATION

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

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

Citation Amount Due: \$300.00

Payment Due By: 30 Days from Date of Violation

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

Re-inspection Date: 11/07/2022

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: 10/28/2022

Representative's Signature:

(served via first class mail)







September 19, 2022

STEVENS, AARON CHARLES
426 B ST NE
BRainerd, MN 56401

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

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

Property Address: 426 B ST NE
Real Estate Code: 41191158

Violation: Junk/Debris/Blight
Ordinance: 2010

Description: Ord2010 - 2010.09 Junk. No person, firm, or corporation of any kind shall permit the accumulation of junk that includes but is not limited to any of the following: waste material, trash, rubbish, refuse, or litter of any kind upon any land or inside or under any building or structure which may provide harborage or breeding places for mosquitoes, vermin, or rats.

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

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

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

Action should be taken on or before 10/03/2022

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

EN22-0407

Date of Violation: 10/28/2022

Parcel ID: 41191685

Violator(s): SAMUELSON, DONALD B &
624 8TH AVE NE
BRainerd, MN 56401

Location/Address of Violation: **624 8TH AVE NE**

VIOLATION

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

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

Citation Amount Due: \$300.00

Payment Due By: 30 Days from Date of Violation

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

Re-inspection Date: 11/07/2022

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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: 10/28/2022

Representative's Signature:

(served via first class mail)





September 16, 2022

SAMUELSON, DONALD B &
624 8TH AVE NE
BRAINERD, MN 56401

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

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

Property Address: 624 8TH AVE NE
Real Estate Code: 41191685

Violation: Junk/Debris/Blight

Ordinance: 2010

Description: Ord2010 - 2010.09 Junk. No person, firm, or corporation of any kind shall permit the accumulation of junk that includes but is not limited to any of the following: waste material, trash, rubbish, refuse, or litter of any kind upon any land or inside or under any building or structure which may provide harborage or breeding places for mosquitoes, vermin, or rats.

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

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

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

Action should be taken on or before 09/30/2022

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

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

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

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

Respectfully,

By Order of:

THE CITY OF BRAINERD

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

November 7, 2022

7:00 PM

2nd Floor Conference Room

WebEx Teleconference Call-In Information Call Toll-

Free: 1-844-992-4726 Access Code: 2484 513 0980

1. Authorize Advertisement for Bids- Memorial Park Softball Lights
2. Ratify the Hiring of Samuel Jensen as Parks Maintenance I
3. Ratify the Hiring of Cari LaRose as Administrative Specialist- Public Works Department
4. Ratify the Hiring of Community Service Officer (CSO)
5. Accept Resignation of Lineworker Johnathan Engholm
6. Approve Revised Assistant Planner Job Description
7. Approve Health Insurance Memorandums of Agreement (MOA) with Unions for 2023 Health Insurance Plans
8. Adopt Resolution Relating to Finance Transferring Certain Funds to and from Sinking Funds 301 and 313
9. Approval Deferment of Assessments
10. Adopt Budget for Coronavirus State and Local Fiscal Recovery Funds (SLFRF)- Part of the American Rescue Plan Act of 2021 (ARPA)
11. Consider Setting a Budget Workshop



Brainerd City Council Agenda Request

Requested Meeting Date: November 7, 2022

Title of Item: Authorize Advertisement for Bids - Memorial Park Softball Lights

Agenda	Action Requested:	
☐ CONSENT AGENDA	☒ Approve/Deny Motion	☐ Direction Requested
☒ P&F COMMITTEE	☐ Adopt Resolution (attach draft)	☐ Discussion Item
☐ SPW COMMITTEE	☐ Ordinance 1 st Reading	☐ Hold Public Hearing*
☐ MAIN AGENDA	<i>*provide copy of published hearing notice</i>	

Submitted by: City Engineer/PW Director Dehn

Department: Parks

Presenter: City Engineer/PW Director Dehn

Estimated Time Needed: 5 Minutes

Summary of Issue:

At their October 25, 2022 Park Board meeting, the Park Board took action requesting staff to perform a sealed bid solicitation for replacement of field lighting at the Memorial Park Softball Fields 1 & 2.

Alternative, Options, Effects on Others/Comments:

During discussion with the Park Board, the Board took action requesting staff to perform a sealed bid solicitation for replacement of the Memorial Park Softball field lighting at fields 1 and 2. During discussion, it was requested to solicit for two alternatives. One, full replacement of lights, poles and electrical. Two, replacement of lights and electrical, salvaging the existing poles.

Replacement of the lights in the softball fields 1 & 2 is included in the proposed Capital funding request for 2023. The final budget is anticipated to be adopted at the December 5, 2022 Council meeting. Should the lights be included in the final adopted Capital budget, it would be intended to install the new lighting in 2023.

Recommended Action/Motion:

Authorize staff to solicit sealed bids for replacement of Memorial Park softball field lights at fields 1 & 2.

Financial Impact:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping:

Is this budgeted? (Please Explain)

Musco Sports Lighting: Budget Estimate

August 2022

Troy Harris
Memorial Park
Brainerd, MN

Dear Troy:

Thank you for the opportunity to discuss Musco's Light-Structure System™ lighting with Total Light Control – TLC for LED™ technology and the benefits it will bring to your softball fields at Brainerd Memorial Park. We are excited to offer this innovative system and are confident you will see the value for many years to come.

This estimate includes Musco's Light-Structure System™ lighting with TLC for LED® technology along with estimated installation costs. This system includes pre-cast concrete bases, galvanized steel poles, remote electrical component enclosures, pole length wire harnesses and factory-aimed and assembled luminaries.

Benefits of Musco's Light-Structure System™ lighting with TLC for LED® technology

- Guaranteed light levels of 30/20 footcandles
- Reduction of spill light and glare by 50% or more
- Reduction of energy and maintenance costs by 50% to 85% over typical 1500w HID equipment
- Product assurance and warranty program that includes materials and onsite labor, eliminating 100% of your maintenance costs for 25 years
- Control-Link® System for remote on/off control and performance monitoring with 24/7 customer support

Estimated Project Cost: Materials and Installation

Softball Field 1 (290'r)	\$225,000
Softball Field 1&2 (290'r).....	\$380,000

*Pricing is based on 2022 and is subject to change.
Sales tax is not included in price.*

This **estimate** includes anticipated equipment and installation costs. This estimate assumes 480v/3 phase power being located within 100' of the field. It does not include the cost of a new electrical transformer. It also assumes standard soil conditions. Rock, bottomless, wet, or unsuitable soil may require additional engineering, special installation methods and additional cost.

Scott Peitz

Senior Sales Representative
Musco Sports Lighting, LLC
Phone: 612-368-9286
E-mail: scott.peitz@musco.com



Musco Sports Lighting: Budget Estimate

October 2022

Troy Harris
Brainerd Memorial Park
Brainerd, MN

Dear Troy:

Thank you for the opportunity to discuss Musco's SportsCluster® System with TLC for LED® Total Light Control and the benefits it will bring to your softball fields at Memorial Park in Brainerd, MN. We are excited to offer this innovative system, and are confident you will see the value for many years to come.

This estimate includes Musco's SportsCluster® System with TLC for LED®. This system includes factory wired pole-top luminaire assemblies, factory aimed and assembled LED luminaires including BallTracker® technology, factory wired and tested remote electrical component enclosures, pole length, factory assembled wire harnesses and mounting hardware for pole-top luminaire assemblies and electrical components enclosures.

Benefits of Musco's SportsCluster® System with TLC for LED®

- Light levels of 30/20 footcandles
- Reduction of energy and maintenance costs by 50% to 85% over typical 1500w HID equipment
- Product assurance and warranty program that includes materials and onsite labor, eliminating 100% of your maintenance costs for 10 years
- Control-Link® System for remote on/off control and performance monitoring with 24/7 customer support
- Musco recommends that a third party engineer inspects and approves the existing wood poles
- Existing pole heights not recommended per lighting design

Estimated Project Cost: Materials and Installation

Softball Field 1 (290'r)	\$160,000
Softball Field 2 (290'r).....	\$160,000

*Pricing is based on 2022 pricing and is subject to change.
Sales tax is not included in price.*

This **estimate** includes anticipated equipment and installation costs. The SportsCluster® Retrofit option would be new TLC for LED® fixtures to be mounted on the existing non-Musco poles. This option would be contingent on the existing poles passing an inspection and having the capability to handle the EPA of the new fixtures. A pole inspection is the responsibility of the customer.

Thank you for considering Musco® for your sports lighting needs. Please feel free to contact us with any questions you may have.

Scott Peitz
Sales Representative
Musco Sports Lighting, LLC
Phone: 612-368-9286
E-mail: scott.peitz@musco.com





Brainerd City Council Agenda Request

Requested Meeting Date: November 7, 2022

Title of Item: Ratify the Hiring of Park Maintenance Position

Agenda ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Ordinance 1 st Reading ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* <i>*provide copy of published hearing notice</i>
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Submitted by: Kris Schubert & Jessie Dehn

Department: HR & PW

Presenter: Kris Schubert & Jessie Dehn

Estimated Time Needed: 1 minute

Summary of Issue:

On September 6, 2022, the City Council authorized staff to begin the hiring process to backfill the Park Maintenance position. 26 applications were received with 10 individuals interviewed for the position. Samuel Jensen was offered the position and successfully completed the pre-employment hiring process. Sam will start on November 14th on Step 1 of the Park Maintenance wage grid (\$20.48 per hour) in accordance with hiring guidance previously provided by the Council.

Alternative, Options, Effects on Others/Comments:

Recommended Action/Motion:

Motion to ratify the hiring of Samuel Jensen effective November 14, 2022; further, that he be placed on Step 1 of the Park Maintenance wage grid (\$20.48 per hour).

Financial Impact:

Is there a cost associated with this request: Yes

What is the total cost, with tax and shipping: Hourly wage=\$20.48

Is this budgeted? (Please Explain) This Park Maintenance position was included in the 2022 budget.



Brainerd City Council Agenda Request

Requested Meeting Date: November 7, 2022

Title of Item: Ratify the Hiring Administrative Specialist for Public Works Dept

Agenda ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Ordinance 1 st Reading ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* <i>*provide copy of published hearing notice</i>
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Submitted by: Kris Schubert & Jessie Dehn

Department: HR & PW

Presenter: Kris Schubert & Jessie Dehn

Estimated Time Needed: 1 minute

Summary of Issue:

On August 15, 2022, the City Council accepted the retirement of Administrative Specialist Kimberly Finch and staff requested time for our new City Engineer/Public Works Director to observe the Department. On September 19, 2022, the City Council approved a hiring process for the Administrative Specialist position in the Public Works Dept. 40 applications were received with 9 individuals interviewed. Cari LaRose was offered the position and successfully completed the pre-employment hiring process. Ms. LaRose started on October 31, 2022 on Step 3 of the Administrative Specialist wage grid (\$23.45 per hour) in accordance with hiring guidance previously provided by the Council.

Alternative, Options, Effects on Others/Comments:

By starting on October 31st, Ms. LaRose was able to train with Ms. Finch before her last working day on November 10th. In addition, this timeframe also provides an opportunity to continue the new computer software conversion process for the Parks Department as well as training for additional administrative support for other Public Works Department divisions including Transit, Engineering and Streets.

Recommended Action/Motion:

Motion to ratify the hiring of Cari LaRose effective October 31, 2022; further, that she be placed on Step 3 of the Administrative Specialist wage grid (\$23.45 per hour).

Financial Impact:

Is there a cost associated with this request: Yes

What is the total cost, with tax and shipping: Wage=\$23.45/hour

Is this budgeted? (Please Explain) The Public Works Administrative Specialist position was included in the 2022 budget.



Brainerd City Council Agenda Request

Requested Meeting Date: November 7, 2022

Title of Item: Ratify The Hiring of Community Service Officer Jason Boller

Agenda	Action Requested:	
☐ CONSENT AGENDA	☒ Approve/Deny Motion	☐ Direction Requested
☒ P&F COMMITTEE	☐ Adopt Resolution (attach draft)	☐ Discussion Item
☐ SPW COMMITTEE	☐ Ordinance 1 st Reading	☐ Hold Public Hearing*
☐ MAIN AGENDA	<i>*provide copy of published hearing notice</i>	

Submitted by: Chief Mike Bestul

Department: Police

Presenter: Deputy Chief John Davis

Estimated Time Needed: 2 minutes

Summary of Issue:

Recent resignations of Community Service Officers Brandon Lesner and Nicholas Karsnia, left our department with two Community Service Officers. Interviews of potential candidates were conducted and Jason Boller was hired on November 3, 2022.

Alternative, Options, Effects on Others/Comments:

Recommended Action/Motion:

Ratify the hiring of Community Service Officer Jason Boller with a starting wage of \$16.00 an hour effective November 3, 2022.

Financial Impact:

Is there a cost associated with this request: Yes

What is the total cost, with tax and shipping:

Is this budgeted? (Please Explain) This position is within the department's 2022 budget.



Brainerd City Council Agenda Request

Requested Meeting Date: November 7, 2022

Title of Item: Accept the Resignation of Lineworker Jonathan Engholm

Agenda	Action Requested:	
☐ CONSENT AGENDA	☒ Approve/Deny Motion	☐ Direction Requested
☒ P&F COMMITTEE	☐ Adopt Resolution (attach draft)	☐ Discussion Item
☐ SPW COMMITTEE	☐ Ordinance 1 st Reading	☐ Hold Public Hearing*
☐ MAIN AGENDA	<i>*provide copy of published hearing notice</i>	

Submitted by: Kris Schubert & Scott Magnuson

Department: HR & BPU

Presenter: Kris Schubert

Estimated Time Needed: 1 minute

Summary of Issue:

Lineworker Jonathan Engholm submitted his resignation letter on October 24, 2022. John's last working day will be November 4, 2022.

Alternative, Options, Effects on Others/Comments:

A recommendation regarding backfilling this vacancy will be presented at a future meeting to allow Staff an opportunity to review our options.

Recommended Action/Motion:

Motion to approve the resignation of Jonathan Engholm effective November 4, 2022.

Financial Impact:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping:

Is this budgeted? (Please Explain)

To whom it may concern:

This letter is to inform the Brainerd Public Utilities of my resignation. Effective Two weeks from today, Friday November 4th 2022.

Thank you

John Engholm
[REDACTED]

 10/28/22

Received 10/24/22

Trent Hawkinson 



Brainerd City Council Agenda Request

Requested Meeting Date: November 7, 2022

Title of Item: Approve Revised Assistant Planner Job Description

Agenda ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Ordinance 1 st Reading ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* <i>*provide copy of published hearing notice</i>
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Submitted by: Kris Schubert & James Kramvik

Department: HR & Community Development

Presenter: Kris Schubert

Estimated Time Needed: 1 minute

Summary of Issue:

Staff is recommending to revise the Assistant Planner job description to modify the education and experience minimum qualifications. The recommended change is that a candidate could qualify if they have four years of related experience instead of requiring a degree. A red-lined version of the job description is attached to show the recommended changes.

Alternative, Options, Effects on Others/Comments:

On June 6, 2022, the City Council approved James Kramvik's promotion to the Community Development Director position and also authorized backfilling the Assistant Planner position. Staff has conducted two hiring processes without luck. We are hoping to increase our candidate pool with this change.

Recommended Action/Motion:

Motion to approve the revised Assistant Planner job description as presented.

Financial Impact:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping:

Is this budgeted? (Please Explain)



Assistant Planner

Department: Community Development

FLSA Status: Non-Exempt

General Definition of Work

Performs a variety of technically specialized administrative planning & zoning while supporting the general operations of the Community Development Department. Work is performed under the supervision of the Community Development Director.

Qualification Requirements

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

Essential Functions

- Department's point of contact for public regarding Planning & Zoning related issues.
- Guides applicants through the planning and zoning application process; review and evaluate planning and zoning applications for compliance with the zoning ordinance, city code and comprehensive plan; review, evaluate, and approve building development plans for compliance with conditions of approval and ordinance requirements.
- Maintains a working understanding of the City's Comprehensive Plan, Zoning and Subdivision ordinances and other City codes and assists the Community Development Department in the implementation and enforcement thereof as required by the Community Development Director.
- Collects and reviews applications for Rezoning, Conditional Use Permits, Variances, Preliminary Plat and Final Plat, Food Truck Licensing and Fence Permits, and prepares Staff Reports for review by Community Development Director. Reviews such applications for building elements that may require further review by the Building Official or other Department staff.
- Advises builders, developers, architects, engineers, surveyors and property owners on ordinance requirements and provide technical assistance when needed.
- Oversees shoreland management and floodplain management related duties.
- Investigates complaints and makes routine inspections to determine compliance with Property Maintenance Codes, Zoning Code, and other applicable laws and ordinances; and assists in the prosecution of violators of regulations.
- Serves as the City Tree Inspector.
- Attends City Council and Planning Commission meetings as needed and directed by the Community Development Director.
- Drafts and assembles supporting documents for Planning Commission and City Council.
- Drafts and assembles Planning & Zoning related reports.
- Performs various other tasks and duties as assigned.

Knowledge, Skills, and Abilities

- Understanding of zoning and subdivision laws, ordinance requirements, policies and procedures pertaining to the land use application approval process.
- Knowledge of state and federal laws relating to planning and community development.
- Knowledge of comprehensive planning, zoning, subdivision ordinance administration, landscaping practices, and real estate development including laws governing the acquisition thereof.
- Logical thinker with ability to solve practical and complex problems, applying common sense, industry best practices, and organizational policies to interpret and independently carry out tasks with varying levels of direction.
- Ability to communicate courteously and tactfully, both orally and in writing, by representing the City in a positive and professional manner at all times with an internal/external customer-driven attitude; Maintains effective working relationships with coworkers, the general public, local, State and Federal agencies, private businesses and developers, elected officials, committee members, and property owners. Remains calm and professional under difficult, sensitive, stressful/hostile situations; or when dealing with diverse individuals.
- Demonstrates strong organizational and time management skills with attention to detail. Must be able to handle multiple interruptions and adjustment of priorities throughout the day without compromising accuracy or efficiency.
- Ability to read maps, blueprints, building plans, and to interpret utility location drawings and legal descriptions of real estate.
- Ability to maintain a high level of confidentiality regarding sensitive information and compliance with data practice laws.
- Familiarity with applications and software/hardware packages including but not limited to Word, Excel, PowerPoint, GIS systems, and permitting software such as BS&A.

Education, Experience and Special Requirements

- Bachelor's degree with coursework in urban design and planning. Other degrees and coursework in public administration, landscape architecture, GIS, or a related field will be considered; or-
- ~~Two (2) Four~~ or more years of experience performing planning & zoning administration, permit reviews, and/or inspections.
- ~~At least four (4) years of experience OR a combination of two (2) years of education and at least two (2) years of experience in the above areas or a closely related field may be considered as a substitute for the bachelor's degree requirement.~~
- Experience using geographical information systems (GIS).
- Ability to obtain a Minnesota Certified Tree Inspector certification within six (6) months of employment.
- Must possess a valid driver's license or have the ability to obtain one prior to employment.

Physical Requirements

This work requires the occasional exertion of up to 25 pounds of force; work regularly requires reaching with hands and arms, frequently requires sitting, speaking or hearing and repetitive motions and occasionally requires standing, walking, using hands to finger, handle or feel and lifting; work requires close vision, distance vision, ability to adjust focus and peripheral vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, operating machines and observing general surroundings and activities; work has no exposure to environmental conditions; work is generally in a moderately noisy location (e.g. business office, light traffic).

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

Last Revised: ~~April 1~~October 20, 2022



Assistant Planner

Department: Community Development

FLSA Status: Non-Exempt

General Definition of Work

Performs a variety of technically specialized administrative planning & zoning while supporting the general operations of the Community Development Department. Work is performed under the supervision of the Community Development Director.

Qualification Requirements

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

Essential Functions

- Department's point of contact for public regarding Planning & Zoning related issues.
- Guides applicants through the planning and zoning application process; review and evaluate planning and zoning applications for compliance with the zoning ordinance, city code and comprehensive plan; review, evaluate, and approve building development plans for compliance with conditions of approval and ordinance requirements.
- Maintains a working understanding of the City's Comprehensive Plan, Zoning and Subdivision ordinances and other City codes and assists the Community Development Department in the implementation and enforcement thereof as required by the Community Development Director.
- Collects and reviews applications for Rezoning, Conditional Use Permits, Variances, Preliminary Plat and Final Plat, Food Truck Licensing and Fence Permits, and prepares Staff Reports for review by Community Development Director. Reviews such applications for building elements that may require further review by the Building Official or other Department staff.
- Advises builders, developers, architects, engineers, surveyors and property owners on ordinance requirements and provide technical assistance when needed.
- Oversees shoreland management and floodplain management related duties.
- Investigates complaints and makes routine inspections to determine compliance with Property Maintenance Codes, Zoning Code, and other applicable laws and ordinances; and assists in the prosecution of violators of regulations.
- Serves as the City Tree Inspector.
- Attends City Council and Planning Commission meetings as needed and directed by the Community Development Director.
- Drafts and assembles supporting documents for Planning Commission and City Council.
- Drafts and assembles Planning & Zoning related reports.
- Performs various other tasks and duties as assigned.

Knowledge, Skills, and Abilities

- Understanding of zoning and subdivision laws, ordinance requirements, policies and procedures pertaining to the land use application approval process.
- Knowledge of state and federal laws relating to planning and community development.
- Knowledge of comprehensive planning, zoning, subdivision ordinance administration, landscaping practices, and real estate development including laws governing the acquisition thereof.
- Logical thinker with ability to solve practical and complex problems, applying common sense, industry best practices, and organizational policies to interpret and independently carry out tasks with varying levels of direction.
- Ability to communicate courteously and tactfully, both orally and in writing, by representing the City in a positive and professional manner at all times with an internal/external customer-driven attitude; Maintains effective working relationships with coworkers, the general public, local, State and Federal agencies, private businesses and developers, elected officials, committee members, and property owners. Remains calm and professional under difficult, sensitive, stressful/hostile situations; or when dealing with diverse individuals.
- Demonstrates strong organizational and time management skills with attention to detail. Must be able to handle multiple interruptions and adjustment of priorities throughout the day without compromising accuracy or efficiency.
- Ability to read maps, blueprints, building plans, and to interpret utility location drawings and legal descriptions of real estate.
- Ability to maintain a high level of confidentiality regarding sensitive information and compliance with data practice laws.
- Familiarity with applications and software/hardware packages including but not limited to Word, Excel, PowerPoint, GIS systems, and permitting software such as BS&A.

Education, Experience and Special Requirements

- Bachelor's degree with coursework in urban design and planning. Other degrees and coursework in public administration, landscape architecture, GIS, or a related field will be considered; or
- Four or more years of experience performing planning & zoning administration, permit reviews, and/or inspections.
- Experience using geographical information systems (GIS).
- Ability to obtain a Minnesota Certified Tree Inspector certification within six (6) months of employment.
- Must possess a valid driver's license or have the ability to obtain one prior to employment.

Physical Requirements

This work requires the occasional exertion of up to 25 pounds of force; work regularly requires reaching with hands and arms, frequently requires sitting, speaking or hearing and repetitive motions and occasionally requires standing, walking, using hands to finger, handle or feel and lifting; work requires close vision, distance vision, ability to adjust focus and peripheral vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, operating machines and observing general surroundings and activities; work has no exposure to environmental conditions; work is generally in a moderately noisy location (e.g. business office, light traffic).

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

Last Revised: October 20, 2022



Brainerd City Council Agenda Request

Requested Meeting Date: November 7, 2022

Title of Item: Memorandum of Agreements with Unions for 2023 Health Insurance Plans

Agenda ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Ordinance 1 st Reading ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* <i>*provide copy of published hearing notice</i>
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Submitted by: Kris Schubert, HR Director

Department: HR

Presenter: Kris Schubert

Estimated Time Needed: 1 minute

Summary of Issue:

Attached are Memorandum of Agreements (MOAs) between the City of Brainerd and the IBEW Local No. 31 Union representing the Brainerd Public Utilities and Administrative Support groups; Law Enforcement Labor Services Local 65 representing the Police Officers; and the United Steel Workers International Union Local 9230 Unit 09 representing the Hydro bargaining unit. These MOAs will update current health plan options and employer and employee contribution rates identified in the union contracts for The Better Health Collective's (Sourcewell) Health Plan options for years beginning in 2023. This includes offering the new Smart Plan #7 (\$5,850 Deductible) health plan. All of the unions have reviewed and approved the MOAs.

Alternative, Options, Effects on Others/Comments:

On September 19, 2022, the City Council approved our 2023 Health Plan options offered by The Better Health Collective (Sourcewell) including new Smart Plan #7 health plan option with a \$5,850 Deductible. At that time, it was noted that Staff would need to negotiate MOAs with the affected unions to update health plan options and contribution rates included in their union contracts. These MOAs were needed for our 2023 Open Enrollment benefit elections. Please note that non-union staff were also allowed to utilize the same 2023 plan options and contributions rates for their 2023 open enrollment; further, that Staff plans to submit a recommendation to update the Health Insurance Exhibit in the Employee Policy Manual to include this 2023 information at the December 19th Council meeting.

Recommended Action/Motion:

Motion to approve the MOAs as presented detailing the 2023 Health Insurance Plan options and contribution rates for the IBEW Local No. 31 Union representing the Administrative Support group; IBEW Local No. 31 representing the Brainerd Public Utilities group; LELS Local 65 Union representing Police Officers; and USW Union Local 9230 Unit 09 representing Hydro employees.

Financial Impact:

Is there a cost associated with this request: Yes

What is the total cost, with tax and shipping: Unknown

Is this budgeted? (Please Explain) Yes - the health insurance premiums and contribution rates noted in the MOAs are included in the 2023 budget.

MEMORANDUM OF AGREEMENT
Between City of Brainerd (Employer)
and
Law Enforcement Labor Services, Inc. Local #65 (Union)
Representing the Police Officers bargaining unit

(Amendment to Health Insurance Plan Option)

This Memorandum of Agreement (“MOA”) is entered into between the City of Brainerd (hereafter referred to as “the Employer”) and the Law Enforcement Labor Services, Inc. Local #65 (hereafter referred to as the “Union”), which is the exclusive representative for the Police Officers bargaining unit. The Employer and the Union will collectively be referred to as the “Parties.”

WHEREAS, the Parties are parties to a labor agreement currently in effect January 1, 2022 to December 31, 2024 (hereinafter referred to as the “Collective Bargaining Agreement”) governed by the Minnesota Public Employment Labor Relations Act (as amended); and

WHEREAS, the Collective Bargaining Agreement outlines a negotiated health insurance benefit; and

WHEREAS, the Employer is a member of The Better Health Collective, a cooperative purchasing group that seeks to utilize its multiple members as a means of obtaining health insurance benefits on more favorable terms than can be obtained as an individual employer; and

WHEREAS, The Better Health Collective operates a health insurance pool, of which the Employer is a member; and

WHEREAS, Minnesota Statute Section 471.6161, Subd. 5 provides as follows:

Subd. 5. Collective bargaining. The aggregate value of benefits provided by a group insurance contract for employees covered by a collective agreement shall not be reduced, unless the public employer and exclusive representative of the employees of an appropriate bargaining unit, certified under section 179A.12, agree to a reduction in benefits;

and

WHEREAS, Article XII of the Collective Bargaining Agreement describes the health insurance plan offered to employees; and

WHEREAS, the Parties wish to modify the existing health insurance plan option currently contained in the Collective Bargaining Agreement, to reflect the options specified in Appendix B hereto.

NOW, THEREFORE, the Employer and the Union agree as follows:

1. The Collective Bargaining Agreement is hereby modified by replacing the health insurance option identified in Article 12.2 with a \$3,000 Deductible Plan (Smart Plan #3) and other health insurance options outlined in Appendix B.
2. To the extent that any said plan option described in Appendix B constitutes or may constitute a reduction in aggregate benefits as outlined in Minnesota Statutes, Section 471.6161, subd. 5, the Union hereby agrees to said reduction in benefits.
3. The Parties understand that, as stated in Appendix B, the deductibles are expected to increase annually in accordance with the plan's terms. The Parties agree that, to the extent that deductibles increase, such increases will be automatically incorporated into Appendix B and will take effect without any further amendment to the Collective Bargaining Agreement.
4. The Collective Bargaining Agreement is hereby further modified to include the attached Memorandum of Agreement detailing the 2023 and 2024 Employer and Employee health insurance contributions for the period of January 1, 2023, to December 31, 2024, for all plan options described in Appendix B.
5. The remainder of the Collective Bargaining Agreement shall remain unaltered.
6. To the extent that this Memorandum of Agreement is inconsistent with the terms of the collective bargaining agreement, this Memorandum of Agreement will control.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Agreement on this ____ day of _____, 2022.

FOR THE EMPLOYER

FOR THE UNION

Jennifer Bergman



Sean McKnight, Business Agent

Date

10/13/2022

Date

Attachment: Revised Appendix B
Memorandum of Agreement for 2023 Insurance Contributions

Appendix B – High Deductible Health Plan Option

*High Deductible Health Plan Options

For Plan Years Starting 2023	Smart Plan #1	Smart Plan #3	Smart Plan #7	Smart Plan #8
Deductible per Single ²	Single Coverage Only=\$1,500	\$ 3,000	\$ 5,850	\$ 7,500
Ded per Family Person	\$ 3,000	\$ 3,000	\$ 5,850	\$ 7,500
Ded per Family Total	\$ 3,000	\$ 6,000	\$ 11,700	\$ 15,000
% Paid by Plan After Ded ¹	100%	100%	100%	100%
Out-of-Pkt Max per Single	Single Coverage Only=\$1,500	\$ 3,000	\$ 5,850	\$ 7,500
OOP Max per Family Person	\$ 3,000	\$ 3,000	\$ 5,850	\$ 7,500
OOP Max per Family Total	\$ 3,000	\$ 6,000	\$ 11,700	\$ 15,000
*All plans automatically index annually. ¹After deductibles on all Smart plans, the Plan pays 100% of the cost of qualifying care received at Top Value providers, as well provides up to \$1,500 of travel benefit when used to see Top Value providers. ²Deductible need not be met first to receive benefits for preventive prescriptions on all Smart plans; instead, copays of either \$0 for generic or \$50 for brand-name drugs on the approved list will apply.				

Memorandum of Agreement

This Memorandum of Agreement (hereinafter, “MOA”) is entered into between the City of Brainerd (hereinafter, “City”) and Law Enforcement Labor Services, Inc., Local #65 (hereinafter, “Union”), on behalf of the Police Officers bargaining unit.

WHEREAS, the City and Union are parties to a 2022 – 2024 collective bargaining agreement (hereinafter, “CBA”), which, in Article XII, describes premium contributions to health insurance; and

WHEREAS, High Deductible Health Insurance Plan Options were agreed by the parties to be offered for 2023 and contribution splits for the employer and employee are needed for open enrollment purposes.

NOW, THEREFORE, that the CITY AND THE UNION as follows:

1. The Parties hereto agree to the following premium splits and Employer HSA contributions for the 2023 and 2024 High Deductible Health Plan Smart Plan options as offered pursuant to Appendix B of the CBA:

<i>Smart Plan #1 - \$1,500 Health Plan</i>	<u>2023 & 2024</u>
<u>% Contribution to Monthly Premium</u>	
<u>Employer</u>	
Single	95%
Family	80%
<u>Employee</u>	
Single	5%
Family	20%
<u>HSA Annual Contribution Amount</u>	
<u>Employer</u>	
Single	\$ 1,000
Family	\$ 1,500

<i>Smart Plan #3 = \$3,000 Health Plan</i>	<u>2023 & 2024</u>
<u>% Contribution to Monthly Premium</u>	
<u>Employer</u>	
Single	95%
Family	80%
<u>Employee</u>	
Single	5%
Family	20%
<u>HSA Annual Contribution Amount</u>	
<u>Employer</u>	
Single	\$ 2,000
Family	\$ 2,500

Smart Plan #7 - \$5,850 Health Plan 2023 & 2024% Contribution to Monthly PremiumEmployer

Single	97%
Family	85%

Employee

Single	3%
Family	15%

HSA Annual Contribution AmountEmployer

Single	\$ 2,250
Family	\$ 2,750

Smart Plan #8 - \$7,500 Health Plan 2023 & 2024% Contribution to Monthly PremiumEmployer

Single	100%
Family	90%

Employee

Single	0%
Family	10%

HSA Annual Contribution AmountEmployer

Single	\$ 2,500
Family	\$ 3,000

2. All employer HSA contribution amounts described herein will be pro-rated based on a monthly contribution.
3. The division of premiums and HSA contributions described herein shall replace, and take precedence over, any CBA language including the previously agreed to Memorandum of Understanding describing 2023 - 2024 premiums and HSA contributions.
4. The City agrees to “front-load” the first three months of the additional Employer HSA contribution for all employees by January 31st of 2023 and 2024. Thereafter (effective April 1st), the amount will return and remain as a monthly contribution.
5. The City will provide an Opt-Out Option for eligible employees in lieu of the city’s health insurance for 2023 and 2024. If the eligible employee elects the Opt-Out payment for 2023 and/or 2024, the monthly Opt-out taxable payment will be \$400 per month.

6. In the event this MOA will or does cause penalties, fees, fines, or excise taxes to be assessed against the City or employees, the parties agree to renegotiate this MOA in a manner that eliminates the penalties, fees, fines, or excise taxes.
7. This MOA represents the complete and total agreement between the City and the Union regarding the subject matter herein. The Parties agree that the MOA shall be in effect from January 1, 2023, through December 31, 2024, and shall sunset and cease to be effective on January 1, 2025.

IN WITNESS whereof the parties have hereunto set their hands the date and year affixed below.

FOR THE CITY OF BRAINERD

FOR LAW ENFORCEMENT LABOR SERVICES
LOCAL #65



Jennifer Bergman, City Administrator

Sean McKnight, Staff Representative

10/13/2022

Date:

Date:

MEMORANDUM OF AGREEMENT
Between City of Brainerd (Employer)
and
United Steel Workers, AFLO-CIO, CLC, LU 9230-09 (Union)
Representing the Brainerd Hydro bargaining unit

(Amendment to Health Insurance Plan Option)

This Memorandum of Agreement ("MOA") is entered into between the City of Brainerd (hereafter referred to as "the Employer") and the United Steel Workers International Union Local Unit 9230-09 (hereafter referred to as the "Union"), which is the exclusive representative for the Brainerd Hydro bargaining unit. The Employer and the Union will collectively be referred to as the "Parties."

WHEREAS, the Parties are parties to a labor agreement currently in effect January 1, 2022 to December 31, 2024 (hereinafter referred to as the "Collective Bargaining Agreement") governed by the Minnesota Public Employment Labor Relations Act (as amended); and

WHEREAS, the Collective Bargaining Agreement outlines a negotiated health insurance benefit; and

WHEREAS, the Employer is a member of The Better Health Collective, a cooperative purchasing group that seeks to utilize its multiple members as a means of obtaining health insurance benefits on more favorable terms than can be obtained as an individual employer; and

WHEREAS, The Better Health Collective operates a health insurance pool, of which the Employer is a member; and

WHEREAS, Minnesota Statute Section 471.6161, Subd. 5 provides as follows:

Subd. 5. Collective bargaining. The aggregate value of benefits provided by a group insurance contract for employees covered by a collective agreement shall not be reduced, unless the public employer and exclusive representative of the employees of an appropriate bargaining unit, certified under section 179A.12, agree to a reduction in benefits;

and

WHEREAS, Article XII of the Collective Bargaining Agreement describes the health insurance plan offered to employees; and

WHEREAS, the Parties wish to modify the existing health insurance plan option currently contained in the Collective Bargaining Agreement, to reflect the options specified in Appendix B hereto.

NOW, THEREFORE, the Employer and the Union agree as follows:

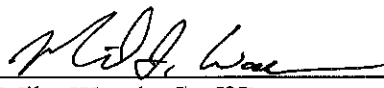
1. The Collective Bargaining Agreement is hereby modified by replacing the health insurance option identified in Article XXVII with a \$3,000 Deductible Plan (Smart Plan #3) and other health insurance options outlined in Appendix B.
2. To the extent that any said plan option described in Appendix B constitutes or may constitute a reduction in aggregate benefits as outlined in Minnesota Statutes, Section 471.6161, subd. 5, the Union hereby agrees to said reduction in benefits.
3. The Parties understand that, as stated in Appendix B, the deductibles are expected to increase annually in accordance with the plan's terms. The Parties agree that, to the extent that deductibles increase, such increases will be automatically incorporated into Appendix B and will take effect without any further amendment to the Collective Bargaining Agreement.
4. The Collective Bargaining Agreement is hereby further modified to include the attached Memorandum of Agreement detailing the 2023 and 2024 Employer and Employee health insurance contributions for the period of January 1, 2023, to December 31, 2024, for all plan options described in Appendix B.
5. The remainder of the Collective Bargaining Agreement shall remain unaltered.
6. To the extent that this Memorandum of Agreement is inconsistent with the terms of the collective bargaining agreement, this Memorandum of Agreement will control.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Agreement on this ____ day of _____, 2022.

FOR THE EMPLOYER

FOR THE UNION

Jennifer Bergman


Mike Woods, Staff Representative

Date

10-18-22
Date

Attachment: Revised Appendix B
Memorandum of Agreement for 2023 Insurance Contributions

Appendix B – High Deductible Health Plan Option

*High Deductible Health Plan Options

For Plan Years Starting 2023	Smart Plan #1	Smart Plan #3	Smart Plan #7	Smart Plan #8
Deductible per Single ²	Single Coverage Only=\$1,500	\$ 3,000	\$ 5,850	\$ 7,500
Ded per Family Person	\$ 3,000	\$ 3,000	\$ 5,850	\$ 7,500
Ded per Family Total	\$ 3,000	\$ 6,000	\$ 11,700	\$ 15,000
% Paid by Plan After Ded ¹	100%	100%	100%	100%
Out-of-Pkt Max per Single	Single Coverage Only=\$1,500	\$ 3,000	\$ 5,850	\$ 7,500
OOP Max per Family Person	\$ 3,000	\$ 3,000	\$ 5,850	\$ 7,500
OOP Max per Family Total	\$ 3,000	\$ 6,000	\$ 11,700	\$ 15,000
*All plans automatically index annually. ¹After deductibles on all Smart plans, the Plan pays 100% of the cost of qualifying care received at Top Value providers, as well provides up to \$1,500 of travel benefit when used to see Top Value providers. ²Deductible need not be met first to receive benefits for preventive prescriptions on all Smart plans; instead, copays of either \$0 for generic or \$50 for brand-name drugs on the approved list will apply.				

Memorandum of Agreement

This Memorandum of Agreement (hereinafter, "MOA") is entered into between the City of Brainerd (hereinafter, "City") and United Steel Workers, Local 9230 Unit 09 (hereinafter, "Union"), on behalf of the Brainerd Hydro bargaining unit.

WHEREAS, the City and Union are parties to a 2022 – 2024 collective bargaining agreement (hereinafter, "CBA"), which, in Article XXVII, describes premium contributions to health insurance; and

WHEREAS, High Deductible Health Insurance Plan Options were agreed by the parties to be offered for 2023 and contribution splits for the employer and employee are needed for open enrollment purposes.

NOW, THEREFORE, that the CITY AND THE UNION as follows:

1. The Parties hereto agree to the following premium splits and Employer HSA contributions for the 2023 and 2024 High Deductible Health Plan Smart Plan options as offered pursuant to Appendix B of the CBA:

Smart Plan #1 - \$1,500 Health Plan 2023 & 2024

% Contribution to Monthly Premium

Employer

Single	95%
Family	80%

Employee

Single	5%
Family	20%

HSA Annual Contribution Amount

Employer

Single	\$ 1,000
Family	\$ 1,500

Smart Plan #3 = \$3,000 Health Plan 2023 & 2024

% Contribution to Monthly Premium

Employer

Single	95%
Family	80%

Employee

Single	5%
Family	20%

HSA Annual Contribution Amount

Employer

Single	\$ 2,000
Family	\$ 2,500

Smart Plan #7 - \$5,850 Health Plan**2023 & 2024****% Contribution to Monthly Premium****Employer**

Single	97%
Family	85%

Employee

Single	3%
Family	15%

HSA Annual Contribution Amount**Employer**

Single	\$ 2,250
Family	\$ 2,750

Smart Plan #8 - \$7,500 Health Plan**2023 & 2024****% Contribution to Monthly Premium****Employer**

Single	100%
Family	90%

Employee

Single	0%
Family	10%

HSA Annual Contribution Amount**Employer**

Single	\$ 2,500
Family	\$ 3,000

2. All employer HSA contribution amounts described herein will be pro-rated based on a monthly contribution.
3. The division of premiums and HSA contributions described herein shall replace, and take precedence over, any CBA language including the previously agreed to Memorandum of Understanding describing 2023 - 2024 premiums and HSA contributions.
4. The City agrees to "front-load" the first three months of the additional Employer HSA contribution for all employees by January 31st of 2023 and 2024. Thereafter (effective April 1st), the amount will return and remain as a monthly contribution.
5. The City will provide an Opt-Out Option for eligible employees in lieu of the city's health insurance for 2023 and 2024. If the eligible employee elects the Opt-Out payment for 2023 and/or 2024, the monthly Opt-out taxable payment will be \$400 per month.

6. In the event this MOA will or does cause penalties, fees, fines, or excise taxes to be assessed against the City or employees, the parties agree to renegotiate this MOA in a manner that eliminates the penalties, fees, fines, or excise taxes.
7. This MOA represents the complete and total agreement between the City and the Union regarding the subject matter herein. The Parties agree that the MOA shall be in effect from January 1, 2023, through December 31, 2024, and shall sunset and cease to be effective on January 1, 2025.

IN WITNESS whereof the parties have hereunto set their hands the date and year affixed below.

FOR THE CITY OF BRAINERD

FOR UNITED STEEL WORKERS, AFLO-CIO,
CLC ON BEHALF OF LU 9230-09, Brainerd, MN

Jennifer Bergman, City Administrator



Mike Woods, Staff Representative

Date:

10-18-22

Date:

MEMORANDUM OF AGREEMENT
Between City of Brainerd (Employer)
and
International Brotherhood of Electrical Workers Local #31 (Union)
Representing the Public Utilities bargaining unit
(Amendment to Health Insurance Plan Option)

This Memorandum of Agreement ("MOA") is entered into between the City of Brainerd (hereafter referred to as "the Employer") and the International Brotherhood of Electrical Workers Local #31 (hereafter referred to as the "Union"), which is the exclusive representative for the Public Utilities bargaining unit. The Employer and the Union will collectively be referred to as the "Parties."

WHEREAS, the Parties are parties to a labor agreement currently in effect January 1, 2021 to December 31, 2023 (hereinafter referred to as the "Collective Bargaining Agreement") governed by the Minnesota Public Employment Labor Relations Act (as amended); and

WHEREAS, the Collective Bargaining Agreement outlines a negotiated health insurance benefit; and

WHEREAS, the Employer is a member of The Better Health Collective, a cooperative purchasing group that seeks to utilize its multiple members as a means of obtaining health insurance benefits on more favorable terms than can be obtained as an individual employer; and

WHEREAS, The Better Health Collective operates a health insurance pool, of which the Employer is a member; and

WHEREAS, Minnesota Statute Section 471.6161, Subd. 5 provides as follows:

Subd. 5. Collective bargaining. The aggregate value of benefits provided by a group insurance contract for employees covered by a collective agreement shall not be reduced, unless the public employer and exclusive representative of the employees of an appropriate bargaining unit, certified under section 179A.12, agree to a reduction in benefits;

and

WHEREAS, Article 11, Section 1, of the Collective Bargaining Agreement describes the health insurance plan offered to employees; and

WHEREAS, the Parties wish to modify the existing health insurance plan option currently contained in the Collective Bargaining Agreement, to reflect the options specified in Appendix B hereto.

NOW, THEREFORE, the Employer and the Union agree as follows:

1. The Collective Bargaining Agreement is hereby modified by replacing the health insurance option identified in Article 11, Section 1, with a \$3,000 Deductible Plan (Smart Plan #3) and other health insurance options outlined in Appendix B.
2. To the extent that any said plan option described in Appendix B constitutes or may constitute a reduction in aggregate benefits as outlined in Minnesota Statutes, Section 471.6161, subd. 5, the Union hereby agrees to said reduction in benefits.
3. The Parties understand that, as stated in Appendix B, the deductibles are expected to increase annually in accordance with the plan's terms. The Parties agree that, to the extent that deductibles increase, such increases will be automatically incorporated into Appendix B and will take effect without any further amendment to the Collective Bargaining Agreement.
4. The Collective Bargaining Agreement is hereby further modified to include the attached Memorandum of Agreement detailing the 2023 Employer and Employee health insurance contributions for the period of January 1, 2023, to December 31, 2023, for all plan options described in Appendix B.
5. The remainder of the Collective Bargaining Agreement shall remain unaltered.
6. To the extent that this Memorandum of Agreement is inconsistent with the terms of the collective bargaining agreement, this Memorandum of Agreement will control.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Agreement on this ____ day of _____, 2022.

FOR THE EMPLOYER

FOR THE UNION

Jennifer Bergman

Jordan Marquardt, Business Agent

Date:

Date:

Attachment: Revised Appendix B
Memorandum of Agreement for 2023 Insurance Contributions

Appendix B – High Deductible Health Plan Option

*High Deductible Health Plan Options

For Plan Years Starting 2023	Smart Plan #1	Smart Plan #3	Smart Plan #7	Smart Plan #8
Deductible per Single ²	Single Coverage Only=\$1,500	\$ 3,000	\$ 5,850	\$ 7,500
Ded per Family Person	\$ 3,000	\$ 3,000	\$ 5,850	\$ 7,500
Ded per Family Total	\$ 3,000	\$ 6,000	\$ 11,700	\$ 15,000
% Paid by Plan After Ded ¹	100%	100%	100%	100%
Out-of-Pkt Max per Single	Single Coverage Only=\$1,500	\$ 3,000	\$ 5,850	\$ 7,500
OOP Max per Family Person	\$ 3,000	\$ 3,000	\$ 5,850	\$ 7,500
OOP Max per Family Total	\$ 3,000	\$ 6,000	\$ 11,700	\$ 15,000
*All plans automatically index annually. ¹After deductibles on all Smart plans, the Plan pays 100% of the cost of qualifying care received at Top Value providers, as well provides up to \$1,500 of travel benefit when used to see Top Value providers. ²Deductible need not be met first to receive benefits for preventive prescriptions on all Smart plans; instead, copays of either \$0 for generic or \$50 for brand-name drugs on the approved list will apply.				

Memorandum of Agreement

This Memorandum of Agreement (hereinafter, "MOA") is entered into between the City of Brainerd (hereinafter, "City") and International Brotherhood of Electrical Workers, Local No. 31 (hereinafter, "Union"), on behalf of the Public Utilities bargaining unit.

WHEREAS, the City and Union are parties to a 2021 – 2023 collective bargaining agreement (hereinafter, "CBA"), which, in Article 11, describes premium contributions to health insurance; and

WHEREAS, High Deductible Health Insurance Plan Options were agreed by the parties to be offered for 2023 and contribution splits for the employer and employee are needed for open enrollment purposes.

NOW, THEREFORE, that the CITY AND THE UNION as follows:

1. The Parties hereto agree to the following premium splits and Employer HSA contributions for the 2023 High Deductible Health Plan Smart Plan options as offered pursuant to Appendix B of the CBA:

<i>Smart Plan #1 - \$1,500 Health Plan</i>		<u>2023</u>
<u>% Contribution to Monthly Premium</u>		
<u>Employer</u>		
Single		95%
Family		80%
<u>Employee</u>		
Single		5%
Family		20%
<u>HSA Annual Contribution Amount</u>		
<u>Employer</u>		
Single		\$ 1,000
Family		\$ 1,500

<i>Smart Plan #3 = \$3,000 Health Plan</i>		<u>2023</u>
<u>% Contribution to Monthly Premium</u>		
<u>Employer</u>		
Single		95%
Family		80%
<u>Employee</u>		
Single		5%
Family		20%
<u>HSA Annual Contribution Amount</u>		
<u>Employer</u>		
Single		\$ 2,000
Family		\$ 2,500

Smart Plan #7 - \$5,850 Health Plan		<u>2023</u>
<u>% Contribution to Monthly Premium</u>		
<u>Employer</u>		
Single		97%
Family		85%
<u>Employee</u>		
Single		3%
Family		15%
<u>HSA Annual Contribution Amount</u>		
<u>Employer</u>		
Single		\$ 2,250
Family		\$ 2,750

Smart Plan #8 - \$7,500 Health Plan		<u>2023</u>
<u>% Contribution to Monthly Premium</u>		
<u>Employer</u>		
Single		100%
Family		90%
<u>Employee</u>		
Single		0%
Family		10%
<u>HSA Annual Contribution Amount</u>		
<u>Employer</u>		
Single		\$ 2,500
Family		\$ 3,000

2. All employer HSA contribution amounts described herein will be pro-rated based on a monthly contribution.
3. The division of premiums and HSA contributions described herein shall replace, and take precedence over, any CBA language including the previously agreed to Memorandum of Understanding describing 2023 premiums and HSA contributions.
4. The City agrees to "front-load" the first three months of the additional Employer HSA contribution for all employees by January 31st of 2023. Thereafter (effective April 1st), the amount will return and remain as a monthly contribution.
5. The City will provide an Opt-Out Option for eligible employees in lieu of the city's health insurance for 2023. If the eligible employee elects the Opt-Out payment for 2023, the monthly Opt-out taxable payment will be \$400 per month.

6. In the event this MOA will or does cause penalties, fees, fines, or excise taxes to be assessed against the City or employees, the parties agree to renegotiate this MOA in a manner that eliminates the penalties, fees, fines, or excise taxes.
7. This MOA represents the complete and total agreement between the City and the Union regarding the subject matter herein. The Parties agree that the MOA shall be in effect from January 1, 2023, through December 31, 2023, and shall sunset and cease to be effective on January 1, 2024.

IN WITNESS whereof the parties have hereunto set their hands the date and year affixed below.

FOR THE CITY OF BRAINERD

FOR INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, LOCAL NO. 31

Jennifer Bergman, City Administrator

Jordan Marquardt, Business Agent

Date:

10-18-23
Date:

MEMORANDUM OF AGREEMENT
Between City of Brainerd (Employer)
and
International Brotherhood of Electrical Workers Local #31 (Union)
Representing the Administrative Support bargaining unit
(Amendment to Health Insurance Plan Option)

This Memorandum of Agreement ("MOA") is entered into between the City of Brainerd (hereafter referred to as "the Employer") and the International Brotherhood of Electrical Workers Local #31 (hereafter referred to as the "Union"), which is the exclusive representative for the Administrative Support bargaining unit. The Employer and the Union will collectively be referred to as the "Parties."

WHEREAS, the Parties are parties to a labor agreement currently in effect January 1, 2021 to December 31, 2022 (hereinafter referred to as the "Collective Bargaining Agreement") governed by the Minnesota Public Employment Labor Relations Act (as amended); and

WHEREAS, the Collective Bargaining Agreement outlines a negotiated health insurance benefit; and

WHEREAS, the Employer is a member of The Better Health Collective, a cooperative purchasing group that seeks to utilize its multiple members as a means of obtaining health insurance benefits on more favorable terms than can be obtained as an individual employer; and

WHEREAS, The Better Health Collective operates a health insurance pool, of which the Employer is a member; and

WHEREAS, Minnesota Statute Section 471.6161, Subd. 5 provides as follows:

Subd. 5. Collective bargaining. The aggregate value of benefits provided by a group insurance contract for employees covered by a collective agreement shall not be reduced, unless the public employer and exclusive representative of the employees of an appropriate bargaining unit, certified under section 179A.12, agree to a reduction in benefits;

and

WHEREAS, Article 8, Section 10, of the Collective Bargaining Agreement describes the health insurance plan offered to employees; and

WHEREAS, the Parties wish to modify the existing health insurance plan option currently contained in the Collective Bargaining Agreement, to reflect the options specified in Appendix B hereto;

NOW, THEREFORE, the Employer and the Union agree as follows:

1. The Collective Bargaining Agreement is hereby modified by replacing the health insurance option identified in Article 8, Section 10, with a \$3,000 Deductible Plan (Smart Plan #3) and other health insurance options outlined in Appendix B.
2. To the extent that any said plan option described in Appendix B constitutes or may constitute a reduction in aggregate benefits as outlined in Minnesota Statutes, Section 471.6161, subd. 5, the Union hereby agrees to said reduction in benefits.
3. The Parties understand that, as stated in Appendix B, the deductibles are expected to increase annually in accordance with the plan's terms. The Parties agree that, to the extent that deductibles increase, such increases will be automatically incorporated into Appendix B and will take effect without any further amendment to the Collective Bargaining Agreement.
4. The Collective Bargaining Agreement is hereby further modified to include the attached Memorandum of Agreement detailing the 2023 Employer and Employee health insurance contributions for the period of January 1, 2023, to December 31, 2023, for all plan options described in Appendix B.
5. The remainder of the Collective Bargaining Agreement shall remain unaltered.
6. To the extent that this Memorandum of Agreement is inconsistent with the terms of the collective bargaining agreement, this Memorandum of Agreement will control.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Agreement on this ____ day of _____, 2022.

FOR THE EMPLOYER

FOR THE UNION

Jennifer Bergman

Jordan Marquardt, Business Agent

Date

10-18-22

Date

Attachment: Revised Appendix B
Memorandum of Agreement for 2023 Insurance Contributions

Appendix B – High Deductible Health Plan Option

*High Deductible Health Plan Options

For Plan Years Starting 2023	Smart Plan #1	Smart Plan #3	Smart Plan #7	Smart Plan #8
Deductible per Single ²	Single Coverage Only=\$1,500	\$ 3,000	\$ 5,850	\$ 7,500
Ded per Family Person	\$ 3,000	\$ 3,000	\$ 5,850	\$ 7,500
Ded per Family Total	\$ 3,000	\$ 6,000	\$ 11,700	\$ 15,000
% Paid by Plan After Ded ¹	100%	100%	100%	100%
Out-of-Pkt Max per Single	Single Coverage Only=\$1,500	\$ 3,000	\$ 5,850	\$ 7,500
OOP Max per Family Person	\$ 3,000	\$ 3,000	\$ 5,850	\$ 7,500
OOP Max per Family Total	\$ 3,000	\$ 6,000	\$ 11,700	\$ 15,000
*All plans automatically index annually. ¹After deductibles on all Smart plans, the Plan pays 100% of the cost of qualifying care received at Top Value providers, as well provides up to \$1,500 of travel benefit when used to see Top Value providers. ²Deductible need not be met first to receive benefits for preventive prescriptions on all Smart plans; instead, copays of either \$0 for generic or \$50 for brand-name drugs on the approved list will apply.				

Memorandum of Agreement

This Memorandum of Agreement (hereinafter, "MOA") is entered into between the City of Brainerd (hereinafter, "City") and International Brotherhood of Electrical Workers, Local No. 31 (hereinafter, "Union"), on behalf of the Administrative Support bargaining unit.

WHEREAS, the City and Union are parties to a 2021 – 2022 collective bargaining agreement (hereinafter, "CBA"), which, in Article 8, describes premium contributions to health insurance; and

WHEREAS, High Deductible Health Insurance Plan Options were agreed by the parties to be offered for 2023 and contribution splits for the employer and employee are needed for open enrollment purposes.

NOW, THEREFORE, that the CITY AND THE UNION as follows:

1. The Parties hereto agree to the following premium splits and Employer HSA contributions for the 2023 High Deductible Health Plan Smart Plan options as offered pursuant to Appendix B of the CBA:

Smart Plan #1 - \$1,500 Health Plan		<u>2023</u>
<u>% Contribution to Monthly Premium</u>		
<u>Employer</u>		
Single		95%
Family		80%
<u>Employee</u>		
Single		5%
Family		20%
<u>HSA Annual Contribution Amount</u>		
<u>Employer</u>		
Single		\$ 1,000
Family		\$ 1,500

Smart Plan #3 = \$3,000 Health Plan		<u>2023</u>
<u>% Contribution to Monthly Premium</u>		
<u>Employer</u>		
Single		95%
Family		80%
<u>Employee</u>		
Single		5%
Family		20%
<u>HSA Annual Contribution Amount</u>		
<u>Employer</u>		
Single		\$ 2,000
Family		\$ 2,500

Smart Plan #7 - \$5,850 Health Plan		<u>2023</u>
<u>% Contribution to Monthly Premium</u>		
<u>Employer</u>		
Single		97%
Family		85%
<u>Employee</u>		
Single		3%
Family		15%
<u>HSA Annual Contribution Amount</u>		
<u>Employer</u>		
Single		\$ 2,250
Family		\$ 2,750

Smart Plan #8 - \$7,500 Health Plan		<u>2023</u>
<u>% Contribution to Monthly Premium</u>		
<u>Employer</u>		
Single		100%
Family		90%
<u>Employee</u>		
Single		0%
Family		10%
<u>HSA Annual Contribution Amount</u>		
<u>Employer</u>		
Single		\$ 2,500
Family		\$ 3,000

2. All employer HSA contribution amounts described herein will be pro-rated based on a monthly contribution.
3. The division of premiums and HSA contributions described herein shall replace, and take precedence over, any CBA language describing premiums and HSA contributions.
4. The City agrees to "front-load" the first three months of the additional Employer HSA contribution for all employees by January 31st of 2023. Thereafter (effective April 1st), the amount will return and remain as a monthly contribution.
5. The City will provide an Opt-Out Option for eligible employees in lieu of the city's health insurance for 2023. If the eligible employee elects the Opt-Out payment for 2023, the monthly Opt-out taxable payment will be \$400 per month.

6. In the event this MOA will or does cause penalties, fees, fines, or excise taxes to be assessed against the City or employees, the parties agree to renegotiate this MOA in a manner that eliminates the penalties, fees, fines, or excise taxes.
7. This MOA represents the complete and total agreement between the City and the Union regarding the subject matter herein. The Parties agree that the MOA shall be in effect from January 1, 2023, through December 31, 2023, and shall sunset and cease to be effective on January 1, 2024.

IN WITNESS whereof the parties have hereunto set their hands the date and year affixed below.

FOR THE CITY OF BRAINERD

FOR INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, LOCAL NO. 31

Jennifer Bergman, City Administrator


Jordan Marquardt, Business Agent

Date:

10-18-23

Date:



Brainerd City Council Agenda Request

Requested Meeting Date: November 7, 2022

Title of Item: Res: Transferring Funds from Sinking Funds

Agenda	Action Requested:	
☐ CONSENT AGENDA	☐ Approve/Deny Motion	☐ Direction Requested
☒ P&F COMMITTEE	☒ Adopt Resolution (attach draft)	☐ Discussion Item
☐ SPW COMMITTEE	☐ Ordinance 1 st Reading	☐ Hold Public Hearing*
☐ MAIN AGENDA	<i>*provide copy of published hearing notice</i>	

Submitted by: Connie Hillman

Department: Finance

Presenter: Connie Hillman

Estimated Time Needed: 5 Minutes

Summary of Issue:

The City paid off two debt issues in February 2022 - General Obligation Airport Improvement Refunding Bonds, Series 2010A (Fund 301) and General Obligation Improvement Bonds, Series 2011A (Fund 313). Both Funds have a positive balance of \$35,427.90 and 48,472.16 respectively, for a combined total of \$83,900.06.

Historically when a debt issues has been paid off, the Council has adopted a resolution to transfer the positive balance to Fund 400 - Capital Equipment and Facilities and any future delinquent tax revenue or special assessments if applicable that are collected also go to Fund 400. The City did budget for \$117,000 to go into the Fund 400 in 2022.

Alternative, Options, Effects on Others/Comments:

The expenditure for the lawsuit will be recorded in 2022, resulting in a significant reduction to the General Fund balance. The transfer of \$83,900.06 could be made to the General Fund (101) rather than Fund 400 and any future delinquent tax revenue or special assessment collections could go to Fund 400.

If the cash balances from Funds 301 and 313 were transferred to the Fund 101 rather than Fund 400, it does make cash flowing the capital plan more of a challenge but including the the Fire Capital Fund (404), the City preliminarily goes negative in 2025 with the current funding streams, but then back to positive. However, with not doing the Annex or updating capital expenditures for the use of ARPA dollars, we should remain positive.

Recommended Action/Motion:

Adopt the attached proposed resolution relating to finance transferring certain funds to and from sinking funds; closing out Funds 301 and 313 with the cash balances being transfer to Fund 101 and any future delinquent tax revenues or special assessment collections going to Fund 400.

Financial Impact:

Is there a cost associated with this request:

What is the total cost, with tax and shipping:

Is this budgeted? (Please Explain)

**RESOLUTION
NO. XX:22**

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

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

Section 1. Background: Findings.

- 1.01 The City maintains Sinking Fund No. 301 (Fund 301) for the purpose of paying bonded indebtedness for the City's portion of the General Obligation Airport Improvement Refunding Bonds portion of Series 2010A.
- 1.02 The bonds have been paid off February 1, 2022, and the balance in Fund 301 is a positive \$35,427.90 as of October 31, 2022.
- 1.03 The City maintains Sinking Fund No. 313 (Fund 313) for the purpose of paying bonded indebtedness for the City's General Obligation Improvement Bonds of Series 2011A.
- 1.04 The bonds have been paid off February 1, 2022, and the balance in Fund 313 is a positive \$48,472.16 as of October 31, 2022.

Section 2. Transfer: Authorizations.

- 2.01 A sum of \$35,427.90 is to be transferred from Fund 301 to Fund 101 to bring the fund balance in Fund 301 to \$0.
- 2.02 Any future delinquent tax revenues from Fund 301 will be deposited into Capital Projects Fund No. 400.
- 2.03 A sum of \$48,472.16 is to be transferred from Fund 313 to Fund 101 to bring the fund balance in Fund 313 to \$0.
- 2.04 Any future special assessment or delinquent tax revenues from Fund 313 will be deposited into Capital Projects Fund No. 400.

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: November 7, 2022

Title of Item: Approval of Deferment of Assessments

Agenda ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Ordinance 1 st Reading ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* <i>*provide copy of published hearing notice</i>
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Submitted by: Connie Hillman

Department: Finance

Presenter: Connie Hillman

Estimated Time Needed: 5 Minutes

Summary of Issue:

The City has received 6 applications for deferment for pay year 2023 from 4 different residents. The applications were completed before the criteria was updated, but Staff used resolution 37:22 (attached) that was adopted at the October 17th Council meeting to determine eligibility. Staff also used the 2023 property valuations that were sent out in March 2022 when looking at 4C in determining if a financial hardship exists. Staff determined that 3 residents that account for 4 applications meet all of the criteria of sections 4 and 5 of the resolution. One resident with 2 applications does not meet the estimated market value (EMV) limit in 4C.

Alternative, Options, Effects on Others/Comments:

Mr. Guy Green is the applicant (PID 41191721) that does not meet the EMV criteria. Mr. Green does have a triple corner lot and both streets were completed in 2019 resulting in a larger assessment for Mr. Green. The Council determined that there was a financial hardship for the size of the assessment and granted Mr. Green deferment for pay years 2020 and 2021.

Recommended Action/Motion:

Staff's recommendation is to approve the applications for deferment of assessment payable in 2022 for the applicants at PID's 41191220, 41300682, 41191721,

Financial Impact:

Is there a cost associated with this request:

What is the total cost, with tax and shipping:

Is this budgeted? (Please Explain)

**RESOLUTION
NO. 37:22**

RESOLUTION ESTABLISHING CRITERIA FOR DEFERMENT OF ASSESSMENTS

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

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

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

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

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

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

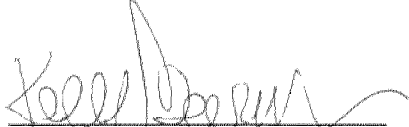
- B. The special assessments to be deferred must be multi-year assessments and the original principal amount must exceed \$300.00.
 - C. The Crow Wing County Assessor's estimated market value of the applicant's homestead is less than \$173,800 (2022 assessment median homestead value per Crow Wing County).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

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

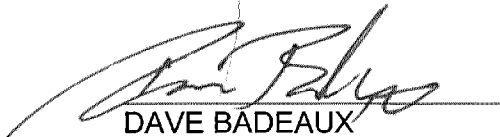
6. The option to defer the payment of special assessments shall terminate and all amounts accumulated plus applicable interest shall become due upon the occurrence of any of the following events:
- A. The death of the owner when there is no spouse who is eligible for deferment;
 - B. The sale, transfer,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

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

Adopted this 17th day of October 2022


KELLY BEVANS
President of the Council

Approved this 18th day of October 2022


DAVE BADEAUX
Mayor

ATTEST:


JENNIFER BERGMAN
City Administrator

**DEFERRED ASSESSMENTS
CITY OF BRAINERD**

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

TO: Jennifer Bergman, City Administrator, City of Brainerd, Minnesota

NAME MARGARET O'ROURKE ADDRESS 928 10TH AVE NE BRAINERD MN 56401 IMP 13-19	I am (check one) ☒ At least 65 years of age ☐ Retired by virtue of a total or permanent disability ☐ Financial hardship exists
R.E. CODE OF PROPERTY: 41191220 LEGAL DESCRIPTION OF PROPERTY: SABIN'S ADDITION TO THE CITY OF BRAINERD LOT 2 BLOCK 1	

I, the undersigned, declare under penalties of perjury: _____

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

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

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

That the Crow Wing County Assessor's estimated market value of my homestead is less than \$110,000.

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

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

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

That the taxes for improvements on the special assessments adopted by Resolution No. 57:14 on OCT 20, 2014, by the City of Brainerd which have been allocated against the subject property would create undue personal hardship on my behalf and I respectfully request that payment be so deferred for the installments payable in the year 2023. (NOTE: Application for deferment shall be made each year.)

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

Signed Margaret O'Rourke
Owner

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

That in accordance with approval granted, that the assessment on the affiant's subject property levied for annual collection composed of principal \$ 329.00 and interest, which is based on the unpaid principal balance payable in the year 20__ should be so deferred with interest at the annual rate of 5 %, until such time as it is deemed the applicant no longer qualifies or the property loses its eligibility.

Date: _____ 20__.

City Administrator

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

**DEFERRED ASSESSMENTS
CITY OF BRAINERD**

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

TO: Jennifer Bergman, City Administrator, City of Brainerd, Minnesota

NAME MARGARET O'ROURKE ADDRESS 928 10TH AVE NE BRAINERD MN 56401 IMP 17-16	I am (check one) ☒ At least 65 years of age ☐ Retired by virtue of a total or permanent disability ☐ Financial hardship exists
R.E. CODE OF PROPERTY: <u>41191220</u> LEGAL DESCRIPTION OF PROPERTY: <u>SABIN'S ADDITION TO THE CITY OF BRAINERD LOT 2 BLOCK 1</u>	

I, the undersigned, declare under penalties of perjury:

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

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

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

That the Crow Wing County Assessor's estimated market value of my homestead is less than \$110,000.

That my interest in the ownership of the above property was acquired on 12/31, 2011, and is as follows (check one):

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

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

That the taxes for improvements on the special assessments adopted by Resolution No. 51:19 on OCT 16, 2019, by the City of Brainerd which have been allocated against the subject property would create undue personal hardship on my behalf and I respectfully request that payment be so deferred for the installments payable in the year 2023. (NOTE: Application for deferment shall be made each year.)

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

Signed Margaret O'Rourke
Owner

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

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

Date: _____ 20__.

City Administrator

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

**DEFERRED ASSESSMENTS
CITY OF BRAINERD**

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

TO: Jennifer Bergman, City Administrator, City of Brainerd, Minnesota

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

I, the undersigned, declare under penalties of perjury:

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

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

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

That the Crow Wing County Assessor's estimated market value of my homestead is less than \$110,000.

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

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

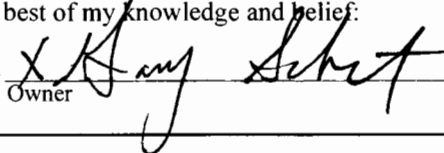
That on Jan 1, 2022 I owned and occupied the above property as my homestead and such occupancy began on June 1, 1986.

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

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

Signed

Owner



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

That in accordance with approval granted, that the assessment on the affiant's subject property levied for annual collection composed of principal \$ 235.10 and interest, which is based on the unpaid principal balance payable in the year 20__ should be so deferred with interest at the annual rate of 4.25 %, until such time as it is deemed the applicant no longer qualifies or the property loses its eligibility.

Date: _____ 20__.

City Administrator

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

**DEFERRED ASSESSMENTS
CITY OF BRAINERD**

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

TO: Jennifer Bergman, City Administrator, City of Brainerd, Minnesota

NAME <u>GUY R. GREEN</u> ADDRESS <u>1004 H STREET</u> <u>BRAINERD MN 56401</u>	I am (check one) ☒ At least 65 years of age ☐ Retired by virtue of a total or permanent disability ☒ Financial hardship exists
R.E. CODE OF PROPERTY: <u>41191721</u> CITY IMP <u>17-06</u> LEGAL DESCRIPTION OF PROPERTY: <u>EAST SIDE ADDITION TO THE CITY OF BRAINERD</u> <u>LOTS 8 THRU 10 BLOCK 1 INCLUSIVE</u>	

I, the undersigned, declare under penalties of perjury:

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

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

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

That the Crow Wing County Assessor's estimated market value of my homestead is less than \$110,000.

That my interest in the ownership of the above property was acquired on September, 2007, and is as follows (check one):

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

That on OCT. 10, 2022 I owned and occupied the above property as my homestead and such occupancy began on _____.

That the taxes for improvements on the special assessments adopted by Resolution No. 51:19 on OCT 16, 2019, by the City of Brainerd which have been allocated against the subject property would create undue personal hardship on my behalf and I respectfully request that payment be so deferred for the installments payable in the year 2023. (NOTE: Application for deferment shall be made each year.)

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

Signed _____

Owner

I, Jennifer Bergman, City Administrator of the City of Brainerd, Crow Wing County, State of Minnesota, do hereby certify that the application of GREEN, above named, has been duly reviewed and that in accordance with the minutes of official record for the meeting held _____, 2022, in said city council chambers, was duly APPROVED or DENIED. That in accordance with approval granted, that the assessment on the affiant's subject property levied for annual collection composed of principal \$ 436.31 and interest, which is based on the unpaid principal balance payable in the year 2023 should be so deferred with interest at the annual rate of 3.3 %, until such time as it is deemed the applicant no longer qualifies or the property loses its eligibility.

Date: _____ 2022.

City Administrator

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

**DEFERRED ASSESSMENTS
CITY OF BRAINERD**

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

TO: Jennifer Bergman, City Administrator, City of Brainerd, Minnesota

NAME GUY R. GREEN ADDRESS 1004 H STREET BRAINERD MN 56401	I am (check one) ☒ At least 65 years of age ☐ Retired by virtue of a total or permanent disability ☒ Financial hardship exists
R.E. CODE OF PROPERTY: <u>41191721</u> CITY IMP <u>17-07</u> LEGAL DESCRIPTION OF PROPERTY: <u>EAST SIDE ADDITION TO THE CITY OF BRAINERD</u> <u>LOTS 8 THRU 10 BLOCK 1 INCLUSIVE</u>	

I, the undersigned, declare under penalties of perjury:

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

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

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

That the Crow Wing County Assessor's estimated market value of my homestead is less than \$110,000.

That my interest in the ownership of the above property was acquired on September, 2008, and is as follows (check one):

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

That on Sept. 2008 I owned and occupied the above property as my homestead and such occupancy began on Sept. 2008.

That the taxes for improvements on the special assessments adopted by Resolution No. 51:19 on OCT 16, 2019, by the City of Brainerd which have been allocated against the subject property would create undue personal hardship on my behalf and I respectfully request that payment be so deferred for the installments payable in the year 2023. (NOTE: Application for deferment shall be made each year.)

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

Signed _____

Owner

I, Jennifer Bergman, City Administrator of the City of Brainerd, Crow Wing County, State of Minnesota, do hereby certify that the application of GREEN, above named, has been duly reviewed and that in accordance with the minutes of official record for the meeting held _____, 2022, in said city council chambers, was duly APPROVED or DENIED.

That in accordance with approval granted, that the assessment on the affiant's subject property levied for annual collection composed of principal \$ 772.34 and interest, which is based on the unpaid principal balance payable in the year 2023 should be so deferred with interest at the annual rate of 3.3 %, until such time as it is deemed the applicant no longer qualifies or the property loses its eligibility.

Date: _____ 20____.

City Administrator

DRAFTED BY:

Pamela Ziemer

City of Brainerd

501 Laurel St

Brainerd MN 56401

**DEFERRED ASSESSMENTS
CITY OF BRAINERD**

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

TO: Jennifer Bergman, City Administrator, City of Brainerd, Minnesota

NAME STEGORA, SYLVESTER & MARY SUE STEGORA ADDRESS 1310 ST. LOUIS AVE BRAINERD MN 56401	I am (check one) ☐ At least 65 years of age ☒ Retired by virtue of a total or permanent disability ☐ Financial hardship exists
R.E. CODE OF PROPERTY: 41250875	
LEGAL DESCRIPTION OF PROPERTY: DAVIS ADDITION TO THE CITY OF BRAINERD LOTS 2 THRU 4 INCLUSIVE AND ALSO INCLUDING THAT PART OF THE ADJACENT VACATED ALLEY IN BLOCK 16	

I, the undersigned, declare under penalties of perjury:

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

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

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

That the Crow Wing County Assessor's estimated market value of my homestead is less than \$110,000.

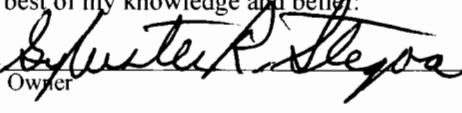
That my interest in the ownership of the above property was acquired on September 26, 1991, and is as follows (check one):

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

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

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

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

Signed 
Owner

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

That in accordance with approval granted, that the assessment on the affiant's subject property levied for annual collection composed of principal \$ 307.06 and interest, which is based on the unpaid principal balance payable in the year 20__ should be so deferred with interest at the annual rate of 2.83 %, until such time as it is deemed the applicant no longer qualifies or the property loses its eligibility.

Date: _____ 20__.

City Administrator

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



Brainerd City Council Agenda Request

Requested Meeting Date: November 7, 2022

Title of Item: Adopt Budget for SLFRF - Part of ARPA

Agenda	Action Requested:	
☐ CONSENT AGENDA	☒ Approve/Deny Motion	☐ Direction Requested
☒ P&F COMMITTEE	☐ Adopt Resolution (attach draft)	☐ Discussion Item
☐ SPW COMMITTEE	☐ Ordinance 1 st Reading	☐ Hold Public Hearing*
☐ MAIN AGENDA	<i>*provide copy of published hearing notice</i>	

Submitted by: Connie Hillman

Department: Finance

Presenter: Connie Hillman

Estimated Time Needed: 5 Minutes

Summary of Issue:

See attached memo from Staff.

Alternative, Options, Effects on Others/Comments:

Recommended Action/Motion:

Adopted budget for ARPA funds for the parks, 2023 capital, and police department HVAC.

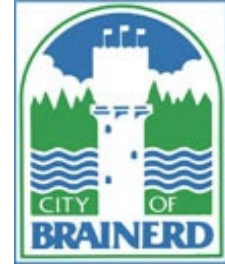
Financial Impact:

Is there a cost associated with this request: Yes

What is the total cost, with tax and shipping: unknown

Is this budgeted? (Please Explain) The budget will be part of the 2023 budget.

MEMO



TO: Mayor and Council

FROM: Finance Director Connie Hillman

DATE: November 2, 2022

RE: Use of Coronavirus State & Local Fiscal Recovery Funds (SLFRF) – Part of American Rescue Plan Act (ARPA) of 2021

Background:

The City received \$1,468,097.57 in State and Local Fiscal Recovery Funds (SLFRF) which were issued as part of the American Rescue Plan Act (ARPA) of 2021. The funds must be used for costs incurred on or after March 3, 2021, be obligated by December 31, 2024, and expended by December 31, 2026. The following lists are items that SLFRF dollars **cannot** be used for:

- To directly or indirectly offset a reduction in net tax revenue
- Deposits into pension funds
- Debt service or replenishing financial reserves
- Satisfaction of settlements and judgements
- Any project that conflicts with ARPA statute, including laws around procurement

At the June 20, 2022 Council meeting, the Council authorized the allocation of \$80,000 in ARPA Funds to the EDA to be used as a matching grant funds to eligible organizations or businesses for the DEED Main Street Revitalization program. Therefore **\$1,388,097.57** in FRF funds remains to be allocated.

City Council held a workshop on October 11, 2022. The spreadsheet created from the workshop is attached. Staff's recommendation would be for Council to adopt a budget for the use of ARPA funds that can later be amended as additional uses for the funds are determined.

Funding Recommendations:

- ***Funding for Parks: \$575,000***
 - 7 out of 8 council members recommended funding for park projects. The Park Board's requests for ARPA funding are included in this agenda item after Staff's memo.

- Based on discussion from the council workshop, there was mixed opinion on how much and which requested projects should be funded with ARPA dollars. Consistently the 7 council members agreed on funding:

Lum Park Campground	\$150,000
Jaycees Park	200,000
Lum Park Beach	<u>150,000</u>
Total	\$500,000

- The average recommended funding, after removing the highest and the lowest amounts, is \$578,020. Therefore, it is Staff's recommendation to budget \$575,000 of ARPA funds for the following parks projects as requested by the Park Board:

Lum Park Campground	\$150,000
Jaycees Park	200,000
Lum Park Beach	150,000
Kiwanis Park	<u>75,000</u>
Total	\$575,000

- Staff would recommend Council provide specific direction to the Park Board on the expectation of the ARPA expenditures. Specifically, a ranking of projects in case the bids come in higher than expected. So, for example, if the Lum Park Campground and Jaycees Park were the priorities for the Council, those should be done first. If the bids come in higher than the amount of ARPA allocated, the Park Board should not proceed with the other projects.

- **2023 Capital: \$300,000**

- 5 out of 8 council members recommended some sort of funding for 2023 capital. The average recommended funding, after removing the highest and the lowest amounts, is \$268,750.
- Staff struggled with making a recommendation for the 2023 Capital amount. To be consistent with the recommendation for the parks, Staff should have recommended about \$250,000. It would be more ideal if ARPA funding would fund one full item on the 2023 proposed capital. Staff would recommend that to be the motor grader at an estimated cost of \$385,000. However, this is more than the funding recommended by most council member. Since 3 out of 5 recommended \$300,000 or more for 2023 capital, Staff is proposing \$300,000.

- ***Police Department HVAC (Future Capital): \$140,000***
 - 5 out of 8 council members recommended funding for the police department HVAC. There was split between funding option 1 or option 2.
 - Staff recommends doing option 2, which is estimated to cost \$330,000 to replace the current unit with 2 gas fired rooftop units. \$250,000 is in the 2024 capital plan for the police department HVAC. Staff was told there is a 40 to 50-week lead time on getting the units. Staff is proposing \$140,000 of the cost to be funding through APRA and the remaining \$160,000 to be funded through the 2024 capital. Both units would be ordered at the same time in early 2023.
- ***To be Determined: \$373,097.57***
 - This is the amount of the ARPA funds remaining after Staff's recommendations based on the information gathered from Council at the workshop.

Conclusion:

Staff did attach a budget worksheet. It has a column with the amounts suggested above based on the rational used. There is another column labeled Council's Motion 11/7/2022, that I will have at the council meeting to be completed, if council members would like something different than Staff's recommendations. Staff's recommendation would be for Council to set a budget for at least the funding for parks, 2023 capital, and police HVAC.

September 6, 2022, Special Park Board Meeting

Discussion of ARPA Fund Requests

The Park Board respectfully requests the City Council's consideration of the following projects for ARPA funds. Board members discussed and chose projects that have community health and wellness in mind, projects that align with the Park Board's master park plans, and projects that would have the biggest impact on the community for residents and visitors alike to get more people into the parks on a year-round basis.

Lum Park Campground \$150,000

- Expand and improve the campground with additional RV sites and possible tent camping sites for bike trail users and river paddlers
- Generate additional revenue; the 2021 net campground revenue was \$47,000

Jaycees Park* \$200,000

- Upgrade soccer field and parking area to accommodate growing YMCA youth programs
- Establish outdoor pleasure and hockey rinks and upgrade warming house for winter usage
- Develop park trail for year-round use and install horseshoe pits
- Plant trees to establish shady seating areas and replace trees lost in 2022 storms
- *New playground was installed in 2022

Memorial Park \$125,000

- Complete Phases 2 and 3 of the Master Plan that includes trails for year-round use, a disc golf course, and moving the Mills Field fence to provide more usable park space
- Plant trees to establish shady seating areas

Lum Park Beach \$150,000

- Expand and improve the only swimming beach in the city park system for the enjoyment of residents, campground guests, and other visitors
- Add outdoor shower and additional picnic tables
- Add connecting pathways, beautification of transition from beach to grass areas, keep historic stone wall

Kiwanis Park Clearing \$80,000

- Clear brush and invasive species along Boom Lake and the Mississippi River
- Provide tables and benches for waterfront seating

Skate Park \$300,000

- Contribute to fundraising efforts
- The Lakes Area Skate Park Association has raised less than \$100,000 towards this as well

Total of Proposal: \$1,005,000

ARPA Allocation

	Stunek	Johnson	Bieser	Stenglein	Erickson	O'Day	Bevans	Badeaux
Total Funds	\$ 1,468,098	\$ 1,468,098	\$ 1,468,098	\$ 1,468,098	\$ 1,468,098	\$ 1,468,098	\$ 1,468,098	\$ 1,468,098
Allocated to EDA - Mainstreet Grant	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000
Remaining Allocation	\$ 1,388,098	\$ 1,388,098	\$ 1,388,098	\$ 1,388,098	\$ 1,388,098	\$ 1,388,098	\$ 1,388,098	\$ 1,388,098
Potential Projects								
Parks	592,000	555,000	700,000		555,000	580,000	583,098	580,000
River Crossing	-	-	-	1,179,241	-	-	-	-
Gully Remediation - Grant Match	-	-	208,857	208,857	208,857	-	-	-
2023 Capital	325,000	250,000	350,000	-	-	-	300,000	200,000
Annex Repair	-	-	-	-	294,241	-	-	-
Police Department HVAC	330,000	-	-	-	330,000	140,000	330,000	140,000
Streets/Park Facility	-	-	79,241	-	-	-	175,000	-
Other	91,098	533,098	50,000	-	-	668,098	-	418,098
Historic Watertower	50,000	50,000						50,000
Hwy 210 Ped Crossings								
Laurel Street Connection to NP								
Remaining Allocation	\$ (0)	\$ (0)	\$ (0)	\$ (0)	\$ (0)	\$ (0)	\$ (0)	\$ (0)

Banners, Trail Head Park, Lights, Holiday Decorations, Gregory Park Fount., Relocation of Trailer Park

* Community base group to help homeowners

ARPA Budget

	Staff's Recommendation as of 11/7/2022	Council's Motion 11/7/2022
Total Funding	\$ 1,468,098	\$ 1,468,098
Allocated to EDA - Mainstreet Grant	80,000	80,000
Future Parks Capital **	575,000	-
2023 Capital	300,000	-
Police Department HVAC	140,000	-
To Be Determined	\$ 373,098	\$ 1,388,098
** Future Park Capital Priority Order		
Lum Park Campground	\$ 150,000	\$ -
Jaycees Park	200,000	-
Lum Park Beach	150,000	-
Kiwanis Park	75,000	-
	\$ 575,000	\$ -



Brainerd City Council Agenda Request

Requested Meeting Date: November 7, 2022

Title of Item: Consider Setting a Budget Workshop

Agenda	Action Requested:	
☐ CONSENT AGENDA	☒ Approve/Deny Motion	☐ Direction Requested
☒ P&F COMMITTEE	☐ Adopt Resolution (attach draft)	☐ Discussion Item
☐ SPW COMMITTEE	☐ Ordinance 1 st Reading	☐ Hold Public Hearing*
☐ MAIN AGENDA	<i>*provide copy of published hearing notice</i>	

Submitted by: Connie Hillman

Department: Finance

Presenter: Connie Hillman

Estimated Time Needed: 2 Minutes

Summary of Issue:

Council has usually held a workshop in late November to discuss the updates to the Working Funds budget and to get an update on the overall levy. At the workshop Council generally provides guidance to Staff on what the Council would like Staff to present for the 2023 levy at the budget public hearing which is scheduled for December 12, 2022 at 7:30 p.m. in the Council Chambers.

Alternative, Options, Effects on Others/Comments:

Recommended Action/Motion:

Staff's recommendation would be to set a budget workshop on Monday, November 28, 2022 at 6:00 pm in the Council Chambers.

Financial Impact:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping:

Is this budgeted? (Please Explain)



Brainerd City Council Agenda Request

Requested Meeting Date: November 7, 2022

Title of Item: Adopt Resolution Adopting Contested Assessments - 2022 Nuisance Abatement

Agenda ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☒ Adopt Resolution (attach draft) ☐ Ordinance 1 st Reading ☐ Direction Requested ☐ Discussion Item ☒ Hold Public Hearing* <i>*provide copy of published hearing notice</i>
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Submitted by: Community Development Director

Department: Community Development

Presenter: James Kramvik, CDD

Estimated Time Needed: 10 min

Summary of Issue:

Attached to this request is a copy of the Notice of Assessment Hearing, and the contested assessment rolls for the 2022 nuisance abatement assessments (for citations issued 9-1-21 to 8-31-22). The assessments were held over from the October 17, 2022 City Council meeting and the public hearing was adjourned.

Alternative, Options, Effects on Others/Comments:

See Memo

Recommended Action/Motion:

Staff recommends a motion in which waives the nuisance assessments for PID's 41191552, 41191107, 41300564, and 41360806 owned by Carie Houghton, Gregory Gakin, Brian Timmers, and Craig Match.

Staff would recommend opening the public hearing to hear testimony for or against the proposed assessments as listed and also to adopt the attached resolution adopting the contested assessments as proposed for the 2022 nuisance abatement assessments.

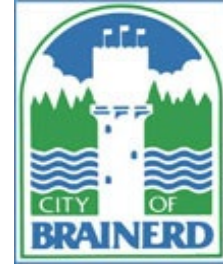
Financial Impact:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping:

Is this budgeted? (Please Explain)

MEMO



TO: Mayor and City Council

FROM: James Kramvik, Community Development Director

DATE: November 7, 2022

RE: Contested Nuisance Abatement Assessments

Carie Houghton - 516 1st Ave NE – PID 41191552 (Staff Recommendation to Waive)

- 1) The first issue is related to junk and debris on the property, which was called in as a complaint this Spring. Staff worked with the property owner after the first citation to address the large furniture items and work on other issues through the summer. If compliance was met, staff agreed to waive the citation of \$125.00.
- 2) The second issue is related to property maintenance of the soffit and fascia board of the accessory structure. Staff agreed to stop all citations through the summer while the property owner worked on hiring a contractor to repair the issue. The repair has not yet occurred, and additional citations were sent. This issue was reviewed by SPW at the October 3rd meeting as staff had not heard from the property owner after sending the additional citations. Outstanding citation amount of \$675.00.

The property owner contacted staff after receiving the nuisance abatement assessment letter and believed she had until winter to complete these issues and told staff that it will be completed. Staff should have sent an additional letter with a date of completion so there would be no miscommunication.

Gregory Gakin - 923 9th Ave NE – PID 41191107 (Staff Recommendation to Waive)

Staff agreed to waive the citations for junk and debris if the property owner cleaned up the site. The property was cleaned up and is in compliance, but because of the date of reinspection of 9/23/2022 the citations could not be removed administratively. Outstanding citation amount of \$350.00.

Brian Timmers – 1209 Oak St – PID 41300564 (Council Member Erickson Recommendation to Waive)

- 1) Sent violation letter on 7/12/22 for junk/debris/blight
- 2) Sent first citation letter 07/29/22
- 3) Reinspection took place on 9/27/22 – owner complied by installing a 6' fence to screen the yard so the case was closed.

Mike Thelen - 218 2nd Ave NE – PID 41191789

- 1) Property maintenance letter sent on 09/20/21 regarding condition of roof
- 2) Citation was issued 10/21/21
- 3) Property maintenance citation activity ceased through the winter
- 4) Property was revisited in spring/summer 2022 and the issue had been repaired during that time.
- 5) From May 2021 – Oct 2021, This property was also sent violation letters for long grass, junk/debris, broken fence, and unlicensed vehicle; all of which were corrected, and no citations were issued.
- 6) Fence issue with neighboring property – Staff met with the neighboring property owner at the site to determine ownership of the fence. The property pins were located, which placed the fence on Mr. Thelen's property by approximately 2 feet. Mr. Thelen was notified the pins were located and the fence was his. At some point this past year, the fence was removed.

Matthew Jager - 9206 Northtown St – PID 41330653

- 1) Unlicensed vehicle violation letter sent 06/08/22
- 2) Citation letters sent 06/23/22, 07/29/22, 08/08/22
- 3) Went to SPW 09/06/22 – motion to send 10-day order to correct letter and work with City Attorney for abatement.
- 4) Mr. Jager responded to staff after receiving the 10-day order to correct letter. The car belonged to a patient at Teen Challenge and has now been removed from the property.

Roy Parker - 1720 Laurel St – PID 41300794

- 1) Property maintenance concerns go back to 2009
- 2) Roofing permit issued in 2016 with no activity
- 3) Roofing permit issued in 2020 with no activity
- 4) Property maintenance letters sent 09/02/2021, 05/09/22, 05/17/22
- 5) Citations sent 10/04/2021, 10/11/2021, 10/18/21, 10/25/21, 11/01/21, 11/08/21, 06/09/22, 06/21/22, 07/01/22, 07/12/22, 07/19/22
- 6) Roofing permit issued 07/26/22, thus ceasing the citation process. Mr. Parker has started repairing the roof issues but is not yet complete.

Craig Matich - 823 Brook St – PID 41360806 (Staff Recommendation to Waive)

- 1) Property maintenance letters sent 07/06/20 (grass), 05/20/22 (junk/debris)
- 2) Zoning Code violation letters sent 05/20/22 (parking RV, semi-trailers)
- 3) Property maintenance citations sent 07/13/20, 07/01/22, 07/11/22
- 4) Zoning Code citations sent 08/01/22, 08/11/22, 08/22/22
- 5) Mr. Matich has been working with staff this summer regarding the long grass and junk/debris. He has taken care of these violations and Jason voided \$300 in citations.

- 6) The open citations he spoke of are for zoning violations of parking an RV and semi-trailers on the property in unapproved areas. The RV has been removed while the semi-trailer has not.
- 7) The property owner has continually improved the property this summer and has worked with staff to correct the issues.

Wallace Goodrich – PID 41191502

- 1) Zoning Code issues and go back to 2019 regarding parking/storage of vehicles and equipment on a vacant lot.
- 2) Property maintenance issues go back to 2019 regarding long grass/weeds, junk/debris, and unlicensed/inoperable vehicles.
- 3) The vacant property has been used as a storage lot for trailers, cars, miscellaneous equipment.
- 4) Zoning Code and property maintenance letters sent 06/02/20, 06/20/20, 08/13/20, 09/11/20, 06/11/21, 10/07/21, 10/13/21, 4/22/22, 05/19/22,
- 5) Property maintenance citations sent 07/17/20, 08/27/20, 09/11/20, 09/23/20, 09/30/20, 10/09/20, 06/28/21, 07/13/21, 07/20/21, 07/27/21, 08/03/21, 08/13/21, 10/28/21, 11/16/21, 11/24/21, 12/2/21, 12/10/21, 12/20/21, 06/03/22, 06/14/22, 06/24/22
- 6) No responses from Mr. Goodrich or attempts to question/work with current staff regarding these letters.
- 7) Went to SPW 04/18/22 – motion to issue notices of violation and if compliance does not occur within 30 days, work with the City attorney for abatement.
- 8) Obtained Administrative Search Warrant 10/04/22 to abate the property.
- 9) The property owner has kept the site free of vehicles and trailers since abatement. Staff has explained the expectations for the property going forward and Mr. Goodrich has agreed to keep the vehicles and trailers off the property.

NOTICE OF HEARING ON PROPOSED ASSESSMENT

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of Brainerd, Minnesota will meet in the Council Chambers of the Brainerd City Hall at 7:30 p.m. on October 17, 2022, to pass upon the proposed assessment for the following improvements:

DOWNTOWN SPECIAL SERVICES DISTRICT

Snow Removal, Irrigation Maintenance, Landscaping, Garbage Collection

Laurel Street from South 6th Street to South 8th Street
Front Street from South 6th Street to South 8th Street
South 7th Street from Maple Street to Front Street

NUISANCE ABATEMENT

Nuisance Abatement and Administrative Citations

Miscellaneous properties around the City

The areas proposed to be assessed for these improvements are the properties abutting and/or benefitting from the above-described projects.

The proposed assessment role is on file for public inspection at the City Administrator's Office and the City Engineer's Office.

The total cost of Downtown Special Services District is \$113,815.18 of which \$60,402.62 is proposed to be assessed.

The total cost of Nuisance Abatement is \$40,125.00 of which \$40,125.00 is proposed to be assessed.

Written or oral objections will be considered at the meeting. No appeal may be taken as to the amount of any assessment unless a signed, written objection is filed with the City Administrator prior to the hearing or presented to the presiding officer at the hearing. The Council may upon such notice consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners as it deems advisable.

The amount to be specifically assessed against your particular lot, piece or parcel of land is shown on the attached enclosure. You may at any time prior to certification of the assessment to the County Auditor pay the entire assessment on such property with interest accrued to the date of payment to the City Administrator. No interest shall be charged if the entire assessment is paid within 30 days from the adoption of this assessment. You may at any time thereafter pay to the County Auditor the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which the payment is made. If you decide not to pre-pay the assessment before the date given above, the rate of interest that will apply is four and ninety-one hundredths' percent (4.91%) per year. The right to partially prepay the assessment pursuant to Section 315 of the Brainerd City Code is available. Further, pursuant to Ordinance 974 deferred assessments may be granted by the City Council where a financial hardship exists and pursuant to Resolution No. 4988, and any amendments thereto, the City Council may defer a special assessment for needy persons. If you feel that you might qualify for such deferments, please discuss this with the City Administrator at your earliest convenience.

The assessments will be spread over a period of one (1) year.

If an assessment is contested or there is an adjourned hearing, the following procedure will be followed:

1. The City will present its case first by calling witnesses who may testify by narrative or by examination and by the introduction of exhibits. After each witness has testified, the contesting party will be allowed to ask questions. This procedure will be repeated with each witness until neither side has further questions.
2. After the City has presented all its evidence, the objector may call witnesses or present such testimony as the objector desires. The same procedure for the questioning of the City's witnesses will be followed with the objector's witnesses.
3. The objector may be represented by counsel.
4. Minnesota Rules of Evidence will not be strictly applied; however they may be considered and argued to the Council as to the weight of the items of evidence or testimony presented to the Council.
5. The entire hearing will be tape-recorded.
6. At the close of the presentation of evidence, the objector and the City may make final presentations to the council based on the evidence and the law. No new evidence may be presented at this point.
7. The Council may adopt the proposed assessment at the hearing.

An owner may appeal an assessment to the District Court pursuant to Minnesota Statutes Section 429.081 by serving notice of the appeal upon the Mayor or Administrator of the City within thirty (30) days after the adoption of the assessment, and by filing such notice with the District Court within ten (10) days after the service upon the Mayor or City Administrator.

Dated this 19th day of September 2022

Jennifer Bergman
City Administrator

Any individual needing special accommodations please call 828-2307.

Published September 24, 2022

11/03/2022
10:13 AM

CITY OF BRAINERD
ASSESSMENT ROLL FOR CERTIFICATION
101-22 HELD OVER NUISANCE ASSESSMENTS

Page: 1/1
DB: BRAINERD

THE CITY COUNCIL OF THE CITY OF BRAINERD DOH HEREBY ASSESS AND LEVY UPON AND AGAINST THE LOTS AND PARCEL OF LAND DESCRIBED BELOW, THE REPSECTIVE SUMS OF MONEY SET OPPOSITE EACH LOT OR PARCEL. THIS ASSESSMENT IS LEVIED TO DEFRAY THE EXPENSE OF CITY NUISANCES 101-22.

District	Parcel Status	District Status	Parcel Number	Remaining Principal	Orig Yrs	Rem No Yrs	Interest Rate	2023 Principal Installmnt	2023 Interest Installmnt	2023 Total Installmnt
101-22	Active	Active	41191107 GAKIN, GREGORY SCOTT &	125.00	1	1	4.9100000	0.00	0.00	0.00
101-22	Active	Active	41191502 GOODRICH, WALLACE D	1,425.00	1	1	4.9100000	0.00	0.00	0.00
101-22	Active	Active	41191552 HOUGHTON, CARIE	800.00	1	1	4.9100000	0.00	0.00	0.00
101-22	Active	Active	41191789 THELEN, CARMON K TRUST (UND 1/2 INT	125.00	1	1	4.9100000	0.00	0.00	0.00
101-22	Active	Active	41300564 TIMMERS, BRIAN S	125.00	1	1	4.9100000	0.00	0.00	0.00
101-22	Active	Active	41300794 PARKER, ROY C	2,425.00	1	1	4.9100000	0.00	0.00	0.00
101-22	Active	Active	41330653 JAGER, MATTHEW L	675.00	1	1	4.9100000	0.00	0.00	0.00
101-22	Active	Active	41360806 MATICH, JAMES R & BEVERLY	675.00	1	1	4.9100000	0.00	0.00	0.00
District Totals				6,375.00				0.00	0.00	0.00
-----> Totals For 101-0000-36101				6,375.00				0.00	0.00	0.00
Grand Totals				6,375.00				0.00	0.00	0.00

DATED THIS 30TH DAY OF NOVEMBER 2022

TOTAL: \$6,375.00

ATTEST: _____
JENNIFER BERGMAN, CITY ADMINISTRATOR

KELLY BEVANS, PRESIDENT OF COUNCIL

INTEREST RATE: 4.91%
YEARS CERTIFIED: 1 YEAR

**** THIS SCHEDULE IS ADJUSTED FOR PEOPLE WHO PREPAID AND ANY PARTIAL PREPAIDS, AS WELL AS 76 DAYS OF INTEREST IN 2022 AND ALL OF 2023.

R E S O L U T I O N
NO. _____

RESOLUTION ADOPTING ASSESSMENT

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for 2021-2022 nuisance abatement concerning the properties listed and abutting on the following:

CONTESTED NUISANCE ABATEMENT ASSESSMENTS

PID 41191789
PID 41330653
PID 41300794
PID 41191502

Mike Thelen
Matthew Jager
Roy Parker
Wallace Goodrich

NUISANCE ABATEMENT

Nuisance Abatement and Administrative Citations

Misc properties around the City

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

1. Such proposed assessment, a copy of which is on file in the offices of the City Administrator and City Engineer, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.

2. Such assessment shall be payable in full within 9 days from the adoption of this Resolution without interest at the office of the City Administrator. Thereafter, the entire amount of the assessment shall be payable to the Crow Wing County Auditor with interest at the rate of four and ninety-one hundredths' percent (4.91%).

3. The City Administrator shall forthwith transmit a certified duplicate of this assessment to the Crow Wing County Auditor to be extended on the property tax list of the County. Such assessment shall be collected and paid over in the same manner as other municipal taxes.

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: November 7, 2022

Title of Item: RES Additional 2022 Nuisance Abatement

Agenda	Action Requested:	
☐ CONSENT AGENDA	☐ Approve/Deny Motion	☐ Direction Requested
☐ P&F COMMITTEE	☒ Adopt Resolution (attach draft)	☐ Discussion Item
☐ SPW COMMITTEE	☐ Ordinance 1 st Reading	☒ Hold Public Hearing*
☒ MAIN AGENDA	<i>*provide copy of published hearing notice</i>	

Submitted by: Community Development Director

Department: Community Development

Presenter: James Kramvik, CDD

Estimated Time Needed: 15 min

Summary of Issue:

Attached is a copy of the Notice of Assessment Hearing and the Proposed Assessment Roll for the additional 2022 Nuisance Abatement assessments that were missing in the first round of assessment certification.

Alternative, Options, Effects on Others/Comments:

At the public hearing, if there are questions or comments about the proposed assessments, staff will be available to respond. At the conclusion of the hearing, the Council could adopt a resolution adopting the assessments based on the testimony presented. If a conclusion cannot be made and additional information is needed, Council could adjourn the public hearing to the next meeting and request staff to provide additional information.

Staff recommends waiving the nuisance assessment for 1324 Mill Ave - PID 41190529 as the homeowner continues to work with staff to resolve the issue.

Recommended Action/Motion:

Staff recommends opening the public hearing to hear testimony for or against the proposed assessments as listed and also to adopt the attached resolution adopting the assessments as proposed for the 2022 nuisance abatement assessments with the exception of PID 41190529.

Financial Impact:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping:

Is this budgeted? (Please Explain)

NOTICE OF HEARING ON PROPOSED ASSESSMENT

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of Brainerd, Minnesota will meet in the Council Chambers of the Brainerd City Hall at 7:30 p.m. on November 7, 2022, to pass upon the proposed assessment for the following:

NUISANCE ABATEMENT

Nuisance Abatement and Administrative Citations

Miscellaneous properties around the City

The areas proposed to be assessed for these improvements are the properties abutting and/or benefitting from the above described projects.

The proposed assessment role is on file for public inspection at the City Administrator's Office and the City Engineer's Office.

The total cost of Nuisance Abatement is \$26,790 of which \$26,790 is proposed to be assessed.

Written or oral objections will be considered at the meeting. No appeal may be taken as to the amount of any assessment unless a signed, written objection is filed with the City Administrator prior to the hearing or presented to the presiding officer at the hearing. The Council may upon such notice consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners as it deems advisable.

The amount to be specifically assessed against your particular lot, piece or parcel of land is shown on the attached enclosure. You may at any time prior to certification of the assessment to the County Auditor pay the entire assessment on such property with interest accrued to the date of payment to the City Administrator. No interest shall be charged if the entire assessment is paid within 30 days from the adoption of this assessment. You may at any time thereafter pay to the County Auditor the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which the payment is made. If you decide not to pre-pay the assessment before the date given above, the rate of interest that will apply is four and ninety-one hundredths' percent (4.91%) per year. The right to partially prepay the assessment pursuant to Section 315 of the Brainerd City Code is available. Further, pursuant to Ordinance 974 deferred assessments may be granted by the City Council where a financial hardship exists and pursuant to Resolution No. 4988, and any amendments thereto, the City Council may defer a special assessment for needy persons. If you feel that you might qualify for such deferments, please discuss this with the City Administrator at your earliest convenience.

The assessments will be spread over a period of one (1) year.

If an assessment is contested or there is an adjourned hearing, the following procedure will be followed:

1. The City will present its case first by calling witnesses who may testify by narrative or by examination and by the introduction of exhibits. After each witness has testified, the contesting party will be allowed to ask questions. This procedure will be repeated with each witness until neither side has further questions.

2. After the City has presented all its evidence, the objector may call witnesses or present such testimony as the objector desires. The same procedure for the questioning of the City's witnesses will be followed with the objector's witnesses.
3. The objector may be represented by counsel.
4. Minnesota Rules of Evidence will not be strictly applied; however they may be considered and argued to the Council as to the weight of the items of evidence or testimony presented to the Council.
5. The entire hearing will be tape-recorded.
6. At the close of the presentation of evidence, the objector and the City may make final presentations to the council based on the evidence and the law. No new evidence may be presented at this point.
7. The Council may adopt the proposed assessment at the hearing.

An owner may appeal an assessment to the District Court pursuant to Minnesota Statutes Section 429.081 by serving notice of the appeal upon the Mayor or Administrator of the City within thirty (30) days after the adoption of the assessment, and by filing such notice with the District Court within ten (10) days after the service upon the Mayor or City Administrator.

Dated this 17th day of October 2022

Jennifer Bergman
City Administrator

Any individual needing special accommodations please call 828-2307.

Published October 22, 2022

10/18/2022
09:45 AM

PROJECTED INSTALLMENT REPORT FOR CITY OF BRAINERD
POPULATION: SPECIAL ASSESSMENT DISTRICT (101-22-A)
SPEC. POPULATION: ALL ACTIVE PARCELS
DISTRICT STATUS: ACTIVE DISTRICTS ONLY

Page: 1/2
DB: BRAINERD

District	Parcel Status	District Status	Parcel Number	Remaining Principal	Orig No Yrs	Rem No Yrs	Interest Rate	2023 Principal Installmnt	2023 Interest Installmnt	2023 Total Installmnt
101-22-A	Active	Active	41040582 FITCH, DAVID J & KAREN F	1,250.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41040637 BRUNS, ANGELICA HANNAH FAITH	250.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41180595 HAIGHT, MICHAEL D & JESSICA E	2,375.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41190529 LUCKSINGER, RAYMOND D & TRACY L	250.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41190569 SAWBILL OUTSTATE INC	375.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41190885 GOTTWALT, MATTHEW & ERICA	4,550.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41190954 REES, ANTHONY & NICOLE	1,750.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41190981 BARCLAY, PATRICIA JOAN	1,450.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41191490 WIGNALL, MATTHEW	750.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41191533 CAMERON, RICHARD & LORI ZENK	875.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41191556 FINNEGAN, SARA J & ETHAN K MILLER	1,125.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41191616 VEITH, STEVEN H	1,325.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41191685 SAMUELSON, DONALD B &	500.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41240610 BOCK, KARLA	1,450.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41241208 WEISS, RICHARD A	1,125.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41241421 RASMUSSEN, CHRISTA	1,540.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41250635 BOYER, DANNY W	1,625.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41250792 SALTNESS, KELLY M & MAIER, ANDRES E	975.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41250851 421 VINE STREET LLC	500.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41250960 BLUME, GREGORY R	125.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41250980 OSWALD, CHRISTOPHER	125.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41360569 PENNSYLVANIA AVENUE LLC	125.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41360827 LEWIS, KALEEN R	500.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41360945 BOKRY, JOSEPH A	1,500.00	1	1	4.9100000	0.00	0.00	0.00
101-22-A	Active	Active	41450510 GERALD P & JOAN HECKER	375.00	1	1	4.9100000	0.00	0.00	0.00

10/18/2022
09:45 AM

PROJECTED INSTALLMENT REPORT FOR CITY OF BRAINERD
POPULATION: SPECIAL ASSESSMENT DISTRICT (101-22-A)
SPEC. POPULATION: ALL ACTIVE PARCELS
DISTRICT STATUS: ACTIVE DISTRICTS ONLY

Page: 2/2
DB: BRAINERD

District	Parcel Status	District Status	Parcel Number	Remaining Principal	Orig No Yrs	Rem No Yrs	Interest Rate	2023 Principal Installmnt	2023 Interest Installmnt	2023 Total Installmnt
			District Totals	26,790.00				0.00	0.00	0.00
	----->	Totals For	101-0000-36101	26,790.00				0.00	0.00	0.00
			Grand Totals	26,790.00				0.00	0.00	0.00

R E S O L U T I O N
NO _____

RESOLUTION ADOPTING NUISANCE ASSESSMENT

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for 2021-2022 nuisance abatement concerning the properties abutting on the following:

NUISANCE ABATEMENT

Nuisance Abatement and Administrative Citations

Misc. properties around the City

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

1. Such proposed assessment, a copy of which is on file in the offices of the City Administrator and Community Development Director, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in full within 30 days of the adoption of this Resolution without interest at the office of the City Administrator. Thereafter, the entire amount of the assessment shall be payable to the Crow Wing County Auditor with interest at the rate of four and ninety-one hundredths' percent (4.91%).
3. The City Administrator shall forthwith transmit a certified duplicate of this assessment to the Crow Wing County Auditor to be extended on the property tax list of the County. Such assessment shall be collected and paid over in the same manner as other municipal taxes.

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: November 7, 2022

Title of Item: PH and RES to Vacate Alley Submitted by My Neighbor to Love

Agenda ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☒ Adopt Resolution (attach draft) ☐ Ordinance 1 st Reading ☐ Direction Requested ☐ Discussion Item ☒ Hold Public Hearing* <i>*provide copy of published hearing notice</i>
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Submitted by: City Engineer/PW Director Dehn

Department: Public Works

Presenter: City Engineer/PW Director Dehn

Estimated Time Needed: 10 Minutes

Summary of Issue:

City staff received a petition from Vicky Kinney in whom represents My Neighbor to Love, LLC for the vacation of two platted alley right-of-ways in Blocks M and E in West Brainerd. These alleys lie between NW 2nd and NW 3rd Street from Jackson Street to James Street. The alleys are not improved, and consist of originally platted alley right-of-way.

Alternative, Options, Effects on Others/Comments:

Staff reviewed this request for vacation and are recommending that the City Council, based upon the testimony received tonight, vacate these alley right-of-ways per the request. There is currently no utility infrastructure in these right-of-ways, and a general rule of thumb for these types of requests is that if the proposed vacation makes the properties more marketable in the future or easier to develop based on the current zoning, whether it is the proposed development or something potentially in the future, then the elected body should consider the vacation of these right of ways, especially when there are no public improvements on the right-of-way being proposed for vacation.

Recommended Action/Motion:

1. Staff recommends opening a public hearing to head testimony for or against the proposed vacation as submitted.
2. Staff recommends adoption of the attached resolution, in which vacates the alleys lying within blocks M and E, West Brainerd while reserving rights to an easement for utility purposes.

Financial Impact:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping:

Is this budgeted? (Please Explain)

PETITION FOR STREET OR ALLEY VACATION

Date: March 14, 2022

Brainerd, Minnesota

To the City Council of Brainerd, Minnesota:

We, the undersigned, owners of real estate abutting on the following described street or alley hereby petition that such alley be vacated as follows:

That part of the alley located within Block E and Block M, WEST BRAINERD, according to the recorded plat thereof, Section 4, Township 133 North, Range 28 West, Crow Wing County Minnesota, which lies southerly of the southerly line of Jackson Street, and which lies northerly of the northerly line of James Street.

in accordance with the provisions of Brainerd City Code Section 810.

<u>NAME</u>	<u>ADDRESS</u>	<u>LOTS</u>	<u>BLK</u>	<u>ADDN</u>	<u>SIGNATURE</u>
My Neighbor to Love Coalition	8660 Fernmont Road Lake Shore, MN 56468	3-10	E	West Brd	<u>Vicky Kinney</u>
My Neighbor to Love Coalition	8660 Fernmont Road Lake Shore, MN 56468	1-12	M	West Brd	<u>Vicky Kinney</u>
Gustafson Properties of Brainerd, LLC	424 NW 3 rd Street Brainerd, MN 56401	11-12 1-2	E	West Brd	<u>[Signature]</u>

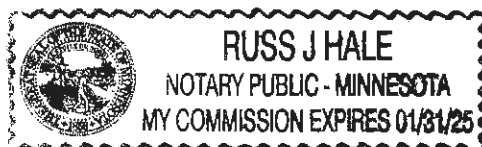
STATE OF MINNESOTA }
 } ss
COUNTY OF CROW WING }

Vicky Kinney, being duly sworn on oath, deposes and says that he/she is the property owner or authorized representative in regard to the above entitled petition; that he/she has read the foregoing petition which includes the signatures of abutting property owners and knows the contents and signatures thereof; and that the same are true of his own knowledge, save and except as to those matters therein stated on information and belief, and to such matters, he/she believes it to be true.

Vicky Kinney
Signature
Board Chair / Executive Director
Title

Subscribed and sworn to before me
this 14th day of March, 2022

[Signature]
Notary Public



Request for Alley Vacation

Attached is a site plan which represents what we'd like to do with the property. Our goal is to build 2 multiplex housing buildings and a health club with a boarding house on the 2nd floor, making it a mixed used building. The multiplex housing structures and a mixed-use building would require CUPs.

Having an alley divide our property prevents us from fully developing the site. 2nd Street is not to code which prevents us from developing the entire east side of our property. Because easements to the east side of our property from the west side are not allowed, the only way to develop the land is to replat it and create larger lots east to west. An alley dividing the proposed new lots would make it impossible to develop the property.

This dead end alley also serves no purpose for the land owners whose properties surround it and serves no public purpose.



**RESOLUTION
NO 40:22**

**A RESOLUTION DECLARING SUFFICIENCY OF PETITION AND SETTING A PUBLIC
HEARING ON A VACATION COMMENCED BY A MAJORITY OF
ABUTTING LANDOWNERS**

WHEREAS, a petition signed by the majority of property owners abutting the alley in Blocks M and E, WEST BRAINERD in the City of Brainerd and was received by the City Clerk on the 14th day of March, 2022; and

WHEREAS, the petition requested that the City Council, pursuant to Minnesota Statute §412.851 and City Code Section 810, vacate alley ways legally described as the following:

That part of the alley located within Block E and Block M, WEST BRAINERD, according to the recorded plat thereof, Section 4, Township 133 North, Range 28 West, Crow Wing County Minnesota, which lies southerly of the southerly line of Jackson Street, and which lies northerly of the northerly line of James Street.

WHEREAS, the City Clerk has reviewed and examined the signatures on said petition and determined that such signatures constitute a majority of the landowners abutting upon the portion of each alley to be vacated; and

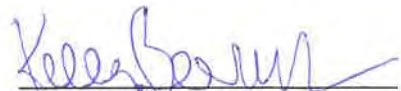
WHEREAS, a copy of said petition is attached hereto.

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

The Council will consider the vacation of such alley and a public hearing shall be held on such proposed vacation on the 7th day of November 2022, before the City Council in the City Hall located at 501 Laurel Street, Brainerd, MN 56401 at 7:30 p.m. and;

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give published, posted and mailed notice of such hearing as required by law.

Adopted this 17th day of October 2022


KELLY BEVANS
President of the Council

Approved this 18th day of October 2022


DAVE BADEAUX
Mayor

ATTEST: 
JENNIFER BERGMAN
City Administrator

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City of Brainerd has received a petition from Vicky Kinney for the vacation of alleys in Blocks M and E, West Brainerd, according to the plat thereof and legally described below:

That part of the alley located within Block E and Block M, WEST BRAINERD, according to the recorded plat thereof, Section 4, Township 133 North, Range 28 West, Crow Wing County Minnesota, which lies southerly of the southerly line of Jackson Street, and which lies northerly of the northerly line of James Street.

Notice is further given that the City Council of Brainerd will meet in the Council Chambers of the City Hall at Brainerd, Minnesota, at 7:30 p.m. on Monday, November 7, 2022 to conduct a Public Hearing to consider said Vacation.

Such persons as desire to be heard with reference to the proposed vacation of said street will be heard at this meeting.

Dated this 18th day of October, 2022

Jennifer Bergman
City Administrator

Publish - 2 times on
October 19th, 2022 and October 26th, 2022

CREEKSIDE COMMUNITY DEVELOPMENT

Located in Block E and Block M, WEST BRAINERD,
Section 4, Township 133 North, Range 28 West,
Crow Wing County, Minnesota.

Surveyors Notes

The property address for the subject property is:

Not Declared

The Parcel Numbers for the subject property is 41040501, 41040502, 41040503, 41040504, 41040505, 41040805, 41040806, 41040807, 41040808, 41040809 and 41040810.

The current zoning classification for the subject property is Traditional Neighborhood 2 (TN-2).

This survey was completed without the benefit of a title commitment or title opinion, there may be easements or other limiting factors that affect the subject property that are not shown on this survey.

The subject property was reviewed for the existence of wetlands on September 13, 2022. Kyle Cheme, Minnesota Certified Delineator number 1190. No wetlands are located within the boundary of this proposed subdivision.

All water mains shown on survey are approximate locations based on the 2020 Storm Sewer Plan and Profile done by Bolton and Menk.

Legal description

Lots 1 thru 12 inclusive, Block M, WEST BRAINERD, Crow Wing County, Minnesota.

AND

Lots 3 thru 10 inclusive, Block E, WEST BRAINERD, Crow Wing County, Minnesota.

AND

All that part of vacated Robert Street which lies adjacent to Lot 1, Block M, and Lot 12, Block M, and Lot 6, Block E, and Lot 7, Block E, WEST BRAINERD, Crow Wing County, Minnesota.

AND

(This portion is proposed alley vacation)

That part of the alley located within Block M, WEST BRAINERD, according to the recorded plat thereof, Section 4, Township 133 North, Range 28 West, Crow Wing County Minnesota, which lies southerly of the southerly line of Jackson Street, and which lies northerly of the northerly line of Robert Street.

That part of the alley located within Block E, WEST BRAINERD, according to the recorded plat thereof, Section 4, Township 133 North, Range 28 West, Crow Wing County Minnesota, which lies southerly of the southerly line of Robert Street, and which lies northerly of the easterly extension of the southerly line of Lot 10, Block E, WEST BRAINERD.

That part of Robert Street, WEST BRAINERD, according to the recorded plat thereof, Section 4, Township 133 North, Range 28 West, Crow Wing County Minnesota, which lies easterly of a line from the southeast corner of Lot 12, Block M, WEST BRAINERD to the northeast corner of Lot 7, Block E, WEST BRAINERD, and which lies westerly of a line from the southwest corner of Lot 1, Block M, WEST BRAINERD to the northwest corner of Lot 6, Block E, WEST BRAINERD.

MAPPING LEGEND

STORM SEWER MANHOLE	⊗	BURIED ELECTRIC LINE	—P-BUR—
SANITARY SEWER MANHOLE	⊙	BURIED TELEPHONE LINE	—T-BUR—
CATCH BASIN	⊗	OVERHEAD POWER LINE	—OHP—
CULVERT APRON	⊗	WATER LINE	—W—
HYDRANT	⊗	STORM SEWER PIPE	—SSP—
WATER VALVE	⊗	SANITARY SEWER PIPE	—SSP—
UTILITY POLE	⊗	TREELINE	—TL—
UTILITY POLE ANCHOR	⊗	CONTOUR (MAJOR)	—100'—
UTILITY PEDESTAL	⊗	CONTOUR (MINOR)	—40'—
UTILITY METER	⊗	CONCRETE	—CON—
LIFT STATION	⊗	BITUMINOUS	—BIT—
SOIL BORING	⊗	GRAVEL	—GRA—

Traditional Neighborhood 2 (TN-2)

Purpose of Traditional Neighborhood 2 Zoning District. The TN-2 Zoning District is intended to provide for compact, pedestrian-oriented mix of residential and neighborhood-serving commercial uses. This District reinforces the existing pattern of small, connected lots, blocks and street and supports development and redevelopment consistent with this pattern.

TN-2 Dimensional Standards – Density, Lot Size, Coverage and Height Standards

Lot Dimensions

A. Lot Size (minimum) Density (range) 4,000 SF: 9 – 20 DU/AC (20+ DU/AC requires CUP)

B. Buildable Area - Floor Area Ratio (FAR) for commercial use Outside of all setbacks 0.5

C. Lot Frontage on All Roads (minimum) 45'

Principal Building & Attached Accessory Building Standards

D. Front Yard Setback (minimum) 0' - 20' if Commercial is Principal Use, 5' - 20' if Residential is Principal Use

E. Side Yard Setback (minimum) 5'/10' corner

F. Rear Yard Setback (minimum) 1

NO.	REVISIONS SINCE INITIAL DATE OF	DATE



I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Signature: *James Kramer* 09/13/2022
James Kramer, MN License No. 23668 Date

PROJECT NO. KINNV2202

Preliminary Plat of CREEKSIDE COMMUNITY DEVELOPMENT

For property at: NOT YET ASSIGNED
Section 4, Township 133 North, Range 28 West
Crow Wing County, Minnesota

Sheet No. 1 of 1

**RESOLUTION
NO.**

RESOLUTION VACATING ALLEY

WHEREAS, a hearing was duly held on November 7, 2022, for the proposed vacation of the following described alley:

That part of the alley located within Block E and Block M, WEST BRAINERD, according to the recorded plat thereof, Section 4, Township 133 North, Range 28 West, Crow Wing County Minnesota, which lies southerly of the southerly line of Jackson Street, and which lies northerly of the northerly line of James Street.

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

1. That the alley as previously described is hereby vacated.
2. The City of Brainerd, however, specifically reserves unto itself an easement for utilities over, under, and upon said portion of the vacated streets.

Adopted this ____ day of November 2022.

KELLY BEVANS
President of the Council

Approved this ____ day of November 2022

DAVE BADEAUX
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator



Brainerd City Council Agenda Request

Requested Meeting Date: November 7, 2022

Title of Item: Public Hearing and Discussion of 2022-2023 Downtown Snow Removal

Agenda ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Ordinance 1 st Reading ☐ Direction Requested ☒ Discussion Item ☒ Hold Public Hearing* <i>*provide copy of published hearing notice</i>
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Submitted by: City Engineer/PW Director Dehn

Department: Public Works

Presenter: City Engineer/PW Director Dehn

Estimated Time Needed: 20 Minutes

Summary of Issue:

This item is a follow up from a request at the October 3rd and October 17th, 2022 City Council meetings to have further discussions on the Downtown Special Services District.

Alternative, Options, Effects on Others/Comments:

At the October 17th, 2022 meeting, Council discussed wanting to hear comments from downtown businesses and authorized holding a public hearing at the November 7th meeting. A notice and flyer was sent to businesses and property owners in the current downtown special services district.

Attached to this item is a presentation on the creation and purpose of the district, historical costs and allocations, previously heard comments, an alternative proposal, and next steps.

Recommended Action/Motion:

Alternative 1: Keep the Special Services District as-is without changes

Alternative 2: Eliminate the Special Services District

If Alternative 1 is decided, staff recommends awarding the bid from Tom's Backhoe Service for the 2022-2023 downtown snow removal services in the downtown district.

Financial Impact:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping:

Is this budgeted? (Please Explain)

NOTICE OF HEARING ON DOWNTOWN SPECIAL SERVICES DISTRICT

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of Brainerd, Minnesota will meet in the Council Chambers of the Brainerd City Hall at 7:30 p.m. on November 7, 2022, to collect public input regarding the following improvements:

DOWNTOWN SPECIAL SERVICES DISTRICT

Snow Removal, Irrigation Maintenance, Landscaping, Garbage Collection

Laurel Street from South 6th Street to South 8th Street
Front Street from South 6th Street to South 8th Street
South 7th Street from Maple Street to Front Street

Dated this 18th day of October 2022

Jennifer Bergman
City Administrator

Any individual needing special accommodations please call 828-2307.

Publish – 2 times on
October 19th, 2022 and October 26th, 2022



BRainerd
MINNESOTA
A City for all Seasons

Contact Public Works

501 Laurel Street

Brainerd, MN 56401

(218) 828-2307

Engineer@ci.brainerd.mn.us

Engineering Website

<https://ci.brainerd.mn.us/165/Engineering-Department>



Use the QR Code or visit the web address above for information!

Downtown Special Services District Public Hearing



Monday, November 7th, 2022
7:30 p.m.

City Hall Council Chambers (3rd Floor)
501 Laurel Street, Brainerd, MN 56401

The Brainerd City Council will be holding a Public Hearing to hear from our downtown businesses regarding the Downtown Special Services District. As a reminder, the Downtown Special Services District includes snow removal on streets, sidewalks, alleys, and parking lots, landscaping, garbage removal, and other miscellaneous work. A portion of this work is assessed to property owners within the district.

The Public Hearing will be held in person during the November 7th Council meeting. A virtual option will be available for those unable to attend in person, details below. If you are unable to attend but would still like to provide feedback, please forward those comments to Jessie Dehn, City Engineer/Public Works Director, at JDehn@ci.brainerd.mn.us.

Webex Meeting Details

Meeting Number: 2493 502 6895

Passcode: Emp2vT2DM*3

Phone: 1-844-992-4726



City of Brainerd Downtown Snow Removal and Special Services District

Informational Session

Jessie Dehn, P.E. – City Engineer/Public Works Director

James Kramvik – Community Development Director

Shawn Middagh – Street and Sewer Foreman



Outcomes and Discussion Points

- Downtown Snow Removal and Special Services District – What is it?
 - Snow Removal
 - Special Services
- Purpose of the District
- District Cost Allocation and Assessment Procedures
- What We Have Been Hearing
- Alternative Proposal
- Conclusion and Next Steps



Snow Removal District – Creation and Purpose

- Established by Ordinance 884 and amended by Ordinance 918
 - Sidewalk snow removal assessed 100% to adjacent properties.
 - Street snow removal assessed at a rate calculated as the difference between the contracted cost to remove snow minus the cost for City forces to remove the snow from the streets.
- District:
 - Laurel Street – S. 6th Street to S. 8th Street
 - S. 7th Street – Maple Street to Front Street
 - Front Street – S. 6th Street to S. 8th Street
 - Downtown Parking Lots (Laurel Street, Burlington Northern, and Front/7th Street)
 - Downtown Alleys
 - Sidewalks Adjacent to Streets in District
- The District was created after downtown businesses at the time wanted a higher level of service for snow events than the City would typically provide others (in commercial or residential areas).
- The Contractor does not get called in unless 4 or more inches fall or is anticipated to fall. City forces take care of all other times at the City cost.



Snow Removal District – Creation and Purpose

- Created to Pay the Cost for Downtown Landscaping Maintenance and Garbage Pickup in Receptacles Downtown
 - Landscaping and cleanup used to be contracted completely to outside entities.
 - Recent years have led to the City hiring a downtown maintenance temporary employee and simply purchasing flowers for the urns and hanging baskets on the light poles.
 - This was requested by the downtown businesses to help beautify downtown.
 - Some businesses choose to go over and above by assisting the City to beautify certain areas in front of their business. This practice has become more prevalent downtown.



Snow Removal District – Ordinance No. 884

AN ORDINANCE ESTABLISHING A DOWNTOWN SIDEWALK SNOW REMOVAL ASSESSMENT DISTRICT

Ordinance No. 884

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

Purpose: The purpose of this ordinance is to provide timely snow removal from the streets and sidewalks in the core area of the Central Business District through contracting the removal of snow from sidewalks during declared snow emergencies and to assess said costs to the benefitting property owners.

SECTION ONE:

1. Sidewalk snow removal assessment district.

The district shall consist of all sidewalks abutting on the following streets:

Front Street from South 6th Street to South 8th Street
Laurel Street from South 6th Street to South 8th Street
Maple Street from South 6th Street to South 8th Street
South 7th Street from Front Street to Maple Street
East side of South 6th Street from Front Street to Maple Street
West side of South 8th Street from Front Street to Maple Street

2. Snow Removal

The city of Brainerd shall contract the removal of snow from the Sidewalk Snow Removal Assessment District effective on the date this ordinance takes effect.

The contracted snow removal will occur only during declared snow emergencies as defined by Brainerd City Code Section 1315.

Accumulations of snow which do not necessitate the declaration of a snow emergency and accumulations of ice shall be removed by the property owner in accordance with Ordinance No. 874, an ordinance amending Section 2010 of the Brainerd City Code pertaining to snow removal in the downtown area of Brainerd.

SECTION TWO:

1. Assessable costs.

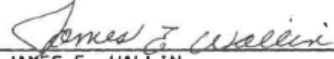
- A. Snow removal on sidewalks listed in section one.
- B. Administrative cost of City staff.

2. Assessment formula.

- A. The assessments to be levied against properties within the sidewalk snow removal district shall be distributed to those properties on the basis of front footage of property owned.
- B. The "Assessment Rate" per foot of property owned shall be determined by taking the sum of all assessable costs and dividing by the sum of front footage of property abutting the sidewalk snow removal assessment district.

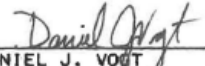
This ordinance shall take effect and be in force one week after its publication.

Adopted this 16th day of January, 1990.


JAMES E. WALLIN
President of City Council

Approved this 17th day of January, 1990.


ROBERT E. OLSON
Mayor

ATTEST: 
DANIEL J. VOOT
City Administrator

Published One Time: January 19, 1990



Snow Removal District – Ordinance No. 918

AN ORDINANCE AMENDING ORDINANCE NO. 884
PERTAINING TO DOWNTOWN SNOW
REMOVAL ASSESSMENT DISTRICT

Ordinance No. 918

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

Purpose: The purpose of this ordinance is to provide timely snow removal from the streets and sidewalks in the core area of the Central Business District through contracting the removal of snow from sidewalks and streets during declared snow emergencies and to assess said costs to the benefitting property owners.

SECTION ONE:

1. Snow Removal Assessment District.

The district shall consist of all the following streets and the abutting sidewalks:

Front Street from South 6th Street to South 8th Street
Laurel Street from South 6th Street to South 8th Street
Maple Street from South 6th Street to South 8th Street
South 7th Street from Front Street to Maple Street

2. Snow Removal.

The city of Brainerd shall contract the removal of snow from the Snow Removal Assessment District effective on the date this ordinance takes effect.

The contracted snow removal will occur only during declared snow emergencies as defined by Brainerd City Code Section 1315.

Accumulations of snow which do not necessitate the declaration of a snow emergency and accumulations of ice shall be removed from sidewalks by the property owner in accordance with Ordinance No. 874, an ordinance amending Section 2010 of the Brainerd City Code pertaining to snow removal in the downtown area of Brainerd. Following these accumulations of less than 4", the snow shall be removed from the streets by City forces.

SECTION TWO:

1. Assessable costs.

- A. Snow removal from sidewalks listed in Section One.
- B. The difference between the contracted cost of removing snow from the streets listed in Section One and the average cost for City forces to remove the snow from the streets.
- C. Administrative cost of City staff.

2. Assessment formula.

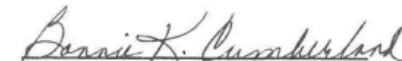
- A. The assessments to be levied against properties within the snow removal district shall be distributed to those properties on the basis of front footage of property owned.
- B. The "Assessment Rate" per foot of property owned shall be determined by taking the sum of all assessable costs and dividing by the sum of front footage of property abutting the snow removal assessment district.

This ordinance shall take effect and be in force one week after its publication.

Adopted this 16th day of December, 1991.


JAMES E. WALLIN
President of City Council

Approved this 17th day of December, 1991.


BONNIE K. CUMBERLAND
Mayor

ATTEST: 
DANIEL J. VOGT
City Administrator

Published One Time: December 26, 1991



Snow Removal District – Total Historical Costs

Downtown Snow Removal Costs					
Year	Inches of Snow Invoiced	Sidewalk Cost	Street and Lot Cost	Total Cost	Average Cost/Inch
2000-2001	33.5	\$ 3,417.00	\$ 21,573.50	\$ 24,990.50	\$ 745.99
2001-2002	39	\$ 3,978.00	\$ 25,185.00	\$ 29,163.00	\$ 747.77
2003-2004	26.5	\$ 2,557.50	\$ 16,300.00	\$ 18,857.50	\$ 711.60
2004-2005	19.5	\$ 1,932.50	\$ 12,500.00	\$ 14,432.50	\$ 740.13
2005-2006	8	\$ 765.00	\$ 5,100.00	\$ 5,865.00	\$ 733.13
2006-2007	35	\$ 3,765.00	\$ 20,100.00	\$ 23,865.00	\$ 681.86
2007-2008	29	\$ 3,135.00	\$ 20,900.00	\$ 24,035.00	\$ 828.79
2008-2009	48	\$ 5,270.00	\$ 35,000.00	\$ 40,270.00	\$ 838.96
2009-2010	12	\$ 1,810.00	\$ 10,600.00	\$ 12,410.00	\$ 1,034.17
2010-2011	36.5	\$ 5,642.50	\$ 31,850.00	\$ 37,492.50	\$ 1,027.19
2011-2012	9	\$ 1,375.00	\$ 7,900.00	\$ 9,275.00	\$ 1,030.56
2012-2013	46	\$ 7,090.00	\$ 40,200.00	\$ 47,290.00	\$ 1,028.04
2013-2014	24.3	\$ 4,341.00	\$ 23,100.00	\$ 27,441.00	\$ 1,129.26
2014-2015	5.3	\$ 1,210.00	\$ 5,595.00	\$ 6,805.00	\$ 1,283.96
2015-2016	9	\$ 2,310.00	\$ 10,285.00	\$ 12,595.00	\$ 1,399.44
2016-2017	21	\$ 5,073.74	\$ 26,101.56	\$ 31,175.30	\$ 1,484.54
2017-2018	45	\$ 10,903.33	\$ 54,629.72	\$ 65,533.05	\$ 1,456.29
2018-2019	59	\$ 15,956.97	\$ 76,873.35	\$ 92,830.32	\$ 1,573.40
2019-2020	50	\$ 13,888.16	\$ 69,441.02	\$ 83,329.18	\$ 1,666.58
2020-2021	37	\$ 10,839.74	\$ 51,652.43	\$ 62,492.17	\$ 1,688.98
2021-2022	60.5	\$ 16,935.52	\$ 84,301.10	\$ 101,236.62	\$ 1,673.33



Snow Removal District – Cost Allocation

- Costs are First Attributed by Percentage Area of Each Feature Downtown (excluding sidewalks assessed at 100%)
 - Streets - 50.3423%
 - Alleys - 14.3385%
 - Parking - 35.3192%
- Streets and Alleys – City pays 46.58% of the Area Splits.
- Streets and Alleys – Property Owners pay 53.42% of Area Splits (Assessed).
- Parking – Parking Lot Fund (City) pays 100% of Area Splits.
- Sidewalks – Property Owners pay 100% of Sidewalk Removal.
- The assessed 53.42% of Streets, Alleys, and Sidewalks Snow Removal is converted to an assessment rate per foot abutting each property. There is 3,260 front feet of private property within the district.
- The City pays its share of the front footage assessment rate for front footage at City-owned parking lots and alleys.
- Rate Splits for Streets is based on the difference of how much it would cost for the City to remove snow downtown along with the rest of the City. If the City performed this contracted function, level of service downtown and on other streets would decrease based on increased workload by Street Department staff.



Snow Removal District – Historical Allocations

Downtown Snow Removal Historical Allocations and Assessments						
Year	Inches of Snow Invoiced	Street and Sewer Fund (City)	Parking Lot Fund (City)	Private Property (Assessed)	Total	Combined Assessment Rate (Street and Sidewalk)
2000-2001	33.5	\$ 6,930.06	\$ 8,898.27	\$ 9,162.17	\$ 24,990.50	\$ 3.07
2001-2002	39	\$ 8,089.71	\$ 10,243.07	\$ 10,830.22	\$ 29,163.00	\$ 3.58
2003-2004	26.5	\$ 5,235.01	\$ 6,627.45	\$ 6,995.04	\$ 18,857.50	\$ 2.31
2004-2005	19.5	\$ 4,013.34	\$ 5,079.08	\$ 5,340.07	\$ 14,432.49	\$ 1.77
2005-2006	8	\$ 1,636.44	\$ 2,069.56	\$ 2,159.00	\$ 5,865.00	\$ 0.71
2006-2007	35	\$ 6,481.69	\$ 8,243.01	\$ 9,140.30	\$ 23,865.00	\$ 3.04
2007-2008	29	\$ 6,706.18	\$ 8,481.14	\$ 8,847.68	\$ 24,035.00	\$ 2.92
2008-2009	48	\$ 11,231.30	\$ 14,205.17	\$ 14,833.52	\$ 40,269.99	\$ 4.90
2009-2010	12	\$ 3,428.62	\$ 4,375.03	\$ 4,606.35	\$ 12,410.00	\$ 1.68
2010-2011	36.5	\$ 10,310.79	\$ 13,169.24	\$ 14,012.47	\$ 37,492.50	\$ 5.11
2011-2012	9	\$ 2,556.41	\$ 3,263.64	\$ 3,454.95	\$ 9,275.00	\$ 1.26
2012-2013	46	\$ 13,012.57	\$ 16,618.11	\$ 17,659.32	\$ 47,290.00	\$ 6.44
2013-2014	24.3	\$ 7,488.83	\$ 9,579.99	\$ 10,372.17	\$ 27,440.99	\$ 3.78
2014-2015	5.3	\$ 1,820.66	\$ 2,338.64	\$ 2,645.70	\$ 6,805.00	\$ 0.96
2015-2016	9	\$ 3,350.51	\$ 4,308.89	\$ 4,935.60	\$ 12,595.00	\$ 1.80
2016-2017	21	\$ 8,469.16	\$ 10,844.25	\$ 11,861.89	\$ 31,175.30	\$ 4.32
2017-2018	45	\$ 17,737.88	\$ 22,729.44	\$ 25,065.73	\$ 65,533.05	\$ 9.13
2018-2019	59	\$ 24,986.60	\$ 32,055.04	\$ 35,788.68	\$ 92,830.32	\$ 13.04
2019-2020	50	\$ 22,548.24	\$ 28,895.19	\$ 31,885.75	\$ 83,329.18	\$ 11.62
2020-2021	37	\$ 16,793.96	\$ 21,551.90	\$ 24,146.31	\$ 62,492.17	\$ 8.80
2021-2022	60.5	\$ 27,376.70	\$ 35,087.33	\$ 38,772.59	\$ 101,236.62	\$ 14.13



Special Services District

- Created to Pay the Cost for Downtown Landscaping Maintenance and Garbage Pickup in Receptacles Downtown
- Historically, the City had hired a landscaping and maintenance contractor to perform all the duties of landscaping, providing flowers, weeding, picking up trash, etc. in the downtown district.
- More recently, the City has hired a downtown maintenance summer employee to provide this service, along with City staff simply procuring the landscape materials and planting utilizing staff time.
- This change has been largely communicated to the downtown property owners and has received good feedback.



Special Services District – Total Historical Costs

Downtown Special Services Cost (Landscaping and Garbage)				
Year	Private Property	Parking Lot Fund	Total Cost	Assessment Rate
2010-2011	\$ 12,225.35	\$ 1,675.19	\$13,900.54	\$ 4.45
2011-2012	\$ 15,687.05	\$ 2,149.54	\$17,836.59	\$ 5.72
2012-2013	\$ 13,674.00	\$ 1,873.70	\$15,547.70	\$ 4.98
2013-2014	\$ 14,418.84	\$ 1,975.76	\$16,394.60	\$ 5.25
2014-2015	\$ 11,143.85	\$ 1,527.00	\$12,670.85	\$ 4.06
2015-2016	\$ 11,918.48	\$ 1,633.14	\$13,551.62	\$ 4.34
2016-2017	\$ 13,901.23	\$ 1,904.83	\$15,806.06	\$ 5.06
2017-2018	\$ 13,901.23	\$ 1,904.83	\$15,806.06	\$ 5.06
2018-2019	\$ 15,810.64	\$ 2,166.47	\$17,977.11	\$ 5.76
2019-2020	\$ 9,163.32	\$ 1,255.61	\$10,418.93	\$ 3.34
2020-2021	\$ 11,561.98	\$ 1,584.30	\$13,146.28	\$ 4.21
2021-2022	\$ 11,507.79	\$ 1,576.87	\$13,084.66	\$ 4.19



What We Have Heard Previously (2021)

- Is there a way to redistribute fees for the special services district?
- Ordinance not re-evaluated since 1990 when put in place.
- Accepting bid for same contractor each year, raising cost by 5%, is unfair.
- Beautification and other services benefiting all people visiting downtown, not just the owners.
- The assessment benefits all businesses downtown.
- Services allow customers to choose shopping locally.
- Business owner does not have time to dedicate to servicing outside of the business.
- Feels strongly that the special services provided is vital to the accessibility, cleanliness, and safety of visiting downtown Brainerd.



What We Have Been Hearing

- Potential Pitfalls to Removing the Special Services District
 - Maintenance and beautification downtown does not continue to levels it has been (flowers, garbage receptacles, snow removal, etc.).
 - Snow removal treated like the rest of the commercial and residential districts (windrowed to middle, sidewalks become property owner responsibility, snow gets left after sidewalk shoveling, snow pickup happens 24-48 hours later, sidewalk snow left at curb, etc.).
 - Level of service downtown decreases (snow removal and landscaping).
 - The need to change City-wide snow removal practices to fit downtown in the schedule (streets, parking lots, and alleys) – decreases level of service City-wide.
 - Alley's snow covered and last priority for City.
 - Sidewalks/streets/alleys/parking lots not cleaned in as timely of a manner (currently, downtown is completely removed of snow by noon after an event).



Alternative Proposal

- Based on comments received by property owners and City Council, staff has come up with an alternative plan to address the needs of the downtown special services district.
- General concept:
 - Street Maintenance clears the streets similarly to other commercial districts.
 - Plows snow to the middle of the street
 - Snow windrow removed 24-48 hours after the event once rest of the streets are cleared
 - City staff clears sidewalks within the downtown special services district for ALL snow events.
 - All staff and equipment time to clear sidewalks are assessed 100% to adjacent properties.
 - Landscaping and garbage treated similarly as previous years with City staff performing the tasks and all costs assessed based on front footage.



Alternative Proposal

- Cost Comparison
 - Assumptions
 - 1 large snow event, 2 moderately large, 3 average events, 8 small events
 - 50 feet of front footage
 - Using bid received for 2022-2023 snow removal season

Current Practice	Alternative Proposal
Street Snow Removal	
\$343.50	\$0
Sidewalk Snow Removal	
\$206	\$47
Landscaping & Garbage	
\$306.50	\$306.50
Total Assessed Cost	
\$856	\$353.50



Alternative Proposal

Pros

- Reduced assessment rate (nearly 60%)
- Sidewalks are clear on every snow event
- Continued consistent appearance of landscaping and snow clearing
- Prepares an alternative plan for the possibility no private contractors bid the downtown snow removal

Cons

- Requires more city staff and acquiring new equipment to fit on downtown sidewalks
- May take slightly longer to clear walks with only one staff
- Streets are less convenient for a day or two with the windrow
- Will require one additional season to hire staff and acquire equipment



Next Steps

- Receive public input at the Public Hearing
- Determine future of the Downtown Special Services District and propose any changes, if needed
 - Keep the Special Services District as-is
 - Change the District via Ordinance revision to reflect the Alternative Proposal
 - Staff recommends keeping the district as-is for the 2022-2023 snow removal season
 - Would begin the process of hiring staff, budgeting and ordering new equipment, and beginning ordinance revision process
 - Eliminate the Special Services District
 - Would require revocation of the ordinances establishing the district



City of Brainerd

2022-2023 Downtown Snow Removal

Form of Proposal



Description	Unit	Unit Price
STREETS, ALLEYS, PARKING LOTS (4" BASE)	LUMP SUM	6,184.57
STREETS, ALLEYS, PARKING LOTS (EACH ADDT'L INCH)	INCH	1,734.72
SIDEWALKS (4" BASE)	LUMP SUM	1,433.01
SIDEWALKS (EACH ADDT'L INCH)	INCH	301.69

This proposal dated this 26th day of September, 2022

Signed: Kathy Thomas

Title: CFD

Tom's Backhoe Service, Inc.
323 Woodland Hills LN
Brainerd, MN 56401

SPECIFICATIONS FOR SNOW REMOVAL IN CENTRAL BUSINESS DISTRICT

Description of Work

The intent of this solicitation is to provide snow removal services in the core area of Downtown Brainerd following snow accumulations of 4 inches or more in accordance with the specifications herein described.

Term of Contract

The term of this services agreement shall begin when accepted by the City Council and continue through the end of the plowing season estimated to be mid-March. The City reserves the right to remove the snow with city forces in late winter/early spring when weather conditions are favorable for a quick snow melt.

Description of Snow Removal Area (as shown on attached maps and listed).

Streets: Front Street from South 6th to South 8th
Laurel Street from South 6th to South 8th
South 7th Street from Front Street to Maple Street

Sidewalks: All sidewalks abutting streets listed above

Alleys: All alleys between Front and Maple from South 6th to South 8th Streets.

Parking lots: Parking lots are listed as follows and shown on the attached maps unless noted otherwise:

1. BN parking lot located between S 6th and S 8th North of Front Street.
2. Front Street parking lot located at the corner of Front and S 7th Street
3. Laurel Street parking lot located on Laurel Street between S 6th Street and S 7th Street
4. Alley parking lots located adjacent to the East-West alley from S 6th Street to S 8th Street between Maple and Laurel Streets.

Posting of Streets

Upon declaration of a snow emergency, or when directed by the Engineer, the Contractor shall post all affected streets for "No Parking." The "2-Hour Parking" signs on the streets shall be "flipped" to expose the red snow removal message. Alleys are already signed for "No Parking." Parking restriction signs have been removed from the north side of Front Street between South 6th Street and South 8th Street, as a result, the Contractor shall post no fewer than 6 portable No Parking signs along the north side of

the street Two additional portable "No Parking" signs shall be posted by the contractor on each side of each block. Additional "No Parking" signs will be furnished by the City.

The contractor may commence snow removal operations at his discretion; however, vehicles will not be towed prior to 3:00 a.m. as posted.

Upon completion of the snow removal, the contractor shall remove the portable "No Parking" signs and return the "flip" snow removal signs to their original position which reads 2-hour parking.

Snow Removal in Parking Lots

Parking will not be restricted in the parking lots during snow removal operations on the streets and sidewalks. The Contractor shall remove snow **from parking spaces in the parking lots** as permitted **during the afternoon/evening prior to the street and sidewalk snow removal to provide a place for downtown residents to park.** Upon completion of the snow removal from the streets, **and if necessary,** the Contractor shall post the parking lots for "No Parking" and complete the snow removal from the parking lots by 8:00 A.M. the following day.

Ticketing and Towing

The City of Brainerd will arrange for the ticketing and towing of vehicles. Ticketing and towing will only occur when a snow emergency is declared in time to give adequate notice to potential violators. Towing operations will commence at 3:00 a.m.

Progress of Work

Snow removal operations shall begin upon all snow accumulations of 4" or more and when directed by the Engineer. Snow shall be sufficiently removed to provide pedestrian traffic, parking and driveable lanes by 8:00 A.M. on all weekdays and Saturday mornings. Snow accumulations which end on a weekend shall be completely removed by 8:00 A.M., Monday, or, as in all other cases, within 24 hours of the snowfall ending.

Traffic Control

The Contractor shall be responsible for traffic control during the snow removal operation.

Equipment

Snow removal on sidewalks, alleys and parking lots may occur by any appropriate mechanical means. Mechanical equipment used to clear snow from sidewalks shall be equipped with a polyurethane cutting edge. Snow removal on the streets, however, shall

be finished with a motor grader capable of cutting off ice and compacted snow.

Protection of Improvements

The Contractor shall perform all snow removal in a manner which protects all improvements, both public and private and shall be solely responsible for any damage to said improvements which occurs as a result of the snow removal operation.

Hold Harmless Clause

The Contractor shall assume all liability and save the City harmless and indemnify the City from every claim, action, cause of action, liability, damages, expense of payment by reason of any injury to person or persons, including death suffered through any act or omission of the Contractor or any subcontractor or anyone directly or indirectly employed by either of them in the prosecution of the work or any portion thereof included in this contract.

Disposal of Snow

Disposal of snow shall be solely the Contractor's responsibility. In previous years there was adequate space in the BN Lot to temporarily stockpile snow. This is no longer the case. Snow in the BN Lot shall be removed within the same timeframes as other parking lots.

Method of Payment

Payment for snow removal shall be at the unit prices bid on the proposal form. Sidewalk snow removal shall be bid separately from street, alleys and parking lots. Payment shall be for a base 4" snowfall, plus the bid amount for each additional inch.

Method of Measurement

Measurement shall be the snowfall depth as measured and recorded by the Department of Natural Resources, **the National Oceanic and Atmospheric Administration, some other competent weather authority**, or as mutually agreed to by the Contractor and the Engineer.



Brainerd City Council Agenda Request

Requested Meeting Date: November 7, 2022

Title of Item: RES - Decl. Assessments and Call PH - DTSR and DTSS

Agenda	Action Requested:	
☐ CONSENT AGENDA	☐ Approve/Deny Motion	☐ Direction Requested
☐ P&F COMMITTEE	☒ Adopt Resolution (attach draft)	☐ Discussion Item
☐ SPW COMMITTEE	☐ Ordinance 1 st Reading	☐ Hold Public Hearing*
☒ MAIN AGENDA	<i>*provide copy of published hearing notice</i>	

Submitted by: City Engineer/PW Director Dehn

Department: Public Works

Presenter: City Engineer/PW Director Dehn

Estimated Time Needed: 5 Minutes

Summary of Issue:

Pursuant Minnesota Statute 429 and to continue with assessment proceedings, the City Council must declare costs to be assessed, order the preparation of the proposed assessment, and call a public hearing on the proposed assessment.

Alternative, Options, Effects on Others/Comments:

The 2021-2022 contracted snow removal costs in the downtown district had a total cost of \$101,236.62. This equates to 60.5 billed inches of snow. \$38,772.59 is proposed to be assessed, \$35,087.33 is proposed to be paid by the parking lot fund, and \$27,376.70 is proposed to be paid by the street and sewer fund. These totals are a correction to the previously presented costs for the snow removal at the September 19 and October 17, 2022 Council meetings.

The special services district including landscaping, garbage, and maintenance had a cost of \$13,084.66 for the 2022 season.

Recommended Action/Motion:

Staff recommends adopting the attached resolution in which declares the cost to be assessed, orders the preparation of the proposed assessment, and sets a public hearing on the proposed assessment for November 21, 2022 at 7:30 PM.

Financial Impact:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping:

Is this budgeted? (Please Explain)

NOTICE OF HEARING ON PROPOSED ASSESSMENT

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of Brainerd, Minnesota will meet in the Council Chambers of the Brainerd City Hall at 7:30 p.m. on November 21, 2022, to pass upon the proposed assessment for the following improvements:

DOWNTOWN SPECIAL SERVICES DISTRICT

Snow Removal, Irrigation Maintenance, Landscaping, Garbage Collection

Laurel Street from South 6th Street to South 8th Street
Front Street from South 6th Street to South 8th Street
South 7th Street from Maple Street to Front Street

The areas proposed to be assessed for these improvements are the properties abutting and/or benefitting from the above-described projects.

The proposed assessment role is on file for public inspection at the City Administrator's Office and the City Engineer's Office.

The total cost of Downtown Special Services District is \$114,321.28 of which \$50,280.38 is proposed to be assessed.

Written or oral objections will be considered at the meeting. No appeal may be taken as to the amount of any assessment unless a signed, written objection is filed with the City Administrator prior to the hearing or presented to the presiding officer at the hearing. The Council may upon such notice consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners as it deems advisable.

The amount to be specifically assessed against your particular lot, piece or parcel of land is shown on the attached enclosure. You may at any time prior to certification of the assessment to the County Auditor pay the entire assessment on such property with interest accrued to the date of payment to the City Administrator. No interest shall be charged if the entire assessment is paid within 30 days from the adoption of this assessment. You may at any time thereafter pay to the County Auditor the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which the payment is made. If you decide not to pre-pay the assessment before the date given above, the rate of interest that will apply is four and ninety-one hundredths' percent (4.91%) per year. The right to partially prepay the assessment pursuant to Section 315 of the Brainerd City Code is available. Further, pursuant to Ordinance 974 deferred assessments may be granted by the City Council where a financial hardship exists and pursuant to Resolution No. 4988, and any amendments thereto, the City Council may defer a special assessment for needy persons. If you feel that you might qualify for such deferments, please discuss this with the City Administrator at your earliest convenience.

The assessments will be spread over a period of one (1) year.

If an assessment is contested or there is an adjourned hearing, the following procedure will be followed:

1. The City will present its case first by calling witnesses who may testify by narrative or by examination and by the introduction of exhibits. After each witness has testified,

the contesting party will be allowed to ask questions. This procedure will be repeated with each witness until neither side has further questions.

2. After the City has presented all its evidence, the objector may call witnesses or present such testimony as the objector desires. The same procedure for the questioning of the City's witnesses will be followed with the objector's witnesses.
3. The objector may be represented by counsel.
4. Minnesota Rules of Evidence will not be strictly applied; however they may be considered and argued to the Council as to the weight of the items of evidence or testimony presented to the Council.
5. The entire hearing will be tape-recorded.
6. At the close of the presentation of evidence, the objector and the City may make final presentations to the council based on the evidence and the law. No new evidence may be presented at this point.
7. The Council may adopt the proposed assessment at the hearing.

An owner may appeal an assessment to the District Court pursuant to Minnesota Statutes Section 429.081 by serving notice of the appeal upon the Mayor or Administrator of the City within thirty (30) days after the adoption of the assessment, and by filing such notice with the District Court within ten (10) days after the service upon the Mayor or City Administrator.

Dated this 7th day of November 2022

Jennifer Bergman
City Administrator

Any individual needing special accommodations please call 828-2307.

Published November 9, 2022

R E S O L U T I O N
NO _____

**RESOLUTION DECLARING COSTS TO BE ASSESSED
ORDERING PREPARATION OF PROPOSED ASSESSMENT,
AND ORDERING A PUBLIC HEARING ON PROPOSED ASSESSMENT**

WHEREAS, the costs have been determined for Downtown Special Services District involving the following described areas in the City of Brainerd:

DOWNTOWN SPECIAL SERVICES DISTRICT

Snow Removal, Irrigation Maintenance, Landscaping, Garbage Collection

Laurel Street from South 6th Street to South 8th Street
Front Street from South 6th Street to South 8th Street
South 7th Street from Maple Street to Front Street

WHEREAS, the estimated total costs for said improvements are Downtown Special Services District – \$114,321.28, and

WHEREAS, the City Council has ordered preparation of the proposed assessment, and

WHEREAS, the City Council hereby sets the Public Hearing for Monday, November 21, 2022, at 7:30 p.m.,

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

1. The portion of the cost of such improvement to be paid by the City is hereby declared to be Downtown Special Services District \$64,040.89, and the portion of the cost to be assessed against benefited property owners is declared to be Downtown Special Services District \$50,280.38.

2. Assessments shall be payable in annual installments extending over a period of one year, to be paid on or before the first Monday in January 2023 and shall bear interest at the rate of four and ninety-one hundredths' percent (4.91%) per annum from the date of the adoption of the assessment resolution.

3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property with interest accrued to the date of payment to the City Administrator, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. The owner of any property so assessed may at any time thereafter pay to the Crow Wing County Auditor the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which such payment is made.

4. Pursuant to Ordinance No. 974 deferred assessments may be granted by the City Council where a financial hardship exists and pursuant to Resolution No. 4988 and any

amendments thereto, the City Council may defer a special assessment for needy persons.

5. Pursuant to proper notice duly given as required by law, the hearing will be held on the 21st of November 2022 in the City Hall building at Brainerd, Minnesota, at 7:30 p.m. concerning such proposed assessments and at such time and place all persons owning property affected by such improvements were given an opportunity to be heard with reference to such assessments.

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: November 7, 2022

Title of Item: Preliminary Plat for Creekside Community Development

Agenda	Action Requested:	
☐ CONSENT AGENDA	☒ Approve/Deny Motion	☐ Direction Requested
☐ P&F COMMITTEE	☐ Adopt Resolution (attach draft)	☐ Discussion Item
☐ SPW COMMITTEE	☐ Ordinance 1 st Reading	☐ Hold Public Hearing*
☒ MAIN AGENDA	<i>*provide copy of published hearing notice</i>	

Submitted by: Community Development Director

Department: Community Development

Presenter: James Kramvik, CDD

Estimated Time Needed: 5 minutes

Summary of Issue:

Vicky Kinney has submitted a request on behalf of My Neighbor to Love Coalition for a preliminary plat for Lots 1 through 12, Block M, and Lots 3 through 10, Block E in the West Brainerd Addition to Brainerd. The purpose of this preliminary plat request is to consolidate 11 lots into four larger lots.

Alternative, Options, Effects on Others/Comments:

See Memo

Recommended Action/Motion:

See Memo

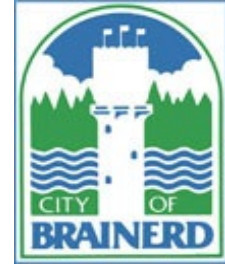
Financial Impact:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping:

Is this budgeted? (Please Explain)

MEMO



TO: Mayor and City Council

FROM: James Kramvik, Community Development Director

DATE: November 7, 2022

RE: Recommended Motion for Preliminary Plat

Alternative, Options, Effects on Others/Comments:

The preliminary plat stage is the point in the process that all information pertinent to the proposed development is furnished by the developer for review by the City staff and consultants, City advisory committees, the City Council, any other applicable agencies, and the public. The information provides a basis for approval or denial of the application. The information submitted in the application shall address both existing conditions and changes that will occur during and after development.

Approval of a preliminary plat by the City Council is an acceptance of the general layout, as submitted, and indicates that the developer may proceed toward final plat approval in accordance with the City Council approval of the preliminary plat, including conditions and the City growth management standards.

Commissioner Comment: The Proposed Preliminary Plat is also supported by the Comprehensive Plan in the Housing Chapter: Goal 1 policies 2 & 5.

Policy 2: Expand home ownership and rental opportunities through rehabilitation and new construction.

Policy 5: Ensure an adequate supply of quality and affordable housing units for current and future residents.

The Planning Commission considered this preliminary plat during its regular meeting on October 19th and, upon review, voted unanimously to recommend approval as presented with the following conditions:

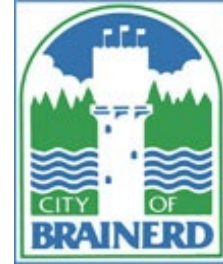
- 1) Approval of the Preliminary Plat is contingent up City Council approval of the alley vacation in Block E & M, West Brainerd Addition to Brainerd.
- 2) A developer's agreement for stormwater retention and installation of required fire hydrants are recorded with the final plat.
- 3) The applicant works with staff to create the appropriate naming of the plat & the rear yard setback minimum indicated on the plat be 10 feet.

Recommended Action/Motion Contingent Upon Alley Vacation:

Motion to approve the requested Preliminary Plat with the following conditions:

- 1) A developer's agreement for stormwater retention and installation of required fire hydrants are recorded with the final plat.
- 2) The applicant works with staff to create the appropriate naming of the plat & the rear yard setback minimum indicated on the plat be 10 feet.

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: October 19th, 2022

RE: Consider Preliminary Plat for Creekside Community Development

Vicky Kinney has submitted a request on behalf of My Neighbor to Love Coalition for a preliminary plat for Lots 1 through 12, Block M, and Lots 3 through 10, Block E in the West Brainerd Addition to Brainerd. The purpose of this preliminary plat request is to consolidate 11 lots into four larger lots.

Findings of Fact

The proposed preliminary plat will be contingent upon City Council approval of an alley vacation in Block E & M, West Brainerd Addition to Brainerd.

Lots 1 through 12, Block M, and Lots 3 through 10, Block E in the West Brainerd Addition to Brainerd are all zoned TN-2 (Traditional Neighborhood 2) District.

Adjacent Uses: North: Vacant Land & 4-unit Apartment Under Construction
East: Single-Family Residential
South: Commercial Storage & Retail
West: Vacant Land & Multi-Family Residential

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

Table 515-2-9.1. TN-2 Dimensional Standards – Density, Lot Size, Coverage and Height Standards

- a. Lot Size (minimum) – 4,000 SQFT
 - i. *All proposed lots meet the minimum lot size requirement.*
- b. Density (range) - 9 – 20 DU/AC (20+ DU/AC requires CUP)
 - i. *The applicant proposes a twelve-unit apartment on Lot 1 which would have a density of 9.73 dwelling units per acre. The applicant also proposes a twelve-unit apartment on Lot 3 which would have a density of 9.1 dwelling units per acre. Both proposed residential lots would meet the density requirement.*
- c. Lot Frontage on All Roads (minimum) - 45'
 - i. *All proposed lots meet the minimum lot frontage standard.*

Preliminary plat approval shall be based on the following criteria per [Section 500-2-5](#):

1. That the proposed subdivision is consistent with adopted applicable general and specific comprehensive plans of the City.
 - a. *The proposed plat request includes the consolidation of 11 lots into 4 larger lots. The applicant is proposing the construction of two twelve-unit apartments and a health center/ boarding house. The TN-2 Zoning District is intended to provide for compact, pedestrian-oriented mix of residential and neighborhood-serving commercial uses. This District reinforces the existing pattern of small, connected lots, blocks and street and supports development and redevelopment consistent with this pattern.*
 - b. *The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.*
 - i. *Land Use Goal 3: Support and invest in the incremental enhancements of quality of life.*
 1. *Policy 3: Ensure a wide range of housing types for all income levels.*
 - ii. *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.*
2. That the physical characteristics of this site, including but not limited to topography, percolation rate, soil conditions, susceptibility to erosion and siltation, susceptibility to flooding, water storage, drainage and retention, are such that the site are suitable for the type of development, design, or use contemplated.
 - a. *The site does have topographical challenges. KLD has prepared a site plan to account for drainage, water storage, and erosion while the site is under construction. The engineering department has reviewed the plat and site plan and has no concerns*
3. That the site is physically suitable for the proposed density of development.
 - a. *The proposed construction projects meet the density requirements of the TN-2 District and all structures and parking lots meet the setback requirements.*
4. That the design of the subdivision or the proposed improvements are not likely to cause environmental damage.
 - a. *KLD has prepared stormwater calculations and designed water retention basins to meet the City of Brainerd stormwater requirements as part of the city's MS4 permit. No other improvements will cause environmental damage to the surrounding neighborhood.*
5. That the design of the subdivision or the type of improvements, are not likely to cause public health problems.
 - a. *The improvements will not cause any public health problems.*
6. That the design of the subdivision or the type of improvements will not conflict with easements of record or with easements established by judgment of a court.
 - a. *The engineering department has reviewed the recorded easements with the applicant. There is a twenty-foot utility easement on Lot 1. A parking surface*

will be allowed over the easement. Structures are not allowed over the easement and no structures are proposed over the easement.

7. That the proposed subdivision, its site, or its design does not adversely affects the flood carrying capacity of the floodway increases flood stages and velocities or increases flood hazards within the floodway fringe or within other areas of the City.
 - a. *KLD has prepared stormwater calculations and designed water retention basins to meet the City of Brainerd stormwater requirements as part of the city's MS4 permit. The proposed site will not increase flood hazards.*
8. The proposed subdivision is consistent with the policies and standards of the State defined shoreland, floodplain, and wetland regulations.
 - a. *The applicant had the property delineated for wetlands. There are no areas that satisfy the criteria to be a wetland according to the North central and Northeast Regional Supplement to the Corps of Engineers Wetland Delineation Manual with subsequent clarification memoranda and pursuant to confirmation by the Army Corps of Engineers and / or the Crow Wing County Environmental Services Department. The proposed plat is outside of the shoreland district and floodplain.*
9. The City Council deems the subdivision is not premature.
 - a. *This is an existing plat within the city that has the required infrastructure ready for development. All utilities, including water, sewer, and electric, are already in place and will experience no change with this requested plat change.*
10. The design of the subdivision does not conform to minimum City development standards.
11. A subdivision shall be consistent with the following plans:
 - a. Brainerd Comprehensive Plan.
 - b. Brainerd Sanitary Sewer Plan/Engineering Specifications.
 - c. Brainerd Water Plan/Engineering Specifications.
 - d. Stormwater Management Plan.
 - e. Comprehensive Trail Plan.
 - f. Capital Improvement Plan.
 - i. *A full list of the requirements in the capital improvement plan can be found in [Section 500-2-5.11.f](#)*
 - ii. *The engineering department and community development department have no concerns with the above plans.*
 - iii. *The fire department will require additional hydrants along NW 3rd St.*

As of this writing, the Community Development Department has not received any questions or concerns about this request.

Staff Opinion

Staff recommends approval of this Preliminary Plat with the following conditions.

- 1) Approval of the Preliminary Plat is contingent up City Council approval of the alley vacation in Block E & M, West Brainerd Addition to Brainerd.
- 2) A developer's agreement for stormwater retention and installation of required fire hydrants are recorded with the final plat.
- 3) Naming the Plat & Adjusting the Rear Yard Setback Minimum indicated on the Plat.



Community Development Department

City Hall – 501 Laurel Street Brainerd, MN 56401

218-828-2309/Fax 218-828-2316

www.ci.brainerd.mn.us

41040504

PRELIMINARY PLAT/FINAL PLAT APPLICATION



PRELIMINARY PLAT (\$500.00 + \$30.00/lot residential + \$1,000.00 escrow deposit)
(\$600.00 + \$50.00/lot commercial + \$1,000.00 escrow deposit)



FINAL PLAT (fee included with Preliminary Plat)

PROPERTY ADDRESS: TBD 3rd Street NW, Brainerd

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

Property Owner Name: My Neighbor to Love Coalition

Street Address: P.O. Box 581 City: Nisswa State: MN Zip Code: 56468

Phone Number: 218-821-7875 Fax: _____ E-mail: vickyjo.kinney@yahoo.com

Applicant Name: (if different than Property Owner) Vicky Kinney

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

Phone Number: _____ Fax: _____ E-Mail: _____

Description of Request: Re-plat the above listed properties - combine and divide - to create four new lots in order to best use and develop the property - Creekside Community.

Vicky Kinney

Property Owner Signature

Vicky Kinney

(Please print name)

Vicky Kinney

Applicant Signature

Vicky Kinney

(Please print name)

10-4-2022

Date

10-4-2022

Date

Legal Descriptions of Property and PID numbers for Re-Plat Request

LOT 7 BLOCK E AND THE ADJACENT S'LY ½ OF VACATED ROBERT STREET. PID# 41040807 •

LOTS 7 THRU 9 INCLUSIVE BLOCK M – PID# 41040504 •

LOT 12 BLOCK M AND THE ADJACENT N'LY 1/2 OF VACATED ROBERT STREET – PID# 41040501 •

LOT 10 BLOCK M – PID# 41040503 •

LOT 11 BLOCK M – PID# 41040502 •

LOT 8 BLOCK E – PID# 41040806 •

LOTS 9 AND 10 BLOCK E – PID# 41040805

LOTS 1 THRU 6 INCLUSIVE BLOCK M AND THE
ADJACENT N'LY 1/2 OF VACATED ROBERT STREET. – PID# 41040505 •

LOT 4 BLOCK E – PID# 41040809 •

LOTS 5 AND 6 BLOCK E AND THE ADJACENT S'LY – PID# 41040808 •

LOT 3 BLOCK E – PID# 41040810 •

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Vicky Kinney has submitted a request on behalf of My Neighbor to Love Coalition for a preliminary plat for Lots 1 through 12, Block M, and Lots 3 through 10, Block E in the West Brainerd Addition to Brainerd. The purpose of this preliminary plat request is to consolidate 11 lots into four larger lots. The proposed preliminary plat will be contingent upon City Council approval of an alley vacation in Block E & M, West Brainerd Addition to Brainerd.

The properties are legally described as:

*LOTS 1 THRU 6 INCLUSIVE BLOCK M AND THE ADJACENT N'LY 1/2 OF
VACATED ROBERT STREET. LOTS 7 THRU 9 INCLUSIVE BLOCK M, LOT 10
BLOCK M, LOT 11 BLOCK M, LOT 12 BLOCK M AND THE ADJACENT N'LY 1/2 OF
VACATED ROBERT STREET
WEST BRAINERD
P.I.N. 41040505, 41040504, 41040503, 41040502, 41040501
Section 4, Township 133, Range 28*

*LOT 3 BLOCK E, LOT 4 BLOCK E, LOTS 5 AND 6 BLOCK E AND THE ADJACENT
S'LY 1/2 OF VACATED ROBERT STREET, LOT 7 BLOCK E AND THE ADJACENT
S'LY 1/2 OF VACATED ROBERT STREET, LOT 8 BLOCK E, LOTS 9 AND 10 BLOCK E
WEST BRAINERD
P.I.N. 41040810, 41040809, 41040808, 41040807, 41040806, 41040805
Section 4, Township 133, Range 28*

The properties are zoned TN-2 (Traditional Neighborhood) District. A copy of the preliminary plat is on file for review with the Community Development Department.

A Public Hearing to consider this preliminary plat will be conducted by the Brainerd Planning Commission at 6:00 p.m. on Wednesday, October 19, 2022, in the City Council Chambers at 501 Laurel St., Brainerd, MN 56401.

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

Dated this 6th day of October 2022



James L. Kramvik
Community Development Director

Publication Date: October 8, 2022



Brainerd/Baxter
1120 Industrial Park Road
Brainerd, MN 56401
Phone (218) 829-5333
Toll Free 1-866 816-5333
Fax (218) 829-5377
www.kldland.com

St. Cloud
11 North 7th Ave.
Suite 100
St. Cloud, MN 56303
Phone (320) 259-1266
Toll Free 1-877-251-1266
Fax (320) 259-8811

September 13, 2022

Crow Wing County Environmental Services Department
Attn: Jake Frie
322 Laurel Street
Brainerd, MN 56401

RE: Wetland Determination on PID#'s 41040501, 41040502, 41040503, 41040504, 41040505, 41040805, 41040806, 41040807, 41040808, 41040809, and 41040810

Dear Jake,

On Tuesday, September 13, 2022, I visited the My Neighbor to Love Coalition LLC properties to determine if any wetlands were present within the 4.0-acre site. In my professional opinion, there are no areas that satisfy the criteria to be a wetland according to the North central and Northeast Regional Supplement to the Corps of Engineers Wetland Delineation Manual with subsequent clarification memoranda and pursuant to confirmation by the Army Corps of Engineers and / or the Crow Wing County Environmental Services Department. The wetland determination was conducted at a level of care and skill generally accepted by professionals performing this type of work under the usual constraints of time and resources. No other warranty, expressed or implied, is made.

If you would like more information or have any questions, please feel free to contact me.

Sincerely,

Kyle Cherne - Minnesota Certified Wetland Delineator #1190

CREEKSIDE COMMUNITY DEVELOPMENT

Located in Block E and Block M, WEST BRAINERD,
Section 4, Township 133 North, Range 28 West,
Crow Wing County, Minnesota.

Surveyors Notes

The property address for the subject property is:

Not Declared

The Parcel Numbers for the subject property is 41040501, 41040502, 41040503, 41040504, 41040505, 41040805, 41040806, 41040807, 41040808, 41040809 and 41040810.

The current zoning classification for the subject property is Traditional Neighborhood 2 (TN-2).

This survey was completed without the benefit of a title commitment or title opinion, there may be easements or other limiting factors that affect the subject property that are not shown on this survey.

The subject property was reviewed for the existence of wetlands on September 13, 2022. Kyle Cherne, Minnesota Certified Delineator number 1190. No wetlands are located within the boundary of this proposed subdivision.

All water mains shown on survey are approximate locations based on the 2020 Storm Sewer Plan and Profile done by Bolton and Menk.

Legal description

Lots 1 thru 12 inclusive, Block M, WEST BRAINERD, Crow Wing County, Minnesota.

AND

Lots 3 thru 10 inclusive, Block E, WEST BRAINERD, Crow Wing County, Minnesota.

AND

All that part of vacated Robert Street which lies adjacent to Lot 1, Block M, and Lot 12, Block M, and Lot 6, Block E, and Lot 7, Block E, WEST BRAINERD, Crow Wing County, Minnesota.

AND

(This portion is proposed alley vacation)

That part of the alley located within Block M, WEST BRAINERD, according to the recorded plat thereof, Section 4, Township 133 North, Range 28 West, Crow Wing County Minnesota, which lies southerly of the southerly line of Jackson Street, and which lies northerly of the northerly line of Robert Street.

That part of the alley located within Block E, WEST BRAINERD, according to the recorded plat thereof, Section 4, Township 133 North, Range 28 West, Crow Wing County Minnesota, which lies southerly of the southerly line of Robert Street, and which lies northerly of the easterly extension of the southerly line of Lot 10, Block E, WEST BRAINERD.

That part of Robert Street, WEST BRAINERD, according to the recorded plat thereof, Section 4, Township 133 North, Range 28 West, Crow Wing County Minnesota, which lies easterly of a line from the southeast corner of Lot 12, Block M, WEST BRAINERD to the northeast corner of Lot 7, Block E, WEST BRAINERD, and which lies westerly of a line from the southwest corner of Lot 1, Block M, WEST BRAINERD to the northwest corner of Lot 6, Block E, WEST BRAINERD.

MAPPING LEGEND

STORM SEWER MANHOLE	⊗	BURIED ELECTRIC LINE	—P-BUR—
SANITARY SEWER MANHOLE	⊗	BURIED TELEPHONE LINE	—T-BUR—
CATCH BASIN	⊗	OVERHEAD POWER LINE	—OHP—
CULVERT APRON	⊗	WATER LINE	—W—
HYDRANT	⊗	STORM SEWER PIPE	—SSP—
WATER VALVE	⊗	SANITARY SEWER PIPE	—SSP—
UTILITY POLE	⊗	TREELINE	—TRE—
UTILITY POLE ANCHOR	⊗	CONTOUR (MAJOR)	—1025—
UTILITY PEDESTAL	⊗	CONTOUR (MINOR)	—1025--
UTILITY METER	⊗	CONCRETE	—CON—
LIFT STATION	⊗	BITUMINOUS	—BIT—
SOIL BORING	⊗	GRAVEL	—GRA—
	SB#		

Traditional Neighborhood 2 (TN-2)

Purpose of Traditional Neighborhood 2 Zoning District. The TN-2 Zoning District is intended to provide for compact, pedestrian-oriented mix of residential and neighborhood-serving commercial uses. This District reinforces the existing pattern of small, connected lots, blocks and street and supports development and redevelopment consistent with this pattern.

TN-2 Dimensional Standards – Density, Lot Size, Coverage and Height Standards
Lot Dimensions

A. Lot Size (minimum) Density (range) 4,000 SF: 9 – 20 DU/AC (20+ DU/AC requires CUP)
B. Buildable Area - Floor Area Ratio (FAR) for commercial use Outside of all setbacks 0.5
C. Lot Frontage on All Roads (minimum) 45'

Principal Building & Attached Accessory Building Standards

D. Front Yard Setback (minimum) 0' - 20' if Commercial is Principal Use, 5' - 20' if Residential is Principal Use
E. Side Yard Setback (minimum) 5'/10' corner
F. Rear Yard Setback (minimum) 1'

NO.	REVISIONS SINCE INITIAL DATE OF	DATE



I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Signature: *James Kramer* 09/13/2022
James Kramer, MN License No. 23668 Date

PROJECT NO. KINN2202

Preliminary Plat of CREEKSIDE COMMUNITY DEVELOPMENT

For property at: NOT YET ASSIGNED
Section 4, Township 133 North, Range 28 West
Crow Wing County, Minnesota

Sheet No. 1 of 1

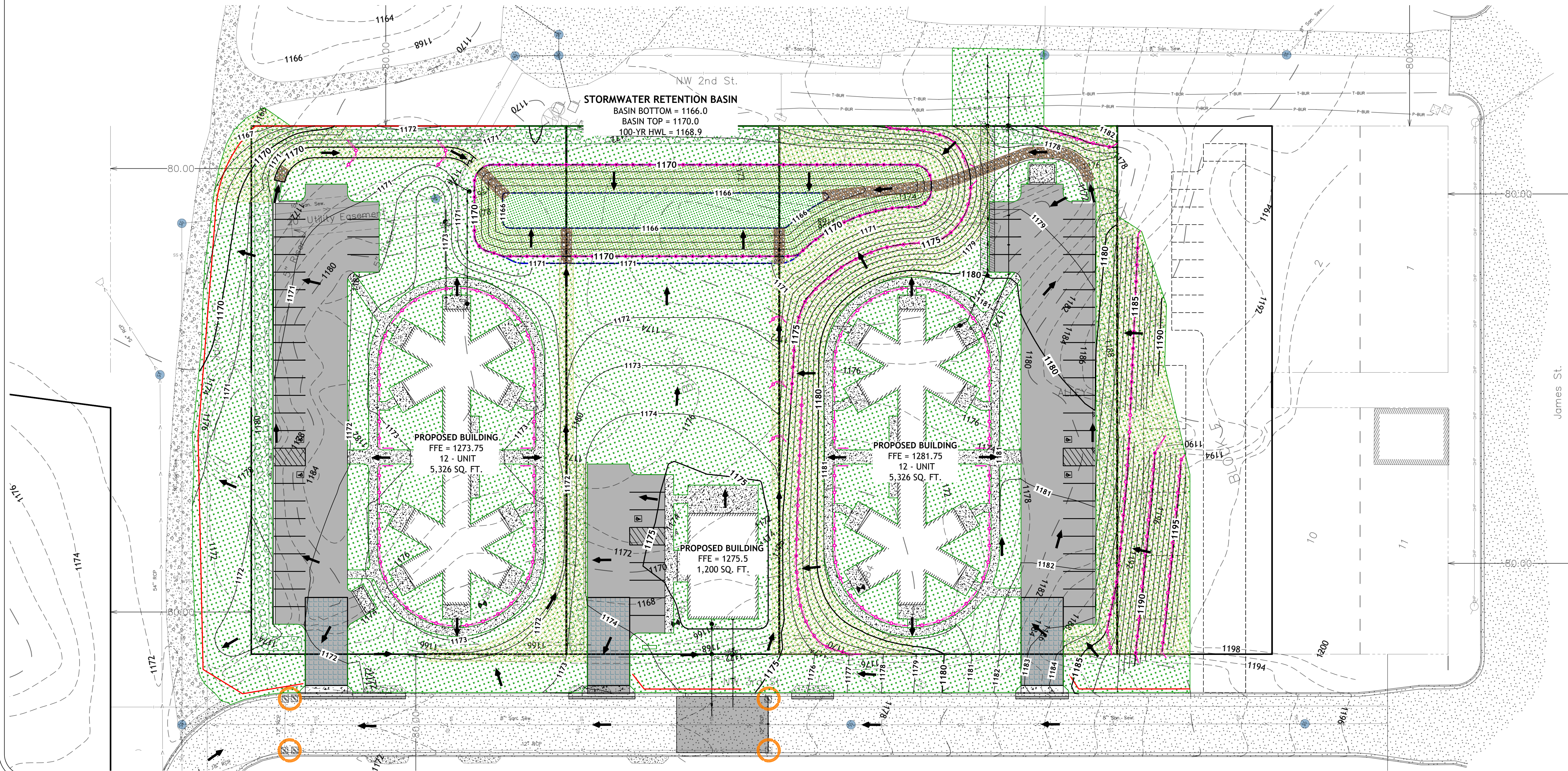
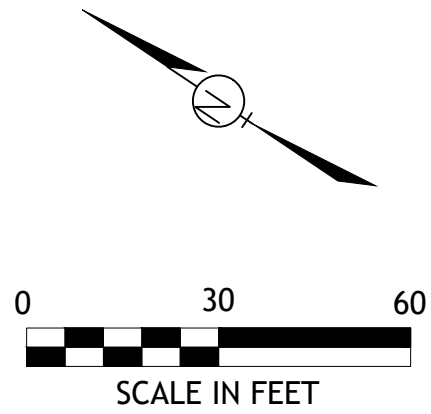
LEGEND

- DENOTES SURFACE DRAINAGE DIRECTION
- DENOTES CLASS II RAP RAP (12" DEPTH) W/ TYPE 4 GEOTEXTILE FILTER FABRIC
- DENOTES CATEGORY 3N, WOOD FIBER 2S EROSION CONTROL BLANKET
- DENOTES TURF ESTABLISHMENT
4" TOPSOIL
TEMPORARY - MNDOT RAPID STABILIZATION METHOD 3
PERMANENT - RIENFORCED FIBER MATRIX (3,900 LB/ACRE), SEED MIXTURE 25-151(120LBS/ACRE),
TYPE 3 SLOW RELEASE FERTILIZER (300LBS/ACRE)
STORMWATER BASINS - 33-261 (35LBS/ACRE), TYPE 3 SLOW RELEASE FERTILIZER (300LBS/ACRE)
- DENOTES CONSTRUCTION ENTRANCE
- ***** DENOTES SILT FENCE - TYPE MS
- BIOROLL - TYPE WOOD FIBER
- STORMSEWER INLET PROTECTION - SEE DETAIL SHEET

EROSION CONTROL PLAN NOTES

- BMP'S SHALL BE INSTALLED BEFORE ANY EARTH DISTURBING ACTIVITIES COMMENCE.
- STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES SHALL NOT CAUSE, HAVE THE REASONABLE POTENTIAL TO CAUSE, OR MEASURABLY CONTRIBUTE TO AN EXCEEDANCE OF ANY WATER QUALITY STANDARD.
- CONSTRUCTION SHALL BE PHASED IN A MANNER TO LIMIT EARTH DISTURBING ACTIVITIES (I.E. THE ENTIRE PROJECT SITE SHOULD NOT BE DISTURBED IF CONSTRUCTION WILL ONLY BE OCCURRING IN ONE PARTICULAR SECTION).
- SEDIMENT CAUSED BY ACCELERATED SOIL EROSION SHALL BE REMOVED FROM RUNOFF WATER BEFORE IT LEAVES THE CONSTRUCTION SITE.
- BULK STORAGE STRUCTURES FOR PETROLEUM PRODUCTS AND ANY OTHER CHEMICALS SHALL HAVE SECONDARY CONTAINMENT OR EQUIVALENT PROTECTION TO CONTAIN ALL SPILLS AND PREVENT ANY SPILLED MATERIAL FROM ENTERING STATE WATERS.
- A COPY OF THE SWPPP AND SITE MAPS MUST BE AVAILABLE AT ALL TIMES ON THE CONSTRUCTION SITE.
- THE SWPPP AND SITE MAPS SHALL BE CONTINUOUSLY UPDATED TO REFLECT NEW OR REVISED BEST MANAGEMENT PRACTICES (BMP'S) DUE TO CHANGES IN DESIGN, CONSTRUCTION, OPERATION, OR MAINTENANCE OF THE CONSTRUCTION SITE.
- THE OWNER/CONTRACTOR SHALL INSPECT THE CONSTRUCTION SITE (INCLUDING ALL BMP'S, STORAGE CONTAINERS, AND CONSTRUCTION EQUIPMENT) IN ACCORDANCE WITH THE TIME FRAMES NOTED IN THE SWPPP. THE OWNER/CONTRACTOR SHALL KEEP A RECORD OF ALL INSPECTIONS ON SITE AND AVAILABLE FOR REVIEW.
- BMP'S REQUIRING MAINTENANCE OR ADJUSTMENT SHALL BE REPAIRED IMMEDIATELY AFTER OBSERVATION OF THE FAILING BMP.
- FOR ALL INSTANCES OF NONCOMPLIANCE BASED ON ENVIRONMENTAL HAZARDS AND CHEMICAL SPILLS AND RELEASES, ALL NEEDED INFORMATION MUST BE REPORTED TO THE MPCA DUTY OFFICER 800-422-0798 - 24-HOUR EMERGENCY RESPONSE.
- ALL BMP'S SHALL BE CLEANED WHEN SEDIMENT LEVELS ACCUMULATE TO HALF THE DESIGN OF THE BMP UNLESS OTHERWISE SPECIFIED. A CONSTRUCTION EXIT SHALL BE PLACED AT ALL EXITS FROM THE SITE TO PREVENT TRACKING ONTO ADJACENT STREETS. IF TRACKING DOES OCCUR, THE OWNER/CONTRACTOR SHALL IMMEDIATELY SWEEP THE

- STREET OF DEBRIS.
- ALL SEDIMENT COLLECTED IN BMP'S SHALL BE REMOVED UPON INITIAL ACCEPTANCE.
 - EROSION CONTROL MEASURES FOR SLOPES, CHANNELS, DITCHES, OR ANY DISTURBED LAND AREA SHALL BE COMPLETED WITHIN 7 CALENDAR DAYS AFTER FINAL GRADING OR THE FINAL EARTH DISTURBANCE HAS BEEN COMPLETED. WHEN IT IS NOT POSSIBLE TO PERMANENTLY STABILIZE A DISTURBED AREA AFTER AN EARTH DISTURBANCE HAS BEEN COMPLETED OR WHERE SIGNIFICANT EARTH DISTURBANCE ACTIVITY CEASES, TEMPORARY SOIL EROSION CONTROL MEASURES SHALL BE IMPLEMENTED WITHIN 14 CALENDAR DAYS. TEMPORARY EROSION CONTROL MEASURES SHALL BE MAINTAINED UNTIL PERMANENT SOIL EROSION MEASURES ARE IMPLEMENTED.
 - FINAL STABILIZATION HAS BEEN ACHIEVED WHEN ALL EARTH DISTURBING ACTIVITIES AT THE SITE HAVE BEEN COMPLETED, AND UNIFORM VEGETATIVE COVER HAS BEEN ESTABLISHED WITH AN INDIVIDUAL PLANT DENSITY OF AT LEAST 70 PERCENT OF PRE-DISTURBANCE LEVELS, OR EQUIVALENT PERMANENT, PHYSICAL EROSION REDUCTION METHODS HAVE BEEN EMPLOYED.
 - ALL TEMPORARY BMP'S SHALL BE REMOVED FROM THE SITE UPON SUBMITTING THE NOTICE OF TERMINATION.
 - ALL SITE WASTES (INCLUDING TRASH AND BUILDING MATERIALS) MUST BE PROPERLY MANAGED TO PREVENT POTENTIAL POLLUTION OF STATE WATERS.



NO.	REVISION SINCE INITIAL DATE	DATE

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Signature: *Tony A. Pohl* LIC. NO. 56406 DATE: 10/11/2022

PROJECT NO. KINN2202



DATE: AUGUST, 2022	DESIGNED: TAP	CHECKED: TAP	SCALE: AS SHOWN
CREEKSIDE COMMUNITY DEVELOPMENT MY NEIGHBOR TO LOVE COALITION LLC SECTION 4, TOWNSHIP 133, RANGE 28 BRainerd, MINNESOTA			
EROSION CONTROL PLAN			



Brainerd City Council Agenda Request

Requested Meeting Date: November 7, 2022

Title of Item: CUP Boarding House on NW 3rd St.

Agenda ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Ordinance 1 st Reading ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* <i>*provide copy of published hearing notice</i>
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Submitted by: Community Development Director

Department: Community Development

Presenter: James Kramvik, CDD

Estimated Time Needed: 5 minutes

Summary of Issue:

Vicky Kinney has submitted a request on behalf of My Neighbor to Love Coalition for a Conditional Use Permit for Lots 1 through 6 and Lots 10 through 12, Block M, West Brainerd Addition to Brainerd. The purpose of this Conditional Use Permit request is to operate a boarding house on the second floor above a health center. The Conditional Use Permit is subject to City Council approval of a Final Plat for this block. The proposed lot is listed as Lot 2 Block 1 in the proposed plat.

Alternative, Options, Effects on Others/Comments:

See Memo

Recommended Action/Motion:

See Memo

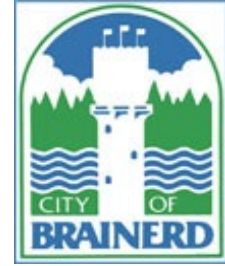
Financial Impact:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping:

Is this budgeted? (Please Explain)

MEMO



TO: Mayor and City Council

FROM: James Kramvik, Community Development Director

DATE: November 7, 2022

RE: Recommended Motion for Boarding House CUP on NW 3rd St

Alternative, Options, Effects on Others/Comments:

The purpose of the Conditional Use Permit is to provide the City of Brainerd with the discretion and flexibility to achieve the goals and objectives of the comprehensive plan and to determine, what, if any, uses other than those specifically permitted may be suitable within the City's Zoning Districts.

Commissioner Comment: The Proposed Conditional Use Permit for a boarding house is also supported by the Comprehensive Plan in the Housing Chapter: Goal 1 policy 5.

Policy 5: Ensure an adequate supply of quality and affordable housing units for current and future residents.

The Planning Commission considered this Conditional Use Permit during its regular meeting on October 19th and, upon review, voted unanimously to recommend approval as presented with the following conditions:

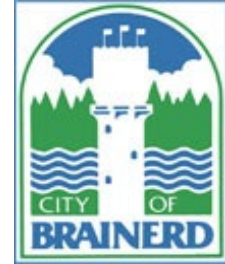
- 1) City Council approval of the final plat for this block.
- 2) The applicant and City enters into a development agreement, to be recorded against the subject property, which includes a clause requiring the owner to install the additional two parking stalls, upon a finding of the City that such additional parking stalls are necessary to accommodate the use.

Recommended Action/Motion contingent upon approval of the preliminary plat:

Motion to approve the Conditional Use Permit for the operation of a boarding house at Lot 2 Block 1 in the proposed plat (P.I.N. 41040505, 41040501, 41040502, 41040503) with the following conditions:

- 1) Approval of the final plat for this block.
- 2) The applicant and City enters into a development agreement, to be recorded against the subject property, which includes a clause requiring the owner to install the additional two parking stalls, upon a finding of the City that such additional parking stalls are necessary to accommodate the use.

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: October 19, 2022

RE: Consider Conditional Use Permit on NW 3rd St for the Operation of a Boarding House.

Vicky Kinney has submitted a request on behalf of My Neighbor to Love Coalition for a Conditional Use Permit for Lots 1 through 6 and Lots 10 through 12, Block M, West Brainerd Addition to Brainerd which is located between (NW 3rd St and NW 2nd St) and (Jackson St and James St.). The purpose of this Conditional Use Permit request is to operate a boarding house on the second floor above a health center.

P.I.N. 41040505, 41040501, 41040502, 41040503

The Conditional Use Permit is subject to City Council approval of a Final Plat for this block. The proposed lot is listed as Lot 2 Block 1 in the proposed plat.

Property Area: 36,300 SQFT

Adjacent Uses: North: Proposed 12-unit apartment (Vacant Land)
East: Single-Family Residential
South: Vacant Land
West: Vacant Land & Multi-Family Residential

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

Findings of Fact

1. **Lot 2 Block 1 in the proposed plat** 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 boarding houses in the TN-2 District as a conditional use in the commercial/ general business use table. Health centers are a permitted use in the TN-2 District.
2. The applicant has proposed a two-story building 60' x 40' with a health center on the first floor and a boarding house on the second floor.
3. According to [Section 515-6-2.C.8 Definitions of Use, Standards and Terms](#) the definition of a Boarding House is a building other than a motel or hotel where, for

compensation and by pre-arrangement for definite periods, meals or lodgings are provided for three (3) or more persons, but not to exceed twenty (20) persons.

4. [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 (range) – 0' – 20' if Commercial
- c. Side Yard Setback – 5'/10' corner
- d. Rear Yard Setback – 10'

i. The proposed structure meets all setback requirements of the TN-2 District.

5. [515-4-12.K Off-Street Parking \(Number of Required Spaces\)](#)

- a. Boarding Houses. At least one and one-half (1½) parking spaces per boarding room.

i. The applicant is proposing up to four rooms which would need a total of 6 parking spaces.

- b. Health Clubs. One (1) space per two (2) exercise stations (e.g., strength machine or cardiovascular) plus one (1) space per employee on the largest shift plus additional parking for ancillary uses (e.g., gymnasiums, auditoriums, offices, restaurants).

i. The applicant is proposing 4 exercise stations, a mental health station, and a dietary station. This facility would have one employee. The health club would need a total of 4 parking spaces. The applicant is requesting a parking deferment for the health center as the residents of the boarding house and adjacent twelve-plex building will be the primary users of the facility. The applicant is proposing a total of 8 parking spaces in the plan. The total parking spaces required for the building is 10 spaces. The proposed plan meets the parking requirement if a parking deferment of two spaces is accounted for with the health club.

6. [Section 515-4-12.L Parking Deferment](#). The Planning Commission may allow a reduction in the number of required parking stalls for commercial, industrial, and public/semi-public uses provided that:

- a. The applicant demonstrates that the proposed use will have a peak parking demand less than the required parking as defined in [K.] of this Section. Factors to be considered when reviewing the proposed parking demand shall include, but not be limited to:
 - i. Size of building*
 - ii. Type of use*
 - iii. Number of employees*
 - iv. Projected volume and turnover of customer traffic.*
 - v. Projected frequency and volume of delivery or service vehicles.*
 - vi. Number of company-owned vehicles.*
 - vii. Storage of vehicles on site*
- b. In no case shall the amount of parking provided be less than one-half (½) of the amount of parking required by this Ordinance.
- c. The site has sufficient property under the same ownership to accommodate the expansion of the parking facilities to meet the minimum requirements of

this Ordinance if the parking demand exceeds on site supply. A proof of Parking Plan is submitted for City approval that meets the following conditions:

- i. A Parking Plan drawn to scale for the property is submitted with the Sketch Plan and indicates that the site complies with the total parking requirements stated above and with the Parking Lot Design to the standards required by this Ordinance.
 - ii. The proof of parking area is defined as that portion of the site, which is not paved, but is suitably landscaped and is capable of containing the amount of parking equal to the difference between the total amount of required parking and the amount of parking required to be paved to meet the requirements of this Ordinance.
 - iii. The proof of parking area shall be clearly delineated on the Parking Plan for the site
 - iv. The paved portion of the parking area shall comply with this Sections.
 - v. The proof of parking area is not used to satisfy any other landscaping, setback, or other requirement of this Ordinance and is not located in an area occupied by a building or an easement.
- d. The property owner is responsible for informing any subsequent owner of the proof of parking area and parking status of the property and shall record said provision with the County Recorder.
- e. On-site parking shall only occur in areas designed and constructed for parking in accordance with this Ordinance.
- f. The applicant and City enter into a development agreement, to be recorded against the subject property, which includes a clause requiring the owner to install the additional parking stalls, upon a finding of the City that such additional parking stalls are necessary to accommodate the use.
- g. A change of use will necessitate compliance with the applicable Zoning Ordinance standard for parking.

Staff Opinion: *Staff believes the property meets the requirements for a parking deferment of up to two spaces for the health club. The health club is required to have four parking spaces. The facility will be used by adjoining multi-family residential properties. The amount of parking deferment is not more than one half of the required spaces. The site can account for the additional spaces if necessary and has been shown in the landscape sketch plan.*

- 7. 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. *Boarding houses are a conditional 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.*
- 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.*
- 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. Per Section 515-4-10.G.4 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.
 - 1. *The applicant has proposed a 6' high privacy screen shrub planting along the north side of the parking lot.*
 - ii. *In all Contemporary Neighborhood and Traditional Neighborhood Base Zoning Districts new lots or development shall include landscape plantings as identified in Table [515-4-10.2]. A minimum of one deciduous tree shall be planted in the front yard within 10-feet of the front property line, or right-of-way line. Trees retained on site following development can be reduced from the total required plantings.*
 - 1. *The proposed lot is a double frontage lot, therefore the total lot width at the right-of-way is (2 x 121 ft) = 242 ft. A total of 1 tree per each 25' is required. The lot is required to have a total of 10 trees.*
- 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 there are other multi-family residential structures and commercial uses in the neighborhood.*
 - ii. As required by Section 515-4-2.D.4 New buildings constructed in the CC, TN-2, TN-3, ME, and TC Zoning Districts should be consistent with the character of surrounding structures. Typical and permitted materials include: brick, dimensioned stone, or their replicas, rock face block, decorative concrete panels, stone, stucco, wood, glass, or Exterior Finish Installation (EFIS). Material such as metal panels, window trim, flashing, accent features and the like that make up the exterior of a building shall not exceed twenty-five (25) percent.
 - 1. *The proposed building meets these requirements as there are no proposed metal panels on the structure.*
- f. The proposed use shall organize vehicular access and parking to minimize traffic congestion in a residential neighborhood.
 - i. *As indicated in the parking calculation section, this site will have the necessary parking spaces and there should not be an increase in traffic congestion within the neighborhood streets.*
- 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.

8. 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 boarding house.

Staff Recommendation

Staff recommends approval of the Conditional Use Permit for the operation of a boarding house at Lot 2 Block 1 in the proposed plat (P.I.N. 41040505, 41040501, 41040502, 41040503) contingent upon City Council approval of the final plat for this block and the applicant and City enter into a development agreement, to be recorded against the subject property, which includes a clause requiring the owner to install the additional parking stalls, upon a finding of the City that such additional parking stalls are necessary to accommodate the use.



Community Development Department

City Hall -- 501 Laurel Street Brainerd, MN 56401

218-828-2309/Fax 218-828-2316

www.ci.brainerd.mn.us

41040501

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: 3rd St. NW, Brainerd - TBD * Creekside Community Replat: Lot 2 Block M

LEGAL DESCRIPTION: Lot(s): _____ Block: M Addition: _____
(attach description if lengthy) 20' of lot 10, lot 11 + 50' of lot 12 + 121' of lots 4-6
Current!

Property Owner Name: My Neighbor to Love Coalition

Street Address: P.O. Box 581 City: Nisswa State: MN Zip Code 56468

Phone Number: 218-821-7875 Fax: _____ E-mail: vicky.jokinney@yahoo.com

Applicant Name: (If different than Property Owner) Vicky Kinney

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

Phone Number: _____ Fax: _____ E-mail: _____

Description of Request: Construct a 40'x60' health club (an over-the-counter allowed use)
and use the 2nd floor for a Boarding House (allowed use w/cup).
We'd also like to ask for a parking deferment for the health club
being health club users/members will live in the neighborhood & walk to
the health club.

Vicky Kinney
Property Owner Signature

10-1-22
Date

Vicky Kinney
(Please print name)

Vicky Kinney
Applicant Signature

10-1-22
Date

Vicky Kinney
(Please print name)

Description and Landscaping Plan - Health Club & Boarding House - Mixed Use Building

This building is a two-story 40' x 60' structure and named Creekside Center. The health club will have a more wholistic approach and will contain three physical exercise stations (weights, treadmill, elliptical or bicycle), a dietary health station, and a mental health station. Additionally, there will be an office for property management, rest rooms, and a kitchen and gathering room. The lower level will also function as a storm shelter.

The upper level will be used for a Boarding House, primarily for qualified potential renters who are waiting for their home to be built. We anticipate three to four rooms in the Boarding House. Once the entire Creekside Community is built, the Boarding House will then be used for boarding other people needing transitional housing. A live-in housing manager will maintain the Boarding House.

Landscaping Plan – All disturbed areas will be landscaped with either planting beds with mulch and/or rock or leveled and seeded with grass seed.

- Screening along parking lot will contain either a solid vinyl fence or a variety of 6' high shrubs and bushes such as Lilac, Neonburst Dogwood, or Hydrangea.
- Bushes planted around the building will be a variety of Snowberry, Dogwood, Chokecherry or Firedance Dogwood on the north side; and Alpine Currant, Ninebark, Lilac, Spirea, or Potentilla on the west side.
- Trees - The deciduous tree within 10 feet of the ROW on 3rd Street will be of a variety of either Birch, Flowering Crab, Service Berry, Ohio Buckeye, Elm, or Maple.
- If other trees are required based on the remaining count of trees on the property, they will be of a fruit bearing such as Apple, Plum, or Pear.
- If a conifer tree is required depending on remaining tree count, a Spruce tree will be planted.

Parking Deferment Request – The health club will require a parking space for the property manager (and no parking will actually be needed if the manager lives on site). The total parking required for health stations equals 2 1/2 plus 1 for a manager for a total of 3 1/2 parking stalls. The residents living within the Creekside Community development will be able to walk to the building so there really is no need for parking for health club users.

At this time, it is anticipated that we will have three to four rooms in the Boarding House which would require 4 1/2 to 6 parking spaces. Combined with the health club, the total required spaces equal 8 to 9 1/2 (depending on whether we will have 3 or 4 rooms in the boarding house). The Planning Commission may allow a reduction in the number of parking spaces up to half the total amount required – which would be 4 or 5 spaces. Our current plan allows for 8 parking spaces. We have land reserved to the east of the parking lot which could be added to the parking lot if the need warrants it.

(If the space were to be calculated using net usable floor area – 6 parking stalls would be required. Added to 4 1/2 to 6 boarding house stalls – the required total would be 11 to 12 stalls in which half may be reduced by the Planning Commission.)

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Vicky Kinney has submitted a request on behalf of My Neighbor to Love Coalition for a Conditional Use Permit for Lots 1 through 6 and Lots 10 through 12, Block M, West Brainerd Addition to Brainerd which is located between (NW 3rd St and NW 2nd St) and (Jackson St and James St.). The proposed lot for the Conditional Use Permit is subject to City Council approval of a Final Plat for this block. The purpose of this Conditional Use Permit request is to operate a boarding house on the second floor above a health center.

The properties are legally described as:

*LOTS 1 THRU 6 INCLUSIVE BLOCK M AND THE ADJACENT N'LY 1/2 OF
VACATED ROBERT STREET. LOT 10 BLOCK M, LOT 11 BLOCK M, LOT 12 BLOCK
M AND THE ADJACENT N'LY 1/2 OF VACATED ROBERT STREET
WEST BRAINERD
P.I.N. 41040505, 41040501, 41040502, 41040503
Section 4, Township 133, Range 28*

The properties are zoned TN-2 (Traditional Neighborhood) District, and Zoning Ordinance Section 515-3 (Allowed Uses) Appendix A: Table of Uses permits the operation of a boarding house as a conditional use in the TN-2 District. A copy of the site plan is on file for review with the Community Development Department.

A Public Hearing to consider this conditional use permit will be conducted by the Brainerd Planning Commission at 6:00 p.m. on Wednesday, October 19, 2022, in the City Council Chambers at 501 Laurel St., Brainerd, MN 56401.

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

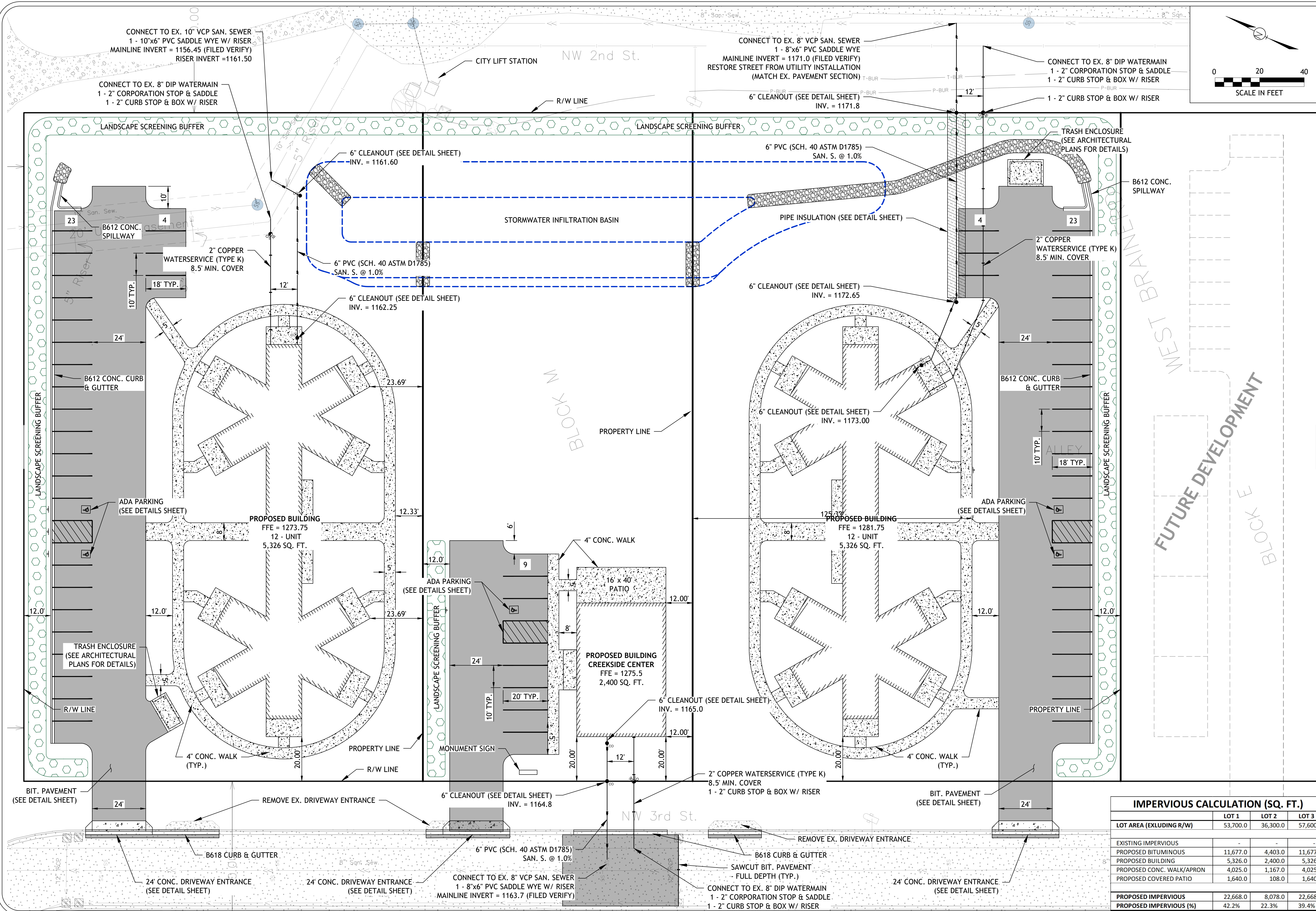
Dated this 6th day of October 2022

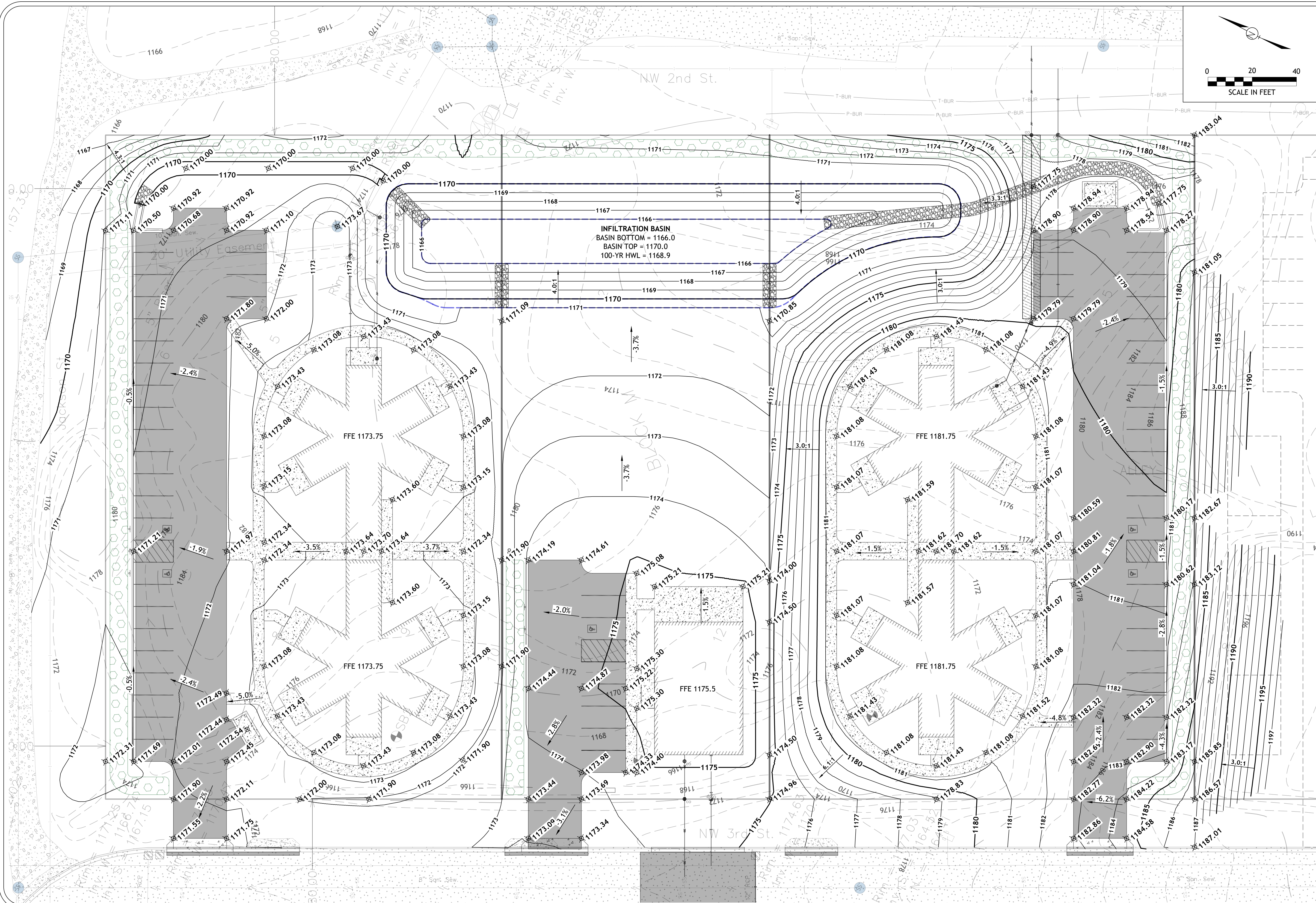


James L. Kramvik
Community Development Director

Publication Date: October 8, 2022

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[illegible]

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Signature:  DATE: 10/11/2022

TONY A. POHL LIC. NO. 56606

PROJECT NO. KINNV2202



CREEKSIDE COMMUNITY DEVELOPMENT MY NEIGHBOR TO LOVE COALITION LLC SECTION 4, TOWNSHIP 133, RANGE 28 BRainerd, MINNESOTA	DATE: AUGUST, 2022
	DESIGNED: TAP
	CHECKED: TAP
	SCALE: AS SHOWN

GRADING PLAN

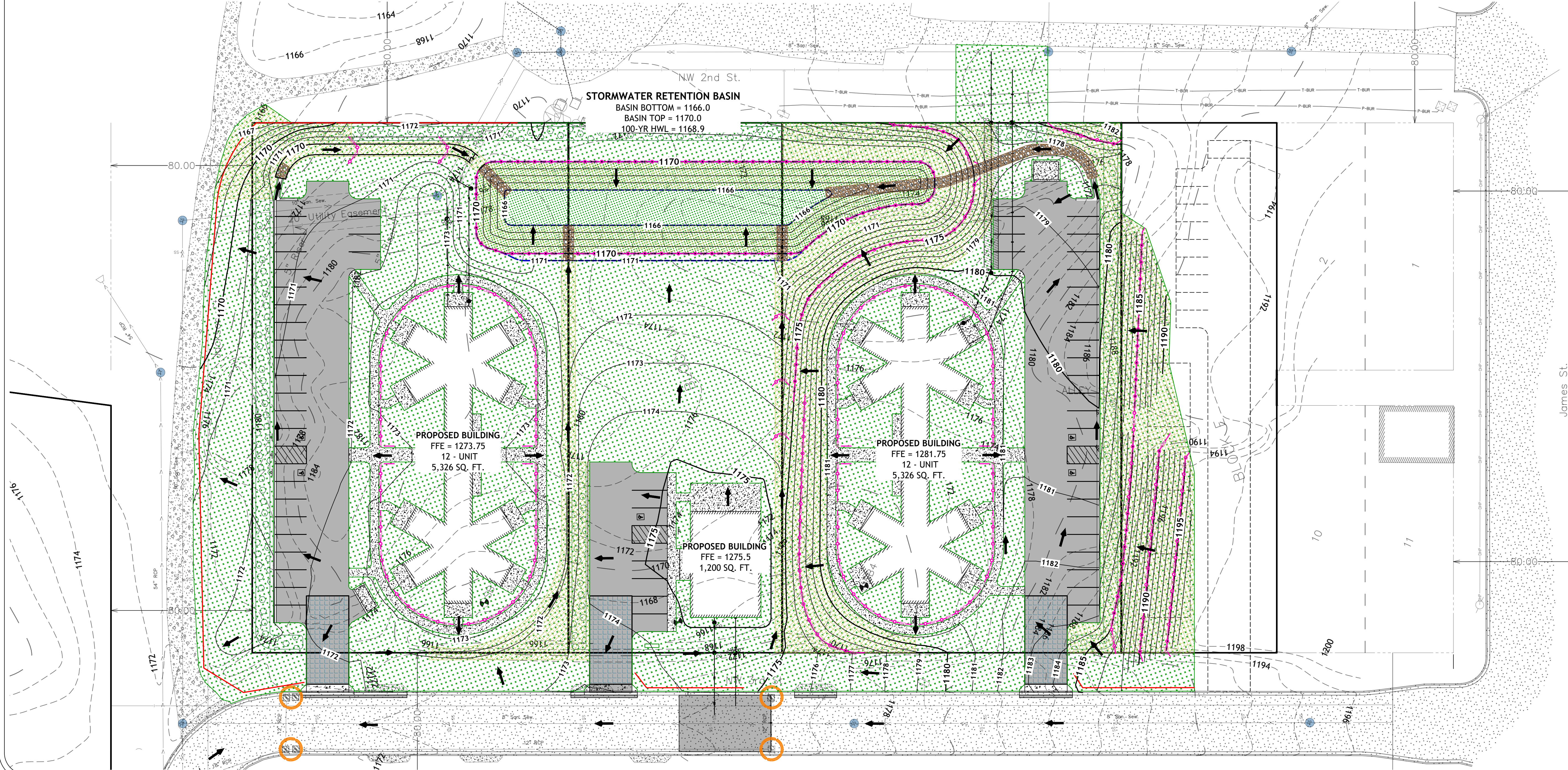
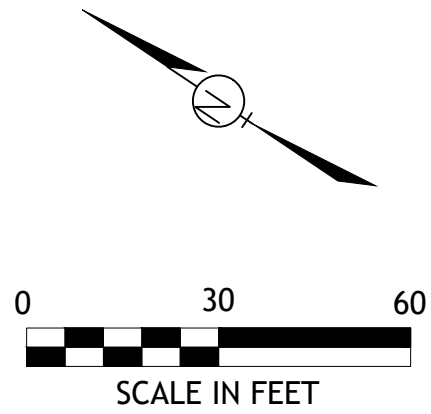
LEGEND

- DENOTES SURFACE DRAINAGE DIRECTION
- [Pattern] DENOTES CLASS II RAP RAP (12" DEPTH) W/ TYPE 4 GEOTEXTILE FILTER FABRIC
- [Pattern] DENOTES CATEGORY 3N, WOOD FIBER 2S EROSION CONTROL BLANKET
- [Pattern] DENOTES TURF ESTABLISHMENT
- 4" TOPSOIL
- TEMPORARY - MNDOT RAPID STABILIZATION METHOD 3
- PERMANENT - RIENFORCED FIBER MATRIX (3,900 LB/ACRE), SEED MIXTURE 25-151(120LBS/ACRE), TYPE 3 SLOW RELEASE FERTILIZER (300LBS/ACRE)
- STORMWATER BASINS - 33-261 (35LBS/ACRE), TYPE 3 SLOW RELEASE FERTILIZER (300LBS/ACRE)
- [Pattern] DENOTES CONSTRUCTION ENTRANCE
- ***** DENOTES SILT FENCE - TYPE MS
- BIOROLL - TYPE WOOD FIBER
- STORMSEWER INLET PROTECTION - SEE DETAIL SHEET

EROSION CONTROL PLAN NOTES

- BMP'S SHALL BE INSTALLED BEFORE ANY EARTH DISTURBING ACTIVITIES COMMENCE.
- STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES SHALL NOT CAUSE, HAVE THE REASONABLE POTENTIAL TO CAUSE, OR MEASURABLY CONTRIBUTE TO AN EXCEEDANCE OF ANY WATER QUALITY STANDARD.
- CONSTRUCTION SHALL BE PHASED IN A MANNER TO LIMIT EARTH DISTURBING ACTIVITIES (I.E. THE ENTIRE PROJECT SITE SHOULD NOT BE DISTURBED IF CONSTRUCTION WILL ONLY BE OCCURRING IN ONE PARTICULAR SECTION).
- SEDIMENT CAUSED BY ACCELERATED SOIL EROSION SHALL BE REMOVED FROM RUNOFF WATER BEFORE IT LEAVES THE CONSTRUCTION SITE.
- BULK STORAGE STRUCTURES FOR PETROLEUM PRODUCTS AND ANY OTHER CHEMICALS SHALL HAVE SECONDARY CONTAINMENT OR EQUIVALENT PROTECTION TO CONTAIN ALL SPILLS AND PREVENT ANY SPILLED MATERIAL FROM ENTERING STATE WATERS.
- A COPY OF THE SWPPP AND SITE MAPS MUST BE AVAILABLE AT ALL TIMES ON THE CONSTRUCTION SITE.
- THE SWPPP AND SITE MAPS SHALL BE CONTINUOUSLY UPDATED TO REFLECT NEW OR REVISED BEST MANAGEMENT PRACTICES (BMP'S) DUE TO CHANGES IN DESIGN, CONSTRUCTION, OPERATION, OR MAINTENANCE OF THE CONSTRUCTION SITE.
- THE OWNER/CONTRACTOR SHALL INSPECT THE CONSTRUCTION SITE (INCLUDING ALL BMP'S, STORAGE CONTAINERS, AND CONSTRUCTION EQUIPMENT) IN ACCORDANCE WITH THE TIME FRAMES NOTED IN THE SWPPP. THE OWNER/CONTRACTOR SHALL KEEP A RECORD OF ALL INSPECTIONS ON SITE AND AVAILABLE FOR REVIEW.
- BMP'S REQUIRING MAINTENANCE OR ADJUSTMENT SHALL BE REPAIRED IMMEDIATELY AFTER OBSERVATION OF THE FAILING BMP.
- FOR ALL INSTANCES OF NONCOMPLIANCE BASED ON ENVIRONMENTAL HAZARDS AND CHEMICAL SPILLS AND RELEASES, ALL NEEDED INFORMATION MUST BE REPORTED TO THE MPCA DUTY OFFICER 800-422-0798 - 24-HOUR EMERGENCY RESPONSE.
- ALL BMP'S SHALL BE CLEANED WHEN SEDIMENT LEVELS ACCUMULATE TO HALF THE DESIGN OF THE BMP UNLESS OTHERWISE SPECIFIED. A CONSTRUCTION EXIT SHALL BE PLACED AT ALL EXITS FROM THE SITE TO PREVENT TRACKING ONTO ADJACENT STREETS. IF TRACKING DOES OCCUR, THE OWNER/CONTRACTOR SHALL IMMEDIATELY SWEEP THE

- STREET OF DEBRIS.
- ALL SEDIMENT COLLECTED IN BMP'S SHALL BE REMOVED UPON INITIAL ACCEPTANCE.
 - EROSION CONTROL MEASURES FOR SLOPES, CHANNELS, DITCHES, OR ANY DISTURBED LAND AREA SHALL BE COMPLETED WITHIN 7 CALENDAR DAYS AFTER FINAL GRADING OR THE FINAL EARTH DISTURBANCE HAS BEEN COMPLETED. WHEN IT IS NOT POSSIBLE TO PERMANENTLY STABILIZE A DISTURBED AREA AFTER AN EARTH DISTURBANCE HAS BEEN COMPLETED OR WHERE SIGNIFICANT EARTH DISTURBANCE ACTIVITY CEASES, TEMPORARY SOIL EROSION CONTROL MEASURES SHALL BE IMPLEMENTED WITHIN 14 CALENDAR DAYS. TEMPORARY EROSION CONTROL MEASURES SHALL BE MAINTAINED UNTIL PERMANENT SOIL EROSION MEASURES ARE IMPLEMENTED.
 - FINAL STABILIZATION HAS BEEN ACHIEVED WHEN ALL EARTH DISTURBING ACTIVITIES AT THE SITE HAVE BEEN COMPLETED, AND UNIFORM VEGETATIVE COVER HAS BEEN ESTABLISHED WITH AN INDIVIDUAL PLANT DENSITY OF AT LEAST 70 PERCENT OF PRE-DISTURBANCE LEVELS, OR EQUIVALENT PERMANENT, PHYSICAL EROSION REDUCTION METHODS HAVE BEEN EMPLOYED.
 - ALL TEMPORARY BMP'S SHALL BE REMOVED FROM THE SITE UPON SUBMITTING THE NOTICE OF TERMINATION.
 - ALL SITE WASTES (INCLUDING TRASH AND BUILDING MATERIALS) MUST BE PROPERLY MANAGED TO PREVENT POTENTIAL POLLUTION OF STATE WATERS.



I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Signature: *Tony A. Pohl* LIC. NO. 56406 DATE: 10/11/2022

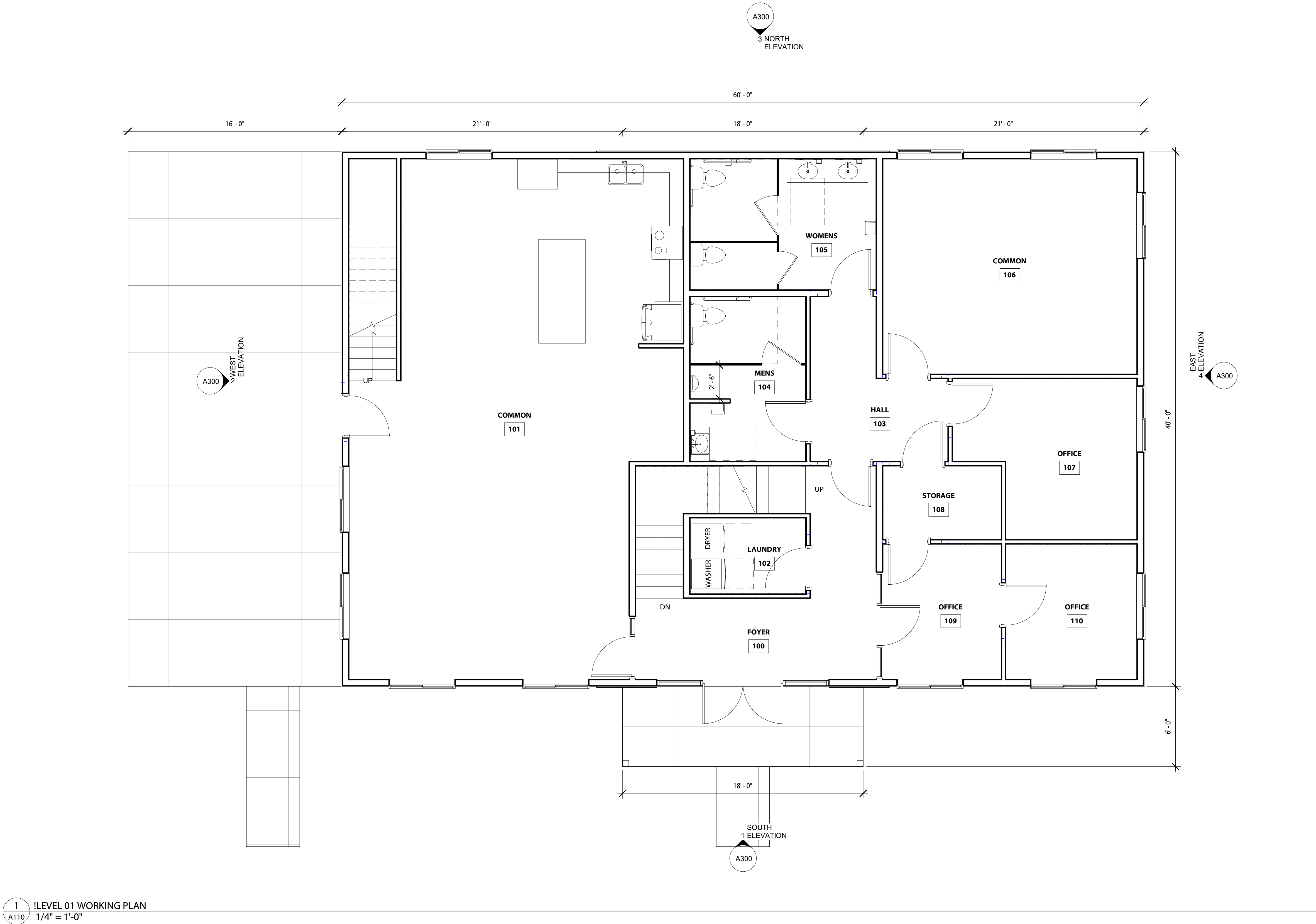
PROJECT NO. KINN2202



CREEKSIDE COMMUNITY DEVELOPMENT
MY NEIGHBOR TO LOVE COALITION LLC
SECTION 4, TOWNSHIP 133, RANGE 28
BRANERD, MINNESOTA

EROSION CONTROL PLAN

DATE: AUGUST, 2022
DESIGNED: TAP
CHECKED: TAP
SCALE: AS SHOWN



MY NEIGHBOR TO LOVE COALITION - 12 PLEX

BRAINERD, MN 56401

PRELIMINARY

PRINTED: 10/11/2022 12:51:35 PM

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

ERIC LARSON
Lic # 47862 10/11/2022

PROJECT NUMBER: 3962
ISSUED: 10/11/2022

REVISION	DATE

LEVEL 1 FLOOR PLAN

A110

MY NEIGHBOR TO LOVE COALITION - 12 PLEX

BRAINERD, MN 56401

PRELIMINARY

PRINTED: 10/11/2022 12:51:35 PM

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

ERIC LARSON
Lic # 47862 10/11/2022

PROJECT NUMBER: 3962
ISSUED: 10/11/2022

REVISION	DATE

LEVEL 2 FLOOR PLAN

A120

1
A120
LEVEL 02 WORKING PLAN
1/4" = 1'-0"



MY NEIGHBOR TO LOVE COALITION - 12 PLEX

BRainerd, MN 56401

PRELIMINARY

PRINTED: 10/11/2022 12:51:34 PM

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ERIC LARSON
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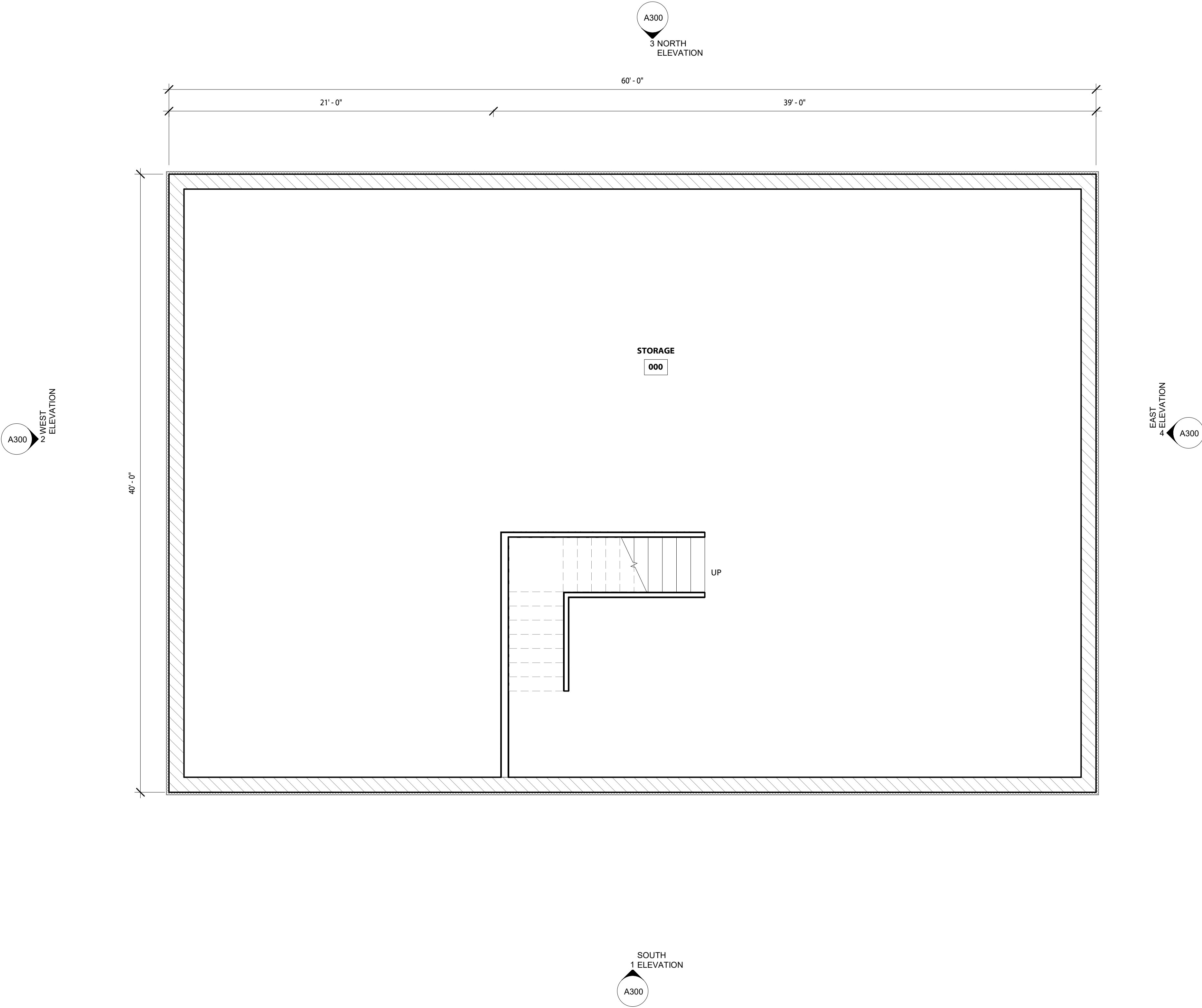
PROJECT NUMBER: 3962
ISSUED: 10/11/2022

REVISION	DATE

LEVEL 0 FLOOR PLAN

A000

1
A000
LEVEL 00 WORKING PLAN
1/4" = 1'-0"



MY NEIGHBOR TO LOVE COALITION - 12 PLEX

BRAINERD, MN 56401

PRELIMINARY

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ERIC LARSON
Lic # 47862 10/11/2022

PROJECT NUMBER: 3962
ISSUED: 10/11/2022

REVISION	DATE

BUILDING ELEVATIONS

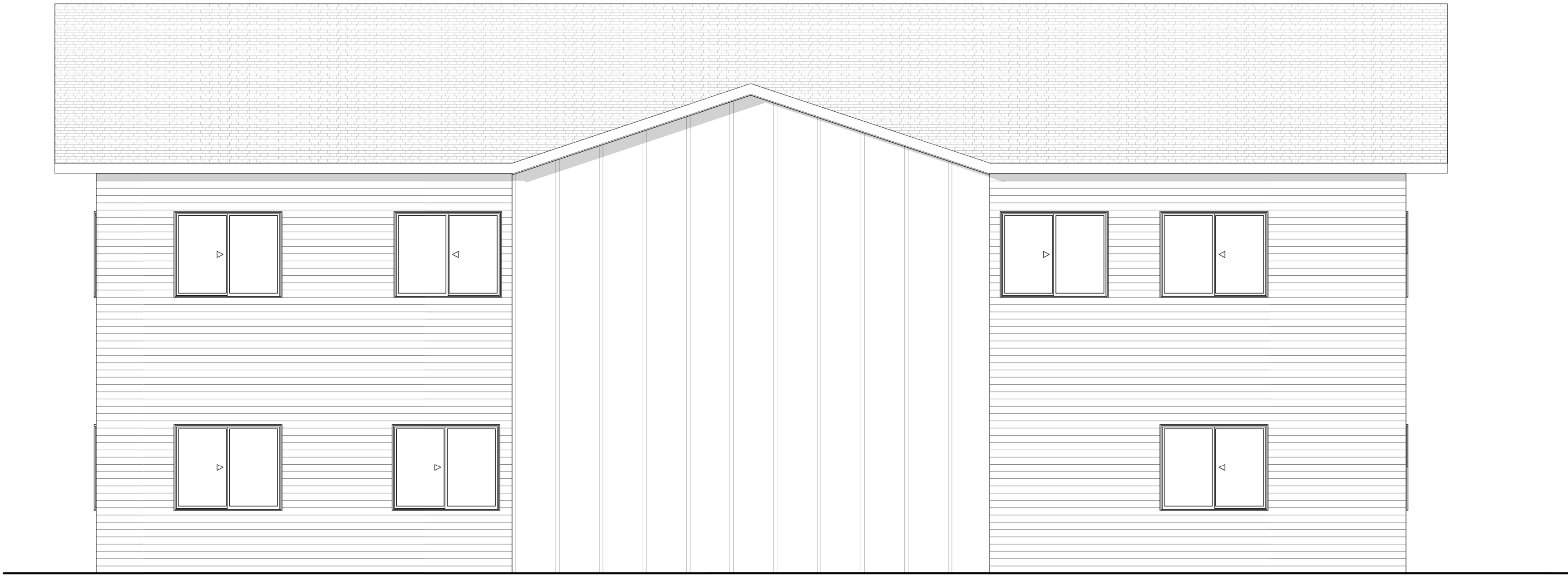
A300



1 SOUTH ELEVATION
A300 1/4" = 1'-0"



2 WEST ELEVATION
A300 1/4" = 1'-0"



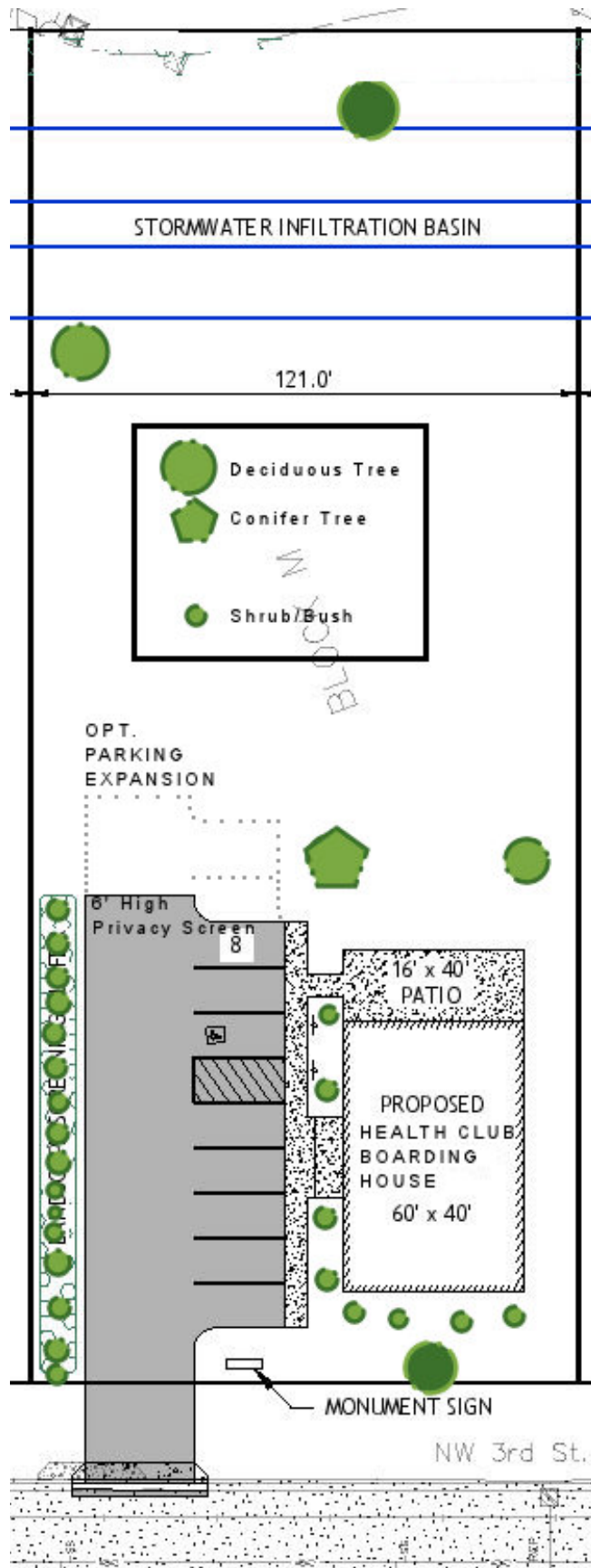
3 NORTH ELEVATION
A300 1/4" = 1'-0"



4 EAST ELEVATION
A300 1/4" = 1'-0"



Creekside Center Landscaping Plan





Brainerd City Council Agenda Request

Requested Meeting Date: November 7, 2022

Title of Item: CUP 12-Unit Apartment on NW 3rd St.

Agenda	Action Requested:	
☐ CONSENT AGENDA	☒ Approve/Deny Motion	☐ Direction Requested
☐ P&F COMMITTEE	☐ Adopt Resolution (attach draft)	☐ Discussion Item
☐ SPW COMMITTEE	☐ Ordinance 1 st Reading	☐ Hold Public Hearing*
☒ MAIN AGENDA	<i>*provide copy of published hearing notice</i>	

Submitted by: Community Development Director

Department: Community Development

Presenter: James Kramvik, CDD

Estimated Time Needed: 5 minutes

Summary of Issue:

Vicky Kinney has submitted a request on behalf of My Neighbor to Love Coalition for a Conditional Use Permit for Lots 1 through 10, Block M, West Brainerd Addition to Brainerd. The purpose of this Conditional Use Permit request is to construct a residential 12-unit multi-family apartment building. The Conditional Use Permit is subject to City Council approval of a Final Plat for this block. The proposed lot is listed as Lot 1 Block 1 in the proposed plat.

Alternative, Options, Effects on Others/Comments:

See Memo

Recommended Action/Motion:

See Memo

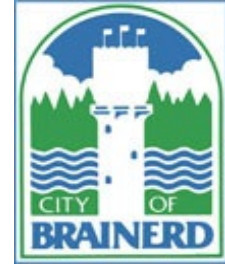
Financial Impact:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping:

Is this budgeted? (Please Explain)

MEMO



TO: Mayor and City Council

FROM: James Kramvik, Community Development Director

DATE: November 7, 2022

RE: Recommended Motion for a 12-Unit Apartment on NW 3rd St

Alternative, Options, Effects on Others/Comments:

The purpose of the Conditional Use Permit is to provide the City of Brainerd with the discretion and flexibility to achieve the goals and objectives of the comprehensive plan and to determine, what, if any, uses other than those specifically permitted may be suitable within the City's Zoning Districts.

Commissioner Comment: The Proposed Conditional Use Permit for a 12-unit apartment is also supported by the Comprehensive Plan in the Housing Chapter: Goal 1 policies 2 & 5.

Policy 2: Expand home ownership and rental opportunities through rehabilitation and new construction.

Policy 5: Ensure an adequate supply of quality and affordable housing units for current and future residents.

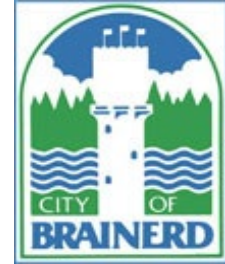
The Planning Commission considered this Conditional Use Permit during its regular meeting on October 19th and, upon review, voted unanimously to recommend approval as presented with the following conditions:

- 1) Contingent upon City Council approval of the final plat for this block.
- 2) Parking lot landscaping standards are applied along NW 2nd St on the east side.

Recommended Action/Motion contingent upon approval of the preliminary plat:

Motion to approve the Conditional Use Permit for construction of a 12-unit multi-family apartment at Lot 1 Block 1 in the proposed plat (P.I.N. 41040505, 41040504, 41040503) contingent upon City Council approval of the final plat for this block and with the condition that parking lot landscaping standards are applied along NW 2nd St on the east side.

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: October 19, 2022

RE: Consider Conditional Use Permit on NW 3rd St for the Construction of a 12-Unit Multi-Family Apartment Building.

Vicky Kinney has submitted a request on behalf of My Neighbor to Love Coalition for a Conditional Use Permit for Lots 1 through 10, Block M, West Brainerd Addition to Brainerd which is located between (NW 3rd St and NW 2nd St) and (Jackson St and James St.). The purpose of this Conditional Use Permit request is to construct a residential 12-unit multi-family apartment building.

P.I.N. 41040505, 41040504, 41040503

The Conditional Use Permit is subject to City Council approval of a Final Plat for this block. The proposed lot is listed as Lot 1 Block 1 in the proposed plat.

Property Area: 53,700 SQFT

Adjacent Uses: North: Vacant Land
East: Single-Family Residential
South: Proposed Boarding House and Health Club (Vacant)
West: Vacant Land & Multi-Family Residential

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

Findings of Fact

1. **Lot 1 Block 1 in the proposed plat** is located in a TN-2 (Traditional Neighborhood 2) District. Zoning Ordinance [Section 515-3 \(Allowed Uses\) Appendix A: Table of Uses](#) permits the construction of multi-family attached dwelling units (5+ Units) as a conditional use in the TN-2 District.
 - a. *The applicant proposes the construction of a 12-unit apartment that has 8 studio units, 2 two-bedroom units, and 2 three-bedroom units. The complex will also contain a laundry room for resident use and a storage room. Each unit has a front porch.*
2. According to [Section 515-6-2.C.8 Definitions of Use, Standards and Terms](#) the definition of a Multi-family Dwelling is a building designed with five (5) or more

dwelling units exclusively for occupancy by five (5) or more families living independently of each other. Such buildings may have common hallways and main entrances or have private entrances. Multi-family buildings may include, but not be limited to, efficiency units, one-bedroom, two bedroom, and three-bedroom units.

- a. According to [Section 515-4-2.C.1](#) Multiple family dwelling units shall have the following minimum floor area per unit:

- i. Efficiency Units 400 square feet
- ii. One Bedroom Units 500 square feet
- iii. Two Bedroom Units 700 square feet
- iv. More than Two Bedroom Units An additional 100 square feet per bedroom

1. *The applicant is proposing a 430 SQFT efficiency unit, a 910 SQFT two-bedroom unit, and a 1,040 SQFT three-bedroom unit. All units meet this size requirements of the zoning code.*

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. Density (range) - 9 – 20 DU/AC (20+ DU/AC requires CUP)
- c. Front Yard Setback (range) – 0' – 20' if Commercial
- d. Side Yard Setback – 5'/10' corner
- e. Rear Yard Setback – 10'

- i. *The proposed structure meets all setback requirements of the TN-2 District.*
- ii. *The proposed lot includes 12-units on a 53,700 SQFT property which is 9.73 dwelling units per acre. This number is within range of the density requirement of the TN-2 District.*

4. [515-4-12.K Off-Street Parking \(Number of Required Spaces\)](#)

- a. Attached Single-Family Dwellings, Multi-Family and Manufactured Homes within Manufactured Home Parks. At least two and one-fourth (2 ¼) rent-free spaces per unit. In projects involving eight (8) or more units, the City may require additional clustered guest parking spaces based upon calculation of required demand.

- i. *The applicant is proposing a 12-unit apartment which requires 27 parking spaces. The proposed site plan has 27 parking spaces and meets the zoning code requirement.*

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. *Multi-family apartments are a conditional 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.*
- 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.*
- 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. [Per Section 515-4-10.G.2](#) One (1) shrub shall be planted for every five (5) lineal feet of parking lot perimeter that is adjacent to a public street.
 - 1. *The applicant has proposed plantings along NW 3rd St. There is not a planting requirement along the north side of the parking lot because Jackson St. is unimproved.*
 - ii. In all Contemporary Neighborhood and Traditional Neighborhood Base Zoning Districts new lots or development shall include landscape plantings as identified in Table [515-4-10.2]. A minimum of one deciduous tree shall be planted in the front yard within 10-feet of the front property line, or right-of-way line. Trees retained on site following development can be reduced from the total required plantings.
 - 1. *The proposed lot is a double frontage lot, therefore the total lot width at the right-of-way is $(2 \times 179 \text{ ft}) = 358 \text{ ft}$. A total of 1 tree per each 25' is required. The lot is required to have a total of 14 trees.*
 - iii. Four (4) shrubs shall be planted per dwelling unit.
 - 1. *The landscape plan meets this requirement with a total of 48 shrubs.*
- 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 there are other multi-family residential structures in the neighborhood.*
 - ii. As required by [Section 515-4-2.C.2](#) Exterior Building Materials. Multi-family dwelling units shall be designed to create visual interest through a variety of materials, colors, textures, installation direction or other characteristics that create articulation either between units or floors.
 - 1. *The proposed building meets these requirements as the rendering shows a different siding pattern and color between the first and second floors.*
- f. The proposed use shall organize vehicular access and parking to minimize traffic congestion in a residential neighborhood.
 - i. *As indicated in the parking calculation section, this site will have the necessary parking spaces and there should not be an increase in traffic congestion within the neighborhood streets.*
- g. The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.

- As of this writing, no one has contacted the Community Development Department with concerns about the Conditional Use Permit application for the 12-unit multi-family apartment.

Staff recommends approval of the Conditional Use Permit for construction of a 12-unit multi-family apartment at Lot 1 Block 1 in the proposed plat (P.I.N. 41040505, 41040504, 41040503) contingent upon City Council approval of the final plat for this block.



Community Development Department

City Hall – 501 Laurel Street Brainerd, MN 56401

218-828-2309/Fax 218-828-2316

www.ci.brainerd.mn.us

41040504

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: 3rd St. NW, Brainerd - TBD Creekside Community
LEGAL DESCRIPTION: Lot(s): 7-9 Block: M Addition: * Replat: Lot 1 Block M
(attach description if lengthy) 1-3 & approx 30' of lot 10

Property Owner Name: My Neighbor to Love Coalition
Street Address: P.O. Box 581 City: Nisswa State: MN Zip Code: 56468
Phone Number: 218-821-7875 Fax: _____ E-mail: vickyjoKinney@yahoo.com
Applicant Name: (If different than Property Owner) Vicky Kinney
Street Address: _____ City: _____ State: _____ Zip Code: _____
Phone Number: _____ Fax: _____ E-mail: _____

Description of Request: Construct a 12 unit multiplex apartment building for residential purposes.

Vicky Kinney
Property Owner Signature

10-1-22
Date

Vicky Kinney
(Please print name)

Vicky Kinney
Applicant Signature

10-1-22
Date

Vicky Kinney
(Please print name)

Description and Landscaping Plan – Multi-family 12-unit building

This apartment building is designed to meet the housing needs of both single adults and families, who have lower incomes. There will be 8 studio units, 2 two-bedroom units, and 2 three-bedroom units. The complex will also contain a laundry room for resident use and a storage room. Each unit has a front porch. The studio units will be single level while the family units are 2-story. Studios are approximately 430 square feet, the two-bedroom unit is approximately 910 sq. ft., and the three-bedroom is approximately 1040 sq. ft.

Landscaping –

All disturbed areas will be landscaped with either planting beds with mulch and/or rock or leveled and seeded with grass seed.

- West side planting bed by the parking lot will contain 4-foot-high bushes and shrubs made up of a variety of species such as Ninebark, Dwarf Korean Lilac, Spirea, and Hydrangea.
- Bushes surrounding the front porches will range in species dependent on sun exposure. For north facing bushes, the varieties will be Snowberry, Dogwood, Firedance Dogwood, Chokecherry. Bushes getting more sun exposure will be fruit bearing such as blueberry, or a combination of edible perennials such as rhubarb, or other species such as Alpine Currant, Hydrangea, Ninebark, Spirea, or Potentilla.
- Trees – The deciduous trees within 10 feet of the ROW on both 3rd and 2nd Streets will be of a variety of either Birch, Flowering Crab, Service Berry, Ohio Buckeye, Elm, or Maple.
- The conifer tree facing 3rd Street will be a Spruce.
- Other trees – Depending on the number of remaining trees left on the property after excavation, the required plantings will be of a fruit bearing tree variety such as Apple, Plum, or Pear.
- Privacy Screen – A privacy screen on the west side facing 3rd Street will either be made up of 6' high bushes such as Lilac, Neonburst Dogwood, or Hydrangea and/or a privacy fence of solid vinyl material.

Lighting Plan – We do not plan on installing lights and instead will use porch lights, with or without motion sensors for visibility and security.

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Vicky Kinney has submitted a request on behalf of My Neighbor to Love Coalition for a Conditional Use Permit for Lots 1 through 10, Block M, West Brainerd Addition to Brainerd which is located between (NW 3rd St and NW 2nd St) and (Jackson St and James St.). The proposed lot for the Conditional Use Permit is subject to City Council approval of a Final Plat for this block. The purpose of this Conditional Use Permit request is to construct a residential 12-unit multiplex apartment building.

The properties are legally described as:

*LOTS 1 THRU 6 INCLUSIVE BLOCK M AND THE ADJACENT N'LY 1/2 OF
VACATED ROBERT STREET. LOTS 7 THRU 9 INCLUSIVE BLOCK M, LOT 10
BLOCK M
WEST BRAINERD
P.I.N. 41040505, 41040504, 41040503
Section 4, Township 133, Range 28*

The properties are zoned TN-2 (Traditional Neighborhood) District, and Zoning Ordinance Section 515-3 (Allowed Uses) Appendix A: Table of Uses permits the operation of multi-family attached dwelling units (5+ Units) as a conditional use in the TN-2 District. A copy of the site plan is on file for review with the Community Development Department.

A Public Hearing to consider this conditional use permit will be conducted by the Brainerd Planning Commission at 6:00 p.m. on Wednesday, October 19, 2022, in the City Council Chambers at 501 Laurel St., Brainerd, MN 56401.

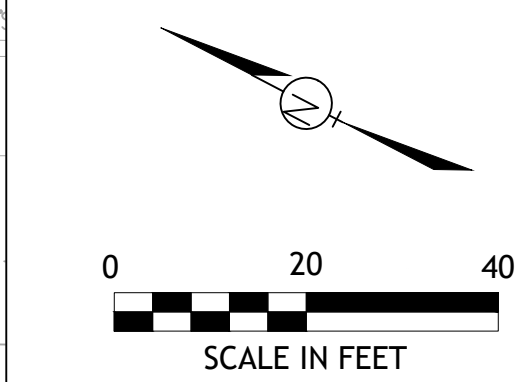
Any individual needing special accommodations or would like more information about this request, please call (218) 828-2307.

Dated this 6th day of October 2022



James L. Kramvik
Community Development Director

Publication Date: October 8, 2022

[illegible]

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Signature: Tony A. Pohl 10/11/2022

TONY A. POHL	LIC. NO. 56406	DATE
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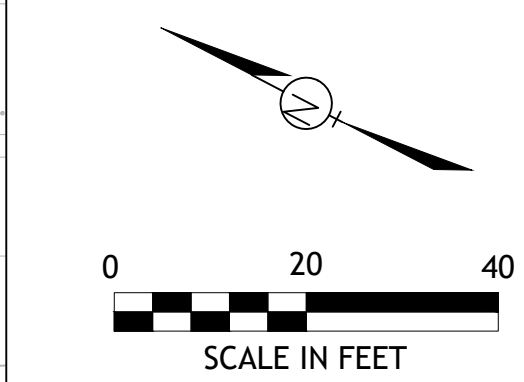
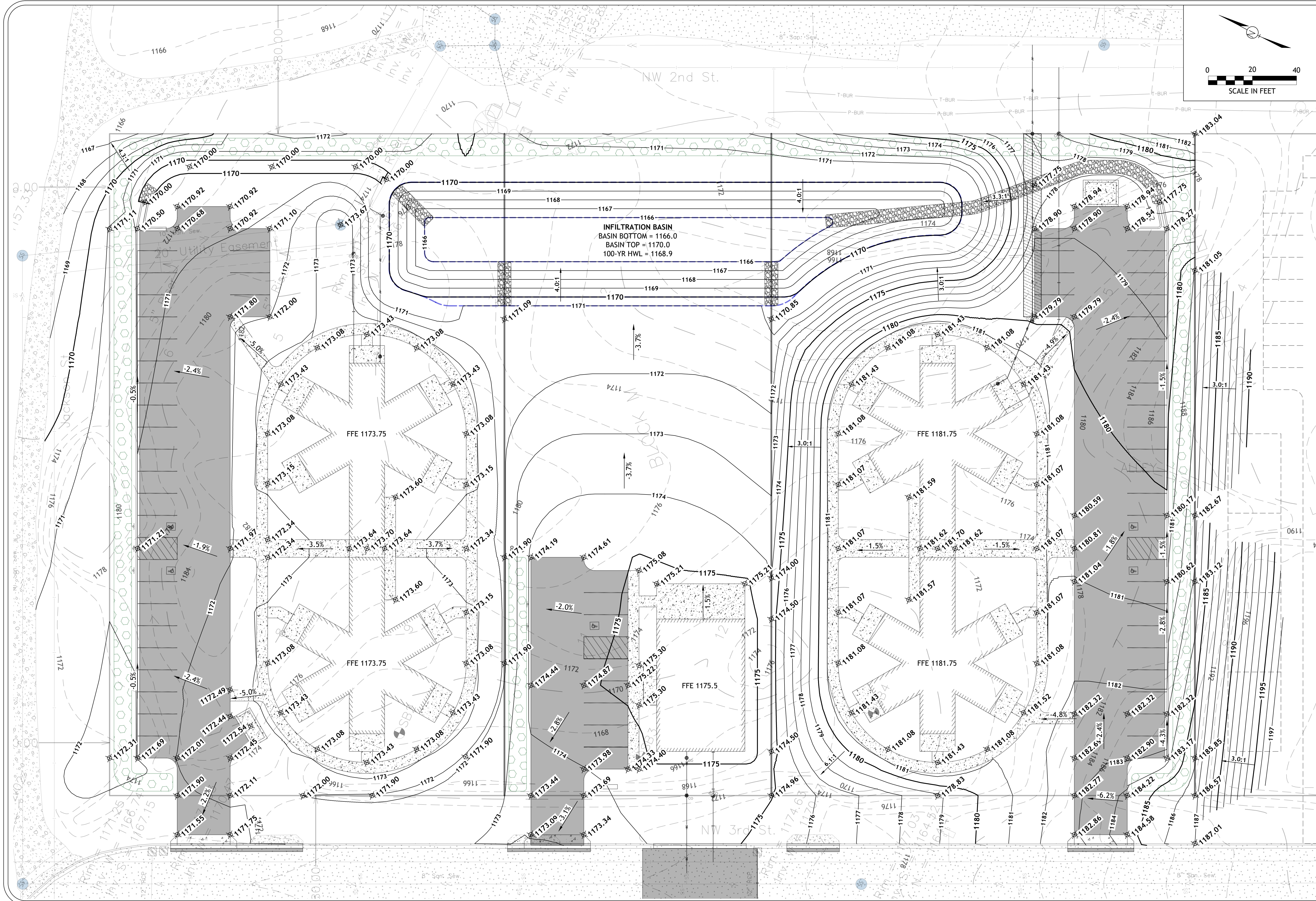
PROJECT NO. KINN2202



CREEKSIDE COMMUNITY DEVELOPMENT MY NEIGHBOR TO LOVE COALITION LLC SECTION 4, TOWNSHIP 133, RANGE 28 BRainerd, MINNESOTA		DATE: AUGUST, 2022 DESIGNED: TAP CHECKED: TAP SCALE: AS SHOWN
SITE PLAN		

Sheet No. C4.0

IMPERVIOUS CALCULATION (SQ. FT.)			
	LOT 1	LOT 2	LOT 3
LOT AREA (EXCLUDING R/W)	53,700.0	36,300.0	57,600.0
EXISTING IMPERVIOUS	-	-	-
PROPOSED BITUMINOUS	11,677.0	4,403.0	11,677.0
PROPOSED BUILDING	5,326.0	2,400.0	5,326.0
PROPOSED CONC. WALK/APRON	4,025.0	1,167.0	4,025.0
PROPOSED COVERED PATIO	1,640.0	108.0	1,640.0
PROPOSED IMPERVIOUS	22,668.0	8,078.0	22,668.0
PROPOSED IMPERVIOUS (%)	42.2%	22.3%	39.4%



NO.	REVISION	SINCE	INITIAL	DATE	OR	ADD	BY

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Signature: *Tony A. Pohl* LIC. NO. 56406 DATE 10/11/2022

PROJECT NO. KINN2202



CREEKSIDE COMMUNITY DEVELOPMENT
MY NEIGHBOR TO LOVE COALITION LLC
SECTION 4, TOWNSHIP 133, RANGE 28
BRainerd, MINNESOTA

DATE: AUGUST, 2022
DESIGNED: TAP
CHECKED: TAP
SCALE: AS SHOWN

GRADING PLAN

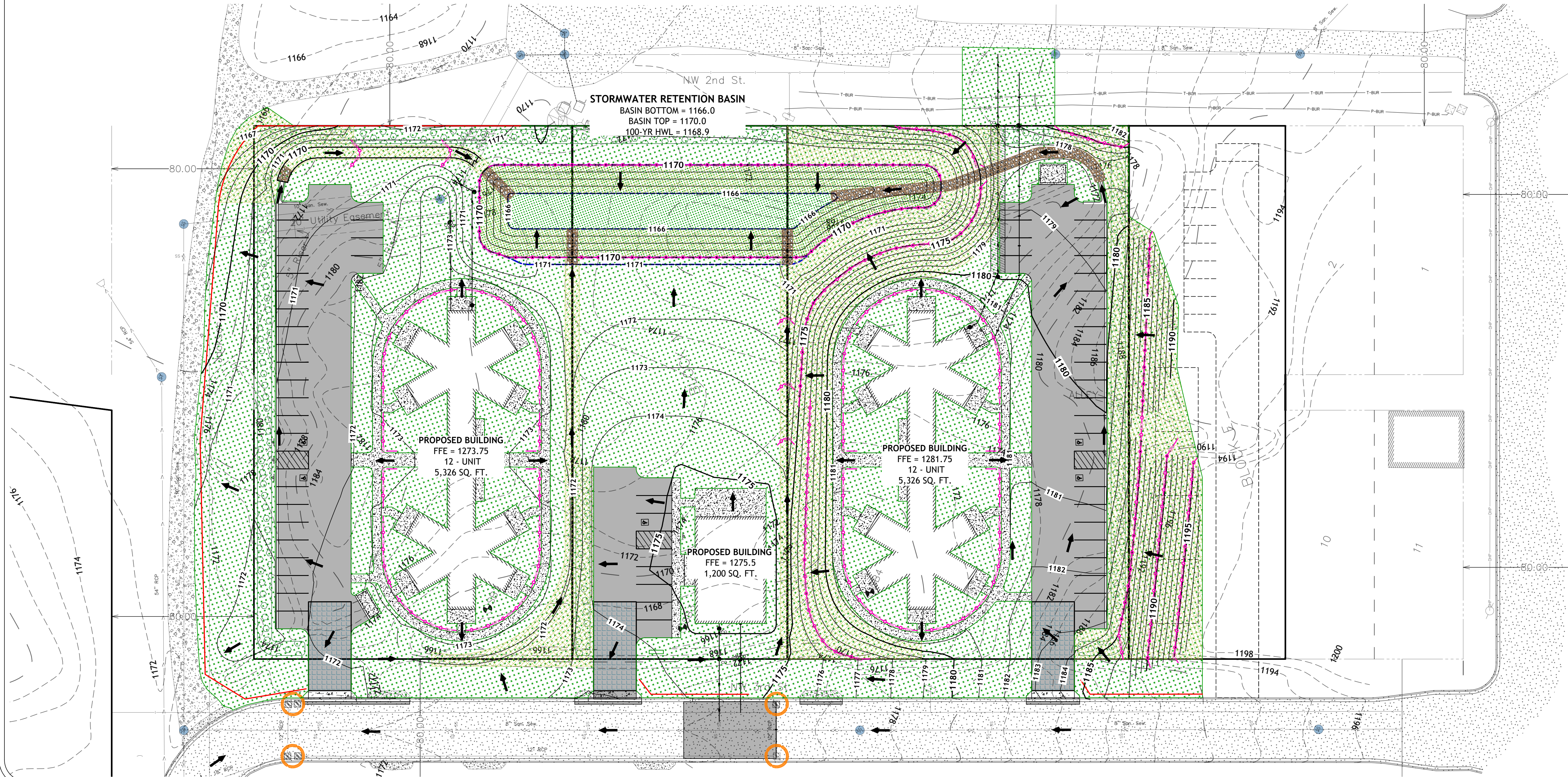
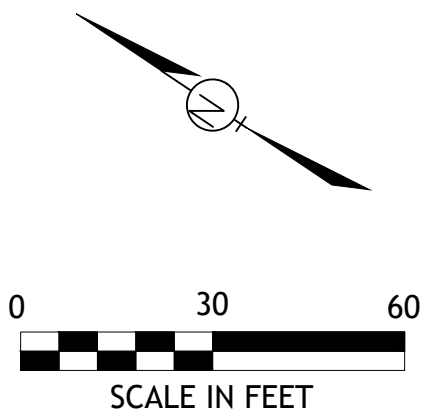
LEGEND

- DENOTES SURFACE DRAINAGE DIRECTION
- DENOTES CLASS II RAP RAP (12" DEPTH) W/ TYPE 4 GEOTEXTILE FILTER FABRIC
- DENOTES CATEGORY 3N, WOOD FIBER 2S EROSION CONTROL BLANKET
- DENOTES TURF ESTABLISHMENT
4" TOPSOIL
TEMPORARY - MNDOT RAPID STABILIZATION METHOD 3
PERMANENT - RIENFORCED FIBER MATRIX (3,900 LB/ACRE), SEED MIXTURE 25-151(120LBS/ACRE),
TYPE 3 SLOW RELEASE FERTILIZER (300LBS/ACRE)
STORMWATER BASINS - 33-261 (35LBS/ACRE), TYPE 3 SLOW RELEASE FERTILIZER (300LBS/ACRE)
- DENOTES CONSTRUCTION ENTRANCE
- ***** DENOTES SILT FENCE - TYPE MS
- BIOROLL - TYPE WOOD FIBER
- STORMSEWER INLET PROTECTION - SEE DETAIL SHEET

EROSION CONTROL PLAN NOTES

- BMP'S SHALL BE INSTALLED BEFORE ANY EARTH DISTURBING ACTIVITIES COMMENCE.
- STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES SHALL NOT CAUSE, HAVE THE REASONABLE POTENTIAL TO CAUSE, OR MEASURABLY CONTRIBUTE TO AN EXCEEDANCE OF ANY WATER QUALITY STANDARD.
- CONSTRUCTION SHALL BE PHASED IN A MANNER TO LIMIT EARTH DISTURBING ACTIVITIES (I.E. THE ENTIRE PROJECT SITE SHOULD NOT BE DISTURBED IF CONSTRUCTION WILL ONLY BE OCCURRING IN ONE PARTICULAR SECTION).
- SEDIMENT CAUSED BY ACCELERATED SOIL EROSION SHALL BE REMOVED FROM RUNOFF WATER BEFORE IT LEAVES THE CONSTRUCTION SITE.
- BULK STORAGE STRUCTURES FOR PETROLEUM PRODUCTS AND ANY OTHER CHEMICALS SHALL HAVE SECONDARY CONTAINMENT OR EQUIVALENT PROTECTION TO CONTAIN ALL SPILLS AND PREVENT ANY SPILLED MATERIAL FROM ENTERING STATE WATERS.
- A COPY OF THE SWPPP AND SITE MAPS MUST BE AVAILABLE AT ALL TIMES ON THE CONSTRUCTION SITE.
- THE SWPPP AND SITE MAPS SHALL BE CONTINUOUSLY UPDATED TO REFLECT NEW OR REVISED BEST MANAGEMENT PRACTICES (BMP'S) DUE TO CHANGES IN DESIGN, CONSTRUCTION, OPERATION, OR MAINTENANCE OF THE CONSTRUCTION SITE.
- THE OWNER/CONTRACTOR SHALL INSPECT THE CONSTRUCTION SITE (INCLUDING ALL BMP'S, STORAGE CONTAINERS, AND CONSTRUCTION EQUIPMENT) IN ACCORDANCE WITH THE TIME FRAMES NOTED IN THE SWPPP. THE OWNER/CONTRACTOR SHALL KEEP A RECORD OF ALL INSPECTIONS ON SITE AND AVAILABLE FOR REVIEW.
- BMP'S REQUIRING MAINTENANCE OR ADJUSTMENT SHALL BE REPAIRED IMMEDIATELY AFTER OBSERVATION OF THE FAILING BMP.
- FOR ALL INSTANCES OF NONCOMPLIANCE BASED ON ENVIRONMENTAL HAZARDS AND CHEMICAL SPILLS AND RELEASES, ALL NEEDED INFORMATION MUST BE REPORTED TO THE MPCA DUTY OFFICER 800-422-0798 - 24-HOUR EMERGENCY RESPONSE.
- ALL BMP'S SHALL BE CLEANED WHEN SEDIMENT LEVELS ACCUMULATE TO HALF THE DESIGN OF THE BMP UNLESS OTHERWISE SPECIFIED. A CONSTRUCTION EXIT SHALL BE PLACED AT ALL EXITS FROM THE SITE TO PREVENT TRACKING ONTO ADJACENT STREETS. IF TRACKING DOES OCCUR, THE OWNER/CONTRACTOR SHALL IMMEDIATELY SWEEP THE

- STREET OF DEBRIS.
- ALL SEDIMENT COLLECTED IN BMP'S SHALL BE REMOVED UPON INITIAL ACCEPTANCE.
 - EROSION CONTROL MEASURES FOR SLOPES, CHANNELS, DITCHES, OR ANY DISTURBED LAND AREA SHALL BE COMPLETED WITHIN 7 CALENDAR DAYS AFTER FINAL GRADING OR THE FINAL EARTH DISTURBANCE HAS BEEN COMPLETED. WHEN IT IS NOT POSSIBLE TO PERMANENTLY STABILIZE A DISTURBED AREA AFTER AN EARTH DISTURBANCE HAS BEEN COMPLETED OR WHERE SIGNIFICANT EARTH DISTURBANCE ACTIVITY CEASES, TEMPORARY SOIL EROSION CONTROL MEASURES SHALL BE IMPLEMENTED WITHIN 14 CALENDAR DAYS. TEMPORARY EROSION CONTROL MEASURES SHALL BE MAINTAINED UNTIL PERMANENT SOIL EROSION MEASURES ARE IMPLEMENTED.
 - FINAL STABILIZATION HAS BEEN ACHIEVED WHEN ALL EARTH DISTURBING ACTIVITIES AT THE SITE HAVE BEEN COMPLETED, AND UNIFORM VEGETATIVE COVER HAS BEEN ESTABLISHED WITH AN INDIVIDUAL PLANT DENSITY OF AT LEAST 70 PERCENT OF PRE-DISTURBANCE LEVELS, OR EQUIVALENT PERMANENT, PHYSICAL EROSION REDUCTION METHODS HAVE BEEN EMPLOYED.
 - ALL TEMPORARY BMP'S SHALL BE REMOVED FROM THE SITE UPON SUBMITTING THE NOTICE OF TERMINATION.
 - ALL SITE WASTES (INCLUDING TRASH AND BUILDING MATERIALS) MUST BE PROPERLY MANAGED TO PREVENT POTENTIAL POLLUTION OF STATE WATERS.



I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Signature: *Tony A. Pohl* LIC. NO. 56406 DATE 10/11/2022

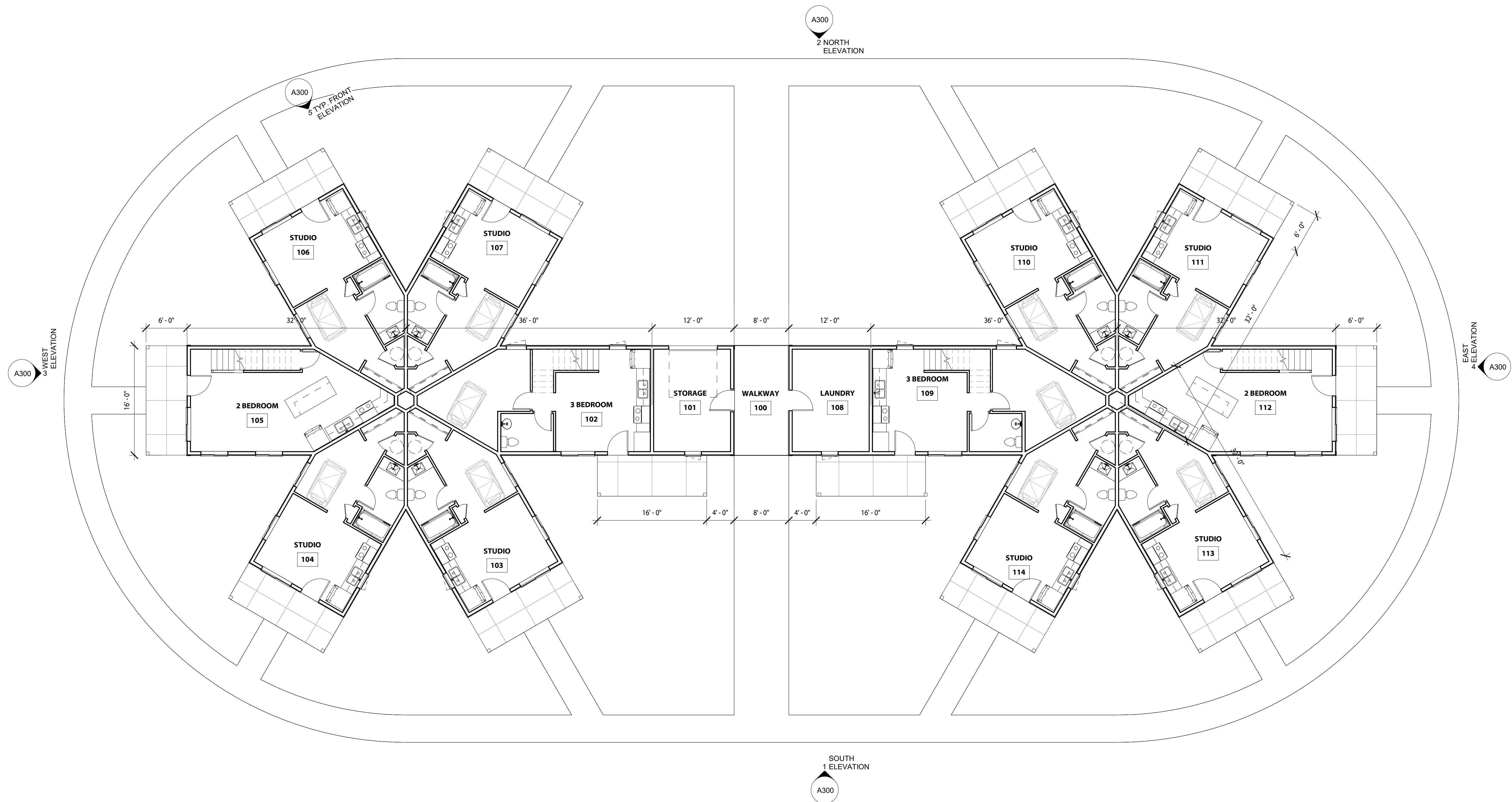
PROJECT NO. KINN2202



DATE: AUGUST, 2022
DESIGNED: TAP
CHECKED: TAP
SCALE: AS SHOWN

CREEKSIDE COMMUNITY DEVELOPMENT
MY NEIGHBOR TO LOVE COALITION LLC
SECTION 4, TOWNSHIP 133, RANGE 28
BRainerd, MINNESOTA

EROSION CONTROL PLAN



1
A100
LEVEL 01 WORKING PLAN
1/8" = 1'-0"

MY NEIGHBOR TO LOVE COALITION - 12 PLEX

BRainerd, MN 56401

PRELIMINARY

PRINTED: 10/11/2022 10:15:30 AM

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

ERIC LARSON
Lic # 47862 10/03/2022

PROJECT NUMBER: 3962
ISSUED: 10/03/2022

REVISION	DATE

M.L. OVERALL FLOOR
PLAN

A100

MY NEIGHBOR TO LOVE COALITION - 12 PLEX

BRainerd, MN 56401

PRELIMINARY

PRINTED: 10/11/2022 10:11:33 AM

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

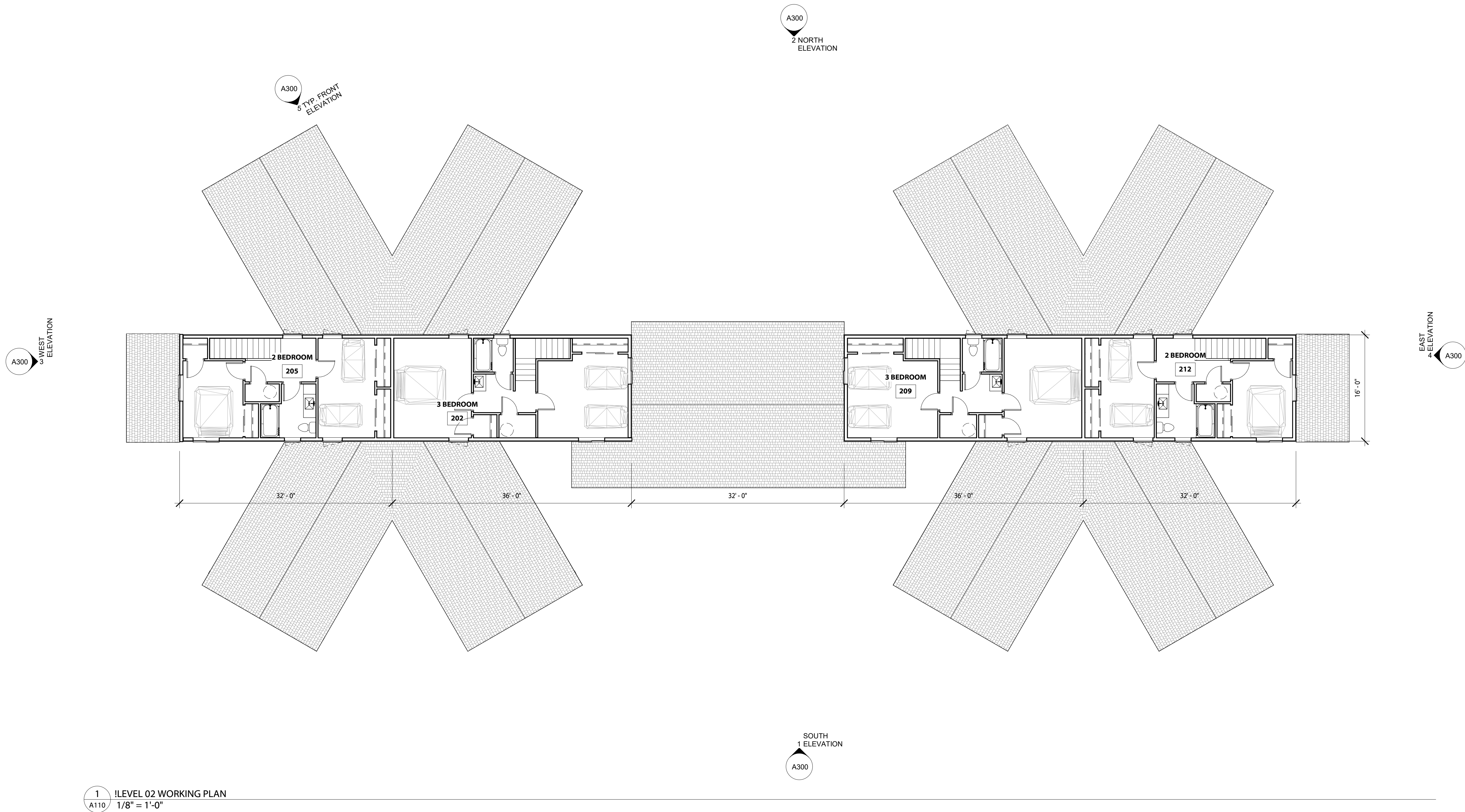
ERIC LARSON
Lic # 47862 10/03/2022

PROJECT NUMBER: 3962
ISSUED: 10/03/2022

REVISION	DATE

U.L. OVERALL FLOOR
PLAN

A110



MY NEIGHBOR TO LOVE COALITION - 12 PLEX

BRainerd, MN 56401

PRELIMINARY

PRINTED: 10/11/2022 10:14:10 AM

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

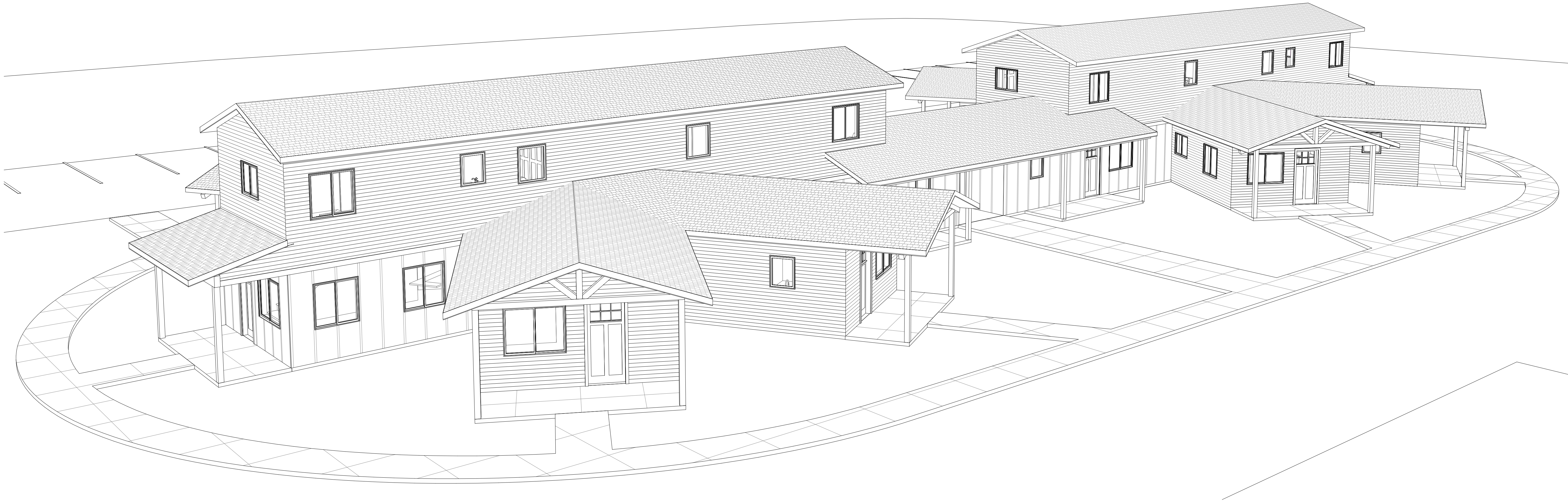
ERIC LARSON
Lic # 47862 10/03/2022

PROJECT NUMBER: 3962
ISSUED: 10/03/2022

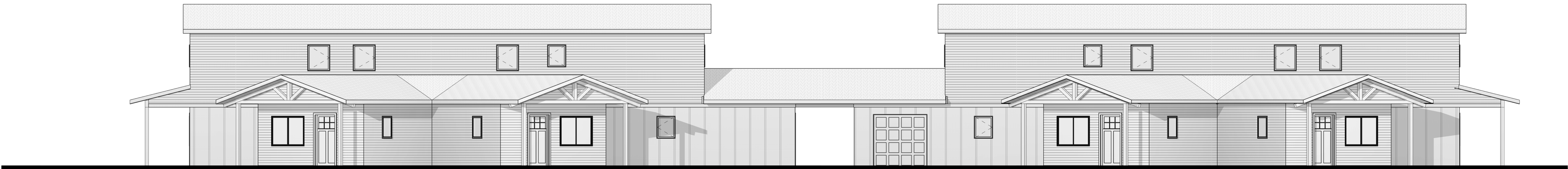
REVISION	DATE

BUILDING ELEVATIONS

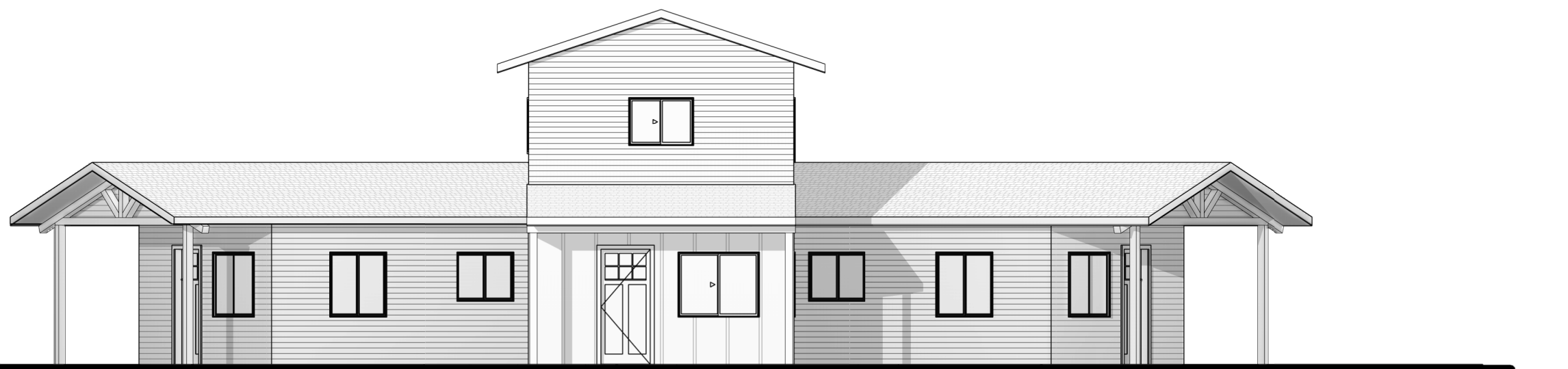
A300



1 SOUTH ELEVATION
A300 1/8" = 1'-0"



2 NORTH ELEVATION
A300 1/8" = 1'-0"



3 WEST ELEVATION
A300 1/8" = 1'-0"

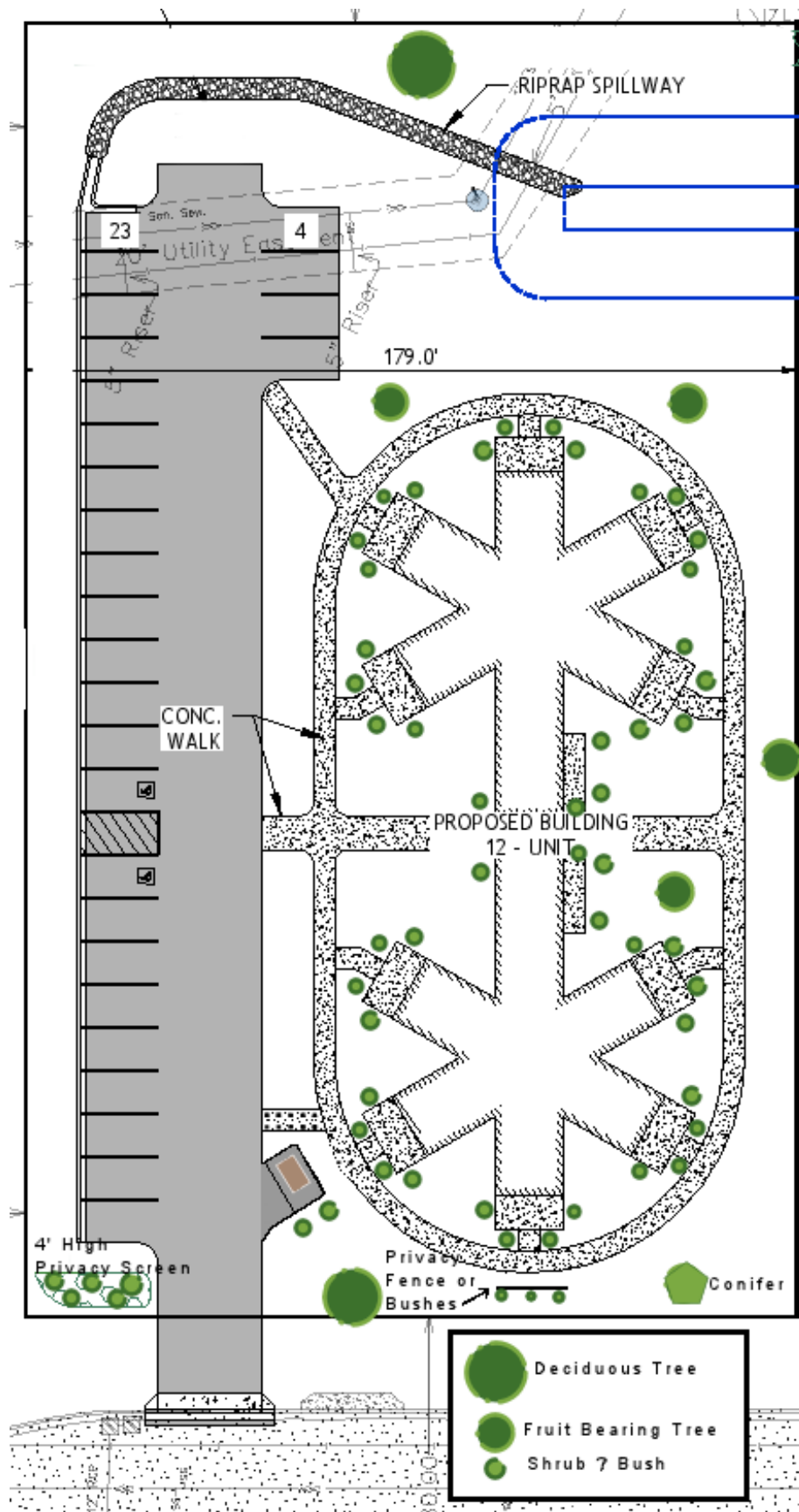


4 EAST ELEVATION
A300 1/8" = 1'-0"



5 TYP. FRONT ELEVATION
A300 1/8" = 1'-0"





Landscaping Plan North



Brainerd City Council Agenda Request

Requested Meeting Date: November 7, 2022

Title of Item: Set Special meeting to Canvass 2022 General Election Results

Agenda ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Ordinance 1 st Reading ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* <i>*provide copy of published hearing notice</i>
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Submitted by: Connie Hillman

Department: Finance

Presenter: Connie Hillman

Estimated Time Needed: 5 Minutes

Summary of Issue:

Pursuant to state law, the City Council must canvass the results of the general election between the 3rd and 10th day after the election. The time frame for the 2022 election would be no earlier than November 11th and no later than November 18th. November 11th is a holiday so we cannot meet to canvas and since we do not have a regular meeting on the 14th, we need to have a special meeting to canvas the results sometime between November 14th and the 18th.

Alternative, Options, Effects on Others/Comments:

Recommended Action/Motion:

This item appears on the November 7, 2021 agenda to determine:

1. Who is able to meet for a special meeting to canvass the election results. We need a quorum of the council.
2. Set the date and time. Staff's recommendation would be to hold the special meeting on Wednesday, November 16, 2022 at 12:00 p.m.
3. Adjourn the November 7th meeting to the special meeting to canvas the 2022 general election results.

Financial Impact:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping:

Is this budgeted? (Please Explain)