

CITY COUNCIL AGENDA

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Monday, December 5th, 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: 2499 169 4495

Attend by phone **Safety and Public Works Committee 7:00 PM**: 1-844-992-4726 Meeting
Access Code: 2495 922 9698

Attend by phone: **Personnel and Finance Committee 7:00 PM**: 1-844-992-4726 Meeting
Access Code: 2485 451 1605

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

NOTICE TO THE PUBLIC: A QUORUM OF PARK BOARD MEMBERS MAY BE PRESENT AT
THE MEETING

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:

120522 COUNCIL AP INV REGISTER.pdf

B. **Approval Of Minutes**

Documents:

2022-11-21 CC Draft.pdf

2022-11-28 Budget Workshop .pdf

C. Approval Of Licenses

Contractor Licenses

2023 License Renewals

Garbage- 4 Renewals	Tobacco- 16 Renewals	Taxi- 1 Renewal
Second Hand Auto- 8 Renewals	Amusement- 2 Renewals	Pawnbrokers- 1

2023 License Renewals Contingent Upon Inspection

Tobacco- 3 Renewals	Taxi- 1 Renewal	Second Hand Goods- 2 Renewals
Pawnbrokers- 1 Renewal		

Documents:

20221205 Contractor Licenses.pdf
2023 COUNCIL APPROVALS - 12-5-22.pdf

D. Department Activity Reports

Documents:

PW Report.pdf
Fire Chief Report.pdf
HR December 2022 Report.pdf

E. Adopt Resolution Designating Polling Locations For 2023

Documents:

Res - Polling Locations.pdf

6. Presentations

A. Annual Presentation By The Northland Arboretum

Documents:

Arb Presentation.pdf

B. Approve Brainerd Public Utilities (BPU) 2023 Operating And Capital Budget

Documents:

MA - BPU 2023 Budget.pdf

C. Presentation By The Park Board Regarding 2023 Capital Budget

Documents:

2023 Park Board Capital Budget Discussion.pdf

7. Council Committee Reports

A. Safety And Public Works Committee 7:00 PM

WebEx Teleconference Call-In Information

Call Toll-Free: 1-844-992-4726 Access Code: 2495 922 9698

Documents:

12-05 SPW Agenda.pdf

1. Approve Revision Of Transportation Alternatives Grant Application

Documents:

SPW - TA Grant Revision.pdf

2. Adopt Resolution Removing On-Street Parking On Oak Street
Between SE 15th And SE 16th Streets

Documents:

SPW - Harrison SRTS Parking.pdf

B. Personnel And Finance Committee 7:00 PM

WebEx Teleconference Call-In Information

Call Toll-Free: 1-844-992-4726 Access Code: 2485 451 1605

Documents:

12-05 PF Agenda.pdf

1. Approve Animal Control Enforcement Contract For Calendar Years
2023-2025

Documents:

PF - Animal Control.pdf

2. Consider Amending American Rescue Plan Act (ARPA) Budget For
Historic Water Tower Preservation

Documents:

PF - ARPA Budget.pdf

3. Authorization To Enter Into Agreements With CliftonLarsonAllen (CLA) For 2022 Audit Services

Documents:

PF - 2022 Audit Services.pdf

4. Adopt Resolution Declaring Costs To Be Reassessed Ordering Preparation Of Proposed Reassessment, And Ordering A Public Hearing On Proposed Assessment

Documents:

PF - Res Reassessment.pdf

5. Direction On Updating The City Code

Documents:

PF - Codification.pdf

6. Discussion Of Non-Working Funds 2023 Budgets

Documents:

PF - 2023 Non-working Funds.pdf

8. Unfinished Business

- A. **Final Reading - Proposed Ordinance 1539, An Ordinance Amending Section 515-4 Of The Zoning Code - Restrictions On Demolition And Removal Of Dwelling Units**

Conduct Final Reading

Hold Public Hearing

ORD 1539

Documents:

MA - Final Reading - Ordinance 1539.pdf

9. 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 – 4 terms (Expire 2026) 1 term (Expire 2025)

Parks and Recreation-- 1 term (Expire 2027)

Library Board -- 1 term (Expire 2023)

Planning Commission-- 2 terms (Expire 2025)

Public Utilities Commission-- 1 term (Expires 2027)

Rental Dwelling License Board of Appeals – 5 terms (Expire 2022)

Transportation Advisory Committee-- 3 terms (Expire 2024)

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

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

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

Airport Commission-- 1 term (Expire 2025)

10. **New Business**

A. **Discussion On KRLS Board Appointment**

Documents:

MA - KRLS Appointment.pdf

B. **Appoint Two Council Members To The Joint Wastewater Management Board**

Documents:

MA - WWTB Appointment.pdf

11. **Public Forum**

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

12. **Staff Reports**

(Verbal: Any Updates since Packet)

13. **Mayor's Report**

14. **Council Member Reports**

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

16. **Adjourn To Budget Public Hearing On Monday, December 12th, At 7:30 P.m. In The City Council Chambers**

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

MISSION

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

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

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EXP CHECK RUN DATES 12/05/2022 - 12/05/2022

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
310814 74727	ACE HARDWARE CONCRETE ANCHORS/HYDRAULIC HOSE RACK 235-3100-42220	11/17/2022 pziemer REPAIR & MAINT	12/07/2022	9.95 9.95	9.95	Open	N 12/07/2022
310715 74736	ACE HARDWARE GGP PARK SUPPLIES 230-5200-42220	11/15/2022 pziemer REPAIR & MAINT	12/07/2022	21.57 21.57	21.57	Open	N 12/07/2022
310778 74737	ACE HARDWARE SHOP PUMP 230-5200-42220	11/16/2022 pziemer REPAIR & MAINT	12/07/2022	16.19 16.19	16.19	Open	N 12/07/2022
310844 74738	ACE HARDWARE MISC. WARMING HOUSE SHOVELS 230-5200-42220	11/18/2022 pziemer REPAIR & MAINT	12/07/2022	58.47 58.47	58.47	Open	N 12/07/2022
310992 74879	ACE HARDWARE ACE DETECTOR LEAK 101-2400-42210	11/28/2022 pziemer OPERATING SUPPLIES	12/07/2022	17.98 17.98	17.98	Open	N 12/07/2022
311052 74916	ACE HARDWARE GRIP TAPE 237-3190-42220	11/30/2022 pziemer REPAIR & MAINT	12/07/2022	8.07 8.07	8.07	Open	N 12/07/2022
311068 75022	ACE HARDWARE SNOWBLOWER PAINT RETRN - THREAD SEAL 235-3125-42220	12/01/2022 pziemer REPAIR & MAINT	12/07/2022	(12.62) (12.62)	(12.62)	Open	N 12/07/2022
6574233283145 74894	ADVANCE AUTO PARTS TRUCK 106 AIR FILTER 235-3100-42220	11/28/2022 pziemer REPAIR & MAINT	12/07/2022	9.27 9.27	9.27	Open	N 12/07/2022
6574233383162 74895	ADVANCE AUTO PARTS BATTERY CLAMP 235-3100-42220	11/29/2022 pziemer REPAIR & MAINT	12/07/2022	4.19 4.19	4.19	Open	N 12/07/2022
33829 74716	ADVANCED DRAIN CLEANING INC 12 D STREET NE - CLEANOUT LINES 237-3190-42220	11/14/2022 pziemer REPAIR & MAINT	12/07/2022	105.00 105.00	105.00	Open	N 12/07/2022

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
08925205 74724	AMERICAN WELDING-GAS INC ACETYLENE GAS 235-3100-42220	11/18/2022 pziemer	12/07/2022	131.75 131.75	131.75	Open	N 12/07/2022
	REPAIR & MAINT						
08936038 75019	AMERICAN WELDING-GAS INC BAND SAW BLADE 235-3100-42220	11/30/2022 pziemer	12/07/2022	107.60 107.60	107.60	Open	N 12/07/2022
	REPAIR & MAINT						
21:10 PAY REQ 1 74742	ANDERSON BROTHERS CONSTRU IMP 21:10 GREENWOOD STREET 401-9030-45530-21:10	11/01/2022 pziemer	12/07/2022	83,238.42 83,238.42	83,238.42	Open	N 12/07/2022
	CAPITAL-PYMTS TO CONTRACTS						
2530075893 74728	ARAMARK UNIFORM SERVICES RUGS AND OVERALLS 235-3100-43430	11/17/2022 pziemer	12/07/2022	81.70 81.70	81.70	Open	N 12/07/2022
	MISCELLANEOUS						
2530078530 74880	ARAMARK UNIFORM SERVICES RUGS AND OVERALLS 235-3100-43430	11/24/2022 pziemer	12/07/2022	113.53 113.53	113.53	Open	N 12/07/2022
	MISCELLANEOUS						
INV-00162-A 74854	ASL INTERPRETING SERVICES INC INTERPRETING SERVICES 225-2120-43300	11/22/2022 pziemer	12/07/2022	86.88 86.88	86.88	Open	N 12/07/2022
	PROFESSIONAL SERVICES						
17328953 74714	AUTO VALUE - WEST SOCKET - DOWNTOWN BANNERS 230-5200-42220	11/15/2022 pziemer	12/07/2022	4.99 4.99	4.99	Open	N 12/07/2022
	REPAIR & MAINT						
INUS115598 74855	AXON ENTERPRISE, INC. TASER MOUNTS 225-2120-41113	11/14/2022 pziemer	12/07/2022	125.20 125.20	125.20	Open	N 12/07/2022
	UNIFORM ALLOWANCE						
INUS117284 74856	AXON ENTERPRISE, INC. TASERS QTY 3 225-2120-41113	11/21/2022 pziemer	12/07/2022	4,243.29 4,243.29	4,243.29	Open	N 12/07/2022
	UNIFORM ALLOWANCE						
P57276582 74857	BATTERIES PLUS BATTERIES 225-2120-42210	11/23/2022 pziemer	12/07/2022	17.98 17.98	17.98	Open	N 12/07/2022
	OPERATING SUPPLIES						

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NOV 2022							
75027	BRAINERD LAKES AREA DEV C	11/30/2022	12/07/2022	2,916.67	2,916.67	Open	N
	NOV 22 ECONOMIC DEVELOPMENT CONSULTING	pziemer					12/07/2022
	295-6510-43300	PROFESSIONAL SERVICES		2,916.67			
OCT 2022							
74751	BRAINERD PUBLIC UTILITIES	11/01/2022	12/07/2022	4,585.18	4,585.18	Open	N
	9/24/22-10/24/22 PARKS UTILITIES	pziemer					12/07/2022
	230-5200-43381	BPU UTILITIES		4,292.63			
	230-5280-43380	UTILITIES		157.38			
	230-5280-43380	UTILITIES		17.83			
	230-5280-43380	UTILITIES		117.34			
OCT 2022/PD							
74752	BRAINERD PUBLIC UTILITIES	11/01/2022	12/07/2022	3,489.71	3,489.71	Open	N
	9/24/22-10/24/22 POLICE DEPT UTILITIES	pziemer					12/07/2022
	225-2120-43381	BPU UTILITIES		3,489.71			
OCT 2022/FD							
74753	BRAINERD PUBLIC UTILITIES	11/01/2022	12/07/2022	1,774.87	1,774.87	Open	N
	9/24/22-10/24/22 FIRE DEPT UTILITIES	pziemer					12/07/2022
	225-2220-43381	BPU UTILITIES		1,774.87			
OCT 2022/CITY							
74754	BRAINERD PUBLIC UTILITIES	11/01/2022	12/07/2022	1,998.54	1,998.54	Open	N
	9/24/22-10/24/22 CITY UTILITIES	pziemer					12/07/2022
	101-1940-43381	BPU UTILITIES		1,791.47			
	101-9200-43381	BPU UTILITIES		118.31			
	236-3180-43381	BPU UTILITIES		36.00			
	401-1003-43380	UTILITIES		52.76			
OCT 2022/LIBRARY							
74757	BRAINERD PUBLIC UTILITIES	11/01/2022	12/07/2022	1,733.96	1,733.96	Open	N
	9/24/22-10/24/22 LIBRARY UTILITIES	pziemer					12/07/2022
	211-5500-43381	BPU UTILITIES		1,733.96			
OCT 2022/STREETS							
74758	BRAINERD PUBLIC UTILITIES	11/01/2022	12/07/2022	24,318.67	24,318.67	Open	N
	9/24/22-10/24/22 STREET DEPT UTILITIES	pziemer					12/07/2022
	235-3100-43381	BPU UTILITIES		24,318.67			
NOV 22 COBRA							
74803	BRAINERD PUBLIC UTILITIES	11/23/2022	12/07/2022	76.20	76.20	Open	N
	REMIT NOV 2022 COBRA	pziemer					12/07/2022
	101-0000-14100	DUE FROM COMPONENT UNIT		76.20			
SEPT 2022/CITY							
74899	BRAINERD PUBLIC UTILITIES	11/01/2022	12/07/2022	2,303.14	2,303.14	Open	N
	8/24/22-9/24/22 CITY UTILITIES	pziemer					12/07/2022
	101-1940-43381	BPU UTILITIES		1,773.88			
	101-1940-43381	BPU UTILITIES		301.69			
	101-9200-43381	BPU UTILITIES		93.62			

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	GL Distribution						
	236-3180-43381	BPU UTILITIES		36.00			
	401-1003-43380	UTILITIES		97.95			
SEPT 22/ED 74900	BRAINERD PUBLIC UTILITIES	11/01/2022	12/07/2022	1,800.78	1,800.78	Open	N
	8/24/22-9/24/22 FIRE DEPT UTILITIES pziemer						12/07/2022
	225-2220-43381	BPU UTILITIES		1,800.78			
SEPT 22 LIBRARY 74901	BRAINERD PUBLIC UTILITIES	11/01/2022	12/07/2022	2,285.10	2,285.10	Open	N
	8/24/22-9/24/22 LIBRARY UTILITIES pziemer						12/07/2022
	211-5500-43381	BPU UTILITIES		2,285.10			
SEPT 22/PARKS 74902	BRAINERD PUBLIC UTILITIES	11/01/2022	12/07/2022	7,892.22	7,892.22	Open	N
	8/24/22-9/24/22 PARKS DEPT UTILITIES pziemer						12/07/2022
	230-5200-43381	BPU UTILITIES		7,628.54			
	230-5280-43380	UTILITIES		101.12			
	230-5280-43380	UTILITIES		15.44			
	230-5280-43380	UTILITIES		147.12			
SEPT 22/POLICE 74903	BRAINERD PUBLIC UTILITIES	11/01/2022	12/07/2022	3,955.09	3,955.09	Open	N
	8/24/22-9/24/22 POLICE DEPT UTILITIES pziemer						12/07/2022
	225-2120-43381	BPU UTILITIES		3,955.09			
SEPT 22/STREETS 74904	BRAINERD PUBLIC UTILITIES	11/01/2022	12/07/2022	23,594.08	23,594.08	Open	N
	8/24/22-9/24/22 STREET DEPT UTILITIES pziemer						12/07/2022
	235-3100-43381	BPU UTILITIES		23,594.08			
919096376 74717	BSN SPORTS, LLC	11/04/2022	12/07/2022	304.99	304.99	Open	N
	HOLLYWOOD BASES	pziemer					12/07/2022
	230-5200-42221	R&M-ATHLETIC FIELD MAINT		304.99			
29414289 74744	CANON FINANCIAL SERVICE	11/01/2022	12/07/2022	77.97	77.97	Open	N
	11/1/22-11/30/22 LIBRARY COPIER CONTF pziemer						12/07/2022
	211-5505-43430	MISC - COPY MACHINE PYMTS		77.97			
11/21/22 74732	CAUGHEY, DARIN	11/21/2022	12/07/2022	109.50	109.50	Open	N
	BOOT REIMBURSEMENT 2022	pziemer					12/07/2022
	235-3100-42220	REPAIR & MAINT		109.50			
FC00463 74886	CDW GOVERNMENT, INC	11/14/2022	12/07/2022	202.96	202.96	Open	N
	WEBCAM LIVE STREAMER QTY 4	pziemer					12/07/2022
	101-1800-42210	OPERATING SUPPLIES		202.96			

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21:16 PAY REQ 6 74741	CUSTOM BUILDERS, INC IMP 21:16 PAY REQ 6 401-9030-45530-21:16	11/17/2022 pziemer	12/07/2022	425,051.00 425,051.00	425,051.00	Open	N 12/07/2022
1776667 74745	DAHLHEIMER BEVERAGE JANITORIAL SUPPLIES - LIBRARY 211-5500-42220	11/10/2022 pziemer	12/07/2022	161.20 161.20	161.20	Open	N 12/07/2022
AR59702 74765	DAKOTA MAILING RED POSTAGE INK 101-1940-42200	11/18/2022 pziemer	12/07/2022	101.38 101.38	101.38	Open	N 12/07/2022
11/18/22 74735	DEHN, JESSIE APWA-MN FALL CONFERENCE REIMBURSEMENT 101-1700-43330	11/18/2022 pziemer	12/07/2022	197.90 197.90	197.90	Open	N 12/07/2022
NOV 2022 75029	DESTINATION DOWNTOWN BRAINERD COALITION NOV 22 ECONOMIC DEVELOPMENT CONSULTING 295-6510-43300	11/30/2022 pziemer	12/07/2022	1,945.83 1,945.83	1,945.83	Open	N 12/07/2022
R102320 74718	EAST SIDE OIL COMPANY FILTERS/OIL 227-3230-43428	11/09/2022 pziemer	12/07/2022	150.00 150.00	150.00	Open	N 12/07/2022
67957/CITY HALL 74820	ENVIROTECH DEC 2022 CITY HALL JANITORIAL 101-1940-43300	11/28/2022 pziemer	12/07/2022	1,890.71 1,890.71	1,890.71	Open	N 12/07/2022
67957/FD 74821	ENVIROTECH DEC 2022 FIRE DEPT JANITORIAL 225-2220-43300	11/28/2022 pziemer	12/07/2022	254.95 254.95	254.95	Open	N 12/07/2022
67957/PD 74822	ENVIROTECH DEC 2022 POLICE DEPT JANITORIAL 225-2120-43300	11/28/2022 pziemer	12/07/2022	1,344.39 1,344.39	1,344.39	Open	N 12/07/2022
67957/STREETS 74823	ENVIROTECH DEC 2022 STREET DEPT JANITORIAL 235-3100-43300	11/28/2022 pziemer	12/07/2022	254.95 254.95	254.95	Open	N 12/07/2022

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800007080/7-4-22 74889	ESSENTIA HEALTH 7/4/2022 PRE/EMPLOYMENT TESTINGS 225-2120-43300 225-2220-43300	11/01/2022 pziemer	12/07/2022	216.00 66.00 150.00	216.00	Open	N 12/07/2022
800007080/8-1-22 74890	ESSENTIA HEALTH 8/1/2022 PRE-EMPLOYMENT TESTING 225-2220-43300	11/01/2022 pziemer	12/07/2022	450.00 450.00	450.00	Open	N 12/07/2022
800007080/8-31-22 74891	ESSENTIA HEALTH 8/31/2022 PRE-EMPLOYMENT TESTING/SCIP 225-2120-43300 230-5200-43430	11/01/2022 pziemer	12/07/2022	307.00 257.00 50.00	307.00	Open	N 12/07/2022
800007080/10-31-22 74892	ESSENTIA HEALTH 10/31/2022 RANDOM/PRE-EMPLOYMENT SCRE 230-5200-43430	11/01/2022 pziemer	12/07/2022	383.00 383.00	383.00	Open	N 12/07/2022
1030 74883	EXTREME MACHINE INC TRACTOR 110 MOWER REPAIR 235-3100-42220	11/01/2022 pziemer	12/07/2022	200.00 200.00	200.00	Open	N 12/07/2022
MNBAX257844 74739	FASTENAL COMPANY CABLE TIES - SHOP 230-5200-42220	11/08/2022 pziemer	12/07/2022	12.63 12.63	12.63	Open	N 12/07/2022
MNBAX258073 74802	FASTENAL COMPANY 3/8 HARDENED CHAIN 235-3100-42220	11/21/2022 pziemer	12/07/2022	366.75 366.75	366.75	Open	N 12/07/2022
MNBAX258186 74915	FASTENAL COMPANY GRADERS 112 & 113 MOLD BOARD AND WINC 235-3125-42220	11/28/2022 pziemer	12/07/2022	106.66 106.66	106.66	Open	N 12/07/2022
86055 74748	FIRST IMPRESSION PRINTING 707 - BUSINESS CARDS 225-2120-42200	11/17/2022 pziemer	12/07/2022	31.00 31.00	31.00	Open	N 12/07/2022
104079041 74917	FLEETPRIDE SEWER CAMERA NYLON PUSH-ON FITTING-LF 237-3190-42220	11/30/2022 pziemer	12/07/2022	48.30 48.30	48.30	Open	N 12/07/2022

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
119677-1 74719	FORUM COMMUNICATIONS COMPANY ORD 1539: ZONING CODE 101-2400-43350	11/04/2022 pziemer	12/07/2022	36.23 36.23	36.23	Open	N 12/07/2022
119095-1 74720	FORUM COMMUNICATIONS COMPANY NOTICE: TAC MEETING 11/10/22 203-9000-43350	11/04/2022 pziemer	12/07/2022	19.35 19.35	19.35	Open	N 12/07/2022
118989-1 74721	FORUM COMMUNICATIONS COMPANY NOH: DTSS/DTSS REVISED HEARING 401-1003-43350	11/09/2022 pziemer	12/07/2022	168.90 168.90	168.90	Open	N 12/07/2022
022650080 74858	GALLS LLC 710 - UNIFORM PANTS 225-2120-41113	11/10/2022 pziemer	12/07/2022	119.83 119.83	119.83	Open	N 12/07/2022
26103 74759	GENERATOR POWER SYSTEMS ST 1 GENERATOR ANNUAL MAINTENANCE 225-2220-43300	11/18/2022 pziemer	12/07/2022	590.00 590.00	590.00	Open	N 12/07/2022
26102 74760	GENERATOR POWER SYSTEMS ST 2 GENERATOR ANNUAL MAINTENANCE 225-2220-43300	11/18/2022 pziemer	12/07/2022	495.00 495.00	495.00	Open	N 12/07/2022
33862 74833	GRAND FORKS FIRE EQUIPMENT LLC CHAIN SAW ADAPTOR KIT 225-2220-42210	11/11/2022 pziemer	12/07/2022	419.00 419.00	419.00	Open	N 12/07/2022
136000193-1 74834	GRANITE ELECTRONICS MINITOR V BATTERIES 225-2220-42210	11/21/2022 pziemer	12/07/2022	353.50 353.50	353.50	Open	N 12/07/2022
3036834 75023	HEARTLAND TIRE INC. SQD 433 - TIRES 225-2120-42221	11/30/2022 pziemer	12/07/2022	782.48 782.48	782.48	Open	N 12/07/2022
IN4019026 75024	INNOVATIVE OFFICE SOLUTIONS LLC EVIDENCE/OFFICE SUPPLIES 225-2120-42210 225-2120-42200	12/01/2022 pziemer	12/07/2022	29.92 20.47 9.45	29.92	Open	N 12/07/2022

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4467 74726	KELLY'S SERVICE SQD 436 BATTERY WIRING REPAIR 225-2120-42221	11/17/2022 pziemer	12/07/2022	88.00 88.00	88.00	Open	N 12/07/2022
11/16/22 75020	KITCHIGAMI REGIONAL LIBRARY - CC 10/13/22-11/16/22 REMIT LIB CC CHARGE 211-0000-20800	11/16/2022 pziemer	12/07/2022	127.60 127.60	127.60	Open	N 12/07/2022
11/21/22 74725	KOERING, JOE REIMBURSE 50% WORK BOOTS 2022 230-5200-42210	11/21/2022 pziemer	12/07/2022	77.48 77.48	77.48	Open	N 12/07/2022
037170 74733	L & M STEEL TRUCK 108 WING REPAIR 235-3125-42220	11/21/2022 pziemer	12/07/2022	63.01 63.01	63.01	Open	N 12/07/2022
20221108 #522 74761	LAKES AREA MAT SERVICE INC CITY HALL FLOOR MATS 101-1940-43410	11/08/2022 pziemer	12/07/2022	44.08 44.08	44.08	Open	N 12/07/2022
20221122 #522 74762	LAKES AREA MAT SERVICE INC CITY HALL FLOOR MATS 101-1940-43410	11/22/2022 pziemer	12/07/2022	44.08 44.08	44.08	Open	N 12/07/2022
20221108 #520 74763	LAKES AREA MAT SERVICE INC POLICE DEPT FLOOR MATS 225-2120-43300	11/08/2022 pziemer	12/07/2022	42.92 42.92	42.92	Open	N 12/07/2022
20221122 #520 74764	LAKES AREA MAT SERVICE INC POLICE DEPT FLOOR MATS 225-2120-43300	11/22/2022 pziemer	12/07/2022	42.92 42.92	42.92	Open	N 12/07/2022
NOV 22 74767	LAKES AREA WILDLIFE CONTROL NOVEMBER 2022 ANIMAL CONTROL CONTRAC 225-2700-43300	11/22/2022 pziemer	12/07/2022	2,987.00 2,987.00	2,987.00	Open	N 12/07/2022
INV10613708 75031	MARCO MICROSOFT OFFICE 365 10/16/22-11/15/2 101-1800-43309	11/28/2022 pziemer	12/07/2022	2,312.00 2,312.00	2,312.00	Open	N 12/07/2022

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
85890 74887	MENARDS - BAXTER QTY 12 LIGHTS FOR DOWNTOWN 101-9200-43430	11/09/2022 pziemer	12/07/2022	69.92 69.92	69.92	Open	N 12/07/2022
86421 74888	MENARDS - BAXTER QTY 12 SLEDS FOR MAYORS HILL 245-1310-43430	11/17/2022 pziemer	12/07/2022	119.88 119.88	119.88	Open	N 12/07/2022
11/8/22 74731	MICKEY'S PIZZA - J&T FOOD SERVICE 2022 GENERAL ELECTION - MEALS 101-1410-43430	11/08/2022 pziemer	12/07/2022	375.99 375.99	375.99	Open	N 12/07/2022
13886 74859	MN CHIEF'S OF POLICE ASSO 2023 MEMBERSHIP RENEWAL 225-2120-43433	11/28/2022 pziemer	12/07/2022	434.00 434.00	434.00	Open	N 12/07/2022
29551 74860	MOTORS-N-MORE SQD 433 - OIL CHANGE 225-2120-42221	11/23/2022 pziemer	12/07/2022	23.00 23.00	23.00	Open	N 12/07/2022
29552 74861	MOTORS-N-MORE SQD 436 OIL CHANGE 225-2120-42221	11/23/2022 pziemer	12/07/2022	23.00 23.00	23.00	Open	N 12/07/2022
562526 74893	NAPA AUTO PARTS SOCKET REPLACEMENT 235-3100-42240	11/29/2022 pziemer	12/07/2022	1.46 1.46	1.46	Open	N 12/07/2022
51547 74723	NORTHLAND FIRE PROTECTION CITY HALL ANNUAL FIRE ALARM INSPECTI 101-1940-42220	11/18/2022 pziemer	12/07/2022	870.00 870.00	870.00	Open	N 12/07/2022
51485 74746	NORTHLAND FIRE PROTECTION ANNUAL SPRINKLER INSPECTION 211-5500-42220	11/11/2022 pziemer	12/07/2022	265.00 265.00	265.00	Open	N 12/07/2022
51524 74747	NORTHLAND FIRE PROTECTION ANNUAL FIRE EXTINGUISHER INSPECTION 211-5500-42220	11/11/2022 pziemer	12/07/2022	138.50 138.50	138.50	Open	N 12/07/2022

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51651 74885	NORTHLAND FIRE PROTECTION RECHARGE EXTINGUISHERS 225-2120-42209	11/18/2022 pziemer	12/07/2022	118.05 118.05	118.05	Open	N 12/07/2022
	SAFETY EQUIPMENT SUPPLIES						
1119785-0 74734	OFFICE SHOP CITY HALL OFFICE SUPPLIES 101-1940-42200	11/18/2022 pziemer	12/07/2022	98.45 98.45	98.45	Open	N 12/07/2022
	OFFICE SUPPLIES						
1119785-1 74756	OFFICE SHOP CITY HALL OFFICE SUPPLIES 101-1940-42200	11/22/2022 pziemer	12/07/2022	157.56 157.56	157.56	Open	N 12/07/2022
	OFFICE SUPPLIES						
324428-0 75030	OFFICE SHOP FD COPIER CONTRACT 225-2220-43331	11/25/2022 pziemer	12/07/2022	157.34 157.34	157.34	Open	N 12/07/2022
	LEASED PAYMENTS						
1647-159689 74715	O'REILLY AUTOMOTIVE STORES INC. SHOP - CAPSULE 230-5200-42220	11/14/2022 pziemer	12/07/2022	16.82 16.82	16.82	Open	N 12/07/2022
	REPAIR & MAINT						
1647-162220 74862	O'REILLY AUTOMOTIVE STORES INC. SQUAD WASH 225-2120-42221	11/28/2022 pziemer	12/07/2022	17.98 17.98	17.98	Open	N 12/07/2022
	SQUAD CAR REPAIR SUPPLIES						
1647-161204 74882	O'REILLY AUTOMOTIVE STORES INC. OIL AND FILTERS 230-5200-42220	11/22/2022 pziemer	12/07/2022	59.84 59.84	59.84	Open	N 12/07/2022
	REPAIR & MAINT						
55038132-00 74740	PREFERRED PUMP FLEXIBLE SADDLE 238-3160-42220	11/10/2022 pziemer	12/07/2022	63.25 63.25	63.25	Open	N 12/07/2022
	8 INCH TO 8 INCH PLASTIC PIPE SADDLE						
NOV 22 74766	SEVERSON PORTER LAW NOVEMBER 2022 PROSECUTION AGREEMENT 225-2127-43310	11/22/2022 pziemer	12/07/2022	16,517.09 16,517.09	16,517.09	Open	N 12/07/2022
	MISDEMEANOR PROSECUTOR						
11603 74881	SHANNON'S AUTO BODY PLOW TRUCK REPAIRS 230-5200-42220	11/23/2022 pziemer	12/07/2022	279.79 279.79	279.79	Open	N 12/07/2022
	REPAIR & MAINT						

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436488 74729	SHORT ELLIOTT HENDRICKSON IMP 19-02 THRU 10/31/22 401-1902-43300	11/15/2022 pziemer	12/07/2022	10,316.70 10,316.70	10,316.70	Open	N 12/07/2022
I1597417 74749	STREICHERS PROF EQUIP 708 UNIFORM PANTS 225-2120-41113	11/01/2022 pziemer	12/07/2022	139.98 139.98	139.98	Open	N 12/07/2022
I1601277 74750	STREICHERS PROF EQUIP 709 - TRT EQUIPMENT 225-2131-42210	11/18/2022 pziemer	12/07/2022	132.98 132.98	132.98	Open	N 12/07/2022
I1601627 74863	STREICHERS PROF EQUIP 716 - UNIFORM PANTS 225-2120-41113	11/21/2022 pziemer	12/07/2022	82.98 82.98	82.98	Open	N 12/07/2022
NOV 2022 75026	SWANSON HASKAMP CONSULTING NOV 22 ECONOMIC DEVELOPMENT 295-6510-43300	11/30/2022 pziemer	12/07/2022	2,568.33 2,568.33	2,568.33	Open	N 12/07/2022
NOV 2022 75028	VISIT BRAINERD NOV 22 ECONOMIC DEVELOPMENT 295-6510-43300	11/30/2022 pziemer	12/07/2022	2,937.50 2,937.50	2,937.50	Open	N 12/07/2022
2AX81133 74743	WASTE PARTNERS INC OCT 2022 LIBRARY WASTE REMOVAL 211-5500-43380	11/01/2022 pziemer	12/07/2022	91.80 91.80	91.80	Open	N 12/07/2022
12442 75025	WINNERS TROPHY COUNCIL SIGNS - NEW MEMBERS 101-9200-43430	12/01/2022 pziemer	12/07/2022	75.00 75.00	75.00	Open	N 12/07/2022
IN000778855 74730	ZIEGLER, INC LOADER 114 MIRROR REPAIR AND AIR FILT 235-3125-42220	11/18/2022 pziemer	12/07/2022	455.98 455.98	455.98	Open	N 12/07/2022
SI000259934 74755	ZIEGLER, INC GRADER 113 HYDRAULIC HOSE REPLACEMENT 235-3125-42220	11/22/2022 pziemer	12/07/2022	361.87 361.87	361.87	Open	N 12/07/2022

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PCard: 2257 U.S. BANK Card Holder: CITY HALL							
11/02/22 74809	AMAZON AWS OCTOBER 2022 101-1800-43309	11/02/2022 pziemer COMPUTER SUPPORT	12/07/2022	216.31 216.31	216.31	Open	N 12/07/2022
11/8/22 74814	AMAZON SCREEN PROTECTORS 101-1800-42210	11/08/2022 pziemer OPERATING SUPPLIES	12/07/2022	17.97 17.97	17.97	Open	N 12/07/2022
11/2/22 74815	AMAZON EARBUDS/HEADPHONES 101-1800-42210	11/02/2022 pziemer OPERATING SUPPLIES	12/07/2022	19.50 19.50	19.50	Open	N 12/07/2022
11/2/22 - 2 74816	AMAZON OTTERBOX PHONE CASE 101-1800-42210	11/02/2022 pziemer OPERATING SUPPLIES	12/07/2022	35.96 35.96	35.96	Open	N 12/07/2022
11/1/22 74817	AMAZON PHONES CASES SCREEN PROTECTORS 101-1800-42210	11/01/2022 pziemer OPERATING SUPPLIES	12/07/2022	492.85 492.85	492.85	Open	N 12/07/2022
10/25/22 74807	MN DEPT LABOR & INDUSTRY J. STOCKINGER REGISTRATION 101-2400-43330	11/01/2022 pziemer PROFESSIONAL DEVELOPMENT	12/07/2022	85.00 85.00	85.00	Open	N 12/07/2022
10/25/22 - 2 74810	MN DEPT LABOR & INDUSTRY D. DESETH REGISTRATION 101-2400-43330	11/01/2022 pziemer PROFESSIONAL DEVELOPMENT	12/07/2022	45.00 45.00	45.00	Open	N 12/07/2022
10/26/22 74811	MN STATE COLLEGES & UNIVERSITIES E. PRATT CONSTRUCTION INSTALLER RECEP 101-1700-43330	11/01/2022 pziemer PROFESSIONAL DEVELOPMENT	12/07/2022	115.00 115.00	115.00	Open	N 12/07/2022
10/26/22 - 2 74812	MN STATE COLLEGES & UNIVERSITIES E. PRATT CONSTRUCTION SITE MNG - RECEP 101-1700-43300	11/01/2022 pziemer PROFESSIONAL SERVICES	12/07/2022	120.00 120.00	120.00	Open	N 12/07/2022
11/18/22 74813	MYSTIC LAKE CASION HOTEL APWA CONFERENCE ROOM - J. DEHN 101-1700-43330	11/18/2022 pziemer PROFESSIONAL DEVELOPMENT	12/07/2022	328.92 328.92	328.92	Open	N 12/07/2022

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Inv Ref#	Description	Entered By					Post Date

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11/18/22							
74808	ZOOM VIDEO COMMUNICATIONS	11/18/2022	12/07/2022	29.98	29.98	Open	N
	ZOOM 11/18/22-12/17/22	pziemer					12/07/2022
	101-1800-43309	COMPUTER SUPPORT		29.98			
Total PCard: 2257 U.S. BANK Card Holder: CITY HALL				1,506.49	1,506.49		

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

11/08/22 74868	AMAZON BOOKS/KEY TAGS 225-2220-43435 225-2220-43435 225-2220-42200	11/08/2022 pziemer BOOKS & PAMPHLETS BOOKS & PAMPHLETS OFFICE SUPPLIES	12/07/2022	91.82 60.32 22.00 9.50	91.82	Open	N 12/07/2022
11/1/22 74865	DROPBOX DROPBOX PLUS SUBSCRIPTION 225-2220-43433	11/28/2022 pziemer DUES & SUBSCRIPTIONS	12/07/2022	119.88 119.88	119.88	Open	N 12/07/2022
11/18/22 74867	FLEET FARM ICE PICK 225-2220-42210	11/18/2022 pziemer OPERATING SUPPLIES	12/07/2022	49.95 49.95	49.95	Open	N 12/07/2022
11/15/22 - 2 74864	USPS POSTAGE 225-2220-43322	11/15/2022 pziemer POSTAGE	12/07/2022	86.10 86.10	86.10	Open	N 12/07/2022
11/21/22 74866	USPS POSTAGE 225-2220-42210	11/21/2022 pziemer OPERATING SUPPLIES	12/07/2022	4.90 4.90	4.90	Open	N 12/07/2022
Total PCard: 2257 U.S. BANK Card Holder: FIRE				352.65	352.65		

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

11/10/22 74907	AMAZON YOUTH PROGRAMMING - CRAFT SUPPLIES 211-5501-43430	11/10/2022 pziemer MISC - SPECIFIED DONATION USE	12/07/2022	16.50 16.50	16.50	Open	N 12/07/2022
11/10/22 - 2 74908	AMAZON YOUTH PROGRAMMING - BATTERIES/CRAFTS 211-5501-43430	11/10/2022 pziemer MISC - SPECIFIED DONATION USE	12/07/2022	32.83 32.83	32.83	Open	N 12/07/2022
11/10/22 74906	JOSTENS YEARBOOK FOR LIBRARY COLLECTION 211-5501-43430	11/10/2022 pziemer MISC - SPECIFIED DONATION USE	12/07/2022	89.25 89.25	89.25	Open	N 12/07/2022
11/04/22 74905	MAILCHIMP MONTHLY EMAIL SUBSCRIPTION SERVICE 211-5503-43430	11/04/2022 pziemer MISC - USE OF HOLDEN TRUST	12/07/2022	34.00 34.00	34.00	Open	N 12/07/2022
10/24/22 74909	PLUNKETT'S PEST CONTROL MONTHLY PEST CONTROL 211-5500-42220	11/01/2022 pziemer REPAIR & MAINT	12/07/2022	71.55 71.55	71.55	Open	N 12/07/2022
11/22/22 74910	PLUNKETT'S PEST CONTROL MONTHLY PEST CONTROL 211-5500-42220	11/22/2022 pziemer REPAIR & MAINT	12/07/2022	71.55 71.55	71.55	Open	N 12/07/2022
Total PCard: 2257 U.S. BANK Card Holder: LIBRARY				315.68	315.68		

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Inv Ref#	Description	Entered By					Post Date

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

11/16/22							
74818	FLEET FARM	11/16/2022	12/07/2022	199.99	199.99	Open	N
	COLD WEATHER GEAR - SAM	pziemer					12/07/2022
	230-5200-42210	OPERATING SUPPLIES		199.99			
11/3/22							
74819	WALMART COMMUNITY/GECRB	11/03/2022	12/07/2022	2.74	2.74	Open	N
	WATER FOUNTAIN PLAQUE - WELLNESS	pziemer					12/07/2022
	278-6515-43430	MISCELLANEOUS		2.74			
Total PCard: 2257 U.S. BANK Card Holder: PARKS				202.73	202.73		

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PCard: 2257 U.S. BANK Card Holder: POLICE							
10/31/22 74839	ABRA - BRAINERD SQD 432 - AUTO BODY REPAIR 225-2120-42221	11/01/2022 pziemer	12/07/2022	430.00	430.00	Open	N 12/07/2022
	SQUAD CAR REPAIR SUPPLIES			430.00			
11/9/22 74845	AMAZON FLASHDRIVES 225-2120-42210	11/09/2022 pziemer	12/07/2022	139.95	139.95	Open	N 12/07/2022
	OPERATING SUPPLIES			139.95			
11/21/22 74853	AMAZON EVIDENCE SUPPLIES 225-2120-42210	11/21/2022 pziemer	12/07/2022	194.99	194.99	Open	N 12/07/2022
	OPERATING SUPPLIES			194.99			
10/26/22 74835	CALIBRE PRESS 705 - USE OF FORCE 225-2120-43330	11/01/2022 pziemer	12/07/2022	179.00	179.00	Open	N 12/07/2022
	PROFESSIONAL DEVELOPMENT			179.00			
10/29/22 74838	FLEET FARM EVIDENCE SUPPLIES 225-2120-42210	11/01/2022 pziemer	12/07/2022	3.54	3.54	Open	N 12/07/2022
	OPERATING SUPPLIES			3.54			
11/15/22 74847	HOME DEPOT PICTURE HANGARS 225-2120-42220	11/15/2022 pziemer	12/07/2022	30.48	30.48	Open	N 12/07/2022
	REPAIR & MAINT			30.48			
11/01/22 74840	NAVIGATE 360 709 - ALICE INSTRUCTOR CERTIFICATION 225-2120-43330	11/01/2022 pziemer	12/07/2022	749.00	749.00	Open	N 12/07/2022
	PROFESSIONAL DEVELOPMENT			749.00			
11/15/22 74849	SAFE KIDS 715 - CHILD SAFETY SEAT TECH RECERT 225-2120-43330	11/15/2022 pziemer	12/07/2022	55.00	55.00	Open	N 12/07/2022
	PROFESSIONAL DEVELOPMENT			55.00			
11/01/22 74842	TRANSUNION RISK INVESTIGATIONS & PARKING TCK COLLECTI 225-2120-42210	11/01/2022 pziemer	12/07/2022	75.00	75.00	Open	N 12/07/2022
	OPERATING SUPPLIES			75.00			
11/17/22 74851	ULINE EVIDENCE STORAGE SUPPLIES 225-2120-42210	11/17/2022 pziemer	12/07/2022	241.75	241.75	Open	N 12/07/2022
	OPERATING SUPPLIES			241.75			

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User: pziemer

DB: Brainerd

INVOICE REGISTER REPORT FOR CITY OF BRAINERD

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BOTH OPEN AND PAID

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

11/17/22 - 2

74852	ULINE CREDIT EVIDENCE STORAGE SUPPLIES 225-2120-42210	11/17/2022 pziemer	12/07/2022	(258.37)	(258.37)	Open	N 12/07/2022
		OPERATING SUPPLIES		(258.37)			

10/26/22

74836	USPS POSTAGE 225-2120-43322	11/01/2022 pziemer	12/07/2022	4.80	4.80	Open	N 12/07/2022
		POSTAGE		4.80			

10/28/22

74837	USPS POSTAGE 225-2120-43322	11/01/2022 pziemer	12/07/2022	5.40	5.40	Open	N 12/07/2022
		POSTAGE		5.40			

11/2/22

74841	USPS POSTAGE 225-2120-43322	11/02/2022 pziemer	12/07/2022	4.80	4.80	Open	N 12/07/2022
		POSTAGE		4.80			

11/03/22

74843	USPS POSTAGE 225-2120-43322	11/03/2022 pziemer	12/07/2022	6.84	6.84	Open	N 12/07/2022
		POSTAGE		6.84			

11/04/22

74844	USPS POSTAGE 225-2120-43322	11/04/2022 pziemer	12/07/2022	6.20	6.20	Open	N 12/07/2022
		POSTAGE		6.20			

11/09/22

74846	USPS POSTAGE 225-2120-43322	11/09/2022 pziemer	12/07/2022	6.24	6.24	Open	N 12/07/2022
		POSTAGE		6.24			

11/15/22

74848	USPS POSTAGE 225-2120-43322	11/15/2022 pziemer	12/07/2022	9.60	9.60	Open	N 12/07/2022
		POSTAGE		9.60			

11/16/22

74850	USPS POSTAGE 225-2120-43322	11/16/2022 pziemer	12/07/2022	120.00	120.00	Open	N 12/07/2022
		POSTAGE		120.00			

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

2,004.22

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

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BOTH OPEN AND PAID

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

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

11/21/22							
74806	FLEET FARM	11/21/2022	12/07/2022	139.95	139.95	Open	N
	TJ LOCKHORST WATER PROOF BOOTS	pziemer					12/07/2022
	237-3190-42220	REPAIR & MAINT		139.95			

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

# of Invoices:	150	# Due:	150	Totals:	655,888.74	655,888.74
# of Credit Memos:	2	# Due:	2	Totals:	(270.99)	(270.99)
Net of Invoices and Credit Memos:					655,617.75	655,617.75

--- TOTALS BY GL DISTRIBUTION ---

101-0000-14100	DUE FROM COMPONENT UNIT	76.20
101-1410-43430	MISCELLANEOUS	375.99
101-1700-43300	PROFESSIONAL SERVICES	120.00
101-1700-43330	PROFESSIONAL DEVELOPMENT	641.82
101-1800-42210	OPERATING SUPPLIES	769.24
101-1800-43309	COMPUTER SUPPORT	2,558.29
101-1940-42200	OFFICE SUPPLIES	357.39
101-1940-42220	REPAIR & MAINT	870.00
101-1940-43300	PROFESSIONAL SERVICES	1,890.71
101-1940-43381	BPU UTILITIES	3,867.04
101-1940-43410	RENTAL EXPENSE	88.16
101-2400-42210	OPERATING SUPPLIES	17.98
101-2400-43330	PROFESSIONAL DEVELOPMENT	130.00
101-2400-43350	PRINTING/LEGAL PUBLICATION	36.23
101-9200-43381	BPU UTILITIES	211.93
101-9200-43430	MISCELLANEOUS	144.92
203-9000-43350	PRINTING/LEGAL PUBLICATION	19.35
211-0000-20800	DUE TO OTHER GOVT UNITS	127.60
211-5500-42220	REPAIR & MAINT	707.80
211-5500-43380	UTILITIES	91.80
211-5500-43381	BPU UTILITIES	4,019.06
211-5501-43430	MISC - SPECIFIED DONATION USE	138.58
211-5503-43430	MISC - USE OF HOLDEN TRUST	34.00
211-5505-43430	MISC - COPY MACHINE PYMTS	77.97
225-2120-41113	UNIFORM ALLOWANCE	4,711.28
225-2120-42200	OFFICE SUPPLIES	40.45
225-2120-42209	SAFETY EQUIPMENT SUPPLIES	118.05
225-2120-42210	OPERATING SUPPLIES	435.31
225-2120-42220	REPAIR & MAINT	30.48
225-2120-42221	SQUAD CAR REPAIR SUPPLIES	1,364.46
225-2120-43300	PROFESSIONAL SERVICES	1,840.11
225-2120-43322	POSTAGE	163.88
225-2120-43330	PROFESSIONAL DEVELOPMENT	983.00
225-2120-43381	BPU UTILITIES	7,444.80
225-2120-43433	DUES & SUBSCRIPTIONS	434.00
225-2127-43310	MISDEMEANOR PROSECUTOR	16,517.09
225-2131-42210	OPERATING SUPPLIES	132.98
225-2220-42200	OFFICE SUPPLIES	9.50

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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
	225-2220-42210	OPERATING SUPPLIES		827.35			
	225-2220-43300	PROFESSIONAL SERVICES		1,939.95			
	225-2220-43322	POSTAGE		86.10			
	225-2220-43331	LEASED PAYMENTS		157.34			
	225-2220-43381	BPU UTILITIES		3,575.65			
	225-2220-43433	DUES & SUBSCRIPTIONS		119.88			
	225-2220-43435	BOOKS & PAMPHLETS		82.32			
	225-2700-43300	PROFESSIONAL SERVICES		2,987.00			
	227-3230-43428	USED OIL RECYCLING EXPENSE		150.00			
	230-5200-42210	OPERATING SUPPLIES		277.47			
	230-5200-42220	REPAIR & MAINT		470.30			
	230-5200-42221	R&M-ATHLETIC FIELD MAINT		304.99			
	230-5200-43381	BPU UTILITIES		11,921.17			
	230-5200-43430	MISCELLANEOUS		433.00			
	230-5280-43380	UTILITIES		556.23			
	235-3100-42220	REPAIR & MAINT		939.01			
	235-3100-42240	SMALL TOOLS		1.46			
	235-3100-43300	PROFESSIONAL SERVICES		254.95			
	235-3100-43381	BPU UTILITIES		47,912.75			
	235-3100-43430	MISCELLANEOUS		195.23			
	235-3125-42220	REPAIR & MAINT		974.90			
	236-3180-43381	BPU UTILITIES		72.00			
	237-3190-42220	REPAIR & MAINT		301.32			
	238-3160-42220	8 INCH TO 8 INCH PLASTIC PIPE SADDLE		63.25			
	245-1310-43430	MISCELLANEOUS		119.88			
	278-6515-43430	MISCELLANEOUS		2.74			
	295-6510-43300	PROFESSIONAL SERVICES		10,368.33			
	401-1003-43350	LEGAL PUBLICATIONS		168.90			
	401-1003-43380	UTILITIES		150.71			
	401-1902-43300	PROFESSIONAL SERVICES		10,316.70			
	401-9030-45530-21:10	CAPITAL-PYMTS TO CONTRACTS		83,238.42			
	401-9030-45530-21:16	CAPITAL-PYMTS TO CONTRACTS		425,051.00			

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
--- TOTALS BY FUND ---							
	101 - GENERAL FUND			12,155.90	12,155.90		
	203 - TRANSIT FUND			19.35	19.35		
	211 - LIBRARY FUND			5,196.81	5,196.81		
	225 - PUBLIC SAFETY FUND			44,000.98	44,000.98		
	227 - RECYCLING FUND			150.00	150.00		
	230 - PARK & RECREATION FUND			13,963.16	13,963.16		
	235 - STREET & SEWER FUND			50,278.30	50,278.30		
	236 - PARKING LOT FUND			72.00	72.00		
	237 - SANITARY SEWER FUND			301.32	301.32		
	238 - STORM SEWER FUND			63.25	63.25		
	245 - CONTINGENCY FUND			119.88	119.88		
	278 - HEALTHY EMPLOYE INITIATIVE			2.74	2.74		
	295 - EDA FUND			10,368.33	10,368.33		
	401 - CONSTRUCTION FUND			518,925.73	518,925.73		
--- TOTALS BY DEPT/ACTIVITY ---							
	0000 -			203.80	203.80		
	1003 - 10:03 DWNTWN MAIN CNTRACT			319.61	319.61		
	1310 - CONTINGENCY FUND			119.88	119.88		
	1410 - ELECTIONS			375.99	375.99		
	1700 - ENGINEERING			761.82	761.82		
	1800 - IT/GIS			3,327.53	3,327.53		
	1902 - 19:02 CLST CONNECTION			10,316.70	10,316.70		
	1940 - CITY HALL			7,073.30	7,073.30		
	2120 - POLICE DEPARTMENT			17,565.82	17,565.82		
	2127 - MISDEMEANOR PROSECUTOR			16,517.09	16,517.09		
	2131 - TACTICAL TEAM			132.98	132.98		
	2220 - FIRE DEPARTMENT			6,798.09	6,798.09		
	2400 - COMMUNITY DEVL/INSPECTION			184.21	184.21		
	2700 - ANIMAL CONTROL			2,987.00	2,987.00		
	3100 - S & S MAINTENANCE			49,303.40	49,303.40		
	3125 - SNOW REMOVAL			974.90	974.90		
	3160 - STORM SEWER EXPENSE			63.25	63.25		
	3180 - PARKING LOTS EXPENSE			72.00	72.00		
	3190 - SANITARY SEWER EXPENSE			301.32	301.32		
	3230 - RECYCLING EXPENSE			150.00	150.00		
	5200 - PARK MAIN/ADMINISTRATION			13,406.93	13,406.93		
	5280 - CAMPGROUND			556.23	556.23		
	5500 - LIBRARY-BUDGETED			4,818.66	4,818.66		
	5501 - SPECIFIED DONATION USE			138.58	138.58		
	5503 - HOLDEN TRUST DONATION USE			34.00	34.00		
	5505 - TAXABLE FEES			77.97	77.97		

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DB: Brainerd

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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
GL Distribution							
--- TOTALS BY DEPT/ACTIVITY ---							
	6510 - ECONOMIC DEVELOPMENT AUTH			10,368.33	10,368.33		
	6515 - HEALTHY EMPLOYE INITIATIVE			2.74	2.74		
	9000 - TRANSIT FUND			19.35	19.35		
	9030 - CONSTRUCTION PROJ-MISC			508,289.42	508,289.42		
	9200 - CITY-WIDE			356.85	356.85		

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: Johnson, Bieser, Stenglein, Erickson, O'Day, Stunek, 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 O'DAY AND JOHNSON, DULY CARRIED, TO APPROVE THE AGENDA WITH THE ADDITION OF EVENT/STREET CLOSURE APPLICATION- LEGION COMMUNITY THANKGIVING

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

- A. Approval of Bills**
- B. Approval of Minutes**
 - a. City Council ARPA Workshop held on October 11th, 2022**
 - b. Regular City Council Meeting held on November 7th, 2022**
 - c. Special City Council Meeting held on November 16th, 2022**
- C. Approval of Licenses**
- D. Department Activity Report**

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

Council Committee Reports

Safety and Public Works

Approve Final Pay Estimate- Cuyuna Lakes State Trail NP Center Segment

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON, DULY CARRIED, TO APPROVE FINAL PAY ESTIMATE TO KNIFE RIVER CORPORATION - NORTH CENTRAL IN THE FINAL CONTRACT AMOUNT OF \$376,322 (\$19,291 THIS ESTIMATE).

Approve Final Pay Estimate- Improvement 21-10-Greenwood Street

Committee Chair O'Day stated that this project was about \$10,000 under budget due to gravel savings.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND BIESER, DULY CARRIED, TO APPROVE FINAL PAY ESTIMATE TO ANDERSON BROTHERS CONSTRUCTION OF BRAINERD, LLC IN THE FINAL CONTRACT AMOUNT OF \$83,239 (\$83,239 THIS ESTIMATE).

Adopt Resolution Removing On-Street Parking on Oak Street between SE 15th and SE 16th Streets

Committee Chair O'Day stated that the committee requested that staff consult with WSB and bring this item back at the next meeting to come up with alternatives since only half of the owners/residents agreed to having the parking removed on the south side of the street.

Adopt Resolution of Support for the TH 371B/Willow Street HSIP Grant Application

Committee Chair O'Day stated that this is for the roundabout project that MnDOT has proposed at TH 371 and Willow Street.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON TO ADOPT RESOLUTION SUPPORTING APPLICATION FOR HSIP GRANT FUNDING.

RESOLUTION 48:22

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

Approve Letter of Support of TH 371/210 Interchange Grant Application

Committee Chair O'Day stated that this was a grant application for the engineering and design of an overpass, the entities would seek additional funding from another grant source for the construction.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND BIESER, DULY CARRIED, TO APPROVE THE LETTER OF SUPPORT FROM THE BRAINERD CITY COUNCIL FOR THE TH 371/210 INTERCHANGE GRANT APPLICATION.

Direction on Active Code Enforcement Cases

Committee Chair O'Day stated that this is a repeat abatement of garbage.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON, DULY CARRIED, TO OBTAIN A WARRANT AND ABATE THE GARBAGE AT 1306 OAK STREET.

Event/Street Closure- Legion Community Thanksgiving

Committee Chair O'Day stated that the Legion is having their annual Thanksgiving Community Meal, to control the flow of traffic they are requesting that a portion of Front Street be closed.

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

Personnel and Finance Committee

Consider Amending American Rescue Plan Act (ARPA) Budget for Pedestrian Bridge Feasibility Study

Committee Chair Johnson stated that MnDOT is not interested in figuring out how to get pedestrians safely across 210. However, the MnDNR is interested in supporting a pedestrian bridge across TH 210 as a part of the Cuyuna Lakes State Trail.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO AMEND THE ARPA FUND BUDGET TO USE \$35,000 FOR A FEASIBILITY STUDY FOR A PEDESTRIAN BRIDGE ACROSS HIGHWAY 210.

Approval of Prosecution Agreement with Severson Porter

Committee Chair Johnson stated that this is the City Prosecution Agreement, the fee is going up by 11% which is to be expected for 2022. The City will be pay about \$137,000 of the service fee.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO AUTHORIZE THE EXECUTION OF THE LEGAL SERVICES AGREEMENT BETWEEN THE CITY OF BRAINERD AND SEVERSON PORTER LAW, P.A.; FURTHER TO DIRECT STAFF TO RENEW JOINT PROSECUTION SERVICES AGREEMENTS WITH BAXTER AND NISSWA USING A 3-YEAR AVERAGE BASED ON THE NUMBER OF HOURS AND IMPLEMENTING A 10% ADMINISTRATIVE FEE.

Unfinished Business

Public Hearing and Adopt Resolution Adopting Assessment 2021-2022 Downtown Special Services District and Downtown Snow Removal

The Chair opened the public hearing at 7:44 p.m.

No one came forward.

The Chair closed the public hearing at 7:45 p.m.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON TO ADOPT RESOLUTION ADOPTING THE ASSESSMENTS AS PROPOSED FOR 2021-2022 DOWNTOWN SPECIAL SERVICES DISTRICT AND DOWNTOWN SNOW REMOVAL.

RESOLUTION 49:22

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

Call for Applicants – Informational:

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

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

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 2028) – 1 term (Expire 2026)

New Business

First Reading- Proposed Ordinance 1539, an Ordinance Amending Section 515-4 of the Zoning Code- Restrictions on Demolition and Removal of Dwelling Units

Community Development Director Kramvik gave an overview of the ordinance that would amend Section 515-4 of the Zoning Code. He stated that there was a public hearing at the Commission meeting, and there will also be a public hearing at the Council Meeting on December 5th.

President Bevans stated that he requested another public hearing so that Council could hear public testimony.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND STENGLEIN, DULY CARRIED, TO HOLD THE FIRST READING OF PROPOSED ORDINANCE NO. 1539, AN ORDINANCE AMENDING SECTION 515-4: GENERAL BUILDING AND DESIGN STANDARDS AND DISPENSE WITH THE ACTUAL READING OF THE ORDINANCE.

Public Forum

The Chair opened the public forum at 7:51 p.m.

Mike Thelen, 4117 Sunset View Rd, stated that the previous time he had come to Council he was told he would be called back with answers for the citation that was issued to him. He was not called after the Council meeting for an explanation of the citation and does not agree with having to pay for it.

The Chair closed the public forum at 7:56 p.m.

Staff Reports

Finance Director Hillman reminded Council of the Budget Workshop is scheduled for November 28th at 6:00 p.m. in the City Council Chambers, Council will need to adjourn the meeting to that workshop.

Community Development Director Kramvik stated that the Planning Commission discussed lighting standards at the November 18th meeting. The Planning Commission requested that staff conduct a joint Planning Commission, Park Board, and Public Utilities Commission meeting to discuss lighting standards. Mr. Kramvik will be attending the next Park Board meeting as well as reaching out to BPU to see if there is interest in such a meeting.

City Administrator Bergman stated that her performance review will be submitted to Council by the end of the week. Her review will potentially be on the first meeting in December. City Engineer/Public Works Director Dehn accompanied her to Community Focus to talk about snow and snow removal. Finally, the City is holding two kickoff meetings with Flaherty and Hood for the Compensation Study, all staff are invited to the meetings on November 28th.

Mayor Report

Mayor Badeaux stated that on December 9th at 6:00 p.m. at Buffalo Hills Park there will be hayrides and hot chocolate for the public to enjoy. Brainerd Community Action is accepting nominations for Citizen of the Year in partnership with the Brainerd Jaycees. You can submit nominations through social media.

Council Member Reports

Member Bieser stated that the Brainerd Public Library just kicked off their space needs assessment, he anticipates that it will take 6 weeks. He suggested that the Library also present to Council similar to what The Center or Arboretum do.

Member Johnson stated that he has secured a second contractor who wants to bid for downtown snow removal for next snow season. The contractor is also willing to assist the City in abating snow removal if needed. He also requested to have an update on the lighting standards from SPW at the next meeting with the completion of two street projects.

Member Stunek stated that the Legion could use volunteers for its Thanksgiving Event.

Member Stenglein encouraged everyone to participate in the poverty simulator that was shared by Administrator Bergman via e-mail.

Adjourn to Budget Workshop on November 28th, 2022, at 6:00 p.m. in the City Council Chambers

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND ERICKSON, DULY CARRIED, TO ADJOURN TO THE BUDGET WORKSHOP ON NOVEMBER 28TH, 2022, AT 6:00 P.M. IN THE CITY COUNCIL CHAMBERS

The Chair adjourned the meeting at 8:04 p.m.

Jennifer Bergman
City Administrator

Brainerd, MN
November 28th, 2022

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

Members Johnson, Pritschet, Stenglein, Erickson, O'Day, Stunek, and Bevans were noted as present. Mayor Badeaux was noted as present. Also noted as present were City Administrator Bergman, Finance Director Hillman, Community Development Director Kramvik, City Engineer/Public Works Director Dehn HR Director Schubert, Police Chief Bestul, Fire Chief Holmes, and IT/GIS Director Strong.

2023 Levy and Budget

Finance Director Hillman outlined the budget process. The primary focus of discussion is on the working funds, debt, and capital funds, the functions that are primarily supported by property tax revenue. The preliminary levy set in September was certified to the County at a 9.5% increase (\$6,852,566) over the 2022 levy. The final levy needs to be certified by December 28th, 2022. To present a balanced budget the levy would need to be set at 5.88% increase (\$6,623,459).

Member Johnson questioned whether the Council had formally directed staff to put the codification into the budget. He asked that this item be added to the December 5th meeting for approval.

Finance Director Hillman reviewed the operating budget, expenditures, and revenues and debt levy including the payment for the IAFF lawsuit. In discussion with Chair Bevans and Personnel and Finance Chair Johnson they suggested that a 3% increase (\$6,443,501) and that the Memorial park lighting would be discussed at the workshop. She presented the 2023 proposed capital budget including the Memorial Park lighting pending discussion from City Council on the item.

Member Johnson stated that at the meeting held with Council President and himself as Personnel and Finance Chair that they told staff to remove the lighting from the budget and discussion should be around whether the lighting is a necessary improvement at all. When if at all the lighting should be in the budget and what is the real cost of the lighting.

City Engineer/Public Works Director Dehn stated that the Park Board placed this item as a high priority, they would request that other items they removed from 2023 capital in order to lower the capital request be added back if Council decided to remove the lighting. Dehn also stated that the Park Board did get an estimate from a potential contractor this summer to be able to estimate the cost of the project. The estimate was \$380,000 in 2022 dollars so the budget was rounded up to \$400,00 to account for possible inflation.

Mayor Badeaux stated that the initial ask for lights from the Park Board popped up in August to be funded in 2023. The items removed from the budget to accommodate the lights were removed because the Park Board is still in the middle of master planning. The Council has a check and balance over the Park Board as a part of the necessary process.

Member O'Day stated that he had asked at the previous Budget Workshop about this item. He believes that there should be a way to refurbish the current lights. He would fully support taking this item out of the budget.

Member Stunek suggested that softball schedules be adjusted to accommodate for the need for lights.

Chair Bevans stated that the suggestion to remove the lights will be voted on in the future. His perspective of the lights is that they may not be needed. The people who play softball would benefit from the lights, but he does not see the benefit to the City as a whole. The fact that the City needs to pay for the lawsuit is a good reason to remove the lights for now from the budget to achieve this.

Finance Director Hillman gave an overview of the options in adjusting the budget that Council has in setting the final levy, including the 3% requested, and the effects to homeowners and commercial properties.

Chair Bevans requested that if the Park Board would like to have input that they present at the December 5th, 2022, regular Council meeting.

Member Johnson stated that the Memorial Park Lights should already be removed from the budget. That per the Charter, the budget that Chair Bevans and himself that was to be presented to the Council did not include the lights and this was the expectation of what was supposed to be presented tonight.

Finance Director Hillman stated that she thought full Council discussion was necessary to approve removal of an item from the budget. She feels she did present the 3% increase based on the discussion at the meeting with the Chair and Personnel and Finance chair.

Staff was directed to use a 3% levy increase over 2022 for the budget public hearing which is set for December 12, 2022 at 7:30 p.m.

Adjourn

The Chair adjourned the Budget Workshop at 6:46 p.m.

Jennifer Bergman
City Administrator

Brainerd Contractor License List

12/01/2022

ALL ELEMENTS INC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
301 CHELSEA RD	General Commercial	Active			2023-0001	12/31/2023

AQUARIUS WATER CONDITIONING I

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
3180 COUNTY DRIVE	Plumbing Contractor	Active	PC644399	12/31/2023	2023-0001	12/31/2023
3180 COUNTY DRIVE	Mechanical	Active	MB003596	10/11/2024	2023-0002	12/31/2023

ARCTIC AIR HEATING & AIR CONDIT

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
5970 COUNTY ROAD 16	Mechanical	Active	MB003258	08/01/2024	2023-0003	12/31/2023

BARATTO BROTHERS CONSTRUCTIO

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
13872 SHAFER RD	General Commerical	Active			2023-0002	12/31/2023

CARLSON & STEWART REFRIGERATI

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
189 INDUSTRIAL BLVD.	Mechanical	Active	MB645373	12/31/2023	2023-0004	12/31/2023

CLIMATE MAKERS INC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
1700 FREEWAY BLVD S	Plumbing Contractor	Active	PC648912	12/31/2023	2023-0002	12/31/2023
1700 FREEWAY BLVD S	Mechanical	Active	MB004290	12/12/2024	2023-0005	12/31/2023

DO IT ALL PLUMBING & HEATING LL

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
26617 143RD ST	Plumbing Contractor	Active	PC782790	12/31/2023	2023-0003	12/31/2023
26617 143RD ST	Mechanical	Active	MB782811	06/21/2023	2023-0006	12/31/2023

DOW ACOUSTICS, INC.

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
PO BOX 477	Acoustical Ceilings	Active			2023-0001	12/31/2023

DRSC CONCRETE INC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
13464 5TH AVE NE	Masonry	Active			2023-0001	12/31/2023

EAGLE CONSTRUCTION COMPANY, I

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
515 9TH AVE NW	General Commercial	Active			2023-0001	12/31/2023

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	2023-0007	12/31/2023

FIRE WORKS FIREPLACE INSTALLATI

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
3030 4TH ST S	Mechanical	Active	MB003629	10/22/2024	2023-0008	12/31/2023

GRANITE CITY ROOFING, INC.

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
PO BOX 1482	Commercial Roofing	Active			2023-0001	12/31/2023

GRAVELLE PLUMBING & HEATNG, I

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
223 1ST AVE NW	Plumbing Contractor	Active	PC645381	12/31/2023	2023-0004	12/31/2023
223 1ST AVE NW	Technology Systems Contr	Active	TS001809	07/31/2024	2023-0001	12/31/2023
223 1ST AVE NW	Mechanical	Active	MB003759	10/15/2024	2023-0009	12/31/2023

HY-TEC CONSTRUCTION OF BRAINE

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
11360 BUSINESS 371 PO	General Commerical	Active			2023-0001	12/31/2023

JIBEC HEATING & COOLING INC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
1775 DANDELION LN S	Mechanical	Active	MB005584	11/21/2024	2023-0013	12/31/2023

KRAUS-ANDERSON CONSTRUCTION

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
501 S 8TH ST	General Commercial	Active			2023-0002	12/31/2023

KUEPERS CONSTRUCTION INC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
17018 COMMERCIAL PA	General Commercial	Active			2023-0003	12/31/2023

LANDWERX LLC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
16035 CARLSON LAKE	Subs-sewage Treatment Sy	Active	L4021	06/18/2023	2023-0001	12/31/2023
16035 CARLSON LAKE	Excavator	Active			2023-0001	12/31/2023

MARV'S INTERIORS/DRYWALL LLC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
3807 WOODLAWN ST	Drywall	Active			2023-0001	12/31/2023

MASTER MOBILE HOME SERVICE INC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
1486 CLOUD DR NE	Mechanical	Active	MB003380	09/03/2024	2023-0010	12/31/2023

METROPOLITAN MECHANICAL CON

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
7450 FLYING CLOUD D	Plumbing Contractor	Active	PC642833	12/31/2023	2023-0005	12/31/2023
7450 FLYING CLOUD D	Mechanical	Active	MB004842	03/29/2024	2023-0011	12/31/2023
7450 FLYING CLOUD D	High Pressure Piping Busi	Active	HC000087	12/31/2023	2023-0001	12/31/2023

MICHELS CONSTRUCTION INC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
817 MAIN ST	Excavator	Active			2023-0003	12/31/2023

MICHELS PIPELINE INC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
817 MAIN ST	Mechanical	Active	MB778746	03/15/2023	2023-0012	12/31/2023

MICHELS POWER, INC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
817 MAIN ST	Utilities Construction	Active			2023-0001	12/31/2023

MICHELS UTILITY SERVICES, INC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
817 MAIN ST	Excavator	Active			2023-0002	12/31/2023

MID-STATE REFRIGERATION HEATI

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
604 LINCOLN AVE NE	Mechanical	Active	MB003246	08/18/2024	2023-0014	12/31/2023
604 LINCOLN AVE NE	Plumbing Contractor	Active	PC005306	12/31/2023	2023-0006	12/31/2023

MINNESOTA PETROLEUM SERVICE I

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
682 39TH AVE NE	Mechanical	Active	MB004080	01/05/2024	2023-0015	12/31/2023

MP NEXLEVEL LLC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
500 COUNTY ROAD 37	Utilities Construction	Active			2023-0002	12/31/2023

NORTHERN AIR PLUMBING & HEATI

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
273 WESTWOOD DR	Mechanical	Active	MB735452	12/31/2023	2023-0016	12/31/2023
273 WESTWOOD DR	Plumbing Contractor	Active	PC735451	12/31/2023	2023-0007	12/31/2023

PETERSON SHEET METAL INC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
3728 BEMIDJI AVE N SU	Mechanical	Active	MB003352	08/13/2024	2023-0017	12/31/2023
3728 BEMIDJI AVE N SU	Plumbing Contractor	Active	PC642684	12/31/2023	2023-0008	12/31/2023

PRATT'S AFFORDABLE EXCAVATING

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
23069 SWAN LN	Excavator	Active			2023-0004	12/31/2023
23069 SWAN LN	Subs-sewage Treatment Sy	Active	L1341	07/11/2023	2023-0002	12/31/2023

RHEAUMES HOUSE OF LETTERING I

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
25113 21ST AVE	Sign Erector	Active	SB683780	07/01/2024	2023-0001	12/31/2023

SCHMIDT ROOFING INC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
3509 W HIGHWAY 13	Commercial Roofing	Active		12/31/2023	2023-0002	12/31/2023

SCHRUPP EXCAVATING LLC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
3003 36TH ST SW	Excavator	Active		12/31/2023	2023-0005	12/31/2023
3003 36TH ST SW	Subs-sewage Treatment Sy	Active	L747	04/17/2023	2023-0003	12/31/2023

SMART SOURCE MECHANICAL LLC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
6057 DEER ST	Mechanical	Active	MB735722	08/10/2023	2023-0018	12/31/2023

ST CLOUD REFRIGERATION INC DBA

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
604 LINCOLN AVE NE	Mechanical	Active	MB003247	08/15/2024	2023-0019	12/31/2023

TELCOM CONSTRUCTION, LLC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
2218 E 200TH STREET P	Utilities Construction	Active		12/31/2023	2023-0003	12/31/2023

THE DOOR DOCTOR

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
18231 WOODROW ROA	Overhead Doors	Active		12/31/2023	2023-0001	12/31/2023

THELEN HEATING & ROOFING INC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
1717 13TH ST SE	Mechanical	Active	MB003283	09/24/2024	2023-0020	12/31/2023
1717 13TH ST SE	Commercial Roofing	Active		12/31/2023	2023-0003	12/31/2023
1717 13TH ST SE	Plumbing Contractor	Active	PC738578	12/31/2023	2023-0009	12/31/2023

TOMS BACKHOE SERVICE INC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
323 WOODLAND HILLS	Subs-sewage Treatment Sy	Active	L408	03/31/2023	2023-0004	12/31/2023

323 WOODLAND HILLS	Pipelayer Bond	Active	PB643233	12/31/2023	2023-0001	12/31/2023
323 WOODLAND HILLS	Excavator	Active		12/31/2023	2023-0006	12/31/2023

TRANSFORM SR HOME IMPROVEME

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
1024 FLORIDA CENTRA	General Commercial	Active		12/31/2023	2023-0004	12/31/2023

VEIT & COMPANY INC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
14000 VEIT PLACE	General Commerical	Active		12/31/2023	2023-0003	12/31/2023

W L HALL CO

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
530 15TH AVE S	General Commercial	Active		12/31/2023	2023-0005	12/31/2023

Total Licensees						44
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Population: All Records
Licensee.DateRegistered Between 11/17/2022 12:00:00 AM AND 12/1/2022 12:00:00 AM

**2023 LICENSE RENEWALS
DECEMBER 5, 2022 COUNCIL MEETING**

GARBAGE LICENSE - 4 RENEWALS

Garrison Disposal dba Nisswa Sanitation PO Box 780 Nisswa, MN 56468	Waste Partners, Inc. 2928 State Hwy 371 Pine River, MN 56474	Waste Management of Brainerd 7968 Industrial Park Road Baxter, MN 56425	Pequot Lakes Sanitation PO Box 639 Pequot Lakes MN 56401
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TOBACCO LICENSES - 16 RENEWALS

S & R Quisberg, Inc. dba Brainerd Cub Foods 417 8th Ave NE Brainerd, MN 56401	Shep's on 6th 315 S 6th Street Brainerd MN 56401	HA Smokey's Tobacco 706 Washington Street Brainerd, MN 56401	Vapor North 328 Washington Street Brainerd, MN 56401
Hollco, Inc. dba Speedway #4880 421 NE Washington Street Brainerd, MN 56401	Tobacco Den 633 Washington Street NE Brainerd, MN 56401	Yesterday's Gone 219 S 9th Street Brainerd, MN 56401	Risky Business 326 Washington Street Brainerd, MN 56401
Mill Avenue Holiday 1500 Mill Avenue Brainerd, MN 56401	Mid-Town Depot 321 Washington Street Brainerd MN 56401	Mill Ave Liquor 1424 Mill Avenue NE Brainerd, MN 56401	Holiday Stationstores, Inc. 424 South 6th Street Brainerd, MN 56401
Cashwise Liquor 513 B Street NE Brainerd, MN 56401	Pine Square 3325 Oak Street Brainerd, MN 56401	Pine Liquor 3325 Oak St Brainerd Mn 56401	Casey's General Store 850 Lum Park Road Brainerd, MN 56401

TAXI CAB LICENSES - 1 RENEWAL

Grab-A-Cab
422 Charles Street
Brainerd, MN 56401

SECOND HAND AUTO LICENSES - 8 RENEWALS

Auto Import 22 Washington Street Brainerd, MN 56401	Midway Auto 10 E Washington Street Brainerd, MN 56401	Brainerd Sports & Marine 13377 State Hwy 25 Brainerd, MN 56401	210 Auto Sales 301 Washington St Brainerd, MN 56401
Motors-N-More 510 10th Ave NE Brainerd, MN 56401	Eclipse Automotive 210 NW 5th Street Brainerd MN 56401	Tanner Motors 620 W Washington St Brainerd, MN 56401	Tanner Nissan 620 W Washington St Brainerd, MN 56401

AMUSEMENT LICENSE - 2 RENEWAL

HAZELWOOD CORPORATION 800 MN AVE NE AITKIN MN 56431	BIG JAYS PIZZA ARCADE 217 S 7TH ST BRAINERD MN56401
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PAWNBROKERS LICENSE - 1 RENEWAL

Iron Hills Gun & Pawn Inc.
704 Front Street
Brainerd, MN 56401

Contingent Upon Inspection by the Fire Department

TOBACCO LICENSES - 3 RENEWALS

Northern Tier Retail LLC dba Super America 1223 South 6th Street Brainerd, MN 56401	Save Liquor 701 Industrial Park Rd SW Brainerd, MN 56401	Cornerstone Liquor 817 Washington Street Brainerd, MN 56401
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TAXI CAB LICENSES - 1 RENEWAL

Brainerd Area Taxi
709 Charles Street
Brainerd MN, 56401

SECOND HAND GOODS LICENSE - 2 RENEWALS

United Gold & Silver 702 W Washington Street Brainerd, MN 56401	EL Menk Jewelers 623 Laurel Street Brainerd MN 56401
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PAWNBROKERS LICENSE - 1 RENEWAL

T & B Pawn & Gun Inc.
515 Washington Street
Brainerd, MN 56401



CITY ENGINEER/PUBLIC WORKS DIRECTOR REPORT DECEMBER 5, 2022 CITY COUNCIL MEETING

Recreation Report

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.

Job Postings

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

Parks Maintenance Report

Master Planning

The Park Board completed discussion on Lum Park master planning at their November 15th Special Meeting.

Mississippi Landing Trailhead Park Project

The contractor is continuing progress on structure roof trusses. The next month is expected to see continued placement of furnishings such as benches, dog stations, and lighting. 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 begun demo of the existing building and utilities. Roofing and siding are expected to continue this week. It is planned to have work occur during the next few weeks with new doors to be installed when they arrive in December.

- Repaired broken string lights on Christmas Tree at City Hall
- Swept parks garage parking lot
- Swept trail to boat landing
- Cleaning summer equipment for storage
- Replaced 50 amp breaker in campground
- Shutting down power in non-essential buildings for the winter
- Removed broom core and replaced with new skid steer broom
- Replaced vandalized soap dispensers at GGP men's and women's rooms
- Blew tennis courts and removed nets
- Hung lights around GGP ice rink
- Cleaning out warming houses
- Removed pier from river
- Prepping outdoor rinks
- Removed leaves from BBF bleachers
- Cleaned up downed branches
- Storing summer equipment
- Painted over graffiti under College Drive bridge
- Removed and secured Lum Park Pier for the winter
- Removed boat landing dock at Lum Park
- Fixed skid steer electrical issue
- Working on cameras for under the Kiwanis Park & College Drive bridge
- Sweeping walking trails

- Hung kiosk for MMP (Faust)
- Prepping GGP for wedding
- Replacing bulbs in garland and wreaths
- Made bracket for Kromer broom
- Assisted with snow plowing
- Repaired damaged walls at GGP restrooms (vandalism from summer)
- Moved refrigerators into warming houses
- Van ready for flooding
- Helped Street Dept. set up and tear down for elections
- Put cab and blower on John Deere, tightened tracks on skid steer
- Working on snowplow lights
- Training new employee

Streets Maintenance Report

Winter Season Operations

Street staff has already completed work during one snow event this season in November.

Street & Parks Building Addition

Pike's is completing installation of the fans and should be wrapped up this week. Holden Electric will soon complete the final electrical connections. Garage door installation is completed as well. It is anticipated that the building will be ready for occupancy by the end of the year.

Maintenance Tasks Completed Month Prior

- Completed street sweeping operations
- Completed sanitary sewer jetting
- Televising sewers for upcoming construction projects
- Snow removal operations during snowfall event
- Salt/sanding areas and intersections in areas with low traction
- Brushing and chipping fallen trees, brush, and limbs
- Provided traffic control materials for Turkey Run and Legion Thanksgiving events
- Repaired sink hole in Library parking lot
- Assisted with Transit buses with tablet charging installations

Engineering Report

TH 371B/S. 6th Street Reconstruction Project

The traffic signal at the intersection at S. 6th Street and Buffalo Hills is operating now and much of this work is now completed.

TH 210/Washington Street Reconstruction Project

Staff, Council members, and MnDOT met at another PMT meeting on December 1st to discuss changes to the corridor based on City comments and requests. MnDOT is anticipating presenting a final scope, holding a public hearing, and requesting Municipal Consent likely at the first Council meeting in 2023.

Historic Water Tower Project

Staff, Council members, and MnDOT met at another PMT meeting on December 1st to discuss changes to the corridor based on City comments and requests. MnDOT is anticipating presenting a final scope, holding a public hearing, and requesting Municipal Consent likely at the first Council meeting in 2023.

Other Activities

- Continued advertisement of Engineering Technician position.

- Revised DTSS/DTSR assessments for 2021-2022 season.
- Mailed draft easements and letters to property owners adjacent to the Buffalo Hills Gully Remediation Project.
- Continued review and discussion of Harrison Elementary SRTS project design.
- Presented construction project updates at the November Northside Neighborhood Association meeting.
- Continued design development and coordination with BPU for South Brainerd Reconstruction project.
- Prepared and sent HSIP grant application for the intersection of S. 6th Street and Willow Street.
- Prepared and sent out Request for Proposals (RFP) for TH 210/Lum Park Pedestrian Bridge Feasibility Study.

Transit Report

2021 Bus Order

Crystal has coordinated with North Central Bus regarding bus orders. It is anticipated that we will potentially see the two bus orders arrive one in 2023 and the other in 2024.

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.
- Coordinating with Street Department for installation of tablet charging in buses.
- Addressed 2 reports regarding incidents on buses.



Brainerd Fire Department Monthly Report November 2022

ACTIVITIES AND PUBLIC EDUCATION



Brainerd Fire Department participated in helping deliver Thanksgiving meals with the Brainerd American Legion. Firefighters and their families helped to deliver meals throughout the community.



We also flew the American Flag at the Toys for Kids drop-off site in front of the Brainerd Lakes Chamber of Commerce and gave Santa a ride to the Downtown Holiday event.



Congratulations to Lowell School for receiving the 2022 National Blue-Ribbon School recognition.

Firefighters also presented a station tour in November to a Cub Scouts group working on their Fire Safety badge.



Brainerd Fire Department partnered with Brainerd Ace Hardware for a Fire Safety Coloring Contest in October. Ace Hardware generously donated four children's bicycles and helmets as prizes in November.

CROW WING COUNTY ALERT



Your safety is our top concern – that's why the City of Brainerd has teamed up with Crow Wing County to make sure you know about emergencies and incidents as they happen. This system allows the City of Brainerd to contact thousands of residents in seconds, so you can find out about an emergency right away. **How Does It Work?** The City of Brainerd issues a message about a potential safety hazard or concern.

Next, a message from Crow Wing County Alert will be sent through your primary contact path. The system will try to reach your second contact path and will continue to attempt to reach you until you confirm receipt of the message. Sign up at: <https://member.everbridge.net/index/892807736729514#/signup>.



Brainerd Fire Department Monthly Report

November 2022

TRAINING

We had a great month of training to include EMS, Technical Rescue Skills Stations, Ice / Cold Water Rescue, and MN FIRE Cancer Awareness. Chief Holmes also attended All Hazard Type 3 Incident Management (O-305) training in New Brighton.

We teamed up with the Crow Wing County Unmanned Aircraft Systems Team and reaffirmed the value of using drones for rescues, including Ice / Cold Water.



There was a great article in the Brainerd Dispatch regarding Newhire Firefighter training we are doing with our 4 new Paid on-Call Firefighters. They are part of the Fire Academy that is being held for 26 new firefighters in Crow Wing County. They should be done with their training in the middle of January.



Brainerd Fire Department Monthly Report November 2022

INSPECTIONS	
Fire Alarm	49
Hood Suppression	30
Knox Box	1
Licensing Inspection	9
Safety Inspection	3
Sprinkler System	35

BRAINERD FIRE COVERAGE AREA INCIDENT REPORT	
Type of NFIRS Incident (National Fire Incident Reporting System)	Coverage Area Total Incidents (Includes City of Brainerd)
Fire	1
Rescue & Emergency Medical Service	9
Hazardous Condition	6
Service Calls	6
Good Intent Call	16
Alarm Activation	21
Severe Weather	59
TOTAL	
Type of NFIRS Incident (National Fire Incident Reporting System)	City of Brainerd Total Incidents
Fire	0
Rescue & Emergency Medical Service	2
Hazardous Condition	3
Service Calls	3
Good Intent Call	8
Alarm Activation	8
Severe Weather	0
TOTAL	24





HR DIRECTOR REPORT

In this report:

- Classification and Compensation Study
- Special Notes
- Personnel
- Union Negotiations
- Wellness Committee

Classification and Compensation Study

The City Council hired Flaherty and Hood, P.A. to conduct our Classification and Compensation Study. Project Kickoff/Employee Informational Meetings were held on November 28th. During those informational meetings, the consultant discussed the steps of the process and addressed questions. The consultant also discussed the Job Analysis Questionnaire (JAQ) that was distributed to employees on November 30th. The deadline for employees to complete and submit their JAQ to their Department Head is December 14th. Department Heads will then go through each JAQ and provide comments as needed. The JAQs will then be forwarded to the HR Director and City Administrator for final review before being submitted to Flaherty and Hood for their review and consideration.

The BPU Commission, at its November 29th meeting, discussed succession planning and requested that our Classification and Compensation Consultant be contacted requesting a review and recommendation regarding the BPU Department to prepare for BPU Finance Director Wicklund's upcoming retirement. The consultant has clarified that Flaherty & Hood will review the top two job classes in the BPU Department by the Commission's deadline of 2/17/2023.

Special Notes

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. Department Heads are in the process of submitting final performance review ratings to the HR Department for filing.

The City Administrator's 2022 performance review will be conducted at a closed Council session on December 19th.

The deadline for the Mayor and Council to submit their 2023 health insurance election form was November 30th. If you haven't submitted your election form yet, please do so ASAP.

Personnel

Farewell to:

Jonathan Engholm—Lineworker (11/4)

Current Job Opportunities:

Full-time

Engineering Technician - Accepting applications until filled.

Assistant Planner - Accepting applications until filled.

HRA Operations Administrative Specialist - Accepting applications until filled.

Part-time:

Pond Hockey Officials - Accepting applications until filled

Warming House Attendant - Accepting applications until filled.

There are currently five City/BPU/HRA employees with Family & Medical Leave Act (FMLA) issues resulting in intermittent leave when needed. There is one employee absent at this time due to a non-work-related illness. An employee that had a worker's comp injury has now received permanent work restrictions from his doctor. Staff is working with our City Attorney on how to proceed.

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. Mediation is scheduled for December 2nd with the IBEW Administrative Support Union. Personnel & Finance Committee Chair Johnson plans to attend the mediation. Negotiations are scheduled with the IUOE Union representing the Streets and Parks Department on December 5th.

Wellness Committee

2nd Annual Home Instead Senior Gift Tree – New for 2022 is two locations to choose from: City Hall or Brainerd Public Utilities. Take a gift tag from the Gift Giving Tree and purchase the item(s) listed for a senior citizen in need. Wrap the gift with the tag attached and return by December 9th. Last year, our staff collected 690 gifts for Brainerd Area seniors – we gave them a little extra reason to smile!

On November 30, 2022, the City encouraged all employees to "Go Blue" to support Men's Health.

December Lunch-n-Learn will be held on Thursday, December 8, 2022. There will be various soups, salads, breads, and sweets to enjoy while doing DIY Crafts and playing games! The Committee has also created a December calendar to encourage a healthy lifestyle during the busy holiday season.



Brainerd City Council Agenda Request

Requested Meeting Date: December 5, 2022

Title of Item: Resolution Designating Polling Locations for 2023

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: N/A - Consent

Estimated Time Needed: N/A - Consent

Summary of Issue:

Per MN Statute 204B.16 subd.1 requires all municipalities to designate polling places for each precinct by December 31st each year for the next calendar year regardless if there is an election scheduled for the year or not.

Alternative, Options, Effects on Others/Comments:

Recommended Action/Motion:

Adopt the attached resolution designating polling places for 2023 for the City of Brainerd.

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)

RESOLUTION

NO. __:22

ESTABLISHING POLLING PLACES

WHEREAS, per revised Minnesota Statute 204B.16 subd.1 the governing body of each municipality must designate by ordinance or resolution a polling place by December 31st of year year;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Brainerd that the polling location for the calendar year 2023 for the City of Brainerd are:

Ward 1 Precinct 1	Trinity Lutheran Church; 1420 South 6 th Street
Ward 1 Precinct 2	Church of Jesus Christ of Latter-Day Saints; 101 Buffalo Hills Lane W
Ward 2 Precinct 1	Essentia Health Sports Center; 502 Jackson Street
Ward 2 Precinct 2	The Center; 803 Kingwood Street
Ward 3 Precinct 1	North East Brainerd Fire Station; 1301 Mill Ave
Ward 3 Precinct 2	Bethlehem Evangelical Lutheran Church; 418 8 th Ave Northeast
Ward 3 Precinct 3	Bethlehem Evangelical Lutheran Church; 418 8 th Ave Northeast
Ward 4 Precinct 1	St. Andrew's Catholic Church; 1108 Willow Street
Ward 4 Precinct 2	St. Andrew's Catholic Church; 1108 Willow Street

Adopted this ____ day of _____, 2022

GABE JOHNSON
President of the Council

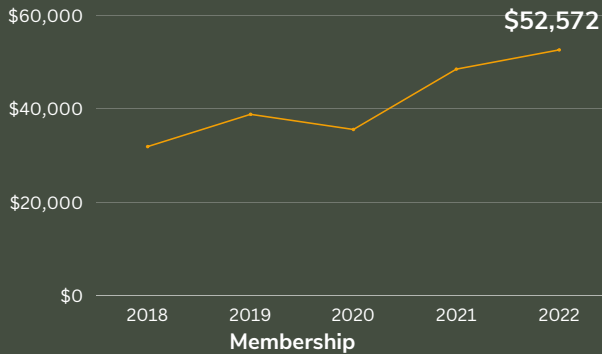
Adopted this ____ day of _____, 2022

DAVE BADEAUX
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator

NORTHLAND ARBORETUM 2022 DASHBOARD

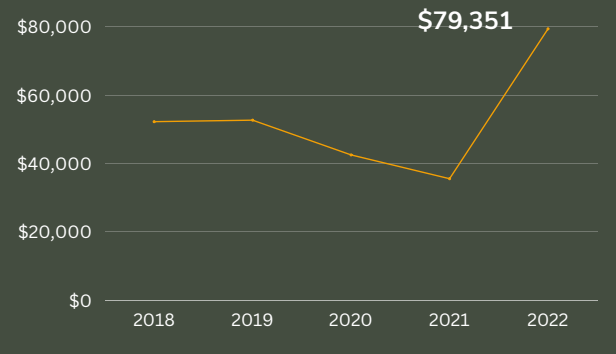
Updated through September 30th, 2022



We currently have 1303 members

MEMBERSHIP DRIVE IN PROGRESS

Membership Dues will increase January 1st, 2023



Event Revenue:

\$80,059.02

Grants:

\$20,195
+\$40,000 SWCD grant

Donations:

\$59,037

Agency Fund

BLACF
\$86,069.92

Community Impact:

The Northland Arboretum is a 413-acre nature non-profit focused on connecting the community to the outdoors all year long. Our 12-mile trail system, community gardens, rare species and habitats see over 25,000 visits per year. Your support makes significant impact to the health and wellbeing of our community.



Grounds Improvements for better visitor experience



Promoting hands-on experiences in nature



Creating opportunities for spontaneous learning.



Creating demonstration gardens for educational purposes.



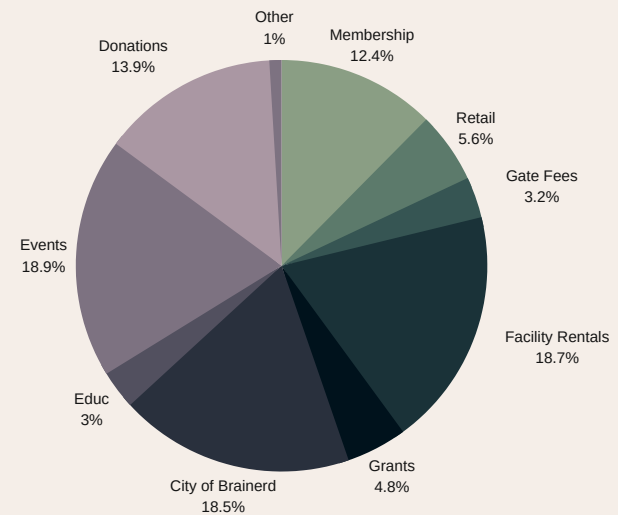
Installing footbridges and lighting for safer trails.



Expanding nature curriculums for all ages.

Revenue
FY22 : \$423,517.80

Budget
FY22 : \$330,798



Upcoming Needs

- **Staff Capacity** (Naturalist/Intern/Development)
- **Maintenance/Storage Capacity**
- **Land Management Capacity**
- **Nature Education Collaborations**
- **Board / Committee Capacity**





Brainerd City Council Agenda Request

Requested Meeting Date: December 5, 2022

Title of Item: Approve BPU 2023 Operating and Capital Budget

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: Todd Wicklund

Department: BPU

Presenter: BPU Commissioners & Staff

Estimated Time Needed: 15 Minutes

Summary of Issue:

BPU Commissioners and Staff will be at the council meeting to present BPU's 2023 Operating and Capital Budget. A copy of the budget is attached.

The Commission adopted the attached budget contingent upon City Council approval.

Alternative, Options, Effects on Others/Comments:

Recommended Action/Motion:

Adopt BPU's 2023 operating and capital budgets as presented.

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 PUBLIC UTILITIES

8027 Highland Scenic Rd • P.O. Box 373 • Brainerd, Minnesota 56401

Business Office: 218.829.8726 ■ **Repair Service:** 218.829.2193

www.bpu.org

To: Brainerd Public Utilities Commission

From: Todd Wicklund *TOW*

Date: November 21, 2022

Re: 2023 Capital and Operating Budgets

The following is a summary of 2023 Capital and Operating Budgets.

2023 to 2027 Capital Budgets

Electric Distribution and Generation Department

1. Total 2023 amount is \$3,043,000.
2. Three largest projects for 2023 are upgrade of St. Joe substation of \$700,000, 34.5 kV distribution system improvements of \$650,000, and system distribution transformers of \$750,000.
3. It should be noted lead time to obtain transformers, conductor, etc. it not in months but years and the cost has tripled from prior years.
4. See Capital Asset Additions graph for recent years on page 17.

Water Department

1. Total 2023 amount is \$3,762,000 of which \$2.3 million for construction of new ground reservoirs is financed by 2021A bond proceeds and WAC charges.
2. The reclamation/backwash system improvements scheduled for 2024 in the amount of \$5 million has been included on the State's bonding bill for 2023.
3. The next largest project is City watermain projects ranging from \$950,000 in 2023 to \$1.5 million in 2027. The total amount projected for watermain projects for the period 2023 to 2027 is \$5.95 million.
4. See Capital Asset Additions graph for recent years on page 18.

Wastewater Treatment Department

1. Total 2023 amount is \$4,133,000 which includes new River Crossing from Main Lift Station of \$1.9 million and \$500,000 for preliminary design for biosolids upgrade. These projects are anticipated to be funded by operations, debt issuance, and cash reserves. Federal infrastructure funding will be utilized if available.
2. The largest project is the construction of storage tank and biosolids upgrade in the amount of \$20.5 million, starting with design in 2023 for \$500,000 and \$10 million for both 2024 and 2025.
3. The next largest project scheduled for 2023 is purchase of new tractor for biosolids application for \$210,000.
4. Other improvements to lift stations are anticipated to be \$980,000 in 2023.
5. See Capital Asset Additions graph for recent years on page 19.

Administration Department

1. Total 2023 amount is \$305,500.
2. The largest projects for 2023 are computer system improvements of \$107,000 and SCADA upgrades of \$100,000.
3. Administration Department projects are generally deemed to be system wide improvements which are allocated 60% to electric, and 20% each to water and wastewater treatment.

2023 Operating Budget

Combined All Departments

1. Projected actual total revenue for 2022 is \$30.1 million. Budgeted revenue for 2022 is \$29.3 million and the 2023 budget total revenue is projected to be \$36.4 million which includes \$6.8 million from industrial crypto mining customers.
2. Projected actual total expenses for 2022 is \$29.5 million of which the two largest items are purchased power of \$12.5 million and depreciation of \$5.2 million. Budgeted expenses for 2022 are \$28.6 million of which the two largest items are purchased power of \$12.4 million and depreciation of \$5.1 million. Budgeted expenses for 2023 are projected to be \$34.7 million with purchased power being \$17.7 million (including \$6.5 million for crypto mining) and depreciation being \$5.0 million.
3. Projected actual change in net position for 2022 is \$546,000 while budgeted amount was projected to be \$623,000 million. Budgeted amount for 2023 is projected to be \$1.7 million.

Graphs and Analysis of 2023 Operating and Capital Budget

Total Revenue and Expenses for All Departments - The change in net position as a percentage of total revenue for the years 2019 – 2022 is 8.7%, 8.2%, 8.0%, and 1.8%, respectively. The percentage for the 2022 and 2023 operating budget is 2.1% and 4.7%, respectively.

Capital Asset Additions and Budget

Electric – Average capital asset additions for the years 2019-2022 was \$2.2 million while the average budget for the same time frame was \$2.7 million. Capital asset budget including share of administration for 2023 is anticipated to be \$3.2 million.

Water – Average capital asset additions for the years 2019-2022 was \$2.3 million while the average budget for the same time frame was \$4.7 million which included \$1.4 million in average net bond issuance and assessment charges. Capital asset budget including share of administration for 2023 is anticipated to be \$3.8 million.

Wastewater – Average capital asset additions for the years 2019-2022 was \$940,000 while the average budget for the same time frame was \$1.7 million. Capital asset budget including share of administration for 2023 is anticipated to be \$4.2 million.

**BRAINERD PUBLIC UTILITIES
OPERATING BUDGET FOR THE YEAR
ENDED DECEMBER 31, 2023
AND
CAPITAL IMPROVEMENT BUDGET FOR
THE YEARS 2023 THROUGH 2027**

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**BRAINERD PUBLIC UTILITIES
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Capital Improvement Budget

**Brainerd Public Utilities
Capital Improvement Budget
For the Years 2023 Through 2027**

Department	2023	2024	2025	2026	2027	Total
<u>Electric Department</u>						
<u>Cost of Capital Projects</u>						
Distribution	\$2,552,000	\$2,408,000	\$1,822,000	\$2,180,000	\$1,948,000	\$10,910,000
Generation (Hydro)	491,000	1,381,000	396,000	174,000	167,000	2,609,000
Administration (60%)	183,300	123,000	156,600	130,200	148,200	741,300
Total	3,226,300	3,912,000	2,374,600	2,484,200	2,263,200	14,260,300
<u>Funding Source</u>						
Operations	3,226,300	2,512,000	2,374,600	2,184,200	2,263,200	12,560,300
Bond Issuance	-	1,400,000	-	300,000	-	1,700,000
Total	3,226,300	3,912,000	2,374,600	2,484,200	2,263,200	14,260,300
<u>Water Department</u>						
<u>Cost of Capital Projects</u>						
System Improvements	3,762,000	6,507,000	1,408,000	1,580,500	1,829,500	15,087,000
Administration (20%)	61,100	41,000	52,200	43,400	49,400	247,100
Total	3,823,100	6,548,000	1,460,200	1,623,900	1,878,900	15,334,100
<u>Funding Source</u>						
Operations	273,100	48,000	60,200	123,900	78,900	584,100
Bond Issuance	3,250,000	6,200,000	1,100,000	1,200,000	1,500,000	13,250,000
Assessment Charges	300,000	300,000	300,000	300,000	300,000	1,500,000
Total	3,823,100	6,548,000	1,460,200	1,623,900	1,878,900	15,334,100
<u>Wastewater Treatment Department</u>						
<u>Cost of Capital Projects</u>						
System Improvements	4,133,000	10,684,000	10,498,000	344,000	271,000	25,930,000
Administration (20%)	61,100	41,000	52,200	43,400	49,400	247,100
Total	4,194,100	10,725,000	10,550,200	387,400	320,400	26,177,100
<u>Funding Source</u>						
Operations	1,794,100	725,000	550,200	387,400	320,400	3,777,100
Bond Issuance	2,400,000	10,000,000	10,000,000	-	-	22,400,000
Total	4,194,100	10,725,000	10,550,200	387,400	320,400	26,177,100
<u>Combined All Departments</u>						
<u>Cost of Capital Projects</u>	11,243,500	21,185,000	14,385,000	4,495,500	4,462,500	55,771,500
<u>Funding Source</u>						
Operations	5,293,500	3,285,000	2,985,000	2,695,500	2,662,500	16,921,500
Bond Issuance	5,650,000	17,600,000	11,100,000	1,500,000	1,500,000	37,350,000
Assessment Charges	300,000	300,000	300,000	300,000	300,000	1,500,000
Total	11,243,500	21,185,000	14,385,000	4,495,500	4,462,500	55,771,500

**Brainerd Public Utilities
Electric Distribution Department
Capital Improvement Budget
For the Years 2023 Through 2027**

Project No.	Project Description	2023	2024	2025	2026	2027	Total
Production System Improvements							
01	Load Management/Time of Use	\$ 10,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 30,000
02	Electric System Model/GIS software	25,000	10,000	25,000	10,000	25,000	95,000
03	Reclosures / VFI	50,000	60,000	50,000	60,000	50,000	270,000
Distribution System Improvements							
01	34.5 KV Distribution Expansion & Improv.	650,000	650,000	650,000	700,000	700,000	3,350,000
02	St. Joes Sub-Station Upgrade	700,000					700,000
03	Underground Service Conversions	50,000	50,000	50,000	50,000	50,000	250,000
04	System Distribution Transformers	750,000	750,000	750,000	750,000	800,000	3,800,000
Lighting System Expansion and Improvements							
01	Conversion to Energy Efficient Street Lighting	60,000	50,000	50,000	50,000	50,000	260,000
Special Equipment							
01	34.5 kV Tools	30,000	35,000	40,000	45,000	50,000	200,000
Service Improvements							
01	Service Drop Improvements/Meter Improv.	5,000	5,000	5,000	5,000	5,000	25,000
Safety Equipment							
01	Safety Equipment	50,000	50,000	50,000	55,000	55,000	260,000
Test Equipment							
01	Misc. Line and Meter	30,000	30,000	35,000	35,000	40,000	170,000
02	Misc. Survey Tools	20,000	20,000	25,000	25,000	25,000	115,000
Trucks, Vehicles, and Tools							
01	Aerial Device/Digger Derrick		450,000		300,000		750,000
02	Drill Rig/Crane		150,000				150,000
03	Anchor Driver Attachment	10,000					10,000
04	Operations Pick-up	40,000					40,000
05	Underground Troubleshooting Vehicle			40,000			40,000
Total Before Debt Financing and Contingencies		2,430,000	2,315,000	1,735,000	2,090,000	1,855,000	10,425,000
Projects Funded with Debt Financing			450,000	-	300,000	-	750,000
Total Before Contingencies		2,430,000	1,865,000	1,735,000	1,790,000	1,855,000	9,675,000
Contingencies		122,000	93,000	87,000	90,000	93,000	485,000
Grand Total		\$ 2,552,000	\$ 1,958,000	\$ 1,822,000	\$ 1,880,000	\$ 1,948,000	\$ 10,160,000

**Brainerd Public Utilities
Water Department
Capital Improvement Budget
For the Years 2023 Through 2027**

Project No.	Project Description	2023	2024	2025	2026	2027	Total
Production System Improvements							
01	Well Rehab	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 150,000
02	Mag Meters for Pump Room	15,000					15,000
Water Reservoir/Tanks							
01	Reclamation/Backwash Tank		5,000,000				5,000,000
02	2 Million Gallon Ground Reservoir	2,300,000					2,300,000
Filtration/Treatment Facility Improvements							
01	Filter Bed Improvements	100,000	100,000	100,000	100,000	100,000	500,000
02	Valves/Actuators/Level Indicators	55,000	40,000	50,000	50,000	55,000	250,000
03	Chemical Pumps	6,000	8,000	8,000	10,000	10,000	42,000
04	Pump House Roof	20,000					20,000
05	North Plant Valve Controls	40,000					40,000
Distribution System Improvements							
01	Gates/Valves/Hydrants	50,000	50,000	55,000	55,000	60,000	270,000
02	City Watermain Projects	950,000	1,200,000	1,100,000	1,200,000	1,500,000	5,950,000
Water Service Improvements							
01	Water Service Line Improvements	25,000	15,000	20,000	20,000	25,000	105,000
02	Commercial Water Meter Improvements	20,000	20,000		20,000		60,000
Special Equipment							
01	Laboratory Equipment/Scales/Containment	5,000	5,000	6,000	7,000	8,000	31,000
Trucks, Vehicles, and Tools							
01	Service Truck #2				45,000		45,000
02	Water Plant Pick-Up	40,000					40,000
03	Kubota Side-by-Side	25,000					25,000
04	Small Tools and Shop Equipment	15,000	5,000	5,000	5,000	5,000	35,000
Safety Equipment							
01	Barricades/Warning Equipment/Fall Equip.	5,000	6,000	6,000	6,500	6,500	30,000
02	PPE	5,000	6,000	6,000	6,500	6,500	30,000
Other Improvements							
01	Instrumental & Control System	7,000	7,000	7,000	7,500	7,500	36,000
02	Control Room Remodel	15,000					15,000
03	Parking Lot Maintenance	10,000					10,000
04	Riverside Booster Generator	38,000					38,000
Total Before Debt Financing and Contingencies		3,738,000	6,492,000	1,393,000	1,562,500	1,813,500	14,999,000
Projects Funded with Debt Financing/WAC Funds		3,250,000	6,200,000	1,100,000	1,200,000	1,500,000	13,250,000
Total Before Contingencies		488,000	292,000	293,000	362,500	313,500	1,749,000
Contingencies		24,000	15,000	15,000	18,000	16,000	88,000
Grand Total		\$ 512,000	\$ 307,000	\$ 308,000	\$ 380,500	\$ 329,500	\$ 1,837,000

**Brainerd Public Utilities
Wastewater Treatment Department
Capital Improvement Budget
For the Years 2023 Through 2027**

Project No.	Project Description	2023	2024	2025	2026	2027	Total
Improvements to Building							
01	Energy Improvements Control Building	\$ 10,000	\$ 10,000				\$ 20,000
02	Grounds Maintenance	10,000	10,000	15,000	15,000	15,000	65,000
03	Control Building HVAC/upgrades	130,000					130,000
Equipment							
01	Sampling Devices/System Flow Meters	10,000	12,000	12,000	15,000	15,000	64,000
02	WWTP PLC Upgrades	60,000	60,000	60,000	60,000		240,000
Improvements to WWTP							
01	WAS tank Pumps	35,000					35,000
02	One Bank UV Bulbs	10,000	35,000	10,000	40,000	15,000	110,000
03	SBR Motive Pumps	100,000	100,000	100,000	100,000	100,000	500,000
04	Chemical Building Tanks	25,000					25,000
05	Storage Tank/Biosolids Upgrades	500,000	10,000,000	10,000,000			20,500,000
06	New Lab/Operations Room	10,000	12,000	15,000			37,000
07	Digester Improvements	60,000					60,000
08	Digester Pump Rebuild Kits	10,000	10,000	10,000	10,000	10,000	50,000
09	GBT Control Panel Replacement	150,000					150,000
Improvements to Lift Stations							
01	Control Panels	200,000					200,000
02	Evergreen/Screen/Grit/Flow Meter	200,000	200,000				400,000
03	Main Lift Force Main River Crossing	1,900,000					1,900,000
04	Main Lift/Screen/MAU/Grit	150,000	100,000	100,000			350,000
05	Lift Station Pump Replacement (>10HP)	50,000	50,000	60,000	60,000	70,000	290,000
06	Tyrol Lift - pumps and piping	50,000					50,000
07	Buffalo Lift - pumps and piping	50,000					50,000
08	SW 6th Gen Set	50,000					50,000
09	Main Lift/Screen/MCC/HVAC	200,000					200,000
10	Crack Fill at Liftstation driveways	10,000					10,000
11	Force Main Inspection/Mapping	20,000					20,000
Test Equipment							
01	Lab Equipment	10,000	10,000	15,000	15,000	20,000	70,000
Safety Equipment							
01	Personal Protective Equipment	5,000	6,000	6,000	6,500	6,500	30,000
02	Hand Tools	5,000	6,000	6,000	6,500	6,500	30,000
Trucks and Vehicles							
01	Truck			65,000			65,000
02	Va cTron Trailer	30,000	30,000				60,000
03	Snow Plow for Truck	11,000					11,000
04	Tractor	210,000					210,000
Total Before Debt Financing and Contingencies		4,050,000	10,651,000	10,474,000	328,000	258,000	25,761,000
Projects Funded with Debt Financing/SAC Funds		2,400,000	10,000,000	10,000,000	-	-	22,400,000
Total Before Contingencies		1,650,000	651,000	474,000	328,000	258,000	3,361,000
Contingencies		83,000	33,000	24,000	16,000	13,000	169,000
Grand Total		\$ 1,733,000	\$ 684,000	\$ 498,000	\$ 344,000	\$ 271,000	\$ 3,530,000

Brainerd Public Utilities
Electric Generation (Hydro) Department
Capital Improvement Budget
For the Years 2023 Through 2027

Project No.	Project Description	2023	2024	2025	2026	2027	Total
Improvements to Building							
01	Paint - Interior	\$ 5,000					\$ 5,000
02	Paint - Exterior	30,000					30,000
03	Roof Repair	50,000					50,000
Equipment							
01	Fuses/Stocking /Backup Parts/Gauges	13,000	13,000	15,000	16,000	16,000	73,000
02	Sump Pumps/Hydraulic Upgrades	10,000	10,000	10,000	15,000	15,000	60,000
03	Turbine Modernization		950,000				950,000
04	Generator Maintenance	75,000	75,000	85,000	85,000	85,000	405,000
05	Generator Automation	200,000	200,000	200,000			600,000
Improvements to Dam Site							
01	Gate Maintenance	20,000	20,000	25,000	25,000	30,000	120,000
02	Grating over Turbine Pit	30,000	30,000	30,000			90,000
Safety Equipment							
01	Personal Protective Equipment	5,000	6,000	6,000	6,500	6,500	30,000
02	Hand Tools	5,000	6,000	6,000	6,500	6,500	30,000
03	Bouy Maintenance	10,000			12,000		22,000
Trucks and Vehicles							
01	Forklift		50,000				50,000
Other Improvements							
01	FERC Re-licensing	15,000					15,000
Total Before Debt Financing and Contingencies		468,000	1,360,000	377,000	166,000	159,000	2,530,000
Projects Funded with Debt Financing		-	950,000	-	-	-	950,000
Total Before Contingencies		468,000	410,000	377,000	166,000	159,000	1,580,000
Contingencies		23,000	21,000	19,000	8,000	8,000	79,000
Grand Total		\$ 491,000	\$ 431,000	\$ 396,000	\$ 174,000	\$ 167,000	\$ 1,659,000

**Brainerd Public Utilities
Administration Department
Capital Improvement Budget
For the Years 2023 Through 2027**

Project No.	Project Description	2023	2024	2025	2026	2027	Total
Improvements to Service Center							
01	Parking Lot		\$ 5,000		\$ 5,000		\$ 10,000
02	Exterior Security - Fence/Gate/Parking Lot	5,000	5,000				10,000
03	Mechanic Pick-up	40,000					40,000
04	Engineering Tech Pick-up			32,000			32,000
Other Improvements							
01	Custodial/Grounds Keeping Equipment	6,500	15,000	10,000	15,000	10,000	56,500
Safety Equipment							
01	Radios	12,000	10,000	12,000	12,000	15,000	61,000
Information Technology Improvements							
01	Computer System Improvements	107,000	60,000	75,000	75,000	85,000	402,000
02	SCADA upgrades	100,000	100,000	100,000	100,000	100,000	500,000
03	Utility software upgrade	20,000		20,000		25,000	65,000
Total Before Contingencies		290,500	195,000	249,000	207,000	235,000	1,176,500
Contingencies		15,000	10,000	12,000	10,000	12,000	59,000
Grand Total		\$ 305,500	\$ 205,000	\$ 261,000	\$ 217,000	\$ 247,000	\$ 1,235,500

Detail of 2023 Operating Budget

Brainerd Public Utilities
Summary of 2023 Operating Budget
Combined All Departments

	Actual			2022		2022 Favorable (Unfavorable) Variance	2023 Budget
	2019	2020	2021	Projected Actual	Budget		
Utility Revenue							
Residential	\$ 8,854,987	\$ 9,084,392	\$ 9,354,559	\$ 9,505,875	\$ 9,625,200	\$ (119,325)	\$ 9,589,200
Commercial	17,594,980	16,231,562	18,096,016	18,535,587	17,413,200	1,122,387	24,400,800
Total Utility Revenue	26,449,967	25,315,954	27,450,575	28,041,462	27,038,400	1,003,062	33,990,000
Other Revenue							
Local Option Sales Tax Proceeds - Brainerd	1,083,144	1,217,700	1,331,925	1,356,141	1,218,000	138,141	1,344,000
Local Option Sales Tax Proceeds - Baxter	329,847	345,148	383,049	401,500	381,600	19,900	394,800
Interest Revenue Investments	491,353	370,983	(46,660)	(771,131)	85,200	(856,331)	56,800
Interest Revenue - Notes Receivable	158,204	147,679	135,313	120,940	123,600	(2,660)	108,000
Federal Grant Revenue - Build America Bond	104,911	101,312	88,709	79,411	80,400	(989)	70,800
Other Revenue	525,551	395,001	358,890	848,897	324,000	524,897	432,000
Contributed Capital	-	-	976,000	-	-	-	-
Total Other Revenue	2,693,010	2,577,823	3,227,226	2,035,758	2,212,800	(177,042)	2,406,400
Total Revenue	29,142,977	27,893,777	30,677,801	30,077,220	29,251,200	826,020	36,396,400
Expenses							
Purchased Power	11,928,124	10,559,355	12,021,143	12,535,840	12,372,000	(163,840)	17,653,200
Salaries and Wages	3,772,180	4,027,441	4,476,436	4,598,853	4,502,400	(87,367)	4,960,200
Operations and Maintenance	2,254,544	2,183,097	2,373,686	2,893,651	2,364,300	(529,351)	2,760,600
Employee Benefits	1,366,960	1,374,697	1,270,824	1,553,172	1,562,000	8,828	1,715,400
Other Charges	779,221	786,548	934,372	972,393	912,300	(60,093)	976,800
Depreciation	4,664,588	4,948,247	5,461,105	5,245,806	5,139,600	(106,206)	4,969,200
Interest Expense - Bonds	1,074,127	998,698	926,639	986,242	1,016,400	30,158	820,800
Cash Transfers to City	757,394	734,569	761,150	744,925	759,600	14,675	834,000
Total Expenses	26,597,138	25,612,652	28,225,355	29,530,882	28,628,600	(893,195)	34,690,200
Change in Net Position	\$ 2,545,839	\$ 2,281,125	\$ 2,452,446	\$ 546,338	\$ 622,600	\$ (67,175)	\$ 1,706,200

**Brainerd Public Utilities
2023 Operating Budget
Electric Department**

	Actual			2022		2022 Variance Positive (Negative)	2023 Budget
	2019	2020	2021	Projected Actual	Budget		
Electric Department Revenue							
<u>Utility Revenue</u>							
Residential	\$ 6,202,888	\$ 6,328,696	\$ 6,471,225	\$ 6,628,039	\$ 6,492,000	\$ 136,039	\$ 6,558,000
Commercial	7,592,383	7,153,738	9,836,029	10,305,548	10,008,000	297,548	10,116,000
Large Commercial	5,997,427	5,302,067	3,245,975	3,280,753	3,132,000	148,753	3,168,000
Industrial	-	-	-	603,172	-	603,172	6,834,000
City of Brainerd	386,842	348,270	353,436	347,061	360,000	(12,939)	354,000
BPU	827,030	771,792	766,335	757,041	768,000	(10,959)	768,000
Total Utility Revenue	21,006,570	19,904,563	20,673,000	21,921,615	20,760,000	1,161,615	27,798,000
<u>Other Revenues</u>							
Late Payment Penalties	127,435	32,657	66,145	104,500	84,000	20,500	90,000
Permits and Fees	41,038	12,179	25,394	32,200	21,600	10,600	26,400
Bad Debt Recoveries	12,331	12,039	15,541	4,300	12,000	(7,700)	6,000
Interest Revenue	93,330	149,615	(62)	(275,000)	36,000	(311,000)	24,000
Rental Revenue	39,908	24,199	7,012	64,500	28,800	35,700	24,000
Gain (Loss) on Sale of Capital Assets	47,835	(980)	31,522	34,500	6,000	28,500	6,000
Refunds and Reimbursements	13,070	(4,447)	30,532	4,772	3,600	1,172	3,600
Bond Premium	15,357	15,357	15,357	59,099	15,600	43,499	13,800
Grant Revenue	-	62,202	-	-	-	-	-
Other Non-Operating Revenue	45,175	38,247	24,816	104,500	22,800	81,700	36,000
Total Other Revenue	435,479	341,068	216,257	133,371	230,400	(97,029)	229,800
Total Revenue	21,442,049	20,245,631	20,889,257	22,054,985	20,990,400	1,064,585	28,027,800
Expenses							
<u>Purchased Power</u>	11,928,124	10,559,355	12,021,143	12,535,840	12,372,000	(163,840)	17,653,200
Generation and Distribution							
<u>Salaries and Wages</u>							
Regular Wages	1,439,716	1,521,484	1,656,963	1,542,109	2,017,200	475,091	2,298,000
Overtime Wages	146,600	153,618	175,955	209,665	-	(209,665)	-
Double Overtime Wages	22,664	21,595	21,439	66,944	-	(66,944)	-
Vacation Pay	97,635	110,348	159,582	164,361	-	(164,361)	-
Sick Pay	35,420	25,399	47,340	46,960	-	(46,960)	-
Services to the City	44,288	61,235	51,269	84,409	-	(84,409)	-
Less: Wages Capitalized	(302,212)	(337,993)	(264,472)	(221,016)	(216,000)	5,016	(220,800)
	1,484,111	1,555,686	1,848,076	1,893,433	1,801,200	(92,233)	2,077,200
<u>Operations and Maintenance</u>							
Communications	6,729	8,623	11,632	5,385	11,400	6,015	6,000
Utilities	8,904	8,260	10,039	11,088	9,000	(2,088)	11,400
Small Tools and Supplies	89,270	81,409	47,849	64,433	64,200	(233)	67,200
Personal Protection Equipment	-	5,352	27,452	20,967	27,000	6,033	22,200
Motor Fuels	39,393	27,825	43,214	63,309	39,600	(23,709)	61,200
Maintenance and Repair							
Equipment	88,227	113,806	41,590	107,969	45,600	(62,369)	76,800
Buildings	15,979	10,199	16,651	26,624	16,500	(10,124)	15,000
Other	80,289	69,377	84,183	126,237	86,400	(39,837)	90,000
Street Lights	31,212	55,365	16,746	29,927	24,000	(5,927)	30,000
Cleaning and Waste Removal	13,004	11,030	6,863	19,761	6,600	(13,161)	9,000
Testing and Monitoring	5,434	2,505	8,467	10,496	9,600	(896)	9,000
Consulting Services	8,025	6,525	-	-	32,400	32,400	30,000
Other Services	27,947	24,221	31,332	26,847	27,600	753	27,000
	414,413	424,497	346,018	513,044	399,900	(113,144)	454,800

**Brainerd Public Utilities
2023 Operating Budget
Electric Department**

	2022				2022		
				Projected		2023	
	2019	2020	2021	Actual	Budget	Budget	
						Variance	
						Positive	
						(Negative)	
Electric Department (Continued)							
Generation and Distribution (Continued)							
Employee Benefits							
Employee Benefits	\$ 18,170	\$ 11,258	\$ 3,332	\$ -	\$ 6,000	\$ 6,000	\$ 2,400
Pension	91,422	111,068	34,628	139,015	134,400	(4,615)	139,200
Health Insurance	264,816	229,037	255,234	279,384	271,200	(8,184)	282,000
Payroll Taxes	104,612	114,367	134,944	137,288	144,800	7,512	141,600
	479,020	465,730	428,138	555,687	556,400	713	565,200
Other Charges							
Licenses and Permits	41,314	43,260	37,132	36,651	39,600	2,949	38,400
Travel and Conferences	54,087	40,355	42,315	32,784	43,200	10,416	45,600
Miscellaneous	519	2,176	372	-	600	600	-
	95,920	85,791	79,819	69,435	83,400	13,965	84,000
Depreciation and Amortization	1,961,907	2,100,174	2,096,158	2,056,600	2,024,400	(32,200)	2,002,800
Total Generation and Distribution	4,435,371	4,631,878	4,798,209	5,088,198	4,865,300	(222,898)	5,184,000
Administration							
Salaries and Wages							
Regular Wages	583,861	665,323	659,487	624,424	801,600	177,176	861,600
Overtime Wages	9,837	12,367	14,610	20,520	-	(20,520)	-
Vacation Pay	55,000	59,209	73,879	81,921	-	(81,921)	-
Sick Pay	17,865	14,157	38,891	55,112	-	(55,112)	-
Board Member Salaries	6,480	6,466	6,480	6,621	4,800	(1,821)	5,400
	673,043	757,522	793,347	788,599	806,400	17,801	867,000
Operations and Maintenance							
Communications	32,349	38,203	41,356	53,264	39,600	(13,664)	45,600
Utilities	31,936	33,349	38,103	37,788	40,800	3,012	40,800
Small Tools and Supplies	1,334	3,571	2,447	-	2,400	2,400	1,200
Personal Protection Equipment	-	128	13	-	-	-	-
Motor Fuels	3,691	3,443	5,033	7,353	4,200	(3,153)	6,000
Maintenance and Repair							
Equipment	14,254	28,433	14,527	17,467	21,600	4,133	19,200
Buildings	5,698	4,170	7,134	11,556	7,200	(4,356)	7,800
Other	32,180	32,920	288	-	1,200	1,200	-
Maintenance Agreements	-	-	89,317	120,424	85,200	(35,224)	91,800
IT System Services	-	-	479	34,660	-	(34,660)	16,800
Consulting Services	111,269	171,401	126,272	97,117	116,400	19,283	99,600
Human Resource Services	-	-	-	59,850	30,000	(29,850)	54,000
Office Supplies	37,351	29,409	22,574	11,651	25,200	13,549	12,000
Other Services	18,090	13,565	16,402	48,553	13,200	(35,353)	24,000
	288,152	358,592	363,945	499,683	387,000	(112,683)	418,800
Employee Benefits							
Employee Benefits	13,500	15,657	28,306	29,244	5,400	(23,844)	19,800
Pension	88,258	20	11,783	57,567	72,600	15,033	70,200
Health Insurance	116,435	201,891	196,102	179,600	181,200	1,600	235,200
Payroll Taxes	47,966	55,160	57,585	58,713	61,800	3,087	66,000
	266,159	272,728	293,776	325,124	321,000	(4,124)	391,200
Other Charges							
General and Worker Comp. Insurance	144,807	125,201	144,451	179,929	175,200	(4,729)	181,200
Dues and Subscriptions	66,878	84,853	72,149	66,625	72,600	5,975	67,800
Licenses and Permits	35,675	36,858	40,124	39,154	38,400	(754)	28,200
Travel and Conferences	15,385	6,673	10,995	11,257	13,200	1,943	12,000
Miscellaneous	848	1,097	1,306	356	600	244	600
Bank Charges	29,783	16,136	51,632	3,929	14,400	10,471	5,400
Credit Card Transaction Fees	83,000	114,000	111,706	196,736	160,800	(35,936)	192,000
Interest Expense - Other	9,722	7,230	8,385	8,779	10,800	2,021	9,000
Interest Expense - Bonds	281,750	261,760	236,517	217,115	214,200	(2,915)	182,400
Bond Issuance Costs	-	-	-	-	-	-	-
Cash Transfers to City	757,394	734,569	761,150	744,925	759,600	14,675	834,000
Bad Debts	32,438	31,227	20,272	21,600	40,800	19,200	28,800
	1,457,680	1,419,604	1,458,687	1,490,405	1,500,600	10,195	1,541,400
Depreciation and Amortization	143,105	158,943	172,489	178,100	166,800	(11,300)	142,800
Total Administration	2,828,139	2,967,389	3,082,244	3,281,911	3,181,800	(100,111)	3,361,200
Total Expenses	19,191,634	18,158,622	19,901,596	20,905,949	20,419,100	(486,849)	26,198,400
Change in Net Position	\$ 2,250,415	\$ 2,087,009	\$ 987,661	\$ 1,149,036	\$ 571,300	\$ 577,736	\$ 1,829,400

**Brainerd Public Utilities
2023 Operating Budget
Water Department**

				2022		2022 Variance Positive (Negative)	2023 Budget
	Actual 2019	Actual 2020	Actual 2021	Projected Actual	Budget		
Water Department							
Revenue							
<u>Utility Revenue</u>							
Residential	\$ 1,256,745	\$ 1,344,748	\$ 1,469,941	\$ 1,530,835	\$ 1,723,200	\$ (192,365)	\$ 1,620,000
Commercial	1,141,336	1,177,962	2,265,451	1,533,591	1,543,800	(10,209)	1,446,000
City of Brainerd	99,273	103,076	114,859	124,195	121,200	2,995	128,400
BPU	65,923	68,811	84,865	87,636	93,600	(5,964)	93,000
Total Utility Revenue	2,563,277	2,694,597	3,935,116	3,276,257	3,481,800	(205,543)	3,287,400
<u>Other Revenues</u>							
Late Payment Penalties	21,433	5,521	13,427	19,727	10,800	8,927	18,000
Permits and Fees	5,978	2,550	2,650	2,533	3,600	(1,067)	3,000
Local Option Sales Tax Proceeds - Baxter	266,013	278,345	308,891	323,758	308,400	15,358	318,000
Bad Debt Recoveries	426	5,423	445	2,097	2,400	(303)	1,800
Interest Revenue	106,817	42,098	6,765	(41,131)	7,200	(48,331)	4,800
Water Availability Charges	-	-	-	-	-	-	-
Bond Premium	65,781	65,781	75,981	302,366	65,400	236,966	145,200
Gain (Loss) on Sale Capital Assets	1,605	70	1,051	14,876	-	14,876	-
Refunds and Reimbursements	(6,054)	543	(1,166)	(79)	-	(79)	-
Grant Revenue	-	21,528	-	520	-	520	-
Other Revenue	33,181	12,586	23,108	23,779	16,800	6,979	18,000
Contributed Capital	-	-	976,000	-	-	-	-
Total Other Revenue	495,180	434,445	1,407,152	648,447	414,600	233,847	508,800
Total Revenue	3,058,457	3,129,042	5,342,268	3,924,704	3,896,400	28,304	3,796,200
Expenses							
Production							
<u>Salaries and Wages</u>							
Regular Wages	196,765	236,469	244,904	180,852	369,600	188,748	366,000
Overtime Wages	24,384	27,404	30,507	38,980	-	(38,980)	-
Double Overtime Wages	-	-	-	9,087	-	-	-
Vacation Pay	15,857	17,003	19,167	27,701	-	(27,701)	-
Sick Pay	2,048	4,300	2,510	38,708	-	(38,708)	-
	239,054	285,176	297,088	295,328	369,600	83,359	366,000
<u>Operations and Maintenance</u>							
Communications	2,835	2,927	3,464	3,465	3,600	135	3,600
Utilities	111,000	107,628	139,242	117,979	121,200	3,221	123,600
Small Tools and Supplies	10,385	14,205	28,677	18,864	12,000	(6,864)	15,600
Maintenance and Repairs							
Equipment	13,473	13,253	27,362	20,033	18,000	(2,033)	20,400
Buildings	1,116	2,310	1,808	901	1,800	899	1,200
Other	-	-	530	-	-	-	-
Cleaning and Waste Removal	221	-	70	-	-	-	-
Testing and Monitoring	2,127	3,943	10,545	8,631	8,400	(231)	11,400
Printing and Publishing	-	-	-	1,000	-	(1,000)	-
Consulting Services	-	-	-	-	2,400	2,400	-
Other Commodities	14,374	36,793	90,570	95,305	42,000	(53,305)	92,400
Office Supplies	580	9	915	710	600	(110)	600
	156,111	181,068	303,183	266,888	210,000	(56,888)	268,800
<u>Employee Benefits</u>							
Employee Benefits	3,229	3,940	1,636	-	1,200	1,200	600
Pension	14,785	18,102	6,730	22,511	27,600	5,089	27,600
Health Insurance	64,879	83,834	82,879	89,620	90,000	380	91,200
Payroll Taxes	16,061	20,353	20,707	21,167	28,800	7,633	28,800
	98,954	126,229	111,952	133,297	147,600	14,303	148,200
<u>Other Charges</u>							
Licenses and Taxes	520	542	933	-	600	600	600
<u>Depreciation</u>	248,316	273,618	296,604	277,200	276,000	(1,200)	256,800
Total Production	742,955	866,633	1,009,760	972,713	1,003,800	40,173	1,040,400

**Brainerd Public Utilities
2023 Operating Budget
Water Department**

	2022					2022	2023
	Actual			Projected		Variance	
	2019	2020	2021	Actual	Budget	Positive (Negative)	
Water Department (Continued)							
Expenses (Continued)							
Distribution							
<u>Salaries and Wages</u>							
Regular Wages	300,646	301,891	325,399	334,871	501,600	166,729	494,400
Overtime Wages	33,056	36,320	34,180	37,721	-	(37,721)	
Double Overtime Wages	2,631	345	7,135	1,540	-	(1,540)	
Vacation Pay	26,724	27,803	30,122	46,007	-	(46,007)	
Sick Pay	11,026	15,380	16,217	27,221	-	(27,221)	
Less: Wages Capitalized	(9,737)	(29,280)	(13,290)	(3,723)	(26,400)	(22,677)	(18,000)
	364,346	352,459	399,763	443,637	475,200	31,563	476,400
<u>Operations and Maintenance</u>							
Communications	2,788	3,276	4,167	1,177	3,600	2,423	1,200
Utilities	70,663	68,113	85,342	76,984	74,400	(2,584)	78,000
Small Tools and Supplies	20,877	17,265	14,620	17,453	18,000	547	18,000
Personal Protection Equipment	-	1,055	1,911	5,493	1,200	(4,293)	3,600
Motor Fuels	14,789	13,274	15,690	23,724	14,400	(9,324)	19,200
Maintenance and Repair							
Equipment	23,419	25,490	30,413	49,569	26,400	(23,169)	37,200
Buildings	6,774	4,355	6,399	8,550	7,200	(1,350)	8,400
Other	35,494	15,864	2,987	37,400	6,000	(31,400)	21,600
Cleaning and Waste Removal	2,025	4,862	4,383	2,659	3,600	941	3,600
Testing and Monitoring	877	-	174	-	600	600	-
Printing and Publishing	147	88	-	-	-	-	-
Consulting Services	91,000	44,258	41,021	41,609	42,000	391	116,400
Other Commodities	4,151	2,923	6,275	11,507	4,200	(7,307)	8,400
Office Supplies	985	108	1,418	-	1,200	1,200	600
Other Services	1,086	770	1,726	635	1,200	565	1,200
	275,075	201,701	216,526	276,761	204,000	(72,761)	317,400
<u>Employee Benefits</u>							
Employee Benefits	\$ 3,232	\$ 1,737	\$ 25	\$ -	\$ 1,200	\$ 1,200	\$ 600
Pension	22,405	24,622	9,539	34,624	38,400	3,776	37,200
Health Insurance	70,646	72,753	63,165	78,524	66,600	(11,924)	85,200
Payroll Taxes	24,122	25,244	28,883	34,084	38,400	4,316	38,400
	120,405	124,356	101,612	147,232	144,600	(2,632)	161,400
<u>Other Charges</u>							
Dues and Subscriptions	76	667	647	400	900	500	600
Licenses and Taxes	7,432	8,511	17,577	11,433	10,200	(1,233)	11,400
Travel and Conferences	5,397	1,425	6,182	12,430	6,000	(6,430)	8,400
Miscellaneous	170	-	26	-	-	-	-
	13,075	10,603	24,432	24,263	17,100	(7,163)	20,400
<u>Depreciation</u>	758,213	809,904	823,709	829,200	804,000	(25,200)	814,800
Total Distribution	1,531,114	1,499,023	1,566,042	1,721,093	1,644,900	(76,193)	1,790,400
Administration							
<u>Salaries and Wages</u>							
Regular Wages	217,684	248,780	236,626	226,945	267,600	40,655	303,600
Overtime Wages	4,146	5,627	6,182	7,311	-	(7,311)	
Vacation Pay	20,220	22,084	26,260	29,888	-	(29,888)	
Sick Pay	7,847	5,454	13,354	19,040	-	(19,040)	
Board Member Salaries	2,160	2,155	2,160	2,207	2,400	193	2,400
	252,057	284,100	284,582	285,391	270,000	(15,391)	306,000

**Grainerd Public Utilities
2023 Operating Budget
Water Department**

				2022		2022 Variance Positive (Negative)	2023 Budget
	2019	Actual 2020	2021	Projected Actual	Budget		
Water Department (Continued)							
Expenses (Continued)							
Administration (Continued)							
<u>Operations and Maintenance</u>							
Communications	9,842	11,969	13,083	18,460	12,000	(6,460)	16,800
Utilities	12,129	12,315	13,888	14,091	14,400	309	14,400
Small Tools and Supplies	933	2,272	1,388	-	1,200	1,200	600
Personal Protection Equipment	-	76	13	247	-	(247)	-
Maintenance and Repair							
Equipment	7,830	10,841	6,633	6,727	7,200	473	7,200
Buildings	3,249	4,261	5,550	10,960	5,400	(5,560)	6,000
Other	1,075	1,105	113	-	600	600	-
Maintenance Agreements	9,672	9,941	21,270	31,339	16,800	(14,539)	27,600
IT System Services	-	-	159	12,425	-	(12,425)	9,600
Cleaning and Waste Removal	939	828	831	655	600	(55)	600
Printing and Publishing	2,199	1,324	1,822	15,355	1,800	(13,555)	3,600
Consulting Services	50,523	(14,669)	40,654	60,199	42,000	(18,199)	45,000
Human Resource Services	-	-	-	15,960	-	(15,960)	15,600
Other Commodities	77	261	423	1,101	-	(1,101)	600
Office Supplies	11,901	8,843	7,368	3,820	7,800	3,980	3,600
Other Services	6,077	7,222	983	1,185	1,200	15	1,200
	116,446	56,589	114,178	192,523	111,000	(81,523)	152,400
<u>Employee Benefits</u>							
Employee Benefits	4,550	3,816	587	776	1,200	424	600
Pension	31,631	2,548	6,016	20,335	20,400	65	22,800
Health Insurance	59,294	73,659	72,398	65,741	66,000	259	86,400
Payroll Taxes	17,630	20,617	20,662	20,572	20,400	(172)	24,000
	113,105	100,640	99,663	107,424	108,000	576	133,800
<u>Other Charges</u>							
Insurance and Bonds	52,513	48,041	44,301	51,892	52,800	908	54,000
Dues and Subscriptions	7,892	13,116	8,888	7,361	8,400	1,039	7,200
Licenses and Taxes	4,457	2,234	7,965	9,185	7,800	(1,385)	4,200
Travel and Conferences	993	52	1,220	1,136	600	(536)	600
Miscellaneous	-	2,570	63	667	600	(67)	600
Bank Charges	7,426	7,724	17,613	1,469	3,600	2,131	1,800
Credit Card Transaction Fees	27,700	31,000	37,235	71,386	42,000	(29,386)	68,400
Interest - Other	504	902	1,038	621	600	(21)	600
Interest - Bonds	277,217	257,525	254,312	388,611	401,400	12,789	310,800
Bond Issuance Costs	-	-	87,243	-	-	-	-
Bad Debts	2,581	1,995	2,000	2,400	4,200	1,800	2,400
	381,283	365,159	461,878	534,729	522,000	(12,729)	450,600
<u>Depreciation</u>							
	53,905	58,539	61,839	63,600	60,000	(3,600)	46,800
Total Administration	916,796	865,027	1,022,140	1,183,667	1,071,000	(112,667)	1,089,600
Total Expenses	3,190,865	3,230,683	3,597,942	3,877,473	3,719,700	(148,686)	3,920,400
Change in Net Position	\$ (132,408)	\$ (101,641)	\$ 1,744,326	\$ 47,231	\$ 176,700	\$ (120,383)	\$ (124,200)

**Brainerd Public Utilities
2023 Operating Budget
Wastewater Department**

	Actual			2022		2022	
	2019	2020	2021	Projected Actual	Budget	Variance Positive (Negative)	2023 Budget
Wastewater Department							
Revenue							
Utility Revenue							
Residential	\$ 1,395,354	\$ 1,410,948	\$ 1,413,393	1,347,001	\$ 1,410,000	\$ (62,999)	\$ 1,411,200
Commercial	768,958	721,484	787,350	808,800	769,200	39,600	772,800
City of Baxter	706,158	574,641	630,421	678,833	606,000	72,833	711,600
City of Brainerd	9,047	9,128	10,609	8,260	10,800	(2,540)	8,400
BPU	603	593	686	696	600	96	600
Total Utility Revenue	2,880,120	2,716,794	2,842,459	2,843,590	2,796,600	46,990	2,904,600
Other Revenues							
Late Payment Penalties	33,778	8,891	17,354	26,075	14,400	11,675	25,200
Local Option Sales Tax Proceeds - Brainerd	1,083,144	1,217,700	1,331,925	1,356,141	1,218,000	138,141	1,344,000
Local Option Sales Tax Proceeds - Baxter	63,834	66,803	74,158	77,742	73,200	4,542	76,800
Bad Debt Recoveries	721	593	641	212	-	212	-
Interest Revenue - Investments	291,206	179,270	(53,363)	(455,000)	42,000	(497,000)	28,000
Sewer Availability Charges	-	-	-	-	-	-	-
Gain (Loss) on Sale Capital Assets	-	13,494	127	-	-	-	-
Refunds and Reimbursements	308	315	-	124	-	124	-
Interest Revenue - Notes Receivable	158,204	147,679	135,313	120,940	123,600	(2,660)	108,000
Federal Grant Revenue - Build America Bond	104,911	101,312	88,709	79,411	80,400	(989)	70,800
Bond Premium	9,657	9,657	9,657	40,404	9,600	30,804	9,000
Grant Revenue	-	43,832	-	-	-	-	-
Other Revenue	16,588	12,764	(704)	7,892	6,600	1,292	6,000
Total Other Revenue	1,762,351	1,802,310	1,603,817	1,253,941	1,567,800	(313,859)	1,667,800
Total Revenue	4,642,471	4,519,104	4,446,276	4,097,531	4,364,400	(266,869)	4,572,400
Expenses							
Treatment							
Salaries and Wages							
Regular Wages	307,402	329,989	345,830	368,236	360,000	(8,236)	396,000
Overtime Wages	76,744	70,951	72,442	71,364	-	(71,364)	-
Doubletime Wages	-	-	229	12,653	-	(12,653)	-
Vacation Pay	19,970	16,620	21,569	24,665	-	(24,665)	-
Sick Pay	4,626	4,677	4,650	5,575	-	(5,575)	-
	408,742	422,237	444,720	482,493	360,000	(122,493)	396,000
Operations and Maintenance							
Communications	2,015	3,780	6,336	-	5,400	5,400	3,600
Utilities	573,196	531,484	498,840	536,420	516,000	(20,420)	540,000
Small Tools and Supplies	21,456	16,385	15,666	17,124	19,200	2,076	18,000
Personal Protection Equipment	-	180	1,459	1,899	1,800	(99)	2,400
Motor Fuels	14,297	13,494	13,832	19,164	11,400	(7,764)	19,200
Maintenance and Repair							
Equipment	88,618	73,738	102,328	94,491	92,400	(2,091)	94,800
Buildings	11,991	3,134	14,729	9,997	8,400	(1,597)	10,200
Other	1,056	1,056	497	-	600	600	600
Cleaning and Waste Removal	3,941	3,857	4,383	5,257	3,600	(1,657)	5,400
Testing and Monitoring	34,712	51,964	55,785	68,712	60,000	(8,712)	74,400
Printing and Publishing	3,116	374	420	-	600	600	-
Consulting Services	-	15,355	13,515	3,380	24,000	20,620	14,400
Other Commodities	18,079	41,037	51,996	52,356	45,600	(6,756)	51,600
Office Supplies	7,552	5,873	5,624	3,377	5,400	2,023	3,600
Other Services	2,343	1,354	1,231	-	1,200	1,200	-
	782,372	763,065	786,641	812,177	795,600	(16,577)	838,200
Employee Benefits							
Employee Benefits	4,771	7,697	2,100	-	1,200	1,200	600
Pension	25,297	31,106	6,999	35,779	27,000	(8,779)	30,000
Health Insurance	76,113	75,088	68,201	65,813	72,000	6,187	72,000
Payroll Taxes	28,159	29,732	31,353	34,741	27,000	(7,741)	30,000
	134,340	143,623	108,653	136,333	127,200	(9,133)	132,600
Other Charges							
Licenses and Permits	21,513	24,271	26,631	28,399	26,400	(1,999)	26,400
Dues and Subscriptions	74	711	3,954	-	3,600	3,600	1,200
Travel and Conferences	4,168	3,694	7,106	16,148	6,600	(9,548)	13,200
Miscellaneous	108	50	19	-	-	-	-
	25,863	28,726	37,710	44,547	36,600	(7,947)	40,800
Depreciation	1,287,610	1,318,270	1,690,732	1,517,013	1,494,000	(23,013)	1,398,000
Total Treatment	2,638,927	2,675,921	3,068,456	2,992,564	2,813,400	(179,164)	2,805,600

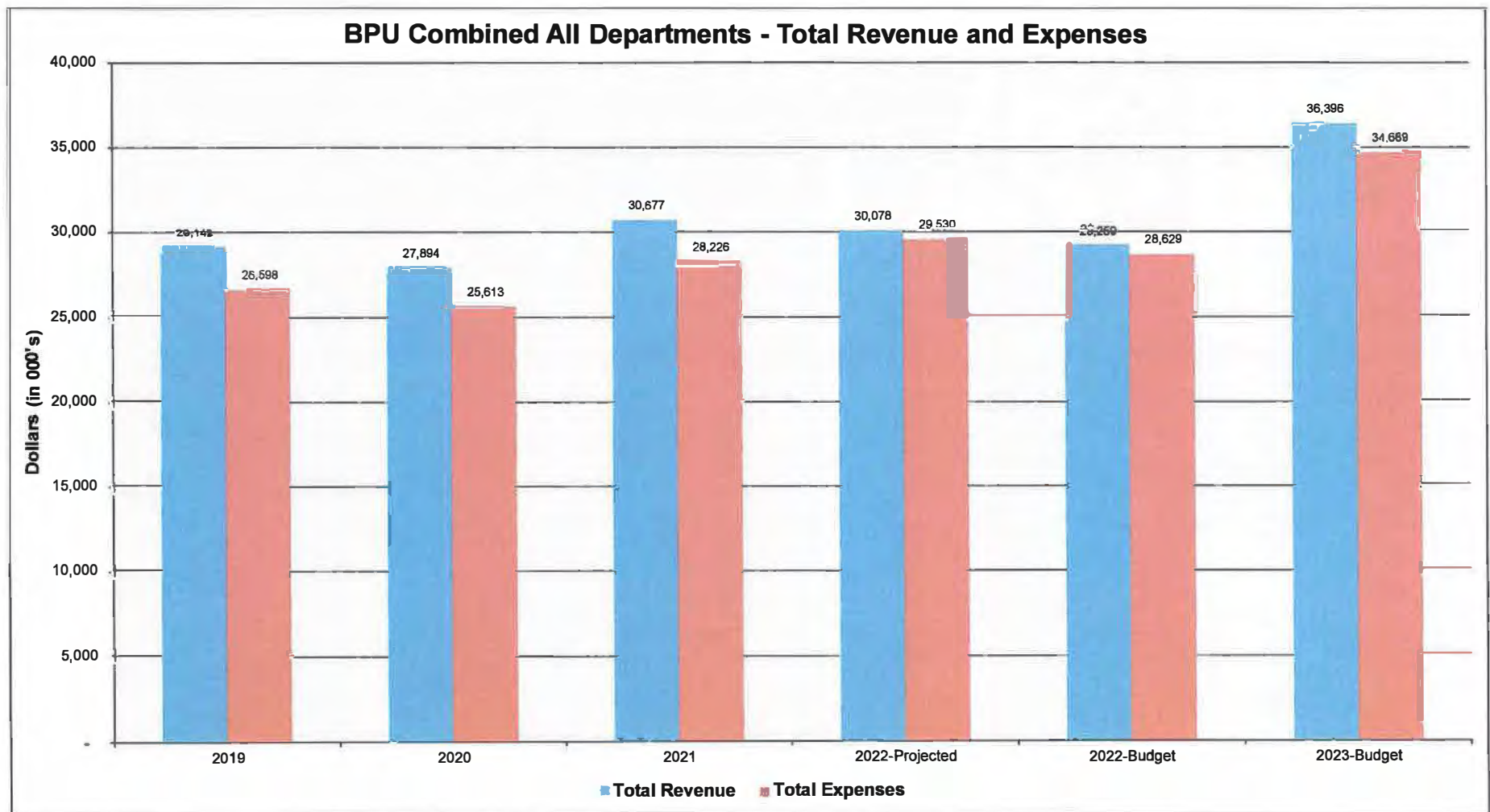
**Brainerd Public Utilities
2023 Operating Budget
Wastewater Department**

	Actual			2022		2022 Variance Positive (Negative)	2023 Budget
	2019	2020	2021	Projected Actual	Budget		
Wastewater Depart. (Continued)							
Expenses							
Lift Stations							
<u>Salaries and Wages</u>							
Regular Wages	97,093	94,031	104,831	96,721	152,400	55,679	180,000
Overtime Wages	19,841	19,306	19,347	17,964	-	(17,964)	-
Doubletime Wages	-	-	33	-	-	-	-
Vacation Pay	7,358	7,036	8,441	11,295	-	(11,295)	-
Sick Pay	1,405	1,846	1,291	10,121	-	(10,121)	-
	<u>125,697</u>	<u>122,219</u>	<u>133,943</u>	<u>136,101</u>	<u>152,400</u>	<u>16,299</u>	<u>180,000</u>
<u>Operations and Maintenance</u>							
Communications	2,960	3,485	3,508	2,908	3,600	692	3,600
Utilities	114,263	106,779	110,646	118,743	110,400	(8,343)	118,800
Small Tools and Supplies	1,366	1,827	1,383	165	2,400	2,235	1,200
Motor Fuels	7,017	3,443	6,174	7,353	6,000	(1,353)	7,800
Maintenance and Repair							
Equipment	11,227	10,621	20,523	29,303	21,600	(7,703)	24,000
Buildings	-	46	3,770	9,865	3,600	(6,265)	3,600
Other	75	-	-	-	-	-	-
Cleaning and Waste Removal	9,048	10,903	9,858	9,579	9,600	21	10,200
Testing and Monitoring	-	620	1,400	-	-	-	-
Consulting Services	-	4,212	7,898	-	10,800	10,800	7,200
Other Services	673	373	368	441	-	(441)	600
	<u>146,629</u>	<u>142,309</u>	<u>165,528</u>	<u>178,357</u>	<u>168,000</u>	<u>(10,357)</u>	<u>177,000</u>
<u>Employee Benefits</u>							
Employee Benefits	\$ 1,527	\$ 774	\$ -	\$ 150	\$ 1,200	\$ 1,050	\$ 1,200
Pension	7,424	9,491	2,231	9,999	12,000	2,001	13,800
Health Insurance	30,504	31,671	26,977	27,000	28,800	1,800	28,800
Payroll Taxes	8,530	8,530	9,370	9,492	12,000	2,508	13,800
	<u>47,985</u>	<u>50,466</u>	<u>38,578</u>	<u>46,641</u>	<u>54,000</u>	<u>7,359</u>	<u>57,600</u>
<u>Travel and Conferences</u>	-	-	-	1,719	-	(1,719)	-
<u>Depreciation</u>	<u>182,022</u>	<u>193,511</u>	<u>276,130</u>	<u>278,772</u>	<u>270,000</u>	<u>(8,772)</u>	<u>272,400</u>
Total Lift Stations	502,333	508,505	614,179	641,590	644,400	2,810	687,000
Administration							
<u>Salaries and Wages</u>							
Regular Wages	194,171	218,485	230,896	222,323	267,600	45,277	291,600
Overtime Wages	3,002	3,956	4,277	4,139	-	(4,139)	-
Vacation Pay	19,500	19,190	25,299	27,328	-	(27,328)	-
Sick Pay	6,297	4,256	12,285	17,875	-	(17,875)	-
Board Member Salaries	2,160	2,155	2,160	2,207	-	(2,207)	-
	<u>225,130</u>	<u>248,042</u>	<u>274,917</u>	<u>273,871</u>	<u>267,600</u>	<u>(6,271)</u>	<u>291,600</u>

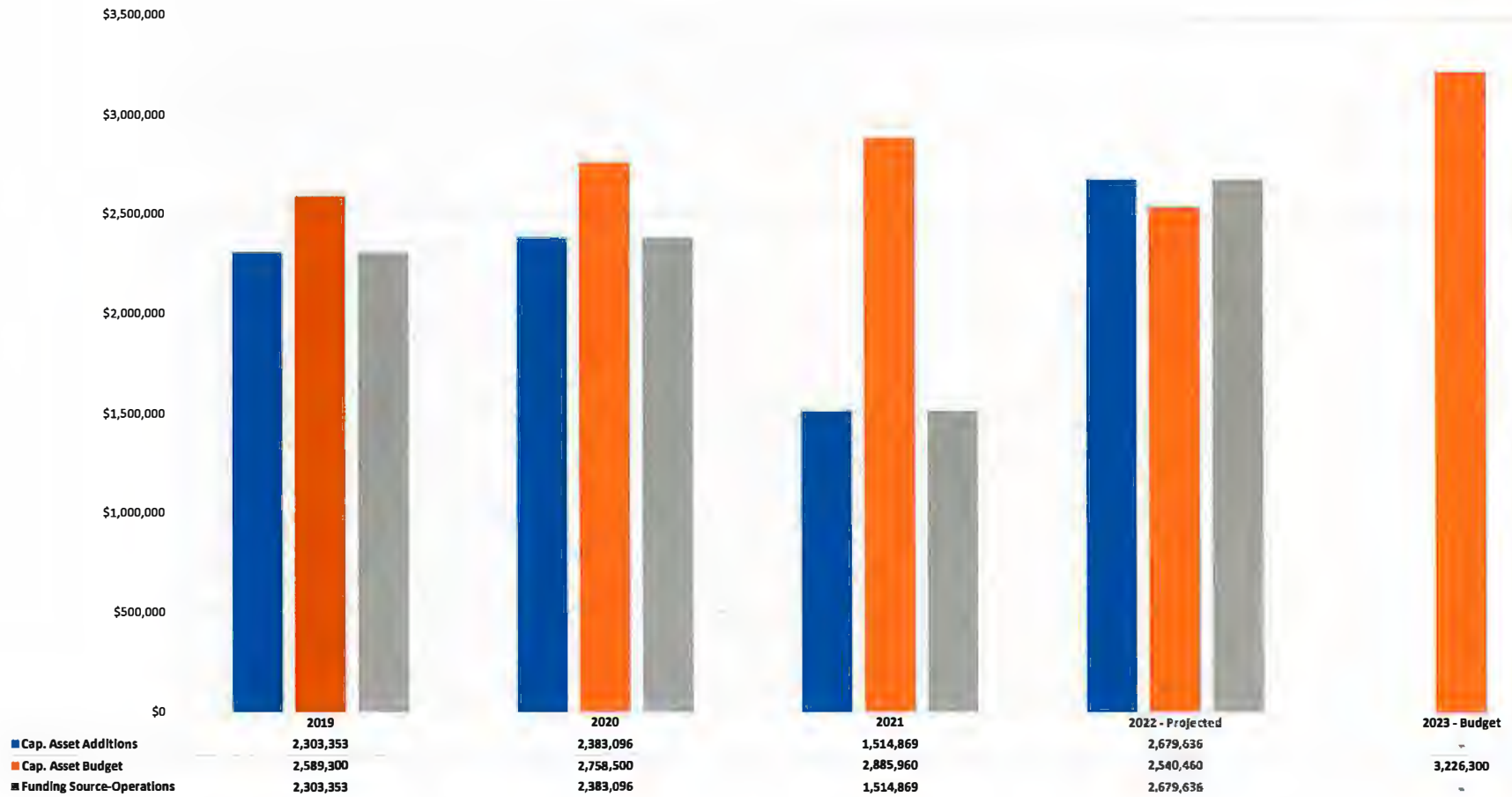
**Brainerd Public Utilities
2023 Operating Budget
Wastewater Department**

	Actual			2022		2022 Variance Positive (Negative)	2023 Budget
	2019	2020	2021	Projected Actual	Budget		
Wastewater Depart. (Continued)							
Administration (Continued)							
Expenses (Continued)							
<u>Operations and Maintenance</u>							
Communications	9,543	10,247	10,736	18,416	10,200	(8,216)	18,600
Utilities	9,850	10,305	10,913	10,691	12,000	1,309	10,800
Small Tools and Supplies	-	213	16	-	-	-	-
Maintenance and Repair							
Equipment	2,025	3,606	846	2,493	1,200	(1,293)	2,400
Buildings	-	-	580	-	600	600	-
Other	11,673	9,917	952	-	600	600	600
Maintenance Agreements	-	-	23,586	31,275	15,000	(16,275)	27,600
IT System Services	-	-	628	21,450	-	(21,450)	15,600
Cleaning and Waste Removal	1,080	(655)	198	-	-	-	-
Printing and Publishing	1,862	950	1,403	14,555	1,200	(13,355)	3,600
Consulting Services	29,451	8,677	22,101	33,755	42,000	8,245	32,400
Human Resource Services	-	-	-	15,960	-	(15,960)	15,600
Office Supplies	5,189	5,280	4,966	4,304	4,800	496	4,800
Other Services	4,673	6,736	742	1,320	1,200	(120)	1,200
	75,346	55,276	77,667	154,218	88,800	(65,418)	133,200
<u>Employee Benefits</u>							
Employee Benefits	4,402	5,290	(1,695)	550	1,200	650	600
Pension	29,694	(550)	4,005	19,955	20,400	445	22,200
Health Insurance	57,414	68,717	67,125	61,336	61,200	(136)	80,400
Payroll Taxes	15,482	17,468	19,017	19,593	20,400	807	22,200
	106,992	90,925	88,452	101,434	103,200	1,766	125,400
<u>Other Charges</u>							
General and Worker Comp. Insurance	72,106	70,239	46,014	66,795	60,000	(6,795)	76,800
Dues and Subscriptions	11,460	16,690	12,329	11,735	12,600	865	12,600
Licenses and Permits	74	78	1,450	2,076	1,200	(876)	600
Travel and Conferences	-	-	2,439	867	2,400	1,533	1,200
Miscellaneous	-	99	2,864	-	-	-	-
Bank Charges	5,696	7,724	16,688	1,469	3,600	2,131	2,400
Credit Card Transaction Fees	27,700	31,000	37,235	71,386	42,000	(29,386)	68,400
Interest Expense - Other	504	902	1,038	619	1,200	581	600
Interest Expense Bonds	515,160	479,413	435,810	380,516	400,800	20,284	327,600
Bond Issuance Costs	-	-	-	-	-	-	-
Bad Debts	3,701	3,245	2,835	3,000	4,200	1,200	3,600
	636,401	609,390	558,702	538,462	528,000	(10,462)	493,800
<u>Depreciation</u>	29,510	35,288	43,444	45,321	44,400	(921)	34,800
Total Administration	1,073,379	1,038,921	1,043,182	1,113,306	1,032,000	(81,306)	1,078,800
Total Expenses	4,214,639	4,223,347	4,725,817	4,747,459	4,489,800	(257,659)	4,571,400
Change in Net Position	\$ 427,832	\$ 295,757	\$ (279,541)	\$ (649,929)	\$ (125,400)	\$ (524,529)	\$ 1,000

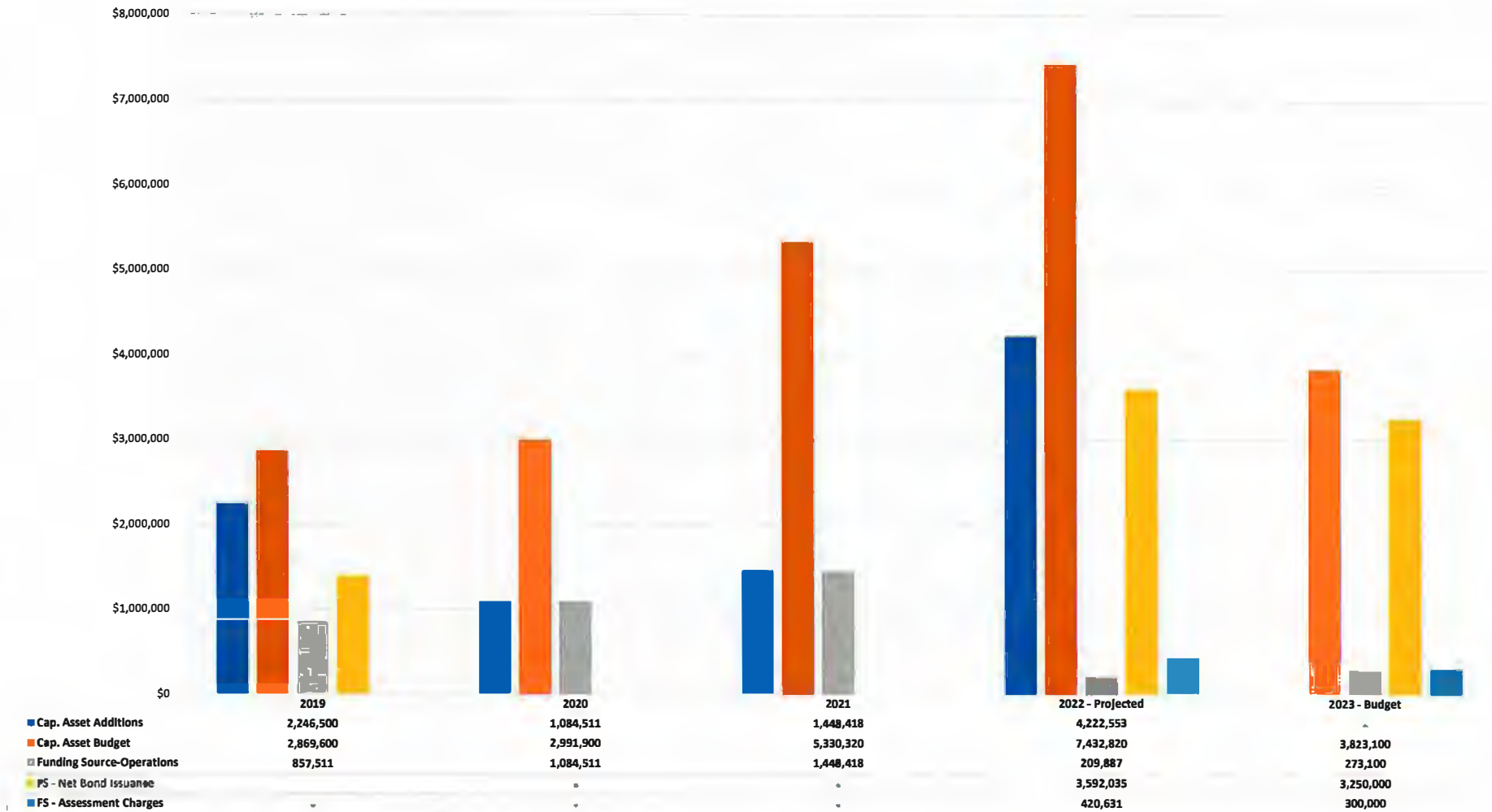
Graphical Information



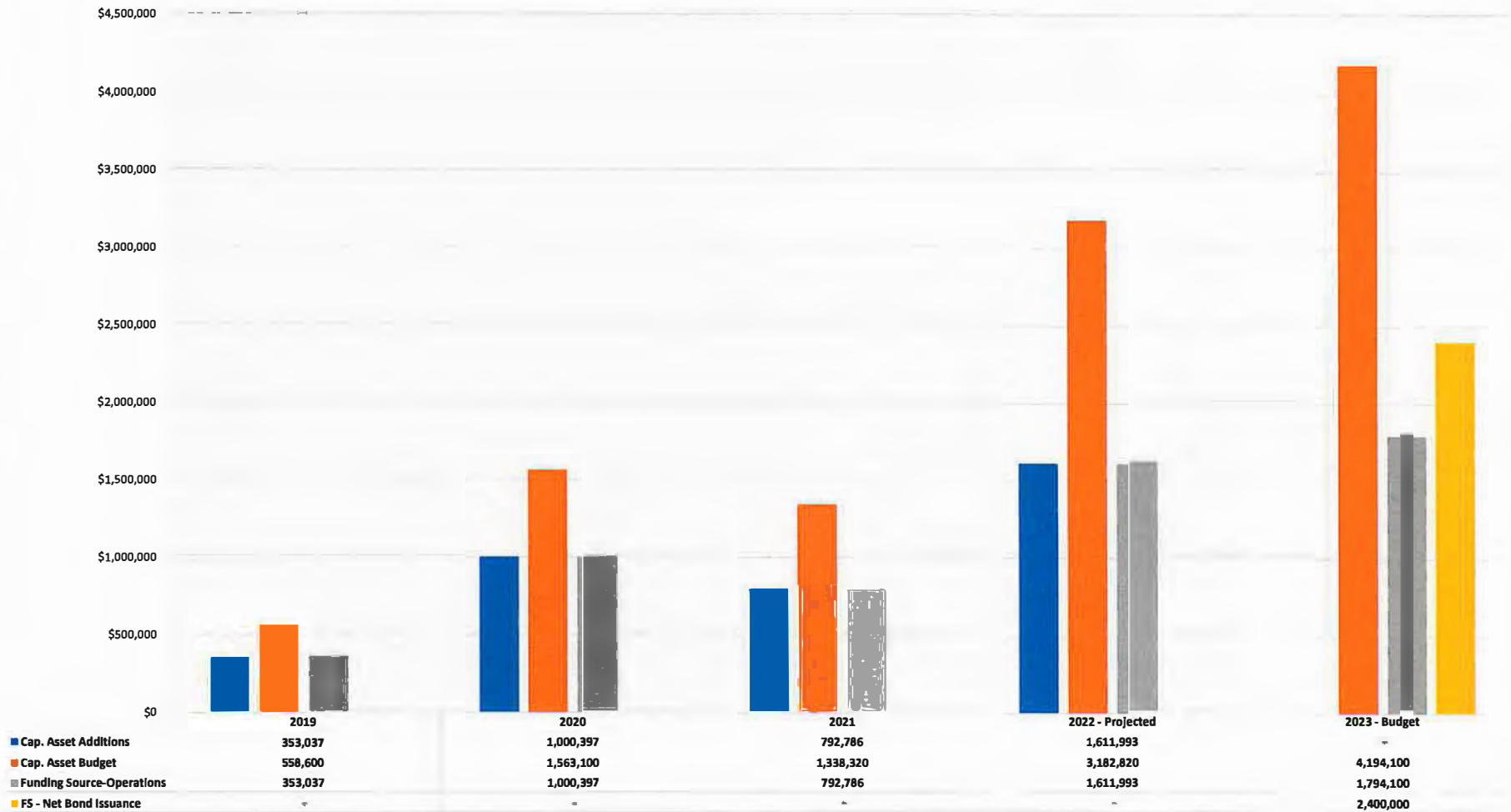
Brainerd Public Utilities - Capital Asset Additions and Budget for Electric Department



Brainerd Public Utilities - Capital Asset Additions and Budget for Water Department



Brainerd Public Utilities - Capital Asset Additions and Budget for Wastewater Department





Brainerd City Council Agenda Request

Requested Meeting Date: December 5, 2022

Title of Item: Presentation by the Park Board regarding 2023 Capital Budget

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: 15 Minutes

Summary of Issue:

At the November 28th Council Budget Workshop, there was discussion regarding the capital budgetary item of replacing lights at the softball fields at Memorial Park.

Alternative, Options, Effects on Others/Comments:

At that meeting, it was mentioned that if the Park Board wished to provide statement on the budget, it was requested to be at the December 5th meeting and provide a written request regarding the capital request for the lights that would be included in the packet. Since that meeting, several correspondence and information requests have been received. Those correspondence and the information collected by the time this packet was sent is included in the Council packet.

Recommended Action/Motion:

Provide for presentation by the Park Board and follow with discussion on the softball field light replacement in the Park Board's 2023 Capital budget request.

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)

2023 Parks Department Budget
As of 11/28/2022

	Adopted Budget 2022	2023 Preliminary Budget	2023 Budget as of 11/28/2022	Difference in Budgets - Current vs 2022 Budget	% Difference
TOTAL OPERATING EXPENDITURES					
Personnel Services	751,649	779,637	768,873	17,224	2.29%
Supplies	81,550	112,050	112,050	30,500	37.40%
Services	178,852	169,504	178,393	(459)	-0.26%
Program Operations	111,117	122,316	122,316	11,199	10.08%
Transfers Out	-	-	-	-	0.00%
Total Expenditures	1,123,168	1,183,507	1,181,633	58,465	5.21%
TOTAL REVENUE - NON PROPERTY TAX					
Revenue from Other Gov'ts	-	-	-	-	0.00%
Charges for Services	(11,500)	(11,000)	(11,000)	(500)	4.35%
Other Revenues	(67,000)	(72,000)	(72,000)	5,000	-7.46%
Program Revenues	(143,000)	(142,500)	(142,500)	(500)	0.35%
Transfers In	-	-	-	-	0.00%
Total Revenues	(221,500)	(225,500)	(225,500)	4,000	-1.81%
NET OPERATING	901,668	958,007	956,133	54,465	6.04%
TOTAL CAPITAL	506,300	947,500	562,500	56,200	11.10%
ARPA Capital		500,000	575,000		
ARPA Funding		(500,000)	(575,000)		
TOTAL CAPITAL (net)	506,300	947,500	562,500	56,200	
Request / Proposed	1,407,968	1,905,507	1,518,633	110,665	
% Increase		35.34%	7.86%		

Park Board Capital Budget:
As of November 28, 2022

	Preliminary Request	Current Budget Request
Equipment		
Snow Blower	\$ 4,000	\$ 4,000
Mower	22,000	22,000
Sod Cutter	5,000	5,000
Tress Replacement	25,000	25,000
Picnic Table/Grilling Station/Trash Can		
Replacement Program	15,000	15,000
Park Weed and Feed Program	25,000	25,000
Bench Installation Program	5,000	5,000
Park ADA Upgrades	25,000	25,000
Park Sign Replacements	5,000	5,000
Parks Security Cameras	6,500	6,500
Bane Park		
Buffalo Hills Lions Park		
Parking Lot Surfacing	-	-
Buster Park		
Gazebo	-	30,000
Gregory Park		
Gustafson Park		
Jaycees Park		
Concession/Warming House/Restroom	150,000	-
Kiwanis Park		
Lum Park		
Warehouse/Office Demo	15,000	-
Pavilion 1	30,000	-
Pavilion 2	30,000	-
Meadows Park		
Memorial Park		
Concession/Lockers/Restroom	150,000	-
Shelter	30,000	-
Parking Lot Resurfacing	-	-
Lights	400,000	400,000
Mills Field		
O'Brien Park		
Triangle Park		
Shade Structure	10,000	-
Rotary Park		
	\$ 952,500	\$ 567,500
Sale of Assets	\$ 5,000	\$ 5,000
Net Capital	\$ 947,500	\$ 562,500

As of October 31, 2022

	Park Maintenance		Pond Hockey		Outdoor Rinks		Concessions		Tournaments		Special Events	
	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual
Total Taxes and Penalties	35,000	19,340	-	-	-	-	-	-	-	-	-	-
Total Rev fr Other Gov'ts	-	-	-	-	-	-	-	-	-	-	-	-
Charges for Services - User Fees	11,500	9,419	1,500	308	-	-	45,000	25,435	2,500	4,787	1,000	1,294
Other Revenue												
Interest Income	-	-	-	-	-	-	-	-	-	-	-	-
Public Utility Electric Sales	65,000	61,603	-	-	-	-	-	-	-	-	-	-
Contributions & Donations	-	7,140	-	-	-	-	-	-	-	-	-	-
Misc. Program Revenue	1,000	-	-	-	-	-	-	-	-	-	-	-
Misc. Revenue	1,000	490	-	-	-	-	-	-	-	-	-	-
Total Charges for Services	67,000	69,233	-	-	-	-	-	-	-	-	-	-
TOTAL REVENUES	113,500	97,991	1,500	308	-	-	45,000	25,435	2,500	4,787	1,000	1,294
Total Personal Services	751,649	615,708	446	135	8,005	12,369	16,431	9,943	-	2,745	-	3,675
Supplies												
Office and Operating Supplies	5,750	5,678	500	340	250	31	27,500	20,473	2,000	-	2,000	4,415
Motor Fuels	15,000	18,130	-	-	-	-	-	-	-	-	-	-
Repairs & Maintenance	55,000	53,305	-	-	-	-	-	-	-	-	-	-
Repairs & Maintenance - Athletic Field	5,000	17,098	-	-	-	-	-	-	-	-	-	-
Small Tools	800	406	-	-	-	-	-	-	-	-	-	-
Total Supplies	81,550	94,618	500	340	250	31	27,500	20,473	2,000	-	2,000	4,415
Services												
Professional Services	18,000	17,500	-	-	-	-	-	-	-	-	-	-
Computer Technical Support	4,000	13,900	-	-	-	-	-	-	-	-	-	-
Telephone	2,580	2,360	-	-	-	-	-	-	-	-	-	-
Postage	500	98	-	-	-	-	-	-	-	-	-	-
Professional Development	1,000	940	-	-	-	-	-	-	-	-	-	-
Lease Payments	29,125	25,994	-	-	-	-	-	-	-	-	-	-
Printing/Legal Publications	1,000	1,481	-	-	-	-	-	-	-	-	-	-
Insurance	44,248	24,949	-	-	-	-	-	-	-	-	-	-
Utilities	72,800	69,286	-	-	-	-	-	-	-	-	-	-
Rent Expense	1,500	1,470	-	-	-	-	-	-	-	-	-	-
Miscellaneous	2,000	443	-	-	-	-	-	-	-	-	-	-
Credit Card Fees	1,000	1,287	-	-	-	-	-	-	-	-	-	-
Dues and Subscriptions	1,100	222	-	-	-	-	-	-	-	-	-	-
Total Services	178,852	159,930	-	-	-	-	-	-	-	-	-	-
TOTAL OPERATING EXPENSES	1,012,052	870,255	946	475	8,255	12,400	43,931	30,416	2,000	2,745	2,000	8,090
Other Revenue (Expenses)												
Sale of Assets	-	-	-	-	-	-	-	-	-	-	-	-
Transfers In	-	-	-	-	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-	-	-	-	-
Capital	-	-	-	-	-	-	-	-	-	-	-	-
Total Other Revenue (Expenses)	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL REVENUE OVER/(UNDER)	(898,552)	(772,264)	554	(167)	(8,255)	(12,400)	1,069	(4,981)	500	2,042	(1,000)	(6,796)
= Getting very close to being overbudget. This is partially due to the number of memorial benches donated this year. The City received \$6,900 of donations for benches.												

	Kickball		Adult Softball		Campground		GRAND TOTAL	
	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual
Total Taxes and Penalties	-	-	-	-	-	-	35,000	19,340
Total Rev fr Other Gov'ts	-	-	-	-	-	-	-	-
Charges for Services - User Fees	3,000	3,449	50,000	46,705	40,000	52,725	154,500	144,122
Other Revenue								
Interest Income	-	-	-	-	-	-	-	-
Public Utility Electric Sales	-	-	-	-	-	-	65,000	61,603
Contributions & Donations	-	-	-	-	-	-	-	7,140
Misc. Program Revenue	-	-	-	-	-	-	1,000	-
Misc. Revenue	-	-	-	-	-	-	1,000	490
Total Charges for Services	-	-	-	-	-	-	67,000	69,233
TOTAL REVENUES	3,000	3,449	50,000	46,705	40,000	52,725	256,500	232,694
Total Personal Services	2,806	2,911	26,878	25,101	-	-	806,216	672,586
Supplies								
Office and Operating Supplies	600	56	14,000	9,168	500	803	53,100	40,963
Motor Fuels	-	-	-	-	-	-	15,000	18,130
Repairs & Maintenance	-	-	3,500	-	1,500	716	60,000	54,021
Repairs & Maintenance - Athletic Field	-	-	-	-	-	-	5,000	17,098
Small Tools	-	-	-	-	-	-	800	406
Total Supplies	600	56	17,500	9,168	2,000	1,519	133,900	130,618
Services								
Professional Services	-	-	-	-	-	-	18,000	17,500
Computer Technical Support	-	-	-	-	-	-	4,000	13,900
Telephone	-	-	-	-	800	1,339	3,380	3,700
Postage	-	-	-	-	-	-	500	98
Professional Development	-	-	-	-	-	-	1,000	940
Lease Payments	-	-	-	-	-	-	29,125	25,994
Printing/Legal Publications	-	-	-	-	100	-	1,100	1,481
Insurance	-	-	-	-	-	-	44,248	24,949
Utilities	-	-	-	-	3,300	2,294	76,100	71,581
Rent Expense	-	-	-	-	-	-	1,500	1,470
Miscellaneous	-	-	-	-	-	-	2,000	443
Credit Card Fees	-	-	-	-	-	-	1,000	1,287
Dues and Subscriptions	-	-	-	-	-	-	1,100	222
Total Services	-	-	-	-	4,200	3,634	183,052	163,564
TOTAL OPERATING EXPENSES	3,406	2,967	44,378	34,268	6,200	5,153	1,123,168	966,768
Other Revenue (Expenses)								
Sale of Assets	-	-	-	-	-	-	-	-
Transfers In	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Capital	-	-	-	-	-	-	-	-
Total Other Revenue (Expenses)	-	-	-	-	-	-	-	-
TOTAL REVENUE OVER/(UNDER)	(406)	482	5,622	12,437	33,800	47,573	(866,668)	(734,074)

11-30-2022

City of Brainerd
Council Members,

It has come to the attention of the Brainerd Park Board that you have, and/or are considering to not approve the capital budget plan we have submitted related to the expenditure plans surrounding new lights at the Memorial Park fields. I believe I speak for the entire park board by responding that we deem this to be an unfortunate and unjust decision on the part of the council for several reasons which I will subsequently define below. I hope after reading this you will reconsider your decision!

We acknowledge that a request for new lights was a bit of surprise to some of us as well and unfortunately was not brought to this board's attention either, until late summer (Although it has been brought forward before). We have been working very hard to foresee and plan our capital expenses well in advance of upcoming years. There definitely needs to be increased communication between staff and the park board/council members when equipment is failing (I'm sure this will be "the" catalyst to improved communication). This does not however nullify the need for the lights as it has been an issue apparently for some time.

When this was brought to our attention, we as a board requested (what we felt) was an adequate amount of data (scenarios, expenditures, quotes, etc.) from staff over several months to determine what was the best course of action (long term) for our community. We weighed this information with our other budgetary requests that we had already earmarked as priorities for our parks moving forward. We also factored in what we could perhaps accomplish through ARPA funds (per your request and direction) if we were to move the replacement of the lights ahead of the other budgetary items as previously mentioned. We decided that the replacement of the lights (long overdue) would serve the community best.

In deciding these issues, we do certainly look at park usage, revenue, etc., but also many other factors that are not always so easily placed on a P & L sheet, (i.e., how many players, family members, friends, and associates, etc. attend these games and use other amenities in the parks while there). This board has made great strides over the last couple of years in being great stewards of our parks: (not replacing our director position; farming out our youth programs to YMCA & Community Ed., creating standard park designs and focusing on minimizing maintenance costs, creating long term budgetary plans for every park in our community, (PMT's), etc.). We accomplish this by often meeting several times a month (voluntarily) to stay ahead of issues that we are attempting to manage. The mayor and city administrator are aware of the hard work (while being fiscally responsible) that we put in for our community. We do not get paid, nor are we looking for any accolades... we just want to make our parks the best they can be for our community. Most communities understand that providing parks and recreational spaces are not going to provide a profit in their overall budget, but they do provide a wellness for the community.

Perhaps if the City Council determines not only how much the Park Board will receive for their budget (justified), but also exactly where it will all be spent (?) then they should assume that they really do not need a Park Board at all and would like to manage this themselves.

Sincerely,
Troy Rushmeyer
Brainerd Park Board President

From: [TimTracey Boeder](#)

Sent: Tuesday, November 29, 2022 7:24 PM

To: [Dave Badeaux](#); [Kevin Stunek](#); [Kelly Bevens](#); jbieser@ci.brainerd.mn.us; [Tad Erickson](#); [Tiffany Stenglein](#); [Mike ODay](#); [Gabe Johnson](#); [Katie Kaufman](#); [Kara Schaefer](#); yeagerdesigns@aol.com; [Troy Rushmeyer](#); [Andrew Shipe](#)

Subject: Memorial Park Lights

Good day, Council Members.

I find it nearly embarrassing, that our well-paid Council Members, know so little about Memorial Park/Softball/lights, etc.

Watching the most recent council meeting, was jaw dropping at how little our Board knew about facts and numbers.

Being a proud member of this town, since 1992, I have been involved with the softball program, either as a player or an umpire, every year since.

The lights have been well outdated, since my first years at Memorial Park. They often shut off, burn out, etc, With the old technology lighting, the park has. We often cannot finish the games each night, because the lights no longer are working.

During the meeting, I hear comments of this being a last minute add on to the Park Board budget request.

That is so far from the truth.

This will be my last of 11 years on the Brainerd Park Board. Each of those 11 years, I/we have brought this lighting issue to the attention of the City Council and other Park Board members.

As a former President, I indeed (and former Park Director, Tony Sailor) personally presented our needs for updated/safer lighting in both the 2014 and 2016 Council/budget meetings.

I have given up 11 years to this city's Park Board, for FREE, and never felt I should be paid.

But after watching the video of the latest City Council Meeting, I find it disturbing how little our well-paid Council Members know about one of the only profitable activities, our Parks Department has.

Please reconsider your obviously uneducated opinion, of safe and useful new lighting at Memorial Park.

Thank you, and again, good day.

Tim Boeder
Brainerd Park Board.

Councilmembers,

The park board is not excited about spending money to replace some of the lights at Memorial Park. We received reports over the summer that lights were turning off in the middle of games creating safety issues and preventing games from being played. Because of these reports and the reported difficulty from the maintenance team about finding replacement bulbs and parts, the park board felt that these lights needed to be replaced even on such short notice.

I've paraphrased some of the concerns I noted while watching the meeting and added a response. Each section has a timestamp if you'd like to refer to the video on YouTube.

Councilmember Johnson

- *What is the real cost to install new lighting in 3 fields because 400 is just a number that was thrown against a fridge. What's the future of softball in the city of brainerd. Do we invest 600 to 800 for 60 people to play softball after dark every once in a while. (15:36)*
 - The capital budget item is to replace lighting at 2 of the 3 Memorial Park fields. The 3rd field's lights were replaced much more recently.
 - Public Works Director Dehn validated the budget estimate we received from the vendor by contacting another city that recently had lights installed by the same vendor. He found that this vendor provided a bid in line with other vendors and the work they completed matched their bid.
 - Summer softball leagues had 662 participants and the fall kickball and softball leagues had 481 participants.
 - A majority of participants in both the summer and fall sessions were from Brainerd. The events attracted participants from 43 other cities outside the Brainerd/Baxter area.
- *Per the City of Brainerd charter, which I guess we follow sometimes but not other times, what we talked about last Wednesday should've been presented tonight (38:26)*
 - The only section of the charter that references the finance committee chair is chapter 3 section 6. This section is only about submitting a preliminary budget to the full council before September 2nd and does not mention creating a final budget.

Councilmember O'Day

- *Look at all other options for this. If the excuse is that the refurbishment doesn't have a warranty on the lights you're already there. (20:08)*
 - Refurbishing the lights would provide a 5 year limited warranty. New lights would provide a 25 year full coverage warranty that covers all maintenance and repairs.
 - One of the reasons the park board preferred new lights is because the full coverage warranty provides ample time to budget for ongoing maintenance and replacement costs from softball revenue or other places to avoid future budget surprises. The limited warranty could create an unpleasant budget surprise in the near term if something catastrophic happened.

- New lights (replaced or refurbished) would save the city approximately \$11,000 per year. ~\$9,000 in electricity and ~\$2,000 in maintenance.
- Softball has had revenue of \$8,000-\$10,000 for softball over the past 2 years.
- The park board would like to use these savings plus revenue from softball to save for future maintenance and replacement.

Councilmember Stunek

- *Softball starts at 6:30 or 6. Maybe we take a look at adjusting the start time to 6. The softball teams from what I remember have dwindled. Moving the start time may buy you additional time on the backend which could solve the problem with the lights (20:53)*
 - The summer session had 44 softball teams and the fall softball + kickball session had 34 teams. The number of overall teams has decreased from pre-covid levels but the Memorial Park improvements eliminated 1 softball field so some leagues are capped out with our current field capacity. Additionally, it's hard to encourage teams to return year over year when some of their games have been interrupted by the lights going out in the middle of a play.
 - Almost all summer and fall nights with games start at 6pm. Most softball nights there are games starting at 6, 7, 8, and 9. Kickball starts a bit later but also has shorter games. Without lighting, many of these sessions could not happen.

- Summer session (May 3 - August 23):

	Too Dark to Play (Nautical Twilight)	Timeslots That Cannot be Played
May 3	9:02pm	9pm
June 28th	9:52pm	maybe 9pm
August 23	8:43pm	8pm, 9pm

- Fall session (August 15 - October 10)

	Too Dark to Play (Nautical Twilight)	Timeslots That Cannot be Played
August 15	8:58pm	9pm
September 12	8:04pm	8pm, 9pm
October 10	7:09pm	7pm, 8pm, 9pm

- The National Weather Service [defines nautical twilight](#) as a time when “detailed outdoor activities are likely curtailed without artificial illumination.”
- Nautical Twilight sourced from [TimeandDate.com](https://www.timeanddate.com)

Council President Bevans

- *From my perspective I'm not sure we need them at all. For some reason the park board is particularly stuck on that we do need them. I might argue that very few citizens of Brainerd benefit. The people who play softball certainly benefit. Not sure there aren't other alternatives to playing softball after dark. Not sure that it benefits the city as a whole. The procedure could be done a little bit better. Or a lot. The other thing is we need to cut some money out of this budget. If we can reduce the levy from the preliminary levy this is an obvious thing in my mind. The city is better off not funding. (23:20)*
 - Roughly the same number of Brainerd residents benefit from the summer leagues t-ball, baseball, and softball run by Brainerd Community Ed as play softball and kickball. You can find an additional \$13,000 in savings for the budget by cutting funding for this too since this is also a niche activity and “very few citizens of Brainerd benefit.”
 - For a minimum 30 year lifespan, \$400,000 for new lights is just over \$13,000 per year. It's gross to have to pay this all at once and the park board isn't excited about it but this is how we're viewing the cost.
 - An even larger cost savings would be the \$25,000 budgeted for ADA improvements in the park. Relatively few citizens of Brainerd, for example, use a wheelchair. By your logic, we should not spend taxpayer money on something that benefits so few citizens.
 - As mentioned above, players came from 43 cities outside of Brainerd/Baxter to play in these games. I believe there is considerable value to the city in attracting visitors from other cities who will buy gas, eat at restaurants, or have a drink after their games.
- *Chose not to have a special meeting between the packet publishing on Thanksgiving and the budget workshop on the 28th (37:35)*
 - Minnesota state law 13D.04 §2 requires 3 days notice for special meetings. The park board would've had to read the agenda as soon as it was published on the Friday of a holiday weekend, coordinate a meeting time, and immediately post notice.
 - If the council president would like to be indignant about the park board not immediately scheduling a special meeting or attending the workshop, I would ask the council president if he could've extended a courtesy to the park board by notifying them of the elimination of the funds at the meeting before Thanksgiving and before the agenda was published.

Andrew Shipe
Park Board Member

From: Paul Augustinack <p.t.augustinack@gmail.com>

Sent: Tuesday, November 29, 2022 9:58 PM

To: Dave Badeaux <dbadeaux@ci.brainerd.mn.us>; Gabe Johnson <gjohnson@ci.brainerd.mn.us>; Kelly Bevans <kbevans@ci.brainerd.mn.us>; Mike ODay <moday@ci.brainerd.mn.us>; Tad Erickson <terickson@ci.brainerd.mn.us>; wbieser@ci.brainerd.mn.us; Jennifer Bergman <jbergman@ci.brainerd.mn.us>; Kevin Stunek <kstunek@ci.brainerd.mn.us>; Tiffany Stenglein <tstenglein@ci.brainerd.mn.us>

Subject: ***Lights at Memorial are Crucial***

I apologize if you receive this twice, some of your emails came back as undeliverable

Dear Mayor Badeaux and other members of the council,

I was unable to attend the council workshop a few nights ago. I will be doing my best to attend the meeting on the 5th if anyone does have more questions for me. As an avid member of the softball community and born and raised Brainerd Warrior it was quite disappointing to hear about the lack of knowledge about the fields and the shape they are in. I've now sponsored and played on a softball team going on 5-6 years now in the Brainerd Parks and Rec league as well as had a team in nearly every Brainerd-hosted tournament since the creation of that team. Below I've outlined 3 standout reasons why you should highly reconsider the position of removing the line item in the budget for lighting. I don't disagree with Mr. O'Day of is there a more cost-effective way to make these lights last longer or a way to recycle a portion of what is already there. However, ignoring them will end up in someone being hurt.

First: Safety.

I am a center fielder and play anywhere from 2-3 nights a week on these fields, between the three different leagues I am eligible for. I have played in the outfield for 15+ years of my life and have never had issues seeing a ball coming at me in the outfield, until this previous season. First and foremost, poor lighting on these fields is a major safety concern. I know many other members of the community would agree that seeing the balls at night has become extremely difficult as more and more lights are either burning out or no longer functioning. To the point I had my eyes examined in the fall, and thankfully my eyes are perfectly healthy. It is simply a matter of time until someone takes a ball to the head because they can't see it. And sadly, in the world we live in it will end up in a lawsuit against the city.

Second: The Community.

It is difficult to read everyone's names on the stream, however, numerous members of this council mentioned a very small number of people are affected by these lights. The BLAST (Brainerd Lakes Area Softball Team's) community group on Facebook has over 1,200 members which aren't even all the members of the softball community. In 2021, the population of Brainerd was 14,255 people and I'll agree not all of the 1,200 members are Brainerd residents, but I'd put money on nearly all of those members who are spending money, shopping, and owning businesses in the Brainerd city limits. But nonetheless, using 1,000 members as Brainerd residents that is 7% of your community that is affected by these lights. It is not some "60 individuals" that play softball on occasion.

Brainerd Parks and Rec has league every night of the week and every night except the 35+ league is in need of those lights. Women's play on Mondays, consisting of 8-12 teams. Tuesday's is Men's lower league which had a waiting list of teams to enter last summer, of 12 teams., Wednesday's is Men's

Upper League which consisted of another 9 teams. Thursday's is Co-Rec where another 12 teams played and the Masters league (35+) plays on Fridays. Even saying every team has 10 players on which, we all have more than 10, but there is some overlap, that is over 500 players a week coming to Brainerd to play ball and exercise. My point is further explained that there are more than a few members of the community that uses these fields. As well as the fall kickball league uses these fields.

Third: Growth.

Currently, there is speculation that softball is "slowly dying." I'd argue sports are slowly dying as our kids and the younger generations would prefer to play video games and stay indoors and stare at screens. In part of that these same kids follow what their parents do. If their parents drag them to a ball field, how much more likely is a kid going to want to play ball growing up like their mom or dad?

The Brainerd area unfortunately lacks things to do. Especially at night. Yes, we have bars. Yes, we have the bowling alley, Yes, there are some wonderful other indoor activities. But I don't know of any other activity at night in the Brainerd Lakes area that can host the same amount of people as the softball fields do that promotes both positive exercise and health benefits for people with many different skill levels and a community that encourages each other and rally around the Brainerd name when competing at out of town tournaments.

The growth of the sport will not happen if we start to squish games before the sunlight goes down. Many nights of the league do start at 6 pm and we play 10-10:30 some nights. If one game goes long, how is it fair to cut the next game short because we don't have lights? To move games up to 5 pm would be impossible for many players to get off work and to the fields for the common working hours of 9-5. If the community softball leagues are to survive better lighting is a necessity. I understand the budget request was asked late in the calendar year, however, the lights slowly started to deteriorate throughout the summer and it wasn't until August that the lights really got bad and started to affect play.

In conclusion, I hope you hear me on behalf of 1000+ members of the softball community and members of your community, please find a way to make this a feasible option in the 2023 calendar year or strongly consider for 2024 before someone truly gets hurt and we are no longer allowed to play. As a player, a sponsor, a community member, and a taxpayer of Brainerd, I encourage this line item.

--

Sincerely,

Paul Augustinack



MEMO

TO: BRAINERD CITY COUNCIL

FROM: CITY ENGINEER/PUBLIC WORKS DIRECTOR JESSIE DEHN

DATE: DECEMBER 5, 2022

SUBJECT: MEMORIAL PARK SOFTBALL

At the November 28th Council Budget Workshop, there was discussion regarding the capital budgetary item of replacing lights at the softball fields at Memorial Park. Since that meeting, there have been several requests for information from various Council members regarding the softball fields, lights, and costs. This memo includes a summary of the information provided in response to those requests, for what information has been gathered at the time the Council packet was distributed. Remaining available information will be provided to the Council in-person at the December 5th meeting.

ADULT SOFTBALL/KICKBALL PARTICIPATION LEVELS

Staff was able to find records of team levels back to 2013. Below is a table of the number of teams in each league and activity for each year.

Items of note while reviewing the table. 2020 was a COVID year and thus saw a significant drop in participation that year due to health protocols that were imposed during that summer. Prior to the 2020 season, the 4th field that was located at Mills Avenue Park allowed for a maximum of 14 teams. After that field was removed, the maximum number of teams was reduced to 12. These maximums only apply to softball and not kickball, due to the length of games.

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

LEAGUE	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
MS1	11	10	12	11	10	11	11	8	9	9
MS2	13	12	12	12	12	14	14	9	12	12
WS1	6	6	5	5	n/a	n/a	n/a	9	10	10
WS2	7	7	7	8	12	13	12			
CO-REC 1	11	10	11	7	5	7	6	4	15	13
CO-REC 2	13	12	12	14	12	12	12	9		
MASTERS	5	5	5	5	5	5	5	4	4	n/a
FALL CO-REC	5	8	9	6	7	8	9	*	9	8
FALL MEN'S Lower	N/A	N/A	7	8	8	8	9		7	9
FALL MEN'S Upper			6	8	7	8	6		7	6
KICKBALL	16	15	18	12	12	13	10	8	12	10
Total	87	85	98	88	90	99	94	51	85	77

For participation levels, on average in 2022, there was approximately 15 rostered players per team. Based on an assumption of 15 players per team, below is a summary of participation in each year.

	2013	2014	2015	2016	2017	2018	2019	2020	2021
Total	1,305	1,275	1,470	1,320	1,350	1,485	1,410	765	1,275

A breakdown of 2022 registered participants and their location by city is included in the table below. Please note that all participants that are listed in Brainerd may not reside within the city limits.

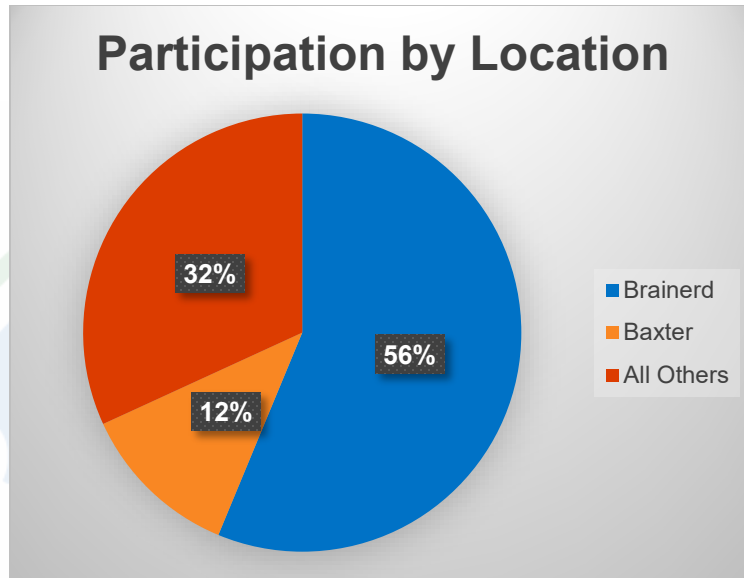
	Summer Totals	Fall Totals	Summer/Fall combined	Percentage of Total
Total Rostered	662	481	1143	100.00%
Brainerd	363	280	643	56.26%
Baxter	75	61	136	11.90%
Pillager	24	19	43	3.76%
Nisswa	20	16	36	3.15%
Fort Ripley	21	11	32	2.80%
Aitkin	18	13	31	2.71%
Pequot Lakes	22	9	31	2.71%
Crosby	16	8	24	2.10%
Pierz	14	6	20	1.75%
Pine River	9	6	15	1.31%
Deerwood	7	6	13	1.14%
Merrifield	9	4	13	1.14%
Little Falls	8	5	13	1.14%
Breezy Point	4	7	11	0.96%
Browerville	6	2	8	0.70%

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

Wadena	3	4	7	0.61%
Ironton	4	3	7	0.61%
Lake Shore	3	4	7	0.61%
Garrison	4	1	5	0.44%
Staples	4	0	4	0.35%
Cushing	3	1	4	0.35%
Mcgregor	3	0	3	0.26%
Cuyuna	2	1	3	0.26%
Onamia	2	1	3	0.26%
Sauk Rapids	2	1	3	0.26%
East Gull Lake	0	3	3	0.26%
Crosslake	2	0	2	0.17%
Backus	1	1	2	0.17%
Fifty Lakes	2	0	2	0.17%
Motley	1	1	2	0.17%
Longville	1	1	2	0.17%
Cohasset	0	2	2	0.17%
Aldrich	1	0	1	0.09%
Bluffton	1	0	1	0.09%
Emily	1	0	1	0.09%
Remer	1	0	1	0.09%
Frazee	1	0	1	0.09%
Lake Elmo	1	0	1	0.09%
Gilman	1	0	1	0.09%
Fargo	1	0	1	0.09%
Bismark	1	0	1	0.09%
Sartell	0	1	1	0.09%
Lincoln	0	1	1	0.09%
Hackensack	0	1	1	0.09%
Goodhue	0	1	1	0.09%



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



FACILITIES COSTS

Below is a summary of different facilities that have been purchased, constructed, or replaced related to the softball fields at Memorial Park.

Year	Description	Cost
2021	Sideline Fences, Backstops and Wings (Elite Fence and Decks)	\$8,295
2020	West Parking Lot Purchase (Mike Higgins)	\$223,000
2019	Scoreboards at Fields 1, 2, and 3	\$19,044
2018	Field 3 Lighting Replacement	\$123,000
2016	New Bathroom and Storage Facility (Hy-Tec Construction)	\$118,206

There is slightly more than \$17,000 in Park Dedication funds received from the fees for banners on the softball fields for specific use at the Memorial Park Adult Softball fields.

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 Memorial Park Softball Fields 1 And 2

Brainerd,MN

Lighting System

Pole / Fixture Summary						
Pole ID	Pole Height	Mtg Height	Fixture Qty	Luminaire Type	Load	Circuit
A1	60'	60'	3	TLC-LED-900	2.67 kW	A
		60'	3	TLC-LED-900	2.67 kW	B
A2	60'	60'	3	TLC-LED-900	2.67 kW	A
A3	60'	60'	3	TLC-LED-900	2.67 kW	B
B1	60'	60'	5	TLC-LED-1200	5.85 kW	A
		60'	5	TLC-LED-1200	5.85 kW	B
		19'	1	TLC-BT-575	0.58 kW	B
B2	60'	19'	1	TLC-BT-575	0.58 kW	A
		60'	5	TLC-LED-1200	5.85 kW	A
		16'	1	TLC-BT-575	0.58 kW	A
B3	60'	60'	5	TLC-LED-1200	5.85 kW	B
		16'	1	TLC-BT-575	0.58 kW	B
C1-C2	60'	60'	4	TLC-LED-900	3.56 kW	A
		16'	2	TLC-BT-575	1.15 kW	A
C3-C4	60'	60'	4	TLC-LED-900	3.56 kW	B
		16'	2	TLC-BT-575	1.15 kW	B
10			60		55.22 kW	

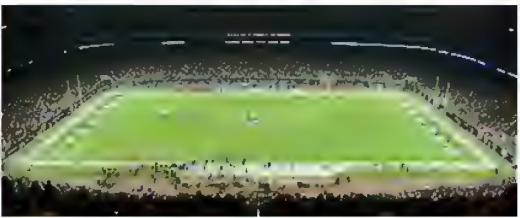
Circuit Summary			
Circuit	Description	Load	Fixture Qty
A	Softball 1	27.61 kW	30
B	Softball 2	27.61 kW	30

Fixture Type Summary								
Type	Source	Wattage	Lumens	L90	L80	L70	Quantity	
TLC-LED-1200	LED 5700K - 75 CRI	1170W	136,000	>120,000	>120,000	>120,000	20	
TLC-BT-575	LED 5700K - 75 CRI	575W	52,000	>120,000	>120,000	>120,000	12	
TLC-LED-900	LED 5700K - 75 CRI	890W	89,600	>120,000	>120,000	>120,000	28	

Light Level Summary

Calculation Grid Summary									
Grid Name	Calculation Metric	Illumination					Circuits	Fixture Qty	
		Ave	Min	Max	Max/Min	Ave/Min			
Softball 1 (Infield)	Horizontal Illuminance	31.8	20	44	2.25	1.59	A	30	
Softball 1 (Outfield)	Horizontal Illuminance	25.8	17	39	2.34	1.52	A	30	
Softball 2 (Infield)	Horizontal Illuminance	33.7	22	45	2.09	1.53	B	30	
Softball 2 (Outfield)	Horizontal Illuminance	24.8	17	42	2.39	1.46	B	30	

From Hometown to Professional

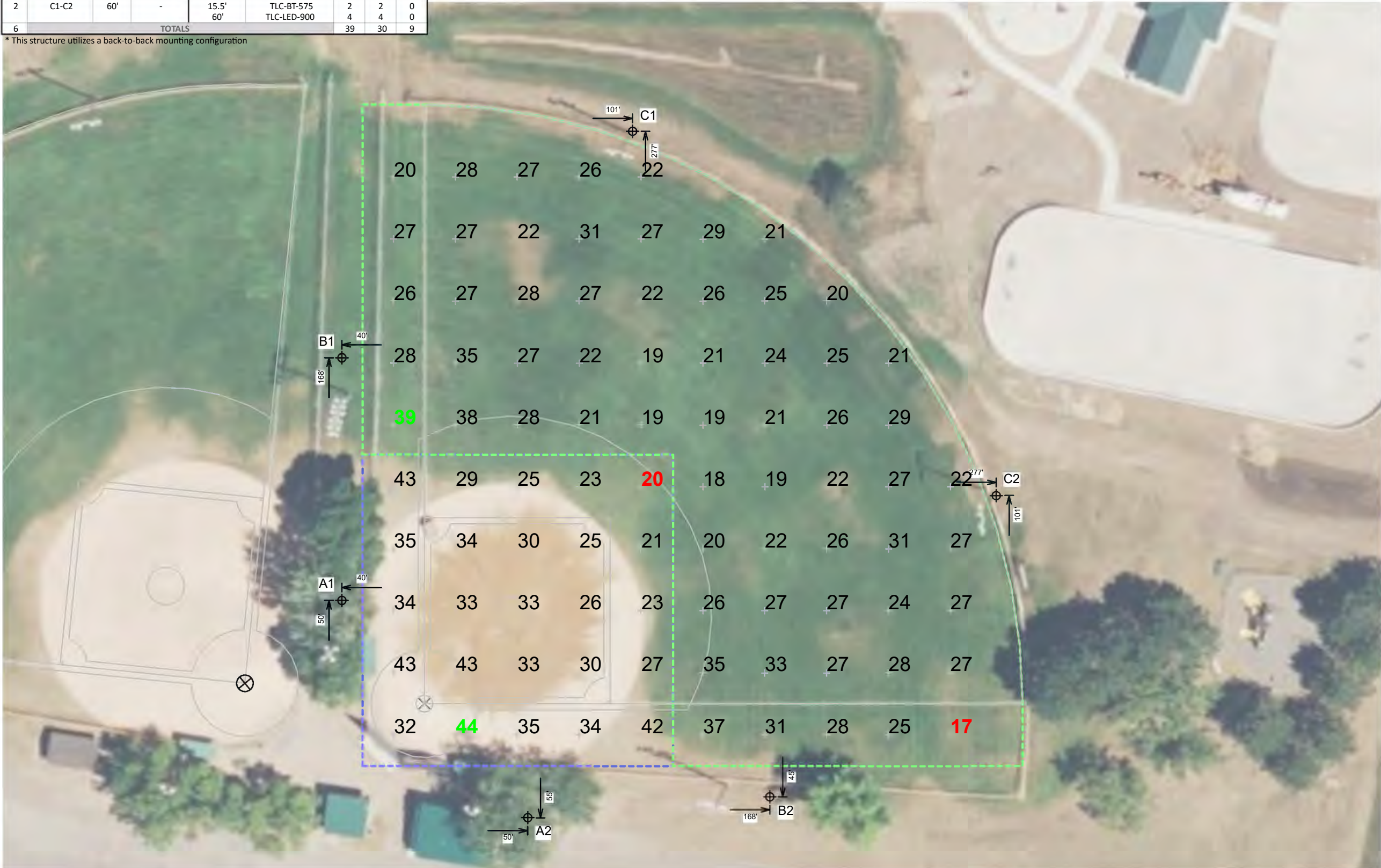


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EQUIPMENT LIST FOR AREAS SHOWN

Pole				Luminaires				
QTY	LOCATION	SIZE	GRADE ELEVATION	MOUNTING HEIGHT	LUMINAIRE TYPE	QTY / POLE	THIS GRID	OTHER GRIDS
1	A1	60'	-	60'	TLC-LED-900	3/3*	3	3
1	A2	60'	-	60'	TLC-LED-900	3	3	0
1	B1	60'	-	19'	TLC-BT-575	1/1*	1	1
				60'	TLC-LED-1200	5/5*	5	5
1	B2	60'	-	15.5'	TLC-BT-575	1	1	0
				60'	TLC-LED-1200	5	5	0
2	C1-C2	60'	-	15.5'	TLC-BT-575	2	2	0
				60'	TLC-LED-900	4	4	0
6	TOTALS					39	30	9

* This structure utilizes a back-to-back mounting configuration



Brainerd Memorial Park Softball Fields 1 And 2
Brainerd,MN

GRID SUMMARY

Name:	Softball 1
Size:	290'/290'/290' - basepath 90'
Spacing:	30.0' x 30.0'
Height:	3.0' above grade

ILLUMINATION SUMMARY

MAINTAINED HORIZONTAL FOOTCANDLES		
	Infield	Outfield
Guaranteed Average:	30	20
Scan Average:	31.80	25.80
Maximum:	44	39
Minimum:	20	17
Avg / Min:	1.61	1.54
Guaranteed Max / Min:	2.5	3
Max / Min:	2.25	2.34
UG (adjacent pts):	1.59	1.61
CU:	0.73	
No. of Points:	25	63

LUMINAIRE INFORMATION

Applied Circuits:	A
No. of Luminaires:	30
Total Load:	27.61 kW

Guaranteed Performance: The ILLUMINATION described above is guaranteed per your Musco Warranty document and includes a 0.95 dirt depreciation factor.

Field Measurements: Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

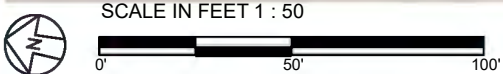
Installation Requirements: Results assume ± 3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.



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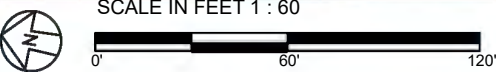
ILLUMINATION SUMMARY



EQUIPMENT LIST FOR AREAS SHOWN

Pole				Luminaires				
QTY	LOCATION	SIZE	GRADE ELEVATION	MOUNTING HEIGHT	LUMINAIRE TYPE	QTY / POLE	THIS GRID	OTHER GRIDS
1	A1	60'	-	60'	TLC-LED-900	3/3*	3	3
1	A3	60'	-	60'	TLC-LED-900	3	3	0
1	B1	60'	-	19'	TLC-BT-575	1/1*	1	1
				60'	TLC-LED-1200	5/5*	5	5
1	B3	60'	-	15.5'	TLC-BT-575	1	1	0
				60'	TLC-LED-1200	5	5	0
2	C3-C4	60'	-	15.5'	TLC-BT-575	2	2	0
				60'	TLC-LED-900	4	4	0
6	TOTALS					39	30	9

* This structure utilizes a back-to-back mounting configuration



Pole location(s) ⚓ dimensions are relative to 0,0 reference point(s) ⊗

GRID SUMMARY

Name:	Softball 2
Size:	290'/290'/290' - basepath 90'
Spacing:	30.0' x 30.0'
Height:	3.0' above grade

ILLUMINATION SUMMARY

MAINTAINED HORIZONTAL FOOTCANDLES		
	Infield	Outfield
Guaranteed Average:	30	20
Scan Average:	33.67	24.82
Maximum:	45	42
Minimum:	22	17
Avg / Min:	1.55	1.42
Guaranteed Max / Min:	2.5	3
Max / Min:	2.09	2.39
UG (adjacent pts):	1.43	1.66
CU:	0.73	
No. of Points:	25	63
LUMINAIRE INFORMATION		
Applied Circuits:	B	
No. of Luminaires:	30	
Total Load:	27.61 kW	

Guaranteed Performance: The ILLUMINATION described above is guaranteed per your Musco Warranty document and includes a 0.95 dirt depreciation factor.

Field Measurements: Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume ± 3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.





Brainerd Memorial Park Softball Fields 1 And 2
Brainerd,MN

EQUIPMENT LAYOUT

INCLUDES:

- Softball 1
- Softball 2

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume ± 3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

EQUIPMENT LIST FOR AREAS SHOWN

Pole				Luminaires		
QTY	LOCATION	SIZE	GRADE ELEVATION	MOUNTING HEIGHT	LUMINAIRE TYPE	QTY / POLE
1	A1	60'	-	60'	TLC-LED-900	3/3*
2	A2-A3	60'	-	60'	TLC-LED-900	3
1	B1	60'	-	19'	TLC-BT-575	1/1*
				60'	TLC-LED-1200	5/5*
2	B2-B3	60'	-	15.5'	TLC-BT-575	1
				60'	TLC-LED-1200	5
4	C1-C4	60'	-	15.5'	TLC-BT-575	2
				60'	TLC-LED-900	4
10	TOTALS					60

* This structure utilizes a back-to-back mounting configuration

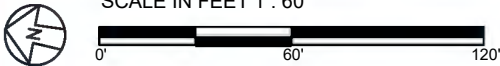
SINGLE LUMINAIRE AMPERAGE DRAW CHART

Ballast Specifications (.90 min power factor)	Line Amperage Per Luminaire (max draw)						
	208 (60)	220 (60)	240 (60)	277 (60)	347 (60)	380 (60)	480 (60)
Single Phase Voltage							
TLC-LED-1200	7.0	6.6	6.1	5.2	4.2	4.0	3.0
TLC-BT-575	3.4	3.2	2.9	2.5	2.0	1.8	1.5
TLC-LED-900	5.3	5.0	4.6	4.0	3.2	2.9	2.3



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ENGINEERED DESIGN By: ZMorris · File #221601A · 16-Aug-22

Pole location(s) ⚓ dimensions are relative to 0,0 reference point(s) ⊗

Ms. Bergman reported that Rotary Club will be having discussions on potential solar panels in Rotary Riverside Park and BPU's concrete gateway building in Rotary Park that they are interested in using for an observation area.

Ms. Bergman will bring information on the ARPA funds to the Park Board for discussion at the August meeting. The City Council will be having a special workshop on the ARPA funds on October 11.

Ms. Kaufman read her written report.

Mr. Boeder stated that the City of Brainerd is the only city in the State of Minnesota that pays its umpires as employees and takes taxes out. Softball associations run the leagues in all other cities and pay cash. He believes this is a factor why Brainerd has trouble getting and retaining good umpires for its leagues, which in turn may impact sportsmanship and player ejections. Mr. Shipe asked if there is a code of conduct signed by players. Ms. Kaufman said it is included in the league rules.

Mr. Harris provided more information on the Memorial Park field lighting issues. He estimates the lights are at least 30 years old, the halogen bulbs are outdated and getting difficult to find, the ballasts and capacitors are failing, the Fire Department can no longer provide a ladder truck for staff to work on them, and Holden Electric has to rent a special lift to reach the lights to work on them. In short, they are getting difficult and costly to repair. All involved understand it is a big-ticket item to upgrade to LED lights. Mr. Boeder added that it is an embarrassment as a board member and umpire when games are delayed or need to be rescheduled because the lights fail regularly. He suggested using money from the fourth field that will not likely be built to install new lights, and it should be done quickly. The Board directed staff to start the process of getting some numbers for new lighting on fields 1 and 2.

Ms. Kaufman asked for clarification on the Park Board's direction on field use at no charge for a youth traveling football team requesting to use one of our facilities. Direction was given that we will not charge the group if we are doing routine maintenance such as mowing. If they request that a football field be lined for a game, we will charge \$25 for a two-hour block, per the Fee Schedule.

Mr. Harris reported that they started on the new playground at Jaycees Park and are installing the boards on the smaller rink at Memorial Park. He shared that the police are making a concentrated effort to help with the vandalism issue in the parks this year.

Adjourn

MOVED AND SECONDED BY BOEDER AND SHIPE, DULY CARRIED, TO ADJOURN THE MEETING AT 5:16 P.M.

Respectfully Submitted,

Kim Finch, Administrative Specialist

July 26, 2022

we should invest enough to make it something people want to participate in. Ms. Kaufman said she would love new, safe, hockey equipment but she has to work with the budget she has unless she gets more money or has to fundraise. Board members responded that they need staff to communicate to the Park Board when there is a need for equipment and program supplies and provide some costs to go with it so the department doesn't fall behind. Ms. Kaufman said new jerseys for the Pond Hockey program would cost approximately \$3,000.00 and about \$2,000 would be needed to replace aging and unsafe equipment. Jerseys and equipment are returned by participants at season-end and used year after year.

Mr. Dehn opened the capital budget discussion. There are some revisions from the capital budget from spring. Most of the equipment, annual weed and feed and ADA upgrades stayed. He made some adjustments based on Park Board discussions regarding master planning, ARPA funds and the capital improvement program. Adjustments included the Buffalo Hills-Lions Park surfacing project for \$250,000. He is proposing to move that back until the master plan and priority list is developed. He proposed the Buster Park gazebo be pushed back because this is a potential option in the ARPA funds discussion. The only other change is the Memorial Park parking lot resurfacing. Like Buffalo Hills, before getting a strong feel for the master plan and what the priority is, do we put \$150,000 into resurfacing a very large parking lot if that's not what the Park Board ends up with in the master plan. He wants to make sure we have plenty of time before we put together a project that spends \$150,000. Those are most of the adjustments from the spring capital budget to current, which gets us to \$550,000.

Mr. Shipe asked if we were still waiting on numbers for lights at Memorial Park. Mr. Dehn said we were quoted \$380,000 and in Option 7 of the ARPA funds he put in \$400,000 to allow for a cost increase in 2023. There is a cost savings if we only replace the fixtures and not the poles for \$260,000. The issue with that is the warranty goes from 15 years to 5 years and we would have to pay any time the lights need to be adjusted.

Mr. Rushmeyer asked if the Memorial Park Concession/Lockers/Restroom item is for inside Mills Field. Mr. Yeager said this is just a place holder until they get through their master planning. Next year is when they will be able to roll out a long-term plan and vision that is much more thought out and accurate to the long-term vision money-wise.

Mr. Shipe would want to swap some of the buildings for the lights. That's a program that people pay us money to play and it's hard to maintain our reputation of a park system when we can't keep the lights on.

Ms. Hillman asked what the Board would like to present to Council. Do you want to swap out those buildings, do you want to reduce the capital even more and add in \$5,000-\$10,000 for the programs, what are the thoughts. She said this is what we currently have but now is the time to change it before it is presented to Council.

Mr. Shipe said he would swap the Jaycees warming house and the Memorial lockers but that's still a net of \$100,00 and this already seems high given our budget for next year, so maybe we just put the lights in ARPA and cross our fingers.

Mr. Yeager brought Mr. Rushmeyer up to speed on last meeting's discussion on the field lighting situation at Memorial Park.

Ms. Hillman asked if they want to delay the Jaycees and Memorial concessions at this point knowing that the master plan is in the works or do they want to leave something in there with a "to be determined" depending on how the ARPA discussion goes. Mr. Rushmeyer thinks the Jaycees warming house/concession could wait until we have a rink there.

Mr. Badeaux said if anyone sees something they feel should be in here, this would be the time to add it. Things can always be removed. Mr. Rushmeyer said the next phase of Memorial Park unless it is included in the ARPA plans. Mr. Dehn said the Kiwanis Park fishing pier and ramp are in rough shape and the DNR will no longer assist with it. A more permanent and durable structure could be considered. He included a dollar amount based on the river overlook at Mississippi Landing Trailhead Park. Mr. Yeager said the master planning is not completed so the Board doesn't have a priority list with money attached to it. He sees things that could wait and get one of the larger items that is a pressing issue like the lights. We could potentially use the ARPA funds to bolster up some of the master planning as that develops. We are down to the final hour and we need to present something to City Council. He recommends moving some things around, remove capital items to put the lights in, or make no changes and put this forward and continue with master planning and refine in 2023. Ms. Hillman said if the lights are a priority, maybe remove everything but the Jaycees warming house, add the lights and leave all the equipment. Mr. Yeager said to just add the number in for the lights. Mr. Badeaux said because the \$400,000 is a new item coming up there is no reason not to present it to Council. It was decided to add \$400,000 for the field lights, \$5,000 for Pond Hockey equipment and five percent increase for programming services.

Ms. Hillman recapped that we added \$400,000 to capital so the capital request went from \$547,500 to \$947,500. Services was increased by \$1,080 (5%), and we are increasing our program operating expenses by \$5,000 for Pond Hockey. The total budget ask will be \$1,905,507 which is a 35.34% increase. You're requesting \$947,000 plus an additional \$500,000 in ARPA funds but she thinks that can play out in the coming months.

Board Member Reports

Mr. Shipe would like to follow up on the discussion about the model of umpires as employees at the September meeting. Ms. Bergman said this was previously discussed among staff and with the attorneys, and the bottom line is the umpires cannot be independent contractors, they must be employees. Mr. Shipe requested that we follow through with work the Brainerd Northside Neighborhood Association did at its Gregory Park spring clean-up day preparing shrubs for removal. Mr. Dehn has already directed Parks and Streets staff to coordinate to get those pulled. Mr. Shipe had neighbors comment that sand burs are still an issue on the south side of Triangle Park.

Mr. Badeaux asked for an update on the storm damage to the Jaycees warming house and the bleachers at Mills Stadium, if it's covered by insurance and what the completion time is for that.

Staff Reports

Ms. Bergman reported that the City of Brainerd has come to a settlement with the IAFF Firefighters in the amount of \$3.9 million, of which \$2 million will be paid for by insurance and the other \$1.9 million by the City. She wanted to prepare the Park Board that the City is going to have to come up with \$1.9 million and that Council and staff will be working on that in the upcoming months.

Ms. Kaufman recapped her written report.

In addition to the written Maintenance report, Mr. Dehn reported that the Street Department was at Jaycees Park this morning to set the relocated swing set, the new playground

August 23, 2022

FORTH, AND BPU IS RESPONSIBLE TO INSURE, MAINTAIN AND ULTIMATELY REPLACE THE PANELS IN THE FUTURE.

2023 Park Operating and Capital Budget - Discussion

Mr. Dehn opened discussion on the Operating and Capital Budget proposal included with the packet. The preliminary levy is currently set at about a 9.5% increase over 2022. The City Council wants the final levy to be set much lower than the preliminary and has asked all departments to review line items and capital for 2023. He noted that Ms. Kaufman reviews the concessions program regularly and it is something that comes up often, so we would continue to evaluate it annually to make sure we are addressing any potential shortfall. He asked if the Park Board wants to charge more for the use of the fields or have other ideas for how to recoup some of the cost of the Memorial Park lights. Mr. Badeaux added the City Council is looking for each department to look for things that can be pushed back.

Mr. Rushmeyer said we knew this was coming and we need to dig into it and decide what direction we want to go. He mentioned the \$8,000 concessions loss and the field lights and asked if there are ways to generate additional revenue such as expanding camping. We may need to determine if we want to keep providing these things for the community or not, and at what cost.

Mr. Boeder said we can't push the lights off any longer because we just keep putting band-aid after band-aid on these things and they still don't work. He knows it is an enormous expense to put the lights in, but it needs to be done. It needed to be done 20 years ago and it's getting worse and worse all the time. Sometimes they work, more often than not they don't. Adult league revenue is the majority of our profitable business. It actually has a plus sign at year-end.

Mr. Shipe said the thing that jumps out at him is the Jaycees Park warming house. He thinks we can offer a pleasure rink there without a warming house and still be providing a big benefit. It feels like a good candidate to him.

Mr. Yeager said the timing of this isn't terrible while the Park Board is working on its master planning for these parks. Maybe this is the year we choose to cut way back on our capital expenses, do basically no maintenance on any of our buildings or any capital projects, and get a foothold on what it really costs to run these parks and to fix up these buildings through the course of the next year. It would give the City a bit of a breather on the tax levy for this year. Do we have some pressing issues, absolutely. He thinks we can whittle these down to the bare necessities and get a number that is manageable, especially if we take out all the capital stuff. He commented that not all youth fields that he has been to have LED lights. He would like staff to research options for lighting the softball fields reliably that don't include \$400,000 worth of LED, maybe potentially just upgrading the stanchions that we have with better bulbs and electrical components. There might be something in the middle ground.

Ms. Schaefer said we've spent \$28,000 on concessions so far this year and made \$23,000. Mr. Dehn said concessions have run \$6,000-\$8,000 below budget the past several years with expenses somewhat close but revenues under budget. Ms. Schaefer said other activities in the negative are skating and special events. She would like to see how we can make money at concessions and kickball. Is concessions a service we have for our community or is it a way that we're trying to make money for the parks? We are thinking about charging more money to teams for the lights. Mr. Dehn said concessions has flexibility with prices. This year was tough and we couldn't have budgeted for the food prices, but it is something we will continue to look at. Going forward in 2023, the addition of tablets to take credit cards at the concession stands may provide additional revenue. Ms. Schaefer revisited the idea of a trailer for concessions. Mr. Boeder said concessions is an expensive community service but we have to have it. Maybe we can minimize the items we are selling. Mr. Yeager agreed.

September 27, 2022

Mr. Rushmeyer echoed those thoughts and mentioned having a discussion with the different entities that use our parks to see if they want to partner in the concession area. We can look at different options for the lights and if the best option is to move forward with \$400,000, then we need to be ready to say what we're pushing out, such as the structures and pavilions in Lum Park, the warehouse office demolition, and the Jaycees warming house. Mr. Yeager suggested having a white board session to sit down and score what we were going to do in 2023. Mr. Badeaux met with Mr. Dehn and they talked about the whole system. There are a lot of projects going on and there is an opportunity here to step back and say what do we want to focus on and how do we focus on it, and it would be nice to put a dollar amount on that for Council.

Ms. Bergman said any budget adjustments need to come back to Council before the first meeting in December. Mr. Rushmeyer said the Board will meet on October 11 to continue with master planning and can discuss the budget at the front of that meeting. He requested to have staff available.

Mr. Shipe asked Ms. Kaufman to do a concessions analysis like she did last year of what items sold well and what didn't, to maybe pare down the inventory to save on some of the cost next year. Ms. Kaufman said we can look at it every year.

MLT Project Update - Informational

Mr. Dehn recapped the project update memo from WSB. Structural items for the amphitheater that were delayed have been received. They will stabilize the site for the winter after work is completed for this year. With the six change orders and two contract amendments, the remaining project funds are about \$560,000. The project schedule in the packet may be slightly delayed again because of the structural items that did not get delivered as expected. Completion is anticipated in November rather than October. Most of the turf establishment will happen in the spring.

Mr. Rushmeyer asked about soil erosion to the graded areas over the winter. Mr. Dehn said the big slopes have all been seeded and blanketed. Mr. Indihar said overall the site has been holding up pretty well, even before any seeding was done.

MLT Change Order #7 – Sod Substitution - Approved

Mr. Dehn presented the recommendation from the contractor to substitute sod in irrigated areas of the park. They likely wouldn't get grass seed down until spring and were concerned about the resiliency of seeded areas with the anticipated use of the park in 2023. The additional cost is \$11,086.85. Mr. Yeager said this came up early in one of the design meetings that sod would be preferred but they went with the seeding option to help keep the initial numbers down.

Mr. Shipe questioned the precise number given for sod that wouldn't be received for nine months and asked if the price might go up between now and then. Mr. Indihar said if approved, that number would get locked in. Mr. Rushmeyer asked what would happen if the sod were full of fungus and half of it dies. Mr. Indihar replied there are warranty provisions in the contract for landscaping.

MOVED AND SECONDED BY YEAGER AND BOEDER, DULY CARRIED, TO APPROVE CHANGE ORDER #7 IN THE AMOUNT OF \$11,086.85 FOR THE SUBSTITUTION OF SOD IN THE IRRIGATED AREAS OF THE PARK AS PRESENTED.

MLT Change Order #8 – TWM Structural Engineering - Approved

September 27, 2022

Pursuant to due call and notice thereof, the special meeting of the Brainerd Park Board was called to order at 4:02 p.m. by Board President Rushmeyer.

The following members were noted as present: Boeder, Shipe, Yeager, Rushmeyer, and City Council Liaison Dave Badeaux. Member Schaefer was noted absent.

Also noted present were City Engineer/Public Works Director Dehn and Finance Director Hillman.

Approval of the Agenda - Approved

MOVED AND SECONDED BY MEMBERS YEAGER AND BOEDER, DULY CARRIED, TO APPROVE THE AGENDA AS PRESENTED.

Unfinished Business

Discussion on 2023 Capital Budget Request – Direction Given

Ms. Hillman reported the City Council would like the levy to be much lower than the preliminary levy that was adopted. All departments have been asked to review their 2023 capital for what possibly can wait. She suggested looking at the larger requests on the capital list such as the Memorial Park field lights. It is also anticipated that projects that go out to bid will come back higher than what is currently planned. The City Council is meeting tonight to discuss the ARPA funding. The Park Board has \$947,500 in the 2023 capital budget, and over \$1,000,000 in ARPA asks, for a total capital request of \$1.9 million. Council is hopefully going to decide tonight how much is ARPA and how much is 2023 capital, so the Board can discuss items now or wait and see what Council decides.

Mr. Dehn said that the Maintenance Foreman is very concerned about the lights at Memorial and the ability to keep them running for next year's softball. The Board had asked staff to check on other lighting options. Mr. Dehn said an alternate option is to retrofit the existing poles with new heads. As discussed at the previous meeting, there would be a reduction in price but also a reduction in the warranty. We would also have to pay the cost if they needed to be adjusted. He said it is very difficult to come up with alternative field lighting unless they want to consider portable trailers with lights. Ms. Hillman suggested considering increasing team fees to help cover the cost of the lights. She mentioned the Jaycees and Memorial pavilions as larger items to consider pushing out if they go ahead with the lighting request.

Mr. Yeager asked how much time they would have to work on the primary budget following the Council's ARPA discussion. Ms. Hillman said the Council has to adopt a final budget before the end of December, so the Park Board can discuss and finalize its budget at the October and November meetings. The consensus is to meet after the Council's ARPA discussion and staff was directed to do further research on the field lights, utility costs at the fields, and what the energy savings would be with LED lights.

Park Master Planning-Buffalo Hills-Lions Park

October 11, 2022

Pursuant to due call and notice thereof, the regular meeting of the Brainerd Park Board was called to order at 4:01 p.m. by Board President Rushmeyer.

Upon roll call, the following board members were noted present: Boeder, Schaefer, Shipe, Yeager, and Rushmeyer.

Also noted present were City Council Liaison Badeaux, City Engineer/Public Works Director Dehn, Recreation Coordinator Kaufman, and Maintenance Foreman Harris.

Board President Rushmeyer opened the meeting with the Pledge of Allegiance to the flag.

Approval of the Agenda - Approved

MOVED AND SECONDED BY BOARD MEMBERS YEAGER AND SCHAEFER, DULY CARRIED, TO APPROVE THE AGENDA.

Approval of the Consent Calendar - Approved

MOVED AND SECONDED BY BOARD MEMBERS YEAGER AND BOEDER, DULY CARRIED, TO APPROVE THE CONSENT CALENDAR.

- A. Approval of the Minutes of the Regular Meeting held on August 23, 2022**
- B. Approval of the Disbursements for October 2022**
- C. Financial Report for September 2022**

Unfinished Business

Memorial Park Softball Lights Update

Discussion was had regarding full replacement vs. retro fit replacement of the Memorial Park lights. Mr. Dehn stated the maintenance costs of the lights from the past year was roughly \$14,000. Updating to new LED lights would create roughly 75% savings, about \$9,000 less. There are two options currently being reviewed; full replacement of the poles and lights which would cost approximately \$400,000 in 2023 and provide a 25-year warranty, or rehab just the lighting on the existing poles, which is expected to cost about \$160,000 per field. If you rehab the poles, the warranty drops from 25 years to just 10 years. These two estimates were provided by Musco Lighting, a well-known field lighting supplier/contractor. The vendor would be selected through a sealed bid process and would need to specify the lighting would meet standards for the recreation fields. The board would like more specific answers as to what the warranty does include for both a 25-year and 10-year warranty. Also, the board would like to see softball revenue, so they have clear numbers in front of them when making this decision.

MOVED AND SECONDED BY BOARD MEMBERS YEAGER AND SHIPE, DULY CARRIED, TO REQUEST STAFF TO FACILITATE A COMPETITIVE BIDDING SCENARIO ON FULL REPLACEMENT AND A RETROFIT REPLACEMENT OF THE MEMORIAL PARK LIGHTS. BOARD ASKS FOR VENDORS TO INCLUDE SPECIFICS ON CAPITAL REPLACEMENT, COST OF OPERATION, WARRANTY ASPECTS, PERFORMANCE

EXPECTATIONS, AND TIMEFRAME TO EXECUTE. ON THE RETROFIT REPLACEMENT, VENDORS TO INCLUDE EXPLORATION OF REDUCTION OF POLE HEIGHT.

New Business

MLT Project Update

Mr. Dehn and Matt Indihar, Project Manager from WSB, updated the Park Board on the Mississippi Landing Trailhead Park. A lot of progress and improvements have been made in the past month and the project is still projected to be completed in late Spring/early Summer of 2023. WSB is pushing the contractor to get as much concrete block structure as possible completed this season. Vertical work such as roof structures, column stonework, restroom fixture work, and other items will be completed in the upcoming cold winter months. Mr. Indihar stated that while the revised schedule does not meet the original intent or completion date in the original contract, there have been material delays and other material related factors that have caused delays. Mr. Dehn noted the project is making strides now. Schaefer asked if it was possible to get a press release to the public regarding the progress of the project. It was agreed that a press release could be done as well as social media posts. Mr. Indihar concluded by asking if awareness could be made that it is still a construction zone and would like people to slow down on the road.

MLT Change Order 8

The lighting fixtures called for by the plans and specifications for the amphitheater lighting were too large to install in the steps as indicated. Mr. Indihar stated that WSB was trying to keep to the schedule by making decisions in the field. Smaller lights were ordered and installed; however, the larger lights were already purchased and are not returnable. This change order is the cost of the additional labor for install and the material cost in the amount of \$7,033.95. The board disagreed with this change order, stating the taxpayer should not have to pay for poor planning and specifications.

MOVED AND SECONDED BY YEAGER AND BOEDER, DULY CARRIED, TO DENY CHANGE ORDER #8 IN THE AMOUNT OF \$7,033.95 FOR THE REPLACEMENT OF LIGHTING FIXTURES IN THE STEPS IN THE AMPHITHEATER AREA.

MLT Change Order 9

Mr. Indihar stated that to accommodate the lighting and electrical fixtures, conduit was added into the precast beams. Once the load of the amphitheater's elevated structure was determined, the concrete foundation had to have additional reinforcement as directed by the Structural Engineer. The change order includes the labor and materials for this additional reinforcement, costing \$2,504.32. Yeager asked Mr. Dehn what types of funds come out of contingency vs. the full contract. Mr. Dehn stated that unforeseen changes like this would be taken out of the contingency fund.

MOVED AND SECONDED BY SHIPE AND YEAGER, DULY CARRIED, TO APPROVE CHANGE ORDER #9 IN THE AMOUNT OF \$2,504.32 FOR THE SUPPLEMENTAL REINFORCEMENT IN THE AMPHITHEATER FOUNDATION, SO LONG AS THE FUNDS COME FROM CONTINGENCY AND NOT ADDED TO THE CONTRACT AMOUNT.

MLT Change Order 10

Mr. Indihar from WSB discussed the sidewalk to the hill overlook at the Mississippi Landing Trailhead Project did not get surveyed in as per plan so this change order is to compensate for the contractor work to regrade the trail to match the plan and meet ADA standards. Due to October 25, 2022

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

December 5, 2022

7:00 PM

Council Chambers

WebEx Teleconference Call-In Information Call Toll-

Free: 1-844-992-4726 Access Code: 2495 922 9698

1. Approve Revision of Transportation Alternatives Grant Application
2. Adopt Resolution Removing On-Street Parking on Oak Street Between SE 15th and SE 16th Streets



Brainerd City Council Agenda Request

Requested Meeting Date: December 5, 2022

Title of Item: Approve Revision of Transportation Alternatives Grant Application

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 is requesting approval to revise the 10th Avenue NE Trail Transportation Alternatives (TA) grant application to include a pedestrian bridge crossing at 14th Avenue NE.

Alternative, Options, Effects on Others/Comments:

At the November 7th City Council meeting, Council approved applying for TA grant funding for construction of a multi-use trail adjacent to 10th Ave NE between TH 25 and TH 210. Based on the Council's direction to utilize ARPA funds for a pedestrian bridge feasibility study at 14th Ave NE, staff reached out to MnDOT about the possibility of a second TA grant application. The City cannot put in a second TA grant application but was given the approval to revise the 10th Ave NE Trail grant application to include a pedestrian bridge across TH 210 at 14th Ave NE and a connection to 10th Ave NE.

Recommended Action/Motion:

Staff recommends approval of revising the 10th Ave NE Trail grant application to include construction of a pedestrian bridge at 14th Ave NE.

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: December 5, 2022

Title of Item: RES - Adopt Res Removing Parking on Oak St between SE 15th and SE 16th 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: City Engineer/PW Director Dehn

Department: Public Works

Presenter: City Engineer/PW Director Dehn

Estimated Time Needed: 5 Minutes

Summary of Issue:

Staff is requesting for Council to review recommended changes to on-street parking on the south side of Oak Street between SE 15th Street and SE 16th Street.

Alternative, Options, Effects on Others/Comments:

See attached memo.

Recommended Action/Motion:

Staff recommends adoption of the attached resolution removing on-street parking from the south side of Oak Street between SE 15th Street and SE 16th Street.

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: DECEMBER 5, 2022

SUBJECT: NO PARKING ON OAK STREET BETWEEN SE 15th STREET AND SE 16th STREET

The City has received a Safe Routes to School (SRTS) grant to construct an improved pedestrian crossing corridor on Oak Street adjacent to Harrison Elementary School. The proposed layout includes construction of a median throughout the block of Oak Street between SE 15th Street and SE 16th Street. The addition of the median provides traffic calming through this segment of the corridor as well as provides for a pedestrian refuge island for pedestrians crossing Oak Street at both the intersections of SE 15th Street and SE 16th Street. Also included in the plans are slight curb adjustments at the crossing locations to “bump out” the curbs to narrow the crossing distances across each direction of Oak Street. There is currently no plans to include reconstruction or reconfiguration of the entire block of Oak Street.

With utilizing the existing street width and addition of the median, the available space along this block for vehicles must be narrowed from one side, the other side, or a combination of both sides. To allow for a sufficient shoulder width on the north side of Oak Street for vehicle queuing during drop-off/pick-up times, the addition of the median requires a narrowing of the street segment on the south side of Oak Street. Currently, this side of Oak Street is signed for No Parking during School Days 8 a.m. - 4 p.m. and is a designated Snow Emergency Route.

One of the preliminary layouts includes an 8-foot-wide median. This proposed layout includes a proposed 12-foot-wide travel lane and a 6-foot wide shoulder. With this proposed width, the south side of Oak Street is not wide enough to accommodate both an on-street parking lane as well as through traffic lane. Based on discussion with the Safety and Public Works Committee at the November 21st, 2022 meeting, it was requested to explore other options to continue to allow for on-street parking on the south side of Oak Street. A second preliminary layout showing a narrowed 6-foot-wide median would allow for a 12-foot-wide travel lane and an 8-foot-wide shoulder. This combination of widths would allow for on-street parking while not encroaching on the travel lane. Both preliminary layouts are included in the City Council packet.

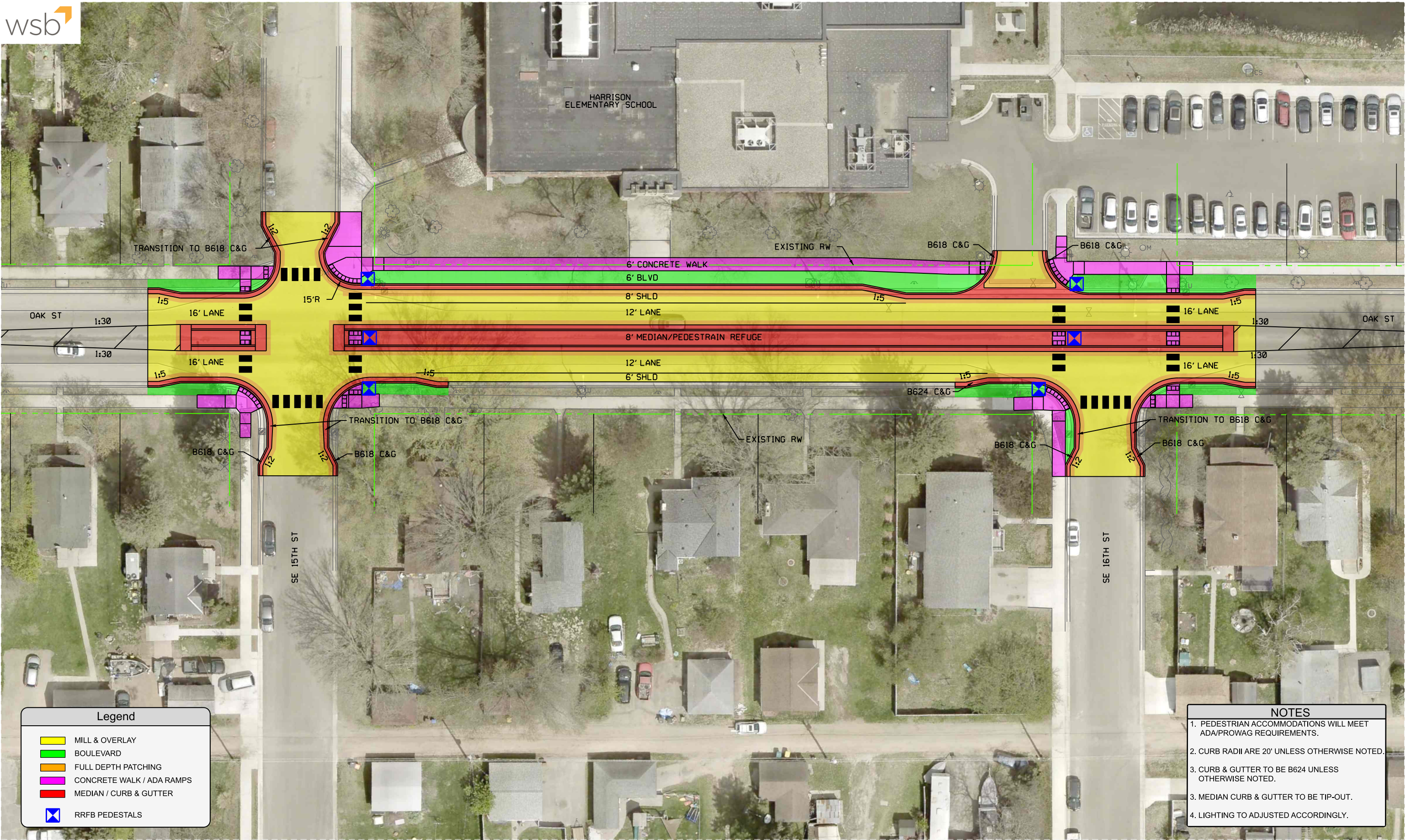
As a reminder, staff had conversations with residents and owners of the properties adjacent to the current on-street parking lane. At 1504, there was no answer and a business card was left with a request for contact. No contact has been received at this time. For the property at 1508, the owner expressed his desire to keep the on-street parking. In

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

the spring, the parking adjacent to the alley is poorer quality and when he has to service the property, he would have to park on 15th Street if the residents are parked in the back, this being less convenient. He was understanding the need to remove the on-street parking to accommodate the project but would prefer to keep it if there was a way to do so. Staff spoke with the tenant in person at 1508. They indicated that due to the current limitations for parking on Oak Street, they regularly park off-street via the alleyway behind the property and have no objections to the possibility of removal of the on-street parking on Oak Street. At 1516, staff spoke with Mr. Michael Duval, the property owner and his wife. During that conversation, they indicated they provide an off-street parking area via the alleyway behind the property. The only times they have usually used the on-street parking on Oak Street was for contractors performing work at the property. They also had no objections to the possibility of removal of on-street parking on the south side of Oak Street. Staff spoke with Paul Weber who owns 1518. He does use the on-street parking when the gravel conditions in the alleyway are poor, visitors to the property would likely have to park on 16th Street which is less convenient and would not like to see the parking on Oak Street removed. Finally, staff spoke with the owner of 602 16th Street SE. He understands that the tenants mostly park on 16th Street and don't regularly use Oak Street. His questions on the project were related more to the limits of sidewalk replacement and if a large tree would be able to be removed through the project. He was indifferent to the possibility of removing the on-street parking on Oak Street.

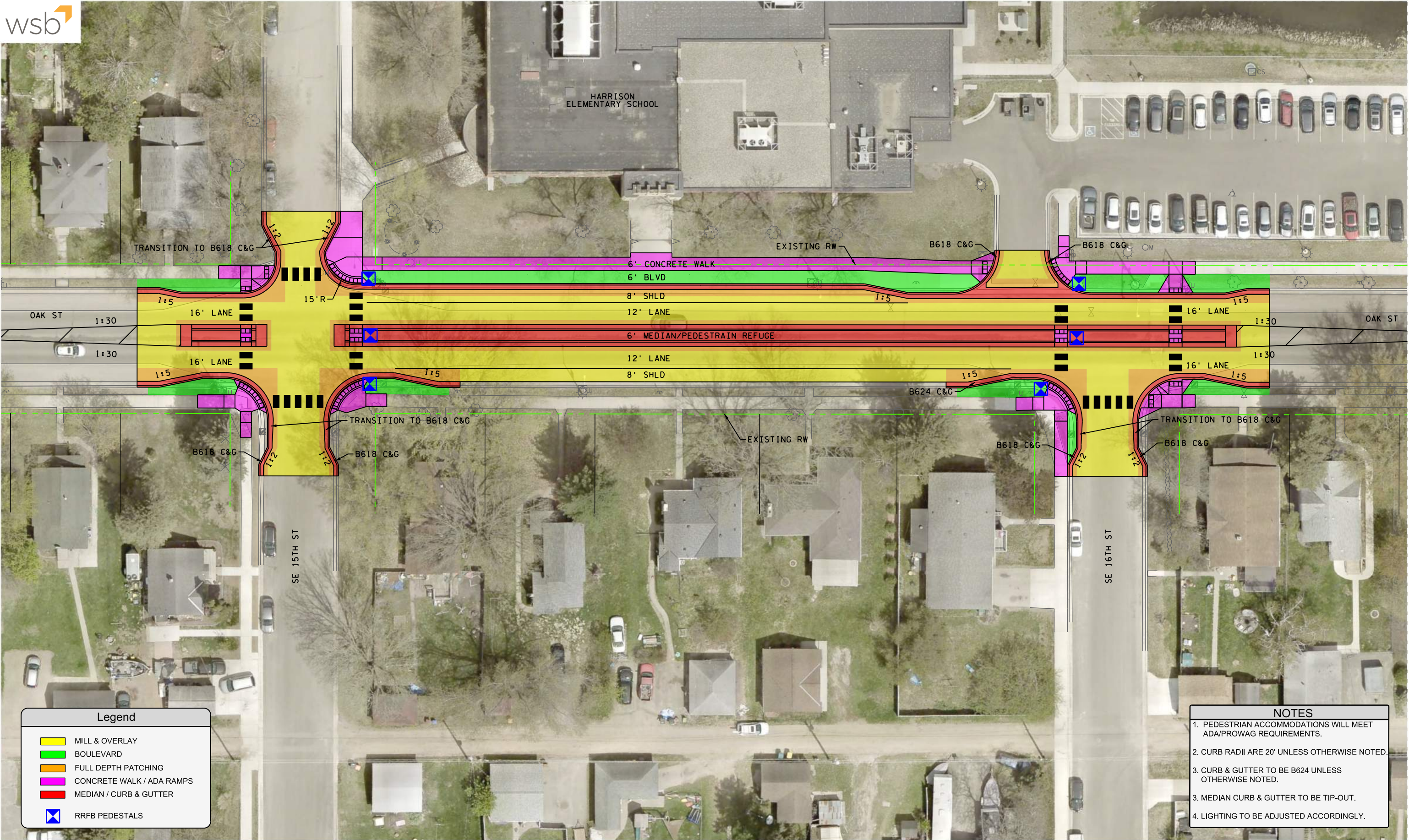
Considering the comments received from adjacent properties and the comments from the Committee, staff had WSB prepare a revised layout that would accommodate on-street parking on Oak Street. The 6-foot-wide median in the one option would be the minimum needed to be considered a "pedestrian refuge". However, this is less than desirable for comfortability for persons with sight or mobility difficulties. The truncated domes are intended to be a signal to those needing the accessibility accommodations that they are either entering the street crossing or have reached the other side of the crossing. These domes are required to be 2 feet in length. With a 6-foot-wide median, this leaves only 2 feet between domes in the median which can be less desirable for those individuals as there isn't a large space for a proper landing space between the domes. With the 8-foot-wide median option, that would accommodate a more appropriate 4-foot-wide landing between the domes. Another concern with allowing on-street parking in this space with the median would be the ability for snow removal equipment to pass through this area during snow events. While there is currently No Parking during a Snow Emergency, this restriction is not in place during smaller snow events that require plowing. If a vehicle is parked on-street, this would leave 12 feet of space from curb to vehicle to accommodate equipment. A 14-foot-wide motor grader would not be able to pass through this area and would have to likely detour to another route resulting in delays of service. If deposited snow encroaches on the shoulder curb and "shifts" the on-street parked vehicles further from the curb, it is likely that no plow or dump trucks would be able to pass through this area either. Based on the factors of accessibility, maintenance, and considering property owner comments, staff would recommend removal of the on-street parking of the south side of Oak Street between SE 15th Street and SE 16th Street and construction of the 8-foot-wide median/pedestrian refuge as part of the Safe Routes to School project.

BRainerd



Preliminary Layout Safe Routes To School: Harrison Elementary Brainerd, MN





Preliminary Layout Safe Routes To School: Harrison Elementary Brainerd, MN



0 20 40
SCALE IN FEET

RESOLUTION
NO. _____

WHEREAS, the City of Brainerd has received Safe Routes to School grant funding to construct improved school pedestrian crossings across Oak Street between SE 15th Street and SE 16th Street; and

WHEREAS, the scope of the improvement includes construction of a median extending the duration of the said block of Oak Street; and

WHEREAS, construction of an 8-foot median within the existing road width would require removal of on-street parking on the south side of Oak Street between SE 15th Street and SE 16th Street; and

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

the City Council of the City of Brainerd does hereby change the parking zone on the south side of Oak Street between the east side of SE 15th Street and the west side of SE 16th Street to "No Parking" effective June 2, 2023.

Adopted this 5th day of December 2022

KELLY BEVANS
President of the Council

Approved this 5th day of December 2022

DAVE BADEAUX
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator

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

December 5, 2022

7:00 PM

2nd Floor Conference Room

WebEx Teleconference Call-In Information Call Toll-

Free: 1-844-992-4726 Access Code: 2485 451 1605

1. Approve Animal Control Enforcement Contract for Calendar Years 2023-2026
2. Consider Amending American Rescue Plan Act (ARPA) Budget for Historic Water Tower Preservation
3. Authorization to Enter into Agreement with CliftonLarsonAllen (CLA) for 2022 Audit Services
4. Adopt Resolution Declaring Costs to be Reassessed Ordering Preparation of Proposed Reassessment, and Ordering a Public Hearing on Proposed Assessment
5. Direction on Updating the City Code
6. Discussion on Non-Working Funds 2023 Budget



Brainerd City Council Agenda Request

Requested Meeting Date: December 5, 2022

Title of Item: Approve Animal Control Enforcement Contract for Calendar Years 2023-2025

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 current animal enforcement control with Lakes Area Wildlife Control expires December 31, 2022. Staff reached out to owner Micheal O'Brien who proposed an increase of 3% each year for calendar years 2023 through 2025.

City Attorney Langel suggested some modifications to the existing contract, and the insurance section was reviewed by WE and also updated. Mr. O'Brien agreed with all suggested revisions to the contract.

Alternative, Options, Effects on Others/Comments:

Direct Staff to issue an RFP for animal control enforcement services.

Recommended Action/Motion:

Approve the attached proposed animal enforcement control agreement with Lakes Area Wildlife Control and authorize signatures of the agreement.

Financial Impact:

Is there a cost associated with this request: Yes

What is the total cost, with tax and shipping: \$36,912

Is this budgeted? (Please Explain) Yes, included in the 2023 budget

Animal Control Enforcement Agreement with the City of Brainerd

This Agreement is made and entered into by Lakes Area Wildlife Control (LAWC) and the City of Brainerd, Minnesota (City). LAWC will provide animal control services as described below.

Compensation -

For services rendered the City agrees to pay LAWC monthly as follows:

2023- \$3076

2024- \$3168

2025- \$3263

Said payments shall be issued by the City on the first council meeting of the month accounts payable run for previous month for which services are rendered.

Animals running at large-

LAWC will undertake reasonable efforts to pick up animals said to be running at large inside the City limits in violation of the City ordinance. If located and captured LAWC will deliver the animal(s) to the owner (if the owner can be determined) or the designated impound facility. ***The City will be responsible for any fees associated with the impoundment outside of pickup and delivery.***

Citations-

LAWC will issue citations or warnings for violations of the City animal ordinances and or state law. When citations are issued notification will also be made to the police department so an incident report can be generated.

Investigation of animal bites-

LAWC will investigate domestic animal bites and produce the necessary reports (including pictures) if any, to be delivered to the City police department. If required, the animal will also be delivered to impound facility for quarantine. If the animal is quarantined at the owner's residence, periodic checks as required will be done. Notification will be made to the police department so an incident report can be generated.

Barking dog complaints-

LAWC will investigate complaints and produce a report covering the investigation.

Cruelty/neglect complaints-

LAWC will investigate and produce reports as necessary for cruelty and or animal neglect complaints. Notification will be made to the police department so an incident report can be generated.

Court appearances/City council meetings-

If required LAWC will attend any court appearances and or City council meetings.

Transportation vehicle-

At its sole expense, LAWC will provide an appropriate, licensed vehicle and any necessary ancillary equipment to transport any and all animals as required under this Agreement.

Insurance-

LAWC shall maintain liability and vehicle insurance coverage for services rendered at the following amounts:

- Commercial General Liability Insurance in a minimum amount of \$1,000,000 per occurrence; \$2,000,000 annual aggregate. The policy shall cover liability arising from premises, operations, products-completed operations, personal injury, advertising injury, and contractually assumed liability.
- Automobile Liability Insurance including owned, hired, and non-owned automobiles, with a minimum combined single liability limit of \$1,000,000 per occurrence.
- Workers' Compensation insurance for all its employees in accordance with the statutory requirements of the State of Minnesota.

The City shall be added as an additional insured on liability policies. LAWC shall provide a copy of insurance certificates to the City.

Independent Contractor Relationship-

It is expressly understood that the Contractor is an "independent contractor" and not an employee of the City. The Contractor shall have control over the manner in which the Services are performed under this Agreement. The Contractor shall supply, at its own expense, all materials, supplies, equipment and tools required to accomplish the Services contemplated by this Agreement. The Contractor shall not be entitled to any benefits from the City, including, without limitation, insurance benefits, sick and vacation leave, workers' compensation benefits, unemployment compensation, disability, severance pay, or retirement benefits. Nothing in this Agreement shall be deemed to constitute a partnership, joint venture or agency relationship between the Parties.

Indemnification-

To the fullest extent permitted by law, the Contractor agrees to defend, indemnify and hold harmless the City, and its employees, officials, and agents from and against all claims, actions, damages, losses and expenses, including reasonable attorney fees, arising out of the Contractor's negligence or the Contractor's performance or failure to perform its obligations under this Agreement. The Contractor's indemnification obligation shall apply to the Contractor's subcontractor(s), or anyone directly or indirectly employed or hired by the Contractor, or anyone for whose acts the Contractor may be liable. The Contractor agrees this indemnity obligation shall survive the completion or termination of this Agreement.

Wild animals-

Except as provided in Section 902 of the Brainerd City Code, wild animals are not regulated by the City and calls by residents to LAWC concerning such animals are not covered by this Agreement. To the extent LAWC handles calls that do not fall within City Code regulations, the caller is responsible for any fees associated with the call. Anyone hiring LAWC for these services will be notified by LAWC that

providing such services requires a contract between the caller and LAWC and that the City is not responsible for any related costs.

Availability-

LAWC will respond to all emergency calls as soon as possible after received. It is agreed that there is no requirement for “active patrol” duties. While LAWC cannot respond to every call immediately due to working a large area it will undertake reasonable efforts to respond in a timely fashion.

Monthly reports-

LAWC will generate a report covering the calls received each month, which shall be submitted to the City Administrator by the 10th day of the following month. These reports will document the time/date of call, response generated, nature of the call and outcome.

This contract shall be considered valid at the time both parties sign below, and will be in effect till midnight on December 31, 2025.

This contract can be terminated by either party with or without cause upon 90 days’ written notice.

Lakes Area Wildlife Control
Michael O’Brien (owner)
9183 1st Ave
Breezy Point, MN 56472

City of Brainerd
501 Laurel Street
Brainerd, MN 56401

Michael O’Brien Date

Mayor Date

City Administrator Date



Brainerd City Council Agenda Request

Requested Meeting Date: December 5, 2022

Title of Item: Consider Amending ARPA Budget for Historic Water Tower Preservation

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: Water Tower Comm./Connie Hillman **Department:** Finance

Presenter: Paul Skogen/Connie Hillman

Estimated Time Needed: 10 Minutes

Summary of Issue:

Please see the attached letter from the Brainerd Historic Water Tower Preservation Committee. The Committee is requesting \$200,000 from the City's State and Local Fiscal Recovery Funds allocation through APRA, to complete phase 1 of the historic water tower preservation, specifically the rehabilitation of the interior stairs and windows of the structure.

Alternative, Options, Effects on Others/Comments:

Attached you will find the current budget for ARPA. The first column reflects previous Council actions on projects to use the ARPA dollars. The second column shows the remaining ARPA funds if Council authorized \$200,000 of ARPA dollars to complete phase 1 of the historic water tower preservation.

Recommended Action/Motion:

Authorization to use or not to use ARPA funds to complete phase 1 of the historic water tower preservation, specifically the rehabilitation of the interior stairs and windows of the structure.

Financial Impact:

Is there a cost associated with this request: Yes

What is the total cost, with tax and shipping: \$200,000

Is this budgeted? (Please Explain) Yes, with ARPA dollars

November 11, 2022

Honorable Mayor and City Council
City of Brainerd
501 Laurel Street
Brainerd, MN 56401



RE: Designation of Coronavirus State and Local Fiscal Recovery (ARPA) Funds to Historic Water Tower Preservation

Dear Honorable Mayor and the Brainerd City Council,

The Brainerd Historic Water Tower Committee continues to make strides in securing grant funding through the Minnesota Historical society (MNHS), obtaining donations from hundreds of supportive businesses and constituents, and raising funds through different events and merchandise, all in the hopes of continuing the great progress that have been made in preserving Brainerd's 100-year-old historic water tower.

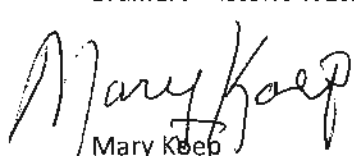
This could not have been done without continued financial support of the Brainerd City Council in these efforts. Through use of the funds already designated for the preservation of the tower, this committee, with assistance from City staff, have been able to obtain both a small and large grants through MNHS. The small grant was awarded to the City to assist in paying for the engineering design of the roof structure, rehabilitation of the interior stairs, and preservation of the windows on the structure while the large grant, along with required match, was used to construct the roof on the structure. This roof structure is anticipated to be completed at the end of November 2022. The grant funds and match, because of increased construction costs and the difficulty in constructing the proposed roof structure, were only enough to cover the roof structure as proposed in the plans. This leaves the rehabilitation of the stairs and windows on the structure left from the Phase 1 improvements.

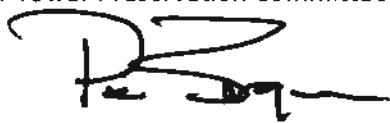
At our meeting on October 19, the Historic Water Tower Committee elected to move forward with pursuing an additional large grant to perform a study on construction methods and costs to repair the exterior stucco on tower. The Committee intends on asking for 50% of the study from MNHS, while matching the remaining costs of the study with funds raised by the committee and funds designated for use by the Brainerd City Council (50/50 split of remaining). This leveraging of funds has proven very successful in obtaining grants from MNHS. This request to apply for the grant will be brought forward to a City Council meeting in the near future. While this is a critical next step in continuing progress on the restoration of this Brainerd icon, it still does not address the needed repairs to the stairs and windows on the structure. This is an anticipated expenditure of around \$200,000.

It is our understanding that the City Council is currently considering ways to utilize its funds provided through the American Rescue Plan Act. The Brainerd Historic Water Tower Preservation Committee respectfully requests that the Brainerd City Council designate \$200,000 in its Coronavirus State and Local Fiscal Recovery Funds to complete Phase 1 of the Historic Water Tower preservation, specifically, the rehabilitation of the interior stairs and windows on the structure.

Through the continued support of the Brainerd City Council, businesses, constituents, and history buffs in the Brainerd Lakes Area, this Committee is confident that It can deliver on its promise to save and preserve this historic icon.

Sincerely,
Brainerd Historic Water Tower Preservation Committee


Mary Keep
Treasurer


Paul Skogen
Chair


Paul Sandy
Committee Member

ARPA Budget

	Budget as of 11/30/2022	Column #2
Total Funding	\$ 1,468,098	\$ 1,468,098
Allocated to EDA - Mainstreet Grant	80,000	80,000
Future Parks Capital **	575,000	575,000
2023 Capital	300,000	300,000
Police Department HVAC	140,000	140,000
Pedestrian Bridge Feasibility Study	35,000	35,000
Stairs and Windows - Historic Watertower	-	200,000
To Be Determined	\$ 338,098	\$ 138,098
** Future Park Capital Priority Order		
Jaycees Park	\$ 200,000	\$ 200,000
Lum Park Beach	150,000	150,000
Kiwanis Park	75,000	75,000
Lum Park Campground	150,000	150,000
	\$ 575,000	\$ 575,000



Brainerd City Council Agenda Request

Requested Meeting Date: December 5, 2022

Title of Item: Authorization to enter into Agreements with CLA for 2022 Audit Services

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:

At the September 6, 2022 council meeting, Staff shared an email received from CliftonLarsonAllen (CLA) regarding the potential increase in audit fees for the 2022 audit, which could be a 10-15% increase plus fees for GASB 87 implementation. Attached are the engagement letters (Master Services Agreement and Statement of Work (SOW)). Page 11 of the SOW lists the fees for 2022 at \$51,000 plus a 5% tech fee for a total of \$53,550 plus GASB 87 implementation fee. Excluding the GASB 87 fees, it is a 12.3% increase over the amount paid for 2021 audit services.

Alternative, Options, Effects on Others/Comments:

2017 Total Audit Fee \$45,570
2018 Total Audit Fee \$46,020
2019 Total Audit Fee \$46,020 - Total billed and paid \$45,294
2020 Total Audit Fee \$47,500 - Total billed and paid \$45,465
2021 Total Audit Fee \$47,670
Projected 2022 Audit Fee \$53,550 plus fees for GASB 87 implementation.
The Airport pays approximately \$5,000 - \$9,000 of the audit fee, based on revenues

Recommended Action/Motion:

Authorize signatures on the engagement letters.

Financial Impact:

Is there a cost associated with this request: Yes

What is the total cost, with tax and shipping: \$53,550

Is this budgeted? (Please Explain) Yes. \$46,000 is included in the 2023 professional services budget for audit services. This amount does not include the portion of the audit fees allocated to the Airport.



Master Services Agreement

City of Brainerd
501 Laurel Street
Brainerd, MN 56401
MSA Date: November 23, 2022

This master service agreement (“MSA”) documents the terms, objectives, and the nature and limitations of the services CliftonLarsonAllen LLP (“CLA,” “we,” “us,” and “our”) will provide for City of Brainerd (“you,” or “your”). The terms of this MSA will apply to the initial and each subsequent statement of work (“SOW”), unless the MSA is changed in a communication that you and CLA both sign or is terminated as permitted herein.

1. **Scope of Professional Services**

CLA will provide services as described in one or more SOW that will reference this MSA. The SOW will describe the scope of professional services; the nature, limitations, and responsibilities related to the specific services CLA will provide; and the fees for such services.

If modifications or changes are required during CLA’s performance of requested services, or if you request that we perform any additional services, we will provide you with a separate SOW for your signature. Such SOW will advise you of the additional fee and time required for such services to facilitate a clear understanding of the services.

Our services cannot be relied upon to disclose all errors, fraud, or noncompliance with laws and regulations. Except as described in the scope of professional services section of this MSA or any applicable SOW, we have no responsibility to identify and communicate deficiencies in your internal controls as part of any services.

2. **Management responsibilities**

You acknowledge and understand that our role is to provide the services identified in an SOW and that management, and any other parties engaging CLA, have responsibilities that are fundamental to our undertaking to perform the identified services.

3. **Fees and terms**

See the applicable SOW for the fees for the services.

Work may be suspended if your account becomes 90 days or more overdue and will not be resumed

until your account is paid in full. If we elect to terminate our services for nonpayment, our engagements will be deemed to have been completed even if we have not completed the services. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket expenditures through the date of termination.

Payments may be made utilizing checks, Bill.com, your online banking platform, CLA's electronic payment platform, or any other client initiated payment method approved by CLA. CLA's electronic online bill pay platform claconnect.com/billpay accepts credit card and Automated Clearing House (ACH) payments. Instructions for you to make direct bank to bank wire transfers or ACH payments will be provided upon request.

4. Other Fees

You also agree to compensate us for any time and expenses, including time and expenses of legal counsel, we may incur in responding to discovery requests or participating as a witness or otherwise in any legal, regulatory, or other proceedings that we are asked to respond to on your behalf.

5. Finance charges and collection expenses

You agree that if any statement is not paid within 30 days from its billing date, the unpaid balance shall accrue interest at the monthly rate of one and one-quarter percent (1.25%), which is an annual percentage rate of 15%. In the event that any collection action is required to collect unpaid balances due us, reasonable attorney fees and expenses shall be recoverable.

6. Dispute Resolution

Any disagreement, controversy, or claim ("Dispute") that may arise out of any aspect of our services or relationship with you shall be submitted to non-binding mediation by written notice ("Mediation Notice") to the other party. In mediation, we will work with you to resolve any differences voluntarily with the aid of an impartial mediator.

The mediation will be conducted as specified by the mediator and agreed upon by the parties (i.e., you and CLA). The parties agree to discuss their differences in good faith and to attempt, with the assistance of the mediator, to reach an amicable resolution of the Dispute.

Each party will bear its own costs in the mediation. The fees and expenses of the mediator will be shared equally by the parties.

7. Limitation of remedies

These limitation of remedies provisions are not applicable for any audit or examination services provided to you.

Our role is strictly limited to the services described in an SOW, and we offer no assurance as to the results or ultimate outcomes of any services or of any decisions that you may make based on our communications with you. You agree that it is appropriate to limit the liability of CLA, its partners, principals, directors, officers, employees, and agents (each a "CLA party").

You further agree that you will not hold CLA or any other CLA party liable for any claim, cost, or

damage, whether based on warranty, tort, contract, or other law, arising from or related to this MSA, the services provided under an SOW, the work product, or for any plans, actions, or results of an SOW, except to the extent authorized by this MSA. In no event shall any CLA party be liable to you for any indirect, special, incidental, consequential, punitive, or exemplary damages, or for loss of profits or loss of goodwill, costs, or attorney fees.

The exclusive remedy available to you shall be the right to pursue claims for actual damages that are directly caused by acts or omissions that are breaches by a CLA party of our duties owed under this MSA and the specific SOW thereunder, but any recovery on any such claims shall not exceed the fees actually paid by you to CLA pursuant to the SOW that gives rise to the claim.

8. Governing Laws, Jurisdiction, and Venue

The MSA is made under and shall be governed by the laws of the state of Minnesota, without giving effect to choice of law principles. This includes dispute resolution and limitation of remedies.

9. Time limitations

The nature of our services makes it difficult, with the passage of time, to gather and present evidence that fully and fairly establishes the facts underlying any dispute that may arise between you and any CLA party. The parties (you and CLA) agree that, notwithstanding any statute or law of limitations that might otherwise apply to a dispute, including one arising out of this MSA or the services performed under an SOW, for breach of contract or fiduciary duty, tort, fraud, misrepresentation or any other cause of action or remedy, any action or legal proceeding by you against any CLA party must be commenced as provided below, or you shall be forever barred from commencing a lawsuit or obtaining any legal or equitable relief or recovery. An action to recover on a dispute shall be commenced within these periods ("Limitation Period"), which vary based on the services provided, and may be modified as described in the following paragraph:

Service	Time after the date we deliver the services or work product*
Tax Consulting Services	36 months
Tax Return Preparation	36 months
Examination, compilation, and preparation services related to prospective financial statements	12 months
Audit, review, examination, agreed-upon procedures, compilation, and preparation services other than those related to prospective financial information	24 months
All Other Services	12 months

* pursuant to the SOW on which the dispute is based

If the MSA is terminated or your ongoing relationship with CLA is terminated, then the applicable Limitation Period is the lesser of the above periods or 12 months after termination of MSA or your ongoing relationship with CLA. The applicable Limitation Period applies and begins to run even if you have not suffered any damage or loss, or have not become aware of the existence or possible existence of a dispute.

10. Confidentiality

Except as permitted by the “Consent” section of this MSA, CLA will not disclose any of your confidential, proprietary, or privileged information to any person or party, unless you authorize us to do so, it is published or released by you, it becomes publicly known or available other than through disclosure by us, or disclosure is required by law, regulation or professional standard. This confidentiality provision does not prohibit us from disclosing your information to one or more of our affiliated companies in order to provide services that you have requested from us or from any such affiliated company. Any such affiliated company shall be subject to the same restrictions on the use and disclosure of your information as apply to us. You also consent to our disclosure of information regarding the nature of services we provide to you to another independent network member of CLA Global, for the limited purpose of complying with professional obligations regarding independence and conflicts of interest.

The Internal Revenue Code contains a limited privilege for confidentiality of tax advice between you and our firm. In addition, the laws of some states likewise recognize a confidentiality privilege for some accountant-client communications. You understand that CLA makes no representation, warranty or promise, and offers no opinion with respect to the applicability of any confidentiality privilege to any information supplied or communications you have with us, and, to the extent that we follow instructions from you to withhold such information or communications in the face of a request from a third party (including a subpoena, summons or discovery demand in litigation), you agree to hold CLA harmless should the privilege be determined not to apply to particular information or communications.

The workpapers and files supporting the services we perform are the sole and exclusive property of CLA and constitute confidential and proprietary information. We do not provide access to our workpapers and files to you or anyone else in the normal course of business. Unless required by law or regulation to the contrary, we retain our workpapers and files in accordance with our record retention policy that typically provides for a retention period of seven years. After this period expires, our workpapers and files will be destroyed. Furthermore, physical deterioration or catastrophic events may shorten the time our records are available. The workpapers and files of our firm are not a substitute for your records.

Pursuant to authority given by law, regulation or professional standards we may be requested to make certain workpapers and files available to a regulator for its regulatory oversight purposes. We will notify you of any such request, if permitted by law. Access to the requested workpapers and files will be provided to the regulator under the supervision of CLA personnel and at a location designated by our firm. Furthermore, upon request, we may provide copies of selected workpapers and files to such regulator. The regulator may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

11. Other provisions

You agree that CLA will not be assuming any fiduciary responsibility on your behalf during the course of this MSA, except as may be assumed in an SOW.

CLA may, at times, utilize external web applications to receive and process information from our clients; however, any sensitive data, including protected health information and personally identifiable information, must be redacted by you to the maximum extent possible prior to uploading the document or file. In the event that you are unable to remove or obscure all sensitive data, please contact us to discuss other potential options for transmitting the document or file.

CLA and certain owners of CLA are licensed by the California State Board of Accountancy. However, CLA has owners not licensed by the California State Board of Accountancy who may provide services under this MSA. If you have any questions regarding licensure of the personnel performing services under this MSA, please do not hesitate to contact us.

During the course of the engagement, there may be communication via fax or email. You are responsible to ensure that communications received by you or your personnel are secured and not shared with unauthorized individuals.

12. Consent to use financial information

We regularly aggregate anonymized client data and perform a variety of analyses using that aggregated data. Some of these analyses are published to clients or released publicly. However, we are always careful to preserve the confidentiality of the separate information that we obtain from each client, as required by the AICPA Code of Professional Conduct and various laws. Your acceptance of this MSA will serve as your consent to our use of City of Brainerd anonymized data in performing and reporting on these cost comparison, performance indicator and/or benchmarking analyses.

Unless authorized by law or the client consents, we cannot use a client's tax return information for purposes other than the preparation and filing of the client's tax return. By signing and dating this MSA, you authorize CLA to use any and all information furnished to CLA for or in connection with the preparation of the tax returns under this MSA, for a period of up to six (6) years from the date of this MSA, in connection with CLA's preparation of the types of reports described in the foregoing paragraph.

13. Consent to send you publications and other materials

For your convenience, CLA produces a variety of publications, hard copy and electronic, to keep you informed about pertinent business and personal financial issues. This includes published articles, invitations to upcoming seminars, webinars and webcasts, newsletters, surveys, and press releases. To determine whether these materials may be of interest to you, CLA will need to use your tax return information. Such tax information includes your name and address as well as the business and financial information you provided to us.

By signing and dating this MSA, you authorize CLA to use the information that you provide to CLA during the preparation of your tax returns to determine whether to offer you relevant materials. Your

consent is valid until further notice.

14. Subcontractors

CLA may, at times, use subcontractors to perform services under this MSA, and they may have access to your information and records. Any such subcontractors will be subject to the same restrictions on the use of such information and records as apply to CLA under this MSA.

15. Technology

CLA may, at times, use third-party software applications to perform services under this MSA. You acknowledge the software vendor may have access to your data.

16. Termination of MSA

This MSA shall continue for five years from November 23, 2022, unless terminated earlier by giving appropriate notice. Either party may terminate this MSA at any time by giving 30 days written notice to the other party.

Upon termination of the MSA, the provisions of this MSA shall continue to apply to all services rendered prior to termination.

17. Agreement

We appreciate the opportunity to be of service to you and believe this MSA accurately summarizes the significant terms of our relationship. This MSA, along with the applicable addendum(s) and SOW(s), constitute the entire agreement regarding services to be performed and supersedes all prior agreements (whether oral or written), understandings, negotiations, and discussions between you and CLA. If you have any questions, please let us know. If you agree with the terms of our relationship as described in this MSA, please sign, date, and return.

CliftonLarsonAllen LLP

Mary Reedy

Principal

3202035534

mary.reedy@claconnect.com

Response:

This MSA correctly sets forth the understanding of City of Brainerd

CLA

ORG: _____

NAME: Mary Reedy

TITLE: Principal

SIGN: Mary Reedy

DATE: November 23, 2022

Client

ORG: City of Brainerd

NAME: Jennifer Bergman

TITLE: City Administrator

SIGN: _____

DATE: _____

ORG: City of Brainerd

NAME: _____

TITLE: _____

SIGN: _____

DATE: _____



Statement of Work - Audit Services

November 23, 2022

This document constitutes a statement of work ("SOW") under the master service agreement ("MSA") dated November 23, 2022, or superseding MSA, made by and between CliftonLarsonAllen LLP ("CLA," "we," "us," and "our") and City of Brainerd ("you," "your," or "the entity"). We are pleased to confirm our understanding of the terms and objectives of our engagement and the nature and limitations of the services CLA will provide for the entity as of and for the year ended December 31, 2022.

Mary Reedy is responsible for the performance of the audit engagement.

Scope of audit services

We will audit the financial statements of the governmental activities, the business-type activities, the aggregate discretely present component units, each major fund, and the aggregate remaining fund information, which collectively comprise the basic financial statements of City of Brainerd, and the related notes to the financial statements.

The Governmental Accounting Standards Board (GASB) provides for certain required supplementary information (RSI) to accompany the entity's basic financial statements.

The RSI will be subjected to certain limited procedures, but will not be audited.

We will also evaluate and report on the presentation of the supplementary information other than RSI accompanying the financial statements in relation to the financial statements as a whole.

Nonaudit services

We will also provide the following nonaudit services:

- Preparation of your financial statements and the related notes.
- Preparation of the required supplementary information (RSI).
- Preparation of the supplementary information.
- Preparation of schedule of federal awards.
- Preparation of GASB 87 lease tool, if applicable

Audit objectives

The objectives of our audit of the financial statements are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion about whether your financial statements are fairly presented, in all material respects, in conformity with accounting principles generally accepted in the United States of America (U.S. GAAP). Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America (U.S. GAAS) will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

Our audit will be conducted in accordance with U.S. GAAS; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. *Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Those standards require us to be independent of the entity and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. Our audit will include tests of your accounting records, a determination of major program(s) in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express opinions and render the required reports.

We will apply certain limited procedures to the RSI in accordance with U.S. GAAS. However, we will not express an opinion or provide any assurance on the RSI because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. We will also perform procedures to enable us to express an opinion on whether the supplementary information (as identified above) other than RSI accompanying the financial statements is fairly stated, in all material respects, in relation to the financial statements as a whole.

The objectives of our audit also include:

- Reporting on internal control over financial reporting and on compliance with the provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Reporting on internal control over compliance related to major programs and expressing an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Uniform Guidance.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will include a paragraph that states (1) that the purpose of the report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over

compliance will include a paragraph that states that the purpose of the report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

We will issue written reports upon completion of our audit of your financial statements and compliance with requirements applicable to major programs.

Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph to our auditors' report, or if necessary, withdraw from the engagement. If our opinions on the financial statements or compliance are other than unmodified, we will discuss the reasons with you in advance. If circumstances occur related to the condition of your records, the availability of sufficient, appropriate audit evidence, or the existence of a significant risk of material misstatement of the financial statements or material noncompliance caused by error, fraudulent financial reporting, or misappropriation of assets, which in our professional judgment prevent us from completing the audit or forming an opinion on the financial statements or an opinion on compliance, we retain the right to take any course of action permitted by professional standards, including declining to express opinions or issue reports, or withdrawing from the engagement.

As part of our audit, we will also perform the procedures and provide the report required by the Minnesota Legal Compliance Audit Guide for Political Subdivisions.

It is our understanding that our auditors' report will be included in your annual report which is comprised of introductory and statistical sections and that your annual report will be issued by June 30, 2023. Our responsibility for other information included in your annual report does not extend beyond the financial information identified in our opinion on the financial statements. We have no responsibility for determining whether such other information is properly stated and do not have an obligation to perform any procedures to corroborate other information contained in your annual report. We are required by professional standards to read the other information and consider whether a material inconsistency exists between the other information and the financial statements because the credibility of the financial statements and our auditors' report thereon may be undermined by material inconsistencies between the audited financial statements and other information. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

Auditor responsibilities, procedures, and limitations

We will conduct our audit in accordance with U.S. GAAS, the standards for financial audits contained in *Government Auditing Standards*, and the Uniform Guidance.

Those standards require that we exercise professional judgment and maintain professional skepticism throughout the planning and performance of the audit. As part of our audit, we will:

- Identify and assess the risks of material misstatement of the financial statements and material

noncompliance, whether due to fraud or error, design and perform audit procedures responsive to those risks, and evaluate whether audit evidence obtained is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement or a material noncompliance resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. However, we will communicate to you in writing any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements, including the amounts and disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Conclude, based on our evaluation of audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the entity's ability to continue as a going concern for a reasonable period of time.

Although our audit planning has not been concluded and modifications may be made, we have identified the following significant risk(s) of material misstatement as part of our audit planning:

- Management override of internal controls
- Improper revenue recognition

There is an unavoidable risk, because of the inherent limitations of an audit, together with the inherent limitations of internal control, that some material misstatements or noncompliance may not be detected, even though the audit is properly planned and performed in accordance with U.S. GAAS, Government Auditing Standards, and the Uniform Guidance. Because we will not perform a detailed examination of all transactions, material misstatements, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity, may not be detected. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not require auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or on major programs. However, we will inform the appropriate level of management and those charged with governance of any material errors, fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management and those charged with governance of any violations of laws or governmental regulations that come to our attention, unless clearly

inconsequential. We will include such matters in the reports required for a single audit.

Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting fraud or errors that are material to the financial statements and to preventing and detecting misstatements resulting from noncompliance with provisions of laws, regulations, contracts, and grant agreements that have a material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify deficiencies, significant deficiencies, or material weaknesses in internal control. However, we will communicate to you in writing significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we identify during the audit that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the entity's compliance with the provisions of laws, regulations, contracts, and grant agreements that have a material effect on the financial statements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

We will include in our report on internal control over financial reporting and on compliance relevant information about any identified or suspected instances of fraud and any identified or suspected noncompliance with provisions of laws, regulations, contracts, or grant agreements that may have occurred that are required to be communicated under *Government Auditing Standards*.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal statutes, regulations, and the terms and conditions of federal awards that may have a direct and material effect on each of the entity's major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the "OMB Compliance Supplement" for the types of compliance requirements that could have a direct and material effect on each of the entity's major programs. The purpose of these procedures will be to express an opinion on the entity's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

We will evaluate the presentation of the schedule of expenditures of federal awards accompanying the financial statements in relation to the financial statements as a whole. We will make certain inquiries of management and evaluate the form, content, and methods of preparing the schedule to determine whether the information complies with U.S. GAAP and the Uniform Guidance, the method of preparing it has not

changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We will compare and reconcile the schedule to the underlying accounting records and other records used to prepare the financial statements or to the financial statements themselves.

Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Management responsibilities

Our audit will be conducted on the basis that you (management and, when appropriate, those charged with governance) acknowledge and understand that you have certain responsibilities that are fundamental to the conduct of an audit.

You are responsible for the preparation and fair presentation of the financial statements, RSI, and the schedule of expenditures of federal awards in accordance with U.S. GAAP. Management is also responsible for identifying all federal awards received, understanding and complying with the compliance requirements, and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received) in accordance with the requirements of the Uniform Guidance.

Management's responsibilities include the selection and application of accounting principles; recording and reflecting all transactions in the financial statements; determining the reasonableness of significant accounting estimates included in the financial statements; adjusting the financial statements to correct material misstatements; and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole. In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the entity's ability to continue as a going concern for 12 months beyond the financial statement date.

Management is responsible for compliance with applicable laws and regulations and the provisions of contracts and grant agreements, including compliance with federal statutes, regulations, and the terms and conditions of federal awards applicable to the entity's federal programs. Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

You are responsible for the design, implementation, and maintenance of effective internal control, including internal control over compliance, relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including evaluating and monitoring ongoing activities and safeguarding assets to help ensure that appropriate goals and objectives are met; and that there is reasonable assurance that government programs are administered in compliance with compliance requirements.

You are responsible for the design, implementation, and maintenance of internal controls to prevent and detect fraud; assessing the risk that the financial statements may be materially misstated as a result of fraud; and for informing us about all known or suspected fraud affecting the entity involving (1)

management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the entity received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for implementing systems designed to achieve compliance with applicable laws and regulations and the provisions of contracts and grant agreements, including compliance with federal statutes, regulations, and the terms and conditions of federal awards applicable to the entity's federal programs; identifying and ensuring that the entity complies with applicable laws, regulations, contracts, and grant agreements, including compliance with federal statutes, regulations, and the terms and conditions of federal awards applicable to the entity's federal programs; and informing us of all instances of identified or suspected noncompliance whose effects on the financial statements should be considered.

You are responsible for taking timely and appropriate steps to remedy any fraud; noncompliance with provisions of laws, regulations, contracts, or grant agreements; or abuse that we may report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified, including noncompliance identified in audit findings; and to follow up and take prompt corrective action on reported audit findings and to prepare a summary schedule of prior audit findings and a corrective action plan. The summary schedule of prior audit findings should be available for our review.

You are responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, including amounts and disclosures, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters, and for the accuracy and completeness of that information (including information from within and outside of the general and subsidiary ledgers), and for ensuring management information and financial information is reliable and properly reported; (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance; (3) additional information that we may request for the purpose of the audit; and (4) unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence.

You agree to inform us of events occurring or facts discovered subsequent to the date of the financial statements that may affect the financial statements.

You agree to include our report on the schedule of expenditures of federal awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal awards. You also agree to include the audited financial statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon or make the audited financial statements readily available to intended users of the schedule of expenditures of federal awards no later than the date the schedule of expenditures of federal awards is issued with our report thereon. Your responsibilities include acknowledging to us in the representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is fairly presented in accordance

with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

Management is responsible for the preparation and fair presentation of other supplementary information in accordance with U.S. GAAP. You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon or make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. You agree to provide us written representations related to the presentation of the supplementary information.

Management is responsible for the preparation of other information included in your annual report. You agree to provide the final version of such information to us in a timely manner, and if possible, prior to the date of our auditors' report. If the other information included in your annual report will not be available until after the date of our auditors' report on the financial statements, you agree to provide written representations indicating that (1) the information is consistent with the financial statements, (2) the other information does not contain material misstatements, and (3) the final version of the documents will be provided to us when available, and prior to issuance of the annual report by the entity, so that we can complete the procedures required by professional standards. Management agrees to correct material inconsistencies that we may identify. You agree to include our auditors' report in any document containing financial statements that indicates that such financial statements have been audited by us.

Management is responsible for providing us with a written confirmation concerning representations made by you and your staff to us in connection with the audit and the presentation of the basic financial statements and RSI. During our engagement, we will request information and explanations from you regarding, among other matters, the entity's activities, internal control, future plans, specific transactions, and accounting systems and procedures. The procedures we will perform during our engagement and the conclusions we reach as a basis for our report will be heavily influenced by the representations that we receive in the representation letter and otherwise from you. Accordingly, inaccurate, incomplete, or false representations could cause us to expend unnecessary effort or could cause a material fraud or error to go undetected by our procedures. In view of the foregoing, you agree that we shall not be responsible for any misstatements in the entity's financial statements that we may fail to detect as a result of misrepresentations made to us by you.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies to us of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the "Audit objectives" section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other engagements or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations,

as well as your planned corrective actions for the report, and for the timing and format for providing that information.

Responsibilities and limitations related to nonaudit services

For all nonaudit services we may provide to you, management agrees to assume all management responsibilities; oversee the services by designating an individual, preferably within senior management, who possesses suitable skill, knowledge, and/or experience to understand and oversee the services; evaluate the adequacy and results of the services; and accept responsibility for the results of the services. Management is also responsible for ensuring that your data and records are complete and that you have received sufficient information to oversee the services.

Use of financial statements

Should you decide to include or incorporate by reference these financial statements and our auditors' report(s) thereon in a future private placement or other offering of equity or debt securities, you agree that we are under no obligation to re-issue our report or provide consent for the use of our report in such a registration or offering document. We will determine, at our sole discretion, whether we will re-issue our report or provide consent for the use of our report only after we have performed the procedures we consider necessary in the circumstances. If we decide to re-issue our report or consent to the use of our report, we will be required to perform certain procedures including, but not limited to, (a) reading other information incorporated by reference in the registration statement or other offering document and (b) subsequent event procedures. These procedures will be considered an engagement separate and distinct from our audit engagement, and we will bill you separately. If we decide to re-issue our report or consent to the use of our report, you agree that we will be included on each distribution of draft offering materials and we will receive a complete set of final documents. If we decide not to re-issue our report or decide to withhold our consent to the use of our report, you may be required to engage another firm to audit periods covered by our audit reports, and that firm will likely bill you for its services. While the successor auditor may request access to our workpapers for those periods, we are under no obligation to permit such access.

If the parties (i.e., you and CLA) agree that CLA will not be involved with your official statements related to municipal securities filings or other offering documents, we will require that any official statements or other offering documents issued by you with which we are not involved clearly indicate that CLA is not involved with the contents of such documents. Such disclosure should read as follows:

CliftonLarsonAllen LLP, our independent auditor, has not been engaged to perform and has not performed, since the date of its report included herein, any procedures on the financial statements addressed in that report. CliftonLarsonAllen LLP also has not performed any procedures relating to this offering document.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website or submitted on a regulator website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in those sites or to consider the consistency of other information in the electronic site with the original document.

We may issue preliminary draft financial statements to you for your review. Any preliminary draft financial

statements should not be relied on or distributed.

Engagement administration and other matters

We understand that your employees will prepare all confirmations, account analyses, and audit schedules we request and will locate any documents or invoices selected by us for testing. A list of information we expect to need for our audit and the dates required will be provided in a separate communication.

At the conclusion of the engagement, we will complete the auditor sections of the electronic Data Collection Form SF-SAC and perform the steps to certify the Form SF-SAC and single audit reporting package. It is management's responsibility to complete the auditee sections of the Data Collection Form. We will create the single audit reporting package PDF file for submission; however, it is management's responsibility to review for completeness and accuracy and electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse and, if appropriate, to pass-through entities. The Data Collection Form and the reporting package must be electronically submitted within the earlier of 30 calendar days after receipt of the auditors' reports or nine months after the end of the audit period.

We will provide copies of our reports to the entity; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing confidential or sensitive information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the sole and exclusive property of CLA and constitutes confidential and proprietary information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to Minnesota Office of the State Auditor, or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of CLA personnel. Furthermore, upon request, we may provide copies or electronic versions of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of seven years after the report release date or for any additional period requested by the Minnesota Office of the State Auditor. If we are aware that a federal or state awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Professional standards require us to be independent with respect to you in the performance of these services. Any discussion that you have with our personnel regarding potential employment with you could impair our independence with respect to this engagement. Therefore, we request that you inform us prior to any such discussions so that we can implement appropriate safeguards to maintain our independence and objectivity. Further, any employment offers to any staff members working on this engagement without our

prior knowledge may require substantial additional procedures to ensure our independence. You will be responsible for any additional costs incurred to perform these procedures.

Our audit engagement ends on delivery of our signed report. Any additional services that might be requested will be a separate, new engagement. The terms and conditions of that new engagement will be governed by a new, specific SOW for that service.

Government Auditing Standards require that we make our most recent external peer review report publicly available. The report is posted on our website at www.CLAconnect.com/Aboutus/.

Fees

Our professional fees will be billed based on the time involved and the degree of responsibility and skills required. We will also bill for expenses (including travel, internal and administrative charges) plus a technology and client support fee of five percent (5%) of all professional fees billed. Based on our preliminary estimates, the total fees and expenses for the engagement should approximate \$51,000, plus 5% tech fee. There is an additional charge of \$1,000 for software usage of up to ten leases to implement GASB 87 plus \$250 per hour for assessing leases within the City plus 5% tech fee. This estimate is based on anticipated cooperation from your personnel and their assistance with locating requested documents and preparing requested schedules. If the requested items are not available on the dates required or are not accurate, the fees and expenses will likely be higher. Our invoices, including applicable state and local taxes, will be rendered each month as work progresses and are payable on presentation.

Unexpected circumstances

We will advise you if unexpected circumstances require significant additional procedures resulting in a substantial increase in the fee estimate.

Changes in accounting and audit standards

Standard setters and regulators continue to evaluate and modify standards. Such changes may result in new or revised financial reporting and disclosure requirements or expand the nature, timing, and scope of the activities we are required to perform. To the extent that the amount of time required to provide the services described in the SOW increases due to such changes, our fee may need to be adjusted. We will discuss such circumstances with you prior to performing the additional work.

Agreement

We appreciate the opportunity to provide to you the services described in this SOW under the MSA and believe this SOW accurately summarizes the significant terms of our audit engagement. This SOW and the MSA constitute the entire agreement regarding these services and supersedes all prior agreements (whether oral or written), understandings, negotiations, and discussions between you and CLA related to audit services. If you have any questions, please let us know. Please sign, date, and return this SOW to us to indicate your acknowledgment and understanding of, and agreement with, the arrangements for our audit of your financial statements including the terms of our engagement and the parties' respective responsibilities.

Sincerely,

CliftonLarsonAllen LLP

Response:

This letter correctly sets forth the understanding of City of Brainerd.

CLA

ORG:

NAME: Mary Reedy

TITLE: Principal

SIGN: *Mary Reedy*

DATE: November 23, 2022

Client

ORG: City of Brainerd

NAME: Jennifer Bergman

TITLE: City Administrator

SIGN:

DATE:

ORG: City of Brainerd

NAME:

TITLE:

SIGN:

DATE:



Brainerd City Council Agenda Request

Requested Meeting Date: December 5, 2022

Title of Item: Adopt Resolution Reassessing Nuisance Assessment PID 41300743 & 41191352

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:

Staff received an assessment search in April 2022 for PID 41300743 with the address of 1712 Laurel Street. There were open citations for an unlicensed vehicle that were not included on the assessment search. The property closed in June 2022. The new owner received the nuisance assessment communications, but did not formally contest the assessment. Staff received an email from the title company saying that the new owner was not responsible for the \$625 assessment, the assessment was not included on the assessment search, and if it would have it would have been paid at closing. It further stated that the City should contact the previous owners for collection and to send the title company a confirmation that the \$625 would not be placed on the owner's 2023 property taxes.

PID 41191352 with the address of 501 G St NE, the homeowner contacted Staff after the resolution was adopted by Council. When Staff reviewed the assessment of \$125, it was a situation that Staff would have recommended to Council to be to waive based on the homeowner working with Staff to abate the tall grass citation.

Alternative, Options, Effects on Others/Comments:

Staff routinely receives requests from title companies for information on assessments that are pending on properties that are being sold. Unpaid citations that have not yet been assessed against a property are just a fine against a person, not an encumbrance against the property, so they do not need to be disclosed to a title company. Even if they are disclosed, a title company may do nothing with the information because the fines do not impact the property's title. In unusual situations like this, however, where a fine is pending before a sale and is converted to an assessment after a sale, the cost becomes an issue for the new property owner who had nothing to do with the underlying citation. In this case, that citation was for an unlicensed vehicle that was removed a year ago. In order to remove this cloud on the title of the new owner, staff is asking the Council to utilize its authority under Minn. Stat. § 429.071, subd. 2 (attached) to remove the citation assessment and to provide direction on further efforts to collect the fine from the former property owner.

Recommended Action/Motion:

Adopt attached resolution declaring costs to be reassessed, ordering preparation of proposed reassessment, and ordering a public hearing on proposed reassessment at the December 19, 2022 council meeting; Further to direct Staff to contact and send former owner of PID 41300743 a letter to attempt collection.

Financial Impact:

Is there a cost associated with this request: Yes

What is the total cost, with tax and shipping: \$750

Is this budgeted? (Please Explain) \$40,000 is budgeted in 2023 to be received in certified nuisance assessments.

429.071 SUPPLEMENTAL ASSESSMENTS; REASSESSMENT.

Subdivision 1. **Supplemental assessments.** The council may make supplemental assessments to correct omissions, errors, or mistakes in the assessment relating to the total cost of the improvement or any other particular. A supplemental assessment shall be preceded by personal or mailed notice to the owner of each parcel included in the supplemental assessment and a hearing as provided for the original assessment.

Subd. 2. **Reassessment.** When an assessment is, for any reason whatever, set aside by a court of competent jurisdiction as to any parcel or parcels of land, or in event the council finds that the assessment or any part thereof is excessive or determines on advice of the municipal attorney that the assessment or proposed assessment or any part thereof is or may be invalid for any reason, the council may, upon notice and hearing as provided for the original assessment, make a reassessment or a new assessment as to such parcel or parcels.

Subd. 3. **Reapportionment upon land division.** When a tract of land against which a special assessment has been levied is thereafter divided or subdivided by plat or otherwise, the council may, on application of the owner of any part of the tract or on its own motion equitably apportion among the various lots or parcels in the tract all the installments of the assessment against the tract remaining unpaid and not then due if it determines that such apportionment will not materially impair collection of the unpaid balance of the original assessment against the tract. The council may, and if the special assessment has been pledged to the payment of improvement warrants shall, require the owner or owners, as a condition of such apportionment, to furnish a satisfactory surety bond fully protecting the municipality against any loss resulting from failure to pay any part of the reapportionment assessment when due. Notice of such apportionment and of the right to appeal shall be mailed to or personally served upon all owners of any part of the tract. Within 30 days after the mailing or service of the notice of such apportionment any such owner may appeal as provided in section [429.081](#).

Subd. 4. **Reassessment, tax-forfeited land.** When a parcel of tax-forfeited land is returned to private ownership and the parcel is benefited by an improvement for which special assessments were canceled because of the forfeiture, the municipality that made the improvement may, upon notice and hearing as provided for the original assessment, make a reassessment or a new assessment as to the parcel in an amount equal to the amount remaining unpaid on the original assessment.

History: [1953 c 398 s 7](#); [1957 c 366 s 1](#); [1961 c 525 s 8](#); [1965 c 877 s 4](#); [1976 c 259 s 1](#)

RESOLUTION
NO __:22

RESOLUTION DECLARING COSTS TO BE REASSESSED
ORDERING PREPARATION OF PROPOSED REASSESSMENT,
AND ORDERING A PUBLIC HEARING ON PROPOSED REASSESSMENT

WHEREAS, on October 17, 2022, an assessment in the amount of \$625.00 was imposed by the Council on the property located at 1712 Laurel Street PID 41300743 for failure to pay nuisance citations; and

WHEREAS, the subject property was sold after the citations were issued but before the unpaid fines were assessed, resulting in the assessment being imposed upon the new property owners; and

WHEREAS, the nuisance underlying the citations was rectified prior to the sale of the property and the new property owners bear no responsibility for the nuisance; and

WHEREAS, on October 17, 2022, an assessment in the amount of \$125.00 was imposed by the Council on the property located at 501 G Street NE PID 41191352 for failure to pay nuisance citations; and

WHEREAS, the subject property owner contacted staff after City Council adopted the assessment and the said citation would have been recommended to be waived; and

WHEREAS, it is appropriate under the circumstances to remove the erroneous assessments pursuant to Minn. Stat. § 429.071, subd. 2, which requires a public hearing.

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

1. The Council declares that the prior assessment upon the subject property for nuisance abatement citations is to be reduced to zero.

2. Assessments, if any, 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 reassessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment, if any, 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, if any, is paid within 30 days from the adoption of the assessment. The owner of any property so reassessed may at any time thereafter pay to the Crow Wing County Auditor the entire amount of the reassessment remaining unpaid, if any, 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 19th of December 2022 in the City Hall building at Brainerd, Minnesota, at 7:30 p.m. concerning the proposed reassessment and at such time and place all persons owning property affected by the reassessment will be given an opportunity to be heard with reference to such reassessment.

Adopted this ____ day of December 2022

KELLY BEVANS
President of the Council

Approved this ____ day of December 2022

DAVE BADEAUX
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator



Brainerd City Council Agenda Request

Requested Meeting Date: December 5, 2022

Title of Item: Direction on Updating the City Code

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: Chief Bestul and Community Development **Estimated Time Needed:** 10 Minutes

Summary of Issue:

The City Council discussed the codification of the City Code at the workshop on January 24th, 2022. The Council discussed having staff look into the initial cost and the annual hosting fee to be reviewed by P&F. Staff researched companies who assist city's with their City Code's and determined the estimated cost to update a City Code is approximately \$15,000 to \$20,000. This cost was included in the preliminary budget. At the budget workshop on November 28, 2022, staff was advised to bring this back to P&F for approval before including it in the 2023 budget.

Alternative, Options, Effects on Others/Comments:

Staff recommended updating the Code for several reasons:

- 1) The City Code needs to be updated due to the updated Employee Policy Manual and Charter (see attached examples)
- 2) There are several sections in the City Code that contradict other sections (see attached examples)
- 3) A new Code could be much more user friendly for staff and the general public
- 4) The Code would be housed with a company to ensure that it is consistently updated when ordinances are passed.

Due to the length of the code, a link to the City Code (instead of an attachment) is provided here: <https://www.ci.brainerd.mn.us/153/City-Code>

Recommended Action/Motion:

Authorize staff to move forward with the codification process by developing an RFP to solicit proposals in early 2023 to be approved by Council and keep the \$20,000 in the 2023 budget as presented.

Financial Impact:

Is there a cost associated with this request: Yes

What is the total cost, with tax and shipping: ~\$20,000

Is this budgeted? (Please Explain) In the proposed 2023 budget

Section 305 – Boards and Commissions

305.01 General. Subdivision 1. Governing Law. The various Boards and Commissions established pursuant to law, by the City Charter, or by this Code and the members and officers thereof have the respective powers and duties assigned to them, and are appointed for terms as specified in the law, code section, or charter provision applicable to them. Members in office on the December 31, 1983 shall remain in office for the respective terms to which they were appointed.

Subd. 2 Boards and Commissions. The Boards and Commissions of the City are as follows:

- a) Board of Health;
- b) Park and Recreation Board;
- c) Library Board;
- d) Planning Commission;
- e) Joint Fire and Police Civil Service Commission;
- f) Water and Light Board;
- g) Brainerd Lakes Regional Airport Commission.

(Amended Ord. 900 – 1991, Ord. 1181 – 2002, Ord. 1261 – 2005)

305.05 Board of Health. Subdivision 1. Membership. The Board of Health consists of three members whose appointments are made as provided in the City Charter. One member of the Board shall be a physician who shall be the executive of the board and the City Health Officer. Members of the Board shall service without compensation except that the City Health Officer shall receive a yearly salary for services as determined by the City Council.

Subd. 2 Powers; Duties. The board shall have general jurisdiction, control, and supervision over all matters affecting the public health and welfare of the inhabitants of the City. The Board shall exercise all powers and perform or cause to be performed all duties assigned to or required of it by law, this Code, and directives of the City Council.

Subd. 3 City Health Officer. It shall be the duty of the City Health Officer to execute the lawful orders of the Board and those duties imposed by law.

Subd. 4 Reports. Not later than September 1st of each year, the Board shall report to the Mayor and Council setting forth its activities during the preceding year together with a budget of any necessary expenses for programs for the ensuing year. No expenditures of funds by the Board are authorized unless contained in a budget duly approved by the Council.

305.07 Park and Recreation Board. Subdivision 1. Membership. The Park and Recreation Board consists of five members appointed by the Mayor and confirmed by the City Council. Members of the Board serve without compensation. The Board shall choose one of its members as chairman and one as recording secretary. In the event the volume of work handled by the Board so requires, a paid secretary may be employed by the Board.

Subd. 2 Meetings. The Board shall meet at the call of the Chairman or at the request of any two members. A regular meeting date may be established, if desired, by a majority of the Board Members.

Subd. 3 Duties. The Board shall establish the recreation policy and conduct the supervise recreation areas, facilities, services, and programs for all types of public recreation, and shall conduct activities and pay for the necessary supervision incidental thereto, on the grounds and properties owned, leased, or controlled by the City, or on other properties with the consent of the owners or authorities who control the property.

Subd. 4 Employees; Programs. The Board shall establish the qualification for employment and may employ and determine the compensation of a trained and qualified Director of Recreation, and such other assistants, supervisors, directors, play leaders, or other employees that may be necessary, in its judgment, for the efficient administration, conduct, and development of the public recreation program, within the monies provided for such purposes by the City. The Board shall coordinate services with other governmental programs, solicit and train volunteers, purchase supplies and equipment, develop and maintain facilities, procure or lease public or private properties, areas or facilities that may be required for programs, provided, however, that no property shall be procured by lease or otherwise for more than one year without the approval of the City Council. All expenditures shall be within the monies appropriated by the City for such purposes, together with donations, gifts, bequests of any money or any funds from earnings. All money received from donations, bequests, or earnings shall be deposited in a special account managed by the Board.

Subd. 5 Budget. The Board shall annually prior to September 1st, prepare a budget for recreation purposes for the ensuing fiscal year, subject to the approval of the City Council. The Board shall be financed by any annual appropriation from the City Council. Such funds shall be placed in an account known as the recreation fund. The Clerk-Treasurer shall account for the fund and custody of the cash shall be in the hands of the Clerk-Treasurer. The Board is authorized to receive gifts, bequests, and donation. Such funds shall, also, be deposited in the recreation fund. No disbursements shall be made from said account unless claim for services and commodities actually rendered or delivered has first been submitted to and approved for payment by the Board as authenticated by signature of the Chairman and Secretary of the Board.

Subd. 6 Annual Report. The Board shall, in the month of September of each year, prepare and present to the City Council an annual report of its activities and finances.

305.09 Planning Commission. Subdivision1. Statutory Responsibility. The Planning Commission has been established pursuant to the Minnesota Municipal Planning Act and has the powers and duties assigned to it by that Act and by this Code. The Planning Commission is designated as the planning agency to the City pursuant to the act.

Subd. 2 Membership. The Planning Commission consists of seven members appointed for terms of three years. Six members shall be appointed by the City Council and may be removed by a 5/7's vote of the Council. The Council shall select one member for the Commission from among its own members, whose term shall be determined by the Council. Members of the Commission shall hold their offices until their successors are appointed and qualified. Vacancies on the Commission shall be filled by the Council for the unexpired portion of the term.

The City Engineer and the City Attorney shall be ex officio members of the Commission for advisory purposes only. They shall not be considered members of the Commission for purposes of a quorum and they do not have the right to vote.

Subd. 3 Organization Meetings. The Commission shall elect a chairman from among its appointed members for a term of one year. The Commission may create and fill such other offices as it may determine.

Subd. 4 Preparation of City Plan. The Commission shall prepare, adopt, and revise from time to time a comprehensive plan for the physical development of the City, including proposed public buildings, street arrangements and improvements, public utility services, parks, playgrounds, and other similar developments, the use of property, the density of population, and other matters relating to the physical development of the City. Such plan may be prepared in sections, each of which shall relate to, a major subject of the plan, as outline in the Commission's program of work.

Subd. 5 Means of Executing Plan. Upon the adoption of the City Plan or any section thereof, the Commission shall recommend to the City Council reasonable and practicable means for putting into effect such plan or section thereof in order that the same will serve as a pattern and guide for the orderly physical development of the City and as a basis for the efficient expenditures of the funds thereof relating to the subjects of the plan. Such means shall consist of a zoning plan, the control of subdivision plats, a plan of future streets, coordination of the normal public improvements of the City, a long term program of capital expenditures and such other matters as will accomplish the purposes of this subsection.

Subd. 6 Official Map of Street Extensions. The Commission, with the assistance of the City Engineer, may, and upon instruction by the City Council, shall prepare an official map of the platted and unplatted portions of the City and adjoining territory, or portions thereof, indicating upon such map the proposed future extension or widening of streets of the City within such existing platted and developed territory or across such unplatted territory.

305.13 Joint Fire and Police Civil Service Commission. (Discontinued Ord.- 1522 2021)

305.15 Board of Sinking Fund Commissioners. The Board of Sinking Fund Commissioners have the duties and serve for the terms specified in Section 56 of the City Charter.

305.17 Board of Water and Light Commissioners. The Board of Water and Light Commissioners have the duties and service for the terms specified in Chapter 11 of the City Charter.

305.19 Brainerd Lakes Regional Airport Commission. Subdivision 1. In General. The City of Brainerd, hereinafter City, and the County of Crow Wing, hereinafter County, agree each with the other to participate as hereinafter provided in the acquisition of tracts of land for the purpose of constructing and operating an Airport thereon and to construct, maintain, and operate the Airport jointly as hereinafter provided. Said Airport shall be known as the Brainerd Lakes Regional Airport/Walter F. Wieland Field, hereinafter referred to as the "Brainerd Lakes Regional Airport."

Subd. 2 Contribution to Capital Costs. The City and County, subject to qualifications hereinafter set out, shall contribute equally to that portion of the cost of acquisition of the airport site and the capital costs of construction, improvement and development of the airport not covered by State and Federal contributions hereto. All preliminary expenses incurred hereunder prior to the acquisition of the airport site not covered by State and Federal contributions thereto shall be borne equally by the City and County. An undivided one half interest in land already acquired for airport purposes by the City in Sections 4, 5, 8 and 9, Township 45, Range 30, Crow Wing County, Minnesota, shall be deeded, without cost, to the County.

Subd. 3 Airport Commission. There is hereby created the Brainerd Lakes Regional Airport Commission. The Commission shall consist of six (6) members as follows: three (3) members shall be appointed by the City Council, one of which shall be a Councilperson; three (3) members shall be appointed by the Crow Wing County Commissioners, one (1) of which shall be a County Commissioner. The Council and the Commission members shall be appointed annually and the four (4) lay members shall be appointed for terms as follows: the Council of the City of Brainerd shall appoint one (1) member to serve until December 31, 1983 and one (1) member to serve until December 31, 1985. The Crow Wing County Commissioners shall

Brainerd City Code 305.19 Subd. 3 continued

appoint one (1) member to serve until December 31, 1984 and one (1) member to serve until December 31, 1985. Thereafter, all lay members shall serve for a term of three (3) years. Also to serve on the Airport Commission will be the Airport Manager as an ex officio member. The appointments of the respective members to the Airport Commission, either at the time of expiration or at the time of resignation, shall be the responsibility of each governing body as

Deleted Sections of City Code that are in the Zoning Code.

Swimming Pools 410.01 Rescinded. (Ord. 1335 – 2009)

Temporary Sales Structures 417.01 Rescinded. (Ord. 1335 – 2009)

Redundant Section of City Code

Section 316.01 Authority to Issue Complaints. The Building Inspector shall enforce all of the provisions of the nuisance, zoning, and building ordinances of the City of Brainerd and is hereby authorized and empowered to issue and execute complaints and/or citations against violators thereof. (Added Ord. 867 – 1987)

Section 320.05 Authority to Issue Order to Correct Letters and Administrative Citations. The following City employees and agents are authorized to issue compliance letters and administrative citations for violations of the City Codes: 1) Licensed peace officers, the Crime Prevention Specialist, and Community Service Officers of the Brainerd Police Department; 2) City Building Official; 3) Building Inspectors; 4) Housing Inspector; 5) Animal Control Officer; 6) City Engineer; 7) Community Development Director; 8) Assistant Planner 9) Fire Chief, or Fire Inspector of the Brainerd Fire Department

Definitions are Different

(Rental Code) Dwelling Unit: A residential building or portion thereof intended for occupancy by a single-family but not including hotels, motels, boarding or rooming houses.

(Zoning Code) Dwelling Unit: A building or portion thereof, designated exclusively for residential occupancy. One or more rooms, designed, occupied, or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household. Does not include hotel, motel, or boarding room.

Contradicting Codes

City Code Section 830 – Residential Entranceway Signs

1. Sign area shall be as defined in the Brainerd Zoning Ordinance and shall not exceed 30 square feet.
2. Sign height shall be as defined in the Brainerd Zoning Ordinance and shall not exceed 5 feet in height.
10. Signs shall not be lighted.

Zoning Code 515-3-35 J.2 Signs shall be allowed for a subdivision or multiple family development of five (5) or more lots or dwelling units provided that:

- b. The area of each sign shall not exceed twenty-four (24) square feet.
- c. Freestanding signs shall be limited to a maximum height of six (6) feet.
- d. Illumination of the sign shall be as regulated in [I.6.] of this Subsection.



Brainerd City Council Agenda Request

Requested Meeting Date: December 5, 2022

Title of Item: Discussion of Non-Working Funds 2023 Budgets

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

Submitted by: Connie Hillman

Department: Finance

Presenter: Connie Hillman

Estimated Time Needed: 10 Minutes

Summary of Issue:

Please see the attached memo from Staff and attached proposed budgets for the Transit, Library, Recycling, Parking Lot, Permanent Improvement, Mayor's Contingency, EDA, Sanitary and Storm Sewer Funds.

Alternative, Options, Effects on Others/Comments:

Recommended Action/Motion:

Review/discussion of budgets.

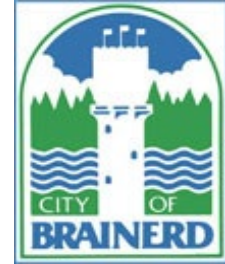
Financial Impact:

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 Council

FROM: Finance Director Connie Hillman

DATE: December 1, 2022

RE: Non-Working Funds 2023 Budget Discussion

The Council has had several discussions about the working funds – General, Public Safety, Parks, and Streets – as the operations of these funds are supported by property taxes as well as the capital fund. However, there are other funds that the Council has historically officially adopted a budget for as well.

Transit Fund:

The Transit Fund accounts for government grant revenues which are restricted for the expenditures of the City's dial-a-ride transportation system operation. Transit is funded through state and federal grants and ridership fees. As you can see, the grants and estimated ridership fees do not cover the operating expenditures, therefore fund balance is anticipated to be used in 2023 and discussions about ridership fees will be discussed by the Transit Advisory Committee (TAC) in the upcoming year.

Library Fund:

The Library Fund accounts for the tax levy revenue requested by the Library from the City and to track the City's cost of maintaining the building. The enclosed budget was approved by the Library Board at the November 30, 2022 meeting.

Recycling Fund:

The Recycling Fund accounts for revenue from Crow Wing County's SCORE funds that are restricted for the City's recycling program. The Fund also accounts for the revenue and costs of the used oil recycling facility located at the fire department. 100% of the SCORE funds received were distributed to the garbage haulers licensed with the City. Since 2020, the City will not receive any SCORE funds from the County. The amount budgeted to be received in free-will offerings, does not cover the cost of the charge for collection of the used anti-freeze and filters as well as the dumpster that is also provided. The facility promotes water quality and reduces the possibility of pollutants entering our waterways from illegal dumping or spills. Therefore, to balance the budget a transfer of \$1,500 will be made from the Storm Sewer fund as done since 2021.

City Parking Lots Fund:

The City Parking Lots Fund accounts for all charges for services from parking lot rentals which are committed to maintaining the City's paid parking lots. The Council increased the rates effective April 2022. The proposed revenue amount represents the average number of leased spaces in 2022 except for the Maple Lot. The average capacity for the year was at 89%. There was an increase of about 12 spaces in September in October (school's new parking lot was open), the number of spaces reduced to the level in the summer. Therefore, only used the 6-month average of June – August, and October – December to calculate the revenue for 2023. Decreased the revenue number by \$1,200.

Permanent Improvement Fund:

The Permanent Improvement Fund is established by authority of the City Charter to account for the property tax levy which is committed for paying the cost of improving streets and alleys. The amount of the property tax collected cannot exceed 9% of the City's previous year's total levy. For 2023, the levy is 6% of the 2022 total levy. The funds are transferred out of the Permanent Improvement fund into the Construction Fund (401).

Mayor's Contingency Fund:

The Mayor's Contingency Fund was established by City Council policy to account for local government aid which is committed for the use of the Mayor in paying expenditures incurred by the Mayor in promoting the best interest of the City. Any funds not used by the end of the year are transferred back to the General Fund.

EDA Fund:

The Economic Development Authority (EDA) Fund is a special revenue fund, was established by the bylaws of the EDA and accounts for property tax levy revenues which are committed for activities of the EDA. The EDA met on December 1, 2022 and proposed the attached budget. In 2022, the EDA hired consultants to perform certain activities on behalf of the EDA. The agreements for services have not all been approved by the EDA, therefore, the Board's motion was to include the difference in miscellaneous for a proposed balanced budget for 2023.

Sanitary Sewer Collection Fund:

The Sanitary Sewer Collection Fund is a proprietary fund. A proprietary fund is a business-like fund of a local government and uses the full accrual method of accounting. The Sanitary Sewer Collection Fund provides for the operation and maintenance of the wastewater collections. The fund charges user fees to those served by the system.

At the April 4, 2022 council meeting, Council authorized staff to enter into agreements with UFS to prepare financial plans and rate design studies for both the sanitary and storm

sewer rates. The study will be done when the 2023 budget is completed. Therefore, \$6,200 is budgeted in 2023. The budget reflects the R&M portion of the road construction projects that are associated with the sanitary sewer collection system. The capital portion of the construction projects are not in the budget as this fund is a proprietary fund. The cost of these projects as well as associated principal debt payments come into play when we do the rate study and cash flow analysis.

Storm Sewer Collection Fund:

The Storm Sewer Fund is also proprietary fund. The Storm Sewer Fund provides for the maintenance of the City's storm sewer system. The fund charges user fees to those served by the system.

When the City hires a consultant to perform a rate study, the consultant looks at both the Sanitary and Storm Sewer user fees so \$5,900 is included in professional services. In 2020 the Council engaged HR Green to do a MS4 Stormwater program update. The MS4 permit that will be reissued in 2026 has many new, more stringent requirements. Brainerd and Baxter are currently both using HR Green to assist both entities with updating their programs. Conversations have been had that it may be beneficial for both cities to share an MS4 permit employee. The current budget does not include such arrangements, as many details need to be worked out in the future.

If you have any questions before the meeting, please contact me.

TRANSIT FUND

	<u>2021 Actual</u>	<u>2022 Budget</u>	<u>2023 Budget</u>
Revenues			
Property Taxes	-	-	-
Grants & Aids	1,225,957	1,377,400	1,430,795
Intergovernmental	-	-	-
Charges for Services	118,559	142,452	153,930
Other Revenue	4,956	5,000	5,000
Total Revenues	<u>1,349,472</u>	<u>1,524,852</u>	<u>1,589,725</u>
Expenditures			
Personnel Services	184,861	202,478	120,756
Supplies	78,501	71,566	146,106
Services	983,365	1,197,387	1,294,788
Capital	-	101,500	95,000
Total Expenditures	<u>1,246,728</u>	<u>1,572,931</u>	<u>1,656,650</u>
Other Sources (Uses)			
Transfer In (Out)	-	-	-
Other Sources (Uses)	-	-	-
Total Other Sources (Uses)	<u>-</u>	<u>-</u>	<u>-</u>
Excess of Revenue Over (Under)			
Expenditures and Other Sources (Uses)	<u>102,744</u>	<u>(48,079)</u>	<u>(66,925)</u>
Fund Balance - Jan 1st	428,476	531,220	483,141
Fund Balance - Dec 31st	531,220	483,141	416,216

LIBRARY FUND

	<u>2021 Actual</u>	<u>2022 Budget</u>	<u>2023 Budget</u>
Revenues			
Property Taxes	145,393	146,851	149,788
Other Taxes	1,732	-	-
Interest	2,129	-	-
Contributions & Donations	11,263	-	-
Other Revenue	1,389	20,000	-
Total Revenues	161,906	166,851	149,788
Expenditures			
Supplies	19,964	16,400	8,300
Services	124,488	120,632	141,488
Capital	1,002	20,000	-
Total Expenditures	145,453	157,032	149,788
Other Sources (Uses)			
Transfer In (Out)	-	-	-
Other Sources (Uses)	-	-	-
Total Other Sources (Uses)	-	-	-
Excess of Revenue Over (Under)			
Expenditures and Other Sources (Uses)	16,453	9,819	-
Fund Balance - Jan 1st	345,627	362,080	371,899
Fund Balance - Dec 31st	362,080	371,899	371,899

RECYCLING FUND

	<u>2021 Actual</u>	<u>2022 Budget</u>	<u>2023 Budget</u>
Revenues			
Property Taxes	-	-	-
Intergovernmental	-	-	-
Used Oil Revenue	515	500	500
Other Revenue	-	-	-
Total Revenues	<u>515</u>	<u>500</u>	<u>500</u>
Expenditures			
Services	-	-	-
Used Oil Expenditures	2,145	1,602	1,972
Total Expenditures	<u>2,145</u>	<u>1,602</u>	<u>1,972</u>
Other Sources (Uses)			
Transfer In (Out)	1,500	1,500	1,500
Other Sources (Uses)	-	-	-
Total Other Sources (Uses)	<u>1,500</u>	<u>1,500</u>	<u>1,500</u>
Excess of Revenue Over (Under)			
Expenditures and Other Sources (Uses)	<u>(131)</u>	<u>398</u>	<u>28</u>
Fund Balance - Jan 1st	134	3	401
Fund Balance - Dec 31st	3	401	429

PARKING LOT FUND

	<u>2021 Actual</u>	<u>2022 Budget</u>	<u>2023 Budget</u>
Revenues			
Property Taxes	-	-	-
Charges for Services	42,044	44,000	58,000
Other Revenue	-	-	-
Total Revenues	<u>42,044</u>	<u>44,000</u>	<u>58,000</u>
Expenditures			
Personnel Services	-	-	-
Supplies	202	100	200
Services	16,094	16,910	17,359
Capital	-	-	-
Total Expenditures	<u>16,296</u>	<u>17,010</u>	<u>17,559</u>
Other Sources (Uses)			
Transfer In (Out)	(23,136)	(29,200)	(29,200)
Other Sources (Uses)	-	-	-
Total Other Sources (Uses)	<u>(23,136)</u>	<u>(29,200)</u>	<u>(29,200)</u>
Excess of Revenue Over (Under)			
Expenditures and Other Sources (Uses)	<u>2,612</u>	<u>(2,210)</u>	<u>11,241</u>
Fund Balance - Jan 1st	(30,047)	(27,435)	(29,645)
Fund Balance - Dec 31st	(27,435)	(29,645)	(18,404)

PERMANENT IMPROVEMENT FUND

	<u>2021 Actual</u>	<u>2022 Budget</u>	<u>2023 Budget</u>
Revenues			
Property Taxes	398,016	426,990	375,350
Other Taxes	4,109	-	-
Total Revenues	<u>402,125</u>	<u>426,990</u>	<u>375,350</u>
Expenditures			
Personnel Services	-	-	-
Supplies	-	-	-
Services	-	-	-
Capital	-	-	-
Total Expenditures	<u>-</u>	<u>-</u>	<u>-</u>
Other Sources (Uses)			
Transfer In (Out)	(405,943)	(426,990)	(375,350)
Other Sources (Uses)	-	-	-
Total Other Sources (Uses)	<u>(405,943)</u>	<u>(426,990)</u>	<u>(375,350)</u>
Excess of Revenue Over (Under)			
Expenditures and Other Sources (Uses)	<u>(3,817)</u>	<u>-</u>	<u>-</u>
Fund Balance - Jan 1st	10,258	6,441	6,441
Fund Balance - Dec 31st	6,441	6,441	6,441

MAYOR'S CONTINGENCY FUND

	<u>2021 Actual</u>	<u>2022 Budget</u>	<u>2023 Budget</u>
Revenues			
Property Taxes	-	-	-
Other Taxes	-	-	-
Total Revenues	<u>-</u>	<u>-</u>	<u>-</u>
Expenditures			
Personnel Services	-	-	-
Supplies	-	-	-
Services	385	2,500	2,500
Capital	-	-	-
Total Expenditures	<u>385</u>	<u>2,500</u>	<u>2,500</u>
Other Sources (Uses)			
Transfer In (Out)	2,500	2,500	2,500
Other Sources (Uses)	(2,115)	-	-
Total Other Sources (Uses)	<u>385</u>	<u>2,500</u>	<u>2,500</u>
Excess of Revenue Over (Under)			
Expenditures and Other Sources (Uses)	<u>-</u>	<u>-</u>	<u>-</u>
Fund Balance - Jan 1st	-	-	-
Fund Balance - Dec 31st	-	-	-

EDA FUND

	<u>2021 Actual</u>	<u>2022 Budget</u>	<u>2023 Budget</u>
Revenues			
Property Taxes	132,443	145,036	152,861
Other Taxes	1,436	-	-
Interest	490	460	460
Other Revenues	-	-	-
Total Revenues	<u>134,368</u>	<u>145,496</u>	<u>153,321</u>
Expenditures			
Personnel Services	92,264	140,500	17,000
Supplies	-	-	-
Services	26,831	5,500	136,321
Total Expenditures	<u>119,095</u>	<u>146,000</u>	<u>153,321</u>
Other Sources (Uses)			
Transfer In (Out)	-	-	-
Other Sources (Uses)	-	-	-
Total Other Sources (Uses)	<u>-</u>	<u>-</u>	<u>-</u>
Excess of Revenue Over (Under)			
Expenditures and Other Sources (Uses)	<u>15,274</u>	<u>(504)</u>	<u>-</u>
Fund Balance - Jan 1st	53,498	68,772	68,268
Fund Balance - Dec 31st	68,772	68,268	68,268

SANITARY SEWER ENTERPRISE FUND

	<u>2021 Actual</u>	<u>2022 Budget</u>	<u>2023 Budget</u>
Operating Revenues			
Charges for Services	865,892	855,000	849,250
Total Revenues	<u>865,892</u>	<u>855,000</u>	<u>849,250</u>
Operating Expenditures			
Salaries and Benefits	181,228	173,894	175,741
Professional Services	42,916	70,500	6,200
Repairs and Maintenance	37,006	50,000	60,000
Insurance	5,480	6,124	5,649
Lease Payments	404	7,512	7,512
Depreciation	486,058	480,000	490,000
Materials and Supplies	7,165	9,000	10,500
Miscellaneous	1,425	2,770	1,800
Total Operating Expenses	<u>761,681</u>	<u>799,800</u>	<u>757,402</u>
Operating Income (Loss)	<u>104,210</u>	<u>55,200</u>	<u>91,848</u>
Nonoperating Revenues (Expenses)			
Intergovernmental	234,772	216,000	230,000
Gain (Loss) on Disposal of Asset	-	10,000	-
Interest Income	2,294	-	-
Interest Expense and Fiscal Charges	(44,305)	(80,170)	(73,545)
Contributed Capital	-	-	-
Total Nonoperating Revenue (Exp.)	<u>192,761</u>	<u>145,830</u>	<u>156,455</u>
Change in Net Position Before Transfers	<u>296,971</u>	<u>201,030</u>	<u>248,303</u>
Transfers In (Out)	-	-	-
Change in Net Position	<u>296,971</u>	<u>201,030</u>	<u>248,303</u>
Net Position- Beginning of Year	8,112,804	8,409,776	8,610,806
Net Position - End of Year	8,409,776	8,610,806	8,859,109

STORM SEWER ENTERPRISE FUND

	<u>2021 Actual</u>	<u>2022 Budget</u>	<u>2023 Budget</u>
Operating Revenues			
Charges for Services	457,383	460,000	497,676
Total Revenues	<u>457,383</u>	<u>460,000</u>	<u>497,676</u>
Operating Expenditures			
Salaries and Benefits	22,324	45,220	45,251
Professional Services	72,269	160,300	5,900
Repairs and Maintenance	9,700	35,000	70,000
Insurance	2,740	3,062	2,825
Depreciation	278,869	270,000	280,000
Materials and Supplies	-	-	-
Miscellaneous	3,262	3,200	3,500
Total Operating Expenses	<u>389,163</u>	<u>516,781</u>	<u>407,476</u>
Operating Income (Loss)	<u>68,220</u>	<u>(56,781)</u>	<u>90,200</u>
Nonoperating Revenues (Expenses)			
Intergovernmental	136,452	-	731,000
Interest Income	2,384	-	-
Interest Expense and Fiscal Charges	(1,286)	1,854	(200)
Total Nonoperating Revenue (Exp.)	<u>137,550</u>	<u>1,854</u>	<u>730,800</u>
Change in Net Position Before Transfers	<u>205,771</u>	<u>(54,927)</u>	<u>821,000</u>
Transfers In (Out)	(1,500)	(1,500)	(1,500)
Change in Net Position	<u>204,271</u>	<u>(56,427)</u>	<u>819,500</u>
Net Position- Beginning of Year	6,810,629	7,014,899	6,958,472
Net Position - End of Year	7,014,899	6,958,472	7,777,972



Brainerd City Council Agenda Request

Requested Meeting Date: December 5, 2022

Title of Item: Final Reading - Proposed Ordinance No. 1539 - Restriction on Demolition and Removal of Dwelling Units

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 minutes

Summary of Issue:

Ordinance No. 1534 went into effect on July 17th which imposed a six-month moratorium on the conversion of dwelling units to green space or surface parking in the R-1 zoning district. The City has a shortage of housing, particularly affordable housing. Removal of dwelling units for the establishment of green space or surface parking adds to the overall shortage of housing. Proposed Ordinance No. 1539 would restrict the removal of dwelling-units in the TN-1, TN-2, CN-1, and CN-2 zoning districts.

Alternative, Options, Effects on Others/Comments:

See Memo

Recommended Action/Motion:

1) Motion to conduct the final reading of Proposed Ordinance No. 1539.

* Note: a vote to dispense with the actual reading of the ordinance must be unanimous.

2) Hold a public hearing on Proposed Ordinance No. 1539.

3) Motion to adopt Proposed Ordinance No. 1539, an ordinance amending Section 515-4: General Building and Design Standards

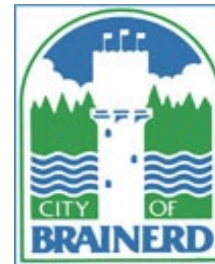
Financial Impact:

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: December 5, 2022

RE: Planning Commission Recommendation for Proposed Ordinance No. 1539

Planning Commission Recommendation

The Planning Commission held a public hearing and considered Proposed Ordinance No. 1539 at their regular scheduled meeting on November 16, 2022.

The primary discussion of the proposed ordinance centered around Section 515-4-14.A.3 which states that:

- A. Except as provided in Section A of this chapter, no permit shall be issued to allow the demolition of a dwelling unit in the Traditional Neighborhood 1 (TN-1), Traditional Neighborhood 2 (TN-2), Contemporary Neighborhood 1 (CN-1), or Contemporary Neighborhood 2 (CN-2) Zoning Districts unless:
 - 3. City Council approval has been granted for an alternative use of the property.

Staff's interpretation of "approval of an alternative use" would be in the form of an approved conditional use permit or interim use permit. Conditional Uses and Interim Uses are permitted in the zoning district if they are listed in the table of uses for the zoning district and the application meets all the conditions listed in the Allowed Use Section and the Rules and Administration Section of the Zoning Code. Planning Commission was concerned that this could still potentially lead to a loss of housing within Brainerd and could still allow for parking lot or greenspace expansion.

Planning Commission Motion

MOVED AND SECONDED BY COMMISSIONERS MAROHN AND YEAGER, DULY CARRIED, TO RECOMMEND APPROVAL OF ORDINANCE NO 1539 AS PRESENTED BY STAFF WITH A.3. BEING REMOVED IN ITS ENTIRETY.

**ORDINANCE
NO. 1539**

**AN ORDINANCE AMENDING SECTION 515-4: GENERAL BUILDING, DEVELOPMENT AND
DESIGN STANDARDS**

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Section 515-4 of the Zoning Code is hereby amended by adding the following:

515-4-14: Restrictions on Demolition and Removal of Dwelling Units

- A. **Demolition Permit.** Except as provided in Section A of this chapter, no permit shall be issued to allow the demolition of a dwelling unit in the Traditional Neighborhood 1 (TN-1), Traditional Neighborhood 2 (TN-2), Contemporary Neighborhood 1 (CN-1), or Contemporary Neighborhood 2 (CN-2) Zoning Districts unless:
1. A building permit is also issued at the same time to authorize construction of a replacement dwelling unit; or
 2. A commercial new construction or remodel permit is also issued at the same time to convert or replace a dwelling unit to a commercial unit in the TN-2 district.
 3. ~~City Council approval has been granted for an alternative use of the property.~~
- B. **Site Restoration.** In addition to requirements set forth in section A, as a condition of issuance of a permit for the demolition of a building, the applicant shall be required to submit a site restoration plan. The plan shall be approved by the building official, city engineer, and zoning administrator before a permit for the removal of a building is issued.
- C. **Exemptions.** Notwithstanding any other provision of this article, the requirements set forth in section A of this article shall not apply to the following:
1. The demolition of a dwelling unit by the Brainerd Housing and Redevelopment Authority, the Brainerd Economic Development Authority, or Crow Wing County.
 2. The removal of any unsafe or hazardous structures by the City of Brainerd pursuant to its statutory authority.
 3. The demolition or relocation of any building owned by the City of Brainerd.
 4. Prior to the issuance of the demolition permit, the city building official determines that an exception is necessary because it is compelled by public safety due to an imminent hazardous condition requiring immediate demolition of the building.

SECTION TWO: All other provisions of Section 515-4 shall remain in full force and effect.

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

Adopted this _____ day of _____, 2022

KELLY BEVANS
President of the Council

Approved this _____ day of _____, 2022

DAVE BADEAUX
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator

Published: One Time – _____

NOTICE OF HEARING

The City of Brainerd City Council will be conducting a public hearing to consider Proposed Ordinance No. 1539. The purpose of this ordinance amendment is to amend Section 515-4 of the Brainerd Zoning Code relating to General Building and Design Standards. The proposed ordinance would restrict the demolition of dwelling units in the TN-1, TN-2, CN-1, or CN-2 zoning districts unless conditions or exemptions listed in the proposed ordinance are applicable.

A Public Hearing will be conducted by the City Council at 7:30 p.m. Monday, December 5th, 2022, in City Hall Council Chambers, 501 Laurel Street, Brainerd.

The public is invited to attend the hearing to offer input regarding Proposed Ordinance No. 1539. Any individual needing special accommodations please call (218) 828-2307.

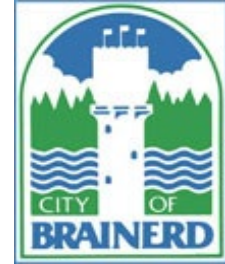
Dated this 21st day of November 2022

Publication Date: November 23rd, 2022



James L. Kramvik
Community Development Director

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: November 16, 2022

RE: Proposed Ordinance 1539, an Ordinance Amending Section 515-4 of the Zoning Code – Restrictions on Demolition and Removal of Dwelling Units.

Introduction

Ordinance No. 1534 went into effect on July 17th which imposed a six-month moratorium on the conversion of dwelling units to green space or surface parking in the R-1 zoning district. The city has a shortage of housing, particularly affordable housing. Removal of dwelling units for the establishment of green space or surface parking adds to the overall shortage of housing. City staff and the Planning Commission are tasked to study the issues related to conversion of dwelling units and shall provide recommendations to the City Council concerning proposed changes to the City Code.

Planning Commission Workshop

The Planning Commission held a workshop on September 7th to review the issues related to the conversion of dwelling units to green space and surface parking. Planning Commission discussed the need for residential housing in Brainerd and the shortage in housing that the city is currently experiencing. The Commission reviewed an example Ordinance from the City of Crosby and directed staff to make changes based on the workshop discussion related to the issues in the City of Brainerd.

Ordinance Amendment

Staff is presenting a proposed ordinance amendment to the zoning code based on the discussion at the September 7th workshop and the October 19th regularly scheduled meeting. The Commission had a consensus on the following revisions.

- 1) **Dwelling Units.** The proposed ordinance language includes dwelling units instead of structure. For compliance with the proposed language, a construction project could not have a net loss of dwelling units.
- 2) **Residential Districts.** The affected districts should be the primary housing districts in the City of Brainerd which are TN-1, TN-2, CN-1, & CN-2. Commercial buildings and commercially zoned properties would not be affected by this ordinance.
- 3) **TN-2 Complete Neighborhoods.** A special provision should be made for the TN-2 District to encourage complete neighborhoods and mixed-use development. A residential dwelling unit could be converted to a commercial building. However, a dwelling unit could not be removed for parking or green space.
- 4) **Exemptions.** Exemptions should be included for government agencies and properties that pose an imminent hazardous condition.

NOTICE OF HEARING

The City of Brainerd Planning Commission will be conducting a public hearing to consider Proposed Ordinance No. 1539. The purpose of this ordinance amendment is to amend Section 515-4 of the Brainerd Zoning Code relating to General Building and Design Standards. The proposed ordinance would restrict the demolition of dwelling units in the TN-1, TN-2, CN-1, or CN-2 zoning districts unless conditions or exemptions listed in the proposed ordinance are applicable.

A Public Hearing will be conducted by the Planning Commission at 6:00 p.m. Wednesday, November 16, 2022, in City Hall Council Chambers, 501 Laurel Street, Brainerd.

The public is invited to attend the hearing to offer input regarding Proposed Ordinance No. 1539. Any individual needing special accommodations please call (218) 828-2307.

Dated this 3rd day of November 2022

Publication Date: November 5th, 2022



James L. Kramvik
Community Development Director



Brainerd City Council Agenda Request

Requested Meeting Date: December 5, 2022

Title of Item: Discussion on KRLS Board Appointment

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: Jennifer Bergman, City Administrator **Department:** Admin

Presenter: Jennifer Bergman, City Administrator **Estimated Time Needed:** 5 Minutes

Summary of Issue:

On July 5th, 2022, the Mayor appointed Council Member Johnson as the Kitchigami Regional Library Services (KRLS) Board with Mrs. Mary Koep as the alternate. I received a letter from Kitchigami Regional Library Services (KRLS) regarding the appointment of Mary Koep as the alternate to the KRLS Board (see attached). According to KRLS, Mrs. Koep is not eligible to be appointed as a liaison due to term limits. KRLS contacted State Library Services for clarification and they determined that a "former Board member may be reappointed after not serving on the Board for one full year." This includes some appointed as an alternate.

Alternative, Options, Effects on Others/Comments:

Recommended Action/Motion:

Appoint an alternate to the KRLS Board.

Financial Impact:

Is there a cost associated with this request:

What is the total cost, with tax and shipping:

Is this budgeted? (Please Explain)



RECEIVED

NOV 14 2022

CITY OF BRAINERD
ADMINISTRATION

November 9, 2022

Jennifer Bergman, City Administrator
Brainerd City Hall
501 Laurel St.
Brainerd, MN 56401

Dear Jennifer Bergman,

Kitchigami Regional Library Board wishes to inform you that the appointed alternate to the KRLS Board from the City of Brainerd is ineligible to serve on the board at this time. MN 134.20 subsection 2 states that "no member may be appointed to serve more than three consecutive three-year terms" on the library board, and KRLS Joint Powers Agreement Article 2.5 states that "A former Board Member may be reappointed after not serving on the Board for one full year." We contacted State Library Services; and their response was, that a board member who served their term limit needs to wait one year before serving as an alternate or applying for board membership. The currently appointed alternate termed out after the July 2022 Board meeting and is ineligible to serve on the Board; they may not be reappointed until after July 2023. KRLS bylaws do not allow proxy voting. KRLS welcomes all members of the public to attend our board meetings for information and comments.

In accordance with the KRLS bylaws, I request that your city council appoint a new alternate to the board if desired by the council. As a signatory city to the Kitchigami Regional Library System through a Joint Powers Agreement, the City of Brainerd has committed to appointing one City Council member or citizen as a representative and one alternate. The representative must reside in the appointing jurisdiction and be able to attend Kitchigami Regional Library Board meetings at the regional headquarters in Pine River. These meetings take place seven times a year on the third Thursday in January, March, May, June, July, September, and November. Additional committee meetings may be called that require attendance.

Please bring this matter to the attention of your city council. I appreciate any assistance you can provide in ensuring that your city participates fully in providing the wonder of books, learning, and discovery to our library patrons. If you have any questions or concerns, please reach out to KRLS Director Melissa Whatley at whatlevm@krls.org or by phone at 218-587-2171 x222.

Thank you for your assistance.

Sincerely,

Tom Conway, Board Chair
Kitchigami Regional Library



Brainerd City Council Agenda Request

Requested Meeting Date: December 5, 2022

Title of Item: Appoint Two Council Members to the Joint Wastewater Management Board

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: Bergman and Wicklund

Department: Admin

Presenter: Todd Wicklund, BPU Finance Director

Estimated Time Needed: 5 Minutes

Summary of Issue:

In 2007, the City of Brainerd and Baxter entered into a Sewer Use and Capacity Agreement for the Waste Water Treatment Plant (WWTP) - see attached. The construction of the WWTP was substantially funded by a loan with the State of Minnesota Public Finance Authority Fund. At that time, Sewer System Ordinances were adopted by both city's. In the Agreement, both City's have agreed to establish a Joint Wastewater Management Board (WWMB) with representatives from both to oversee the financial operations of the WWTP. This Board has never formerly met.

Alternative, Options, Effects on Others/Comments:

The intent is to have two Brainerd City Council members, two Baxter City Council members and the BPU Commission President on the WWTB. The WWTB is an advisory board.

Recommended Action/Motion:

Appoint two City Council members to the Wastewater Treatment Board.

Financial Impact:

Is there a cost associated with this request:

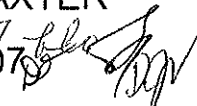
What is the total cost, with tax and shipping:

Is this budgeted? (Please Explain)

SEWER USE AND CAPACITY AGREEMENT

Between:

CITY OF BRAINERD and CITY OF BAXTER

CONTRACT DATE: ^{November 27} ~~JULY 17, 2007~~ 

AGREEMENT

This Agreement is made and entered into by and between the **City of Baxter**, a Minnesota municipal corporation, herein called "Baxter," and the **City of Brainerd** and its Public Utilities Commission (BPU), a Minnesota municipal corporation, herein called "Brainerd". Brainerd and Baxter shall be collectively referred to as the "Parties" or individually referred to as a "Party" to this Agreement.

RECITALS

- A. Brainerd owns and operates a Wastewater Treatment Plant, which was constructed to serve the needs of the greater Brainerd/Baxter community for the treatment of sanitary sewage (the "WWTP"). The WWTP is located at 8027 Highland Scenic Road, Baxter, MN.
- B. The WWTP construction was substantially funded by federal and state construction grants. In compliance with those grants, the requirements of the *"Federal Water Pollution Control Act Amendments of 1972"* (Public Law 92-500), 86 Stat. 816, and the regulations issued pursuant to said Act, both Brainerd and Baxter have adopted a "Sewer System Ordinance" controlling the discharge of sewage into its Sanitary Sewer system and adopted a system of determining and levying user charges that will assure that each recipient of waste treatment service pays its proportionate share of the costs of operation, maintenance, and replacement of the WWTP.

- C. Brainerd and Baxter have agreed to expand the WWTP to respond to the growing demands of the community for wastewater treatment services and have established a Joint Wastewater Management Board with representatives from the two Parties to oversee the financial operations of the Expanded WWTP and its expansion by the Brainerd Public Utilities.
- D. Baxter does not anticipate acquisition or construction of a wastewater treatment facility for the sanitary wastewater generated by its users, but plans to discharge wastewater to the Expanded WWTP for the period of this Agreement. Baxter will notify Brainerd if it intends to construct or acquire its own wastewater treatment facility for treatment of wastes that would otherwise be subject to this Agreement.
- E. Baxter will purchase and own one-third share of the Expanded WWTP's Capacity, and Brainerd will own and operate the Expanded WWTP and own two-thirds of the Expanded WWTP's Capacity. The proportions allocated to the Parties shall be as shown by Table A.

COVENANTS

NOW, THEREFORE, in consideration of the recitals made a part of this Agreement hereby, and other mutual obligations of the Parties herein expressed, Baxter and Brainerd do agree as follows:

1. Definitions

For the purpose of this Agreement, the words, terms, and abbreviations used herein shall have the meanings as set out below.

- A. "1979 Contract" is that certain May 7, 1979 Contract for the Interconnection of Sanitary Sewage Systems and Use of Wastewater Treatment Facilities by and between The Cities of Brainerd and Baxter, Crow Wing County, Minnesota, and all amendments thereto, including but not limited to the Second Amendment to the 1979 Contract, also known as the "Interim Agreement" dated January 17, 2006.
- B. "Annual Average (AA) Flow" refers to the total flow over a one-year period divided by the number of days in that given year.
- C. "Average Daily Flow (ADF)" of wastewater shall mean the total measured daily volume recorded by a properly operating and calibrated sewage meter and shall be based on any calendar month average.
- D. "Average Wet Weather (AWW) Flow" is the daily average flow for the wettest 30 consecutive days.
- E. "Capacity" means the design Hydraulic, CBOD, TSS, Mercury, and TP treatment capacities of the Expanded WWTP as shown by Table A, or as established in the NPDES Permit, or the actual operating capacity of the Expanded WWTP, whichever is greater; provided, however, that the greater amount does not violate the NPDES Permit.
- F. "Capital Costs" means the initial design, permitting and construction costs for expanding the WWTP, less any grant dollars received by either Party relating to the Expanded WWTP. The following costs

incurred by Brainerd for expansion of the WWTP shall be included as Capital Costs: the facility plan, the environmental assessment worksheet, MPCA permitting costs, permitting fees, preparing the NPDES Permit application, preparing detailed plans and specifications, preparing specifications for and selecting SBR equipment, negotiating with regulatory agencies, preparing grant or loan applications by Baxter or Brainerd, administering grants or loans by Baxter or Brainerd, advertising and selecting a construction contractor, Expanded WWTP design and construction costs, including change orders, preparing operation and maintenance manuals, conducting bench tests, pilot testing, startup costs, undertaking other construction administration and administrative tasks related to overseeing the expansion of the WWTP, and, as addressed in a separate agreement between the parties, Expanded WWTP financing and bonding costs.

Where:

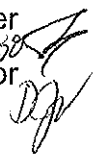
- i. Flow Component Cost is Thirty Percent (30%) of the Capital Cost.
- ii. Biological Component Cost is Thirty Percent (30%) of the Capital Cost.
- iii. Solids Component Cost is Thirty Percent (30%) of the Capital Cost.
- iv. Phosphorus Component Cost is Ten Percent (10%) of the Capital Cost.

Excluded from Capital Costs are all legal, engineering and other costs relating to negotiations between Brainerd and Baxter for this

Agreement, the January 16, 2006 Second Amendment to the 1979 Contract, the facilitation of issues between the Cities of Baxter and Brainerd, and associated personnel and other administrative costs of the City of Brainerd or its Brainerd Public Utility.

- G. "CBOD" means Carbonaceous Biochemical Oxygen Demand, a parameter that measures the amount of oxygen that will be consumed by microorganisms during the biological reaction of oxygen with organic material. For purposes of this Agreement, "Average CBOD" hereafter refers to any calendar month average of CBOD influent into the Expanded WWTP.
- H. "Excess Operating Charge" means a fee assessed either Party should its monthly average discharge to the Expanded WWTP exceed the flow, loadings or concentrations defined by Table B. The Excess Operating Charge shall be equal to 2 times the current cost per gallon for flow, 2 times the current cost per pound for loading, and 5 times the current cost per pound for strength (500 mg/L for CBOD and TSS and 12 mg/L for TP) of the parameter exceeded, as applicable. The Excess Operating Charge shall be calculated by rounding excess flows to the closest 1,000 gallon increment and loadings to the closest pound increment. An Excess Operating Charge shall only be assessed on the portion of the volume, mass, and concentrations of each component (flow, BOD, TSS, TP and Mercury) that exceeds the design parameters defined in Table B and shall be assessed on a calendar month basis.
- I. "Excess Capital Charge" means a fee assessed either Party should its monthly average discharge to the Expanded WWTP exceed the flow or loading defined by Table B under the following circumstances. The Excess Capital Charge shall be assessed on

the individual portion of the volume, mass, and concentrations of each component (flow, BOD, TSS, TP and TM) that exceeds the design parameters defined in Table B on a monthly average. The Excess Capital Charge shall be equal to one tenth of the cost per gallon or cost per pound (total Capital Cost divided by total Capacity) times the excess flow or loading for the parameter exceeded. The Excess Capital Charge shall be assessed if a Party exceeds the flow or loading for the same parameter in Table B on a monthly average for a cumulative total of six times within a twelve-month rolling period. A monthly average exceedance in a given month can be used to assess an Excess Capital Charge only one time; therefore, no exceedance can be used to assess an Excess Capital Charge in more than one twelve-month rolling period. Excess Capital Charges shall not be assessed more than twice per calendar year. Examples of the formula used for applying the Excess Capital Charge defined hereby are set forth in Appendix A, attached hereto and made a part of this Agreement.

- J. "Expanded WWTP" means the improved, constructed WWTP with sequencing batch reactor technology substantially as reflected in the Facilities Plan dated October 2005 as amended, and as further defined in the detailed Plans and Specifications ^{(July 2, 2007) Design} prepared for construction upgrade of the WWTP. 
- K. "Initiation of Operation" means (i) the date on which the Expanded WWTP begins to treat wastewater and the rotating biological contactors are removed from service; or (ii) the date of initiation of operation as referenced in the NPDES Permit, whichever is earlier.
- L. "Mercury" means the element mercury in both solid and dissolved state which is a laboratory measurement of the quantity of mercury

in wastewater. "TM" means the loading of both solid and dissolved Mercury in the influent discharged into the Expanded WWTP in any calendar month.

- M. "Mercury Minimization Plan" means a plan adopted by BPU and approved by the Minnesota Pollution Control Agency ("MPCA") that sets Mercury reduction goals for the WWTP users, contains an implementation plan to meet the reduction goals, and evaluates the WWTP's Mercury treatment potential.
- N. "NPDES Permit" means the then effective National Pollutant Discharge Elimination System/State Disposal System Permit issued by the MPCA under the authority of the federal Clean Water Act and Minnesota counterpart authorizing a discharge of pollutants to the Mississippi River for the wastewater discharge from the Expanded WWTP.
- O. "Operating Costs" means the expenditures incurred within a fiscal year that are necessary to provide for the dependable, economical and efficient functioning and preservation of the operations of the Expanded WWTP in a manner to preserve its operability and that meet NPDES Permit limits. Operating costs shall include: administration expenses, equipment replacement funds, permit and license renewal fees, vehicle expenses, operator wages and overhead costs, insurance expenses, garbage disposal, electric, gas, communications, SCADA and telephone utility costs, chemical costs, heating and cooling, office supplies, equipment repair costs, chemical costs, sludge hauling and disposal costs. Expanded WWTP consumables such as office supplies and laboratory chemicals and equipment, and all other expenditures necessary to operate the Expanded WWTP.

Where:

- a. Flow Treatment Cost is Thirty Percent (30%) of the Operating Costs.
 - b. Biological Treatment Cost is Thirty Percent (30%) of the Operating Costs.
 - c. Solids Treatment Cost is Thirty Percent (30%) of the Operating Costs.
 - d. Phosphorus Treatment Cost is Ten Percent (10%) of the Operating Costs.
- P. "Peak Hourly Wet Weather (PHWW) Flow" means the largest volume of flow received during a one-hour period anytime during this contract period, expressed in million gallons per day.
- Q. "Peak Instantaneous Wet Weather (PIWW) Flow" means the largest volume of flow received anytime during this contract period expressed in million gallons per day.
- R. "Phase I Upgrade" means construction of an upgrade to the WWTP to increase its AWW design flow to 6.0 million gallons per day.
- S. "Phase II Upgrade" means construction of an upgrade to the Expanded WWTP to increase its AWW design flow to 7.5 million gallons per day.
- T. "Phosphorus Minimization Plan" means a plan adopted by BPU and approved by the MPCA that sets phosphorus reduction goals for the WWTP users, contains an implementation plan to meet the reduction goals, and evaluates the WWTP's phosphorus treatment potential.

- U. "Sanitary Sewer" means a pipe or conveyance system, which carries sewage, and to which storm, surface and ground waters are not intentionally admitted.
- V. "Third Party" means a public or private entity other than the Parties.
- W. "Third Party Offer" means a good faith offer by a Third Party to purchase or otherwise acquire the Expanded WWTP, any portion of the Capacity in the Expanded WWTP, the real estate beneath the Expanded WWTP, or the rights to operate the Expanded WWTP.
- X. "TP" means Total Phosphorous, which is a laboratory measurement of the quantity of phosphorous in wastewater. "Average TP" means the average of TP influent into the Expanded WWTP in any calendar month.
- Y. "TSS" means Total Suspended Solids, which is a laboratory measurement of the quantity of solid material suspended in wastewater. "Average TSS" means the average of TSS influent into the Expanded WWTP in any calendar month.

2. Effective Date of this Agreement.

This Agreement shall be binding when signed by all Parties and, unless otherwise provided herein, shall remain executory until the Initiation of Operation date of the Expanded WWTP. On the Initiation of Operation date, this Agreement shall supersede the 1979 Contract in its entirety and the 1979 Contract will have no effect. Except as otherwise provided herein, prior to the Initiation of Operation date, the 1979 Contract and amendments thereto, if any, adopted after the effective date of this Agreement, shall be the operative agreement between the Parties concerning use of the WWTP.

3. Rights, Term, and Termination

- A. Subject to the terms and conditions of this Agreement, the Parties may extend their Sanitary Sewer systems to properties within their respective corporate limits, as they determine to be in their respective best interests. All Sanitary Sewer systems and flows collected by extensions made to a Party's Sanitary Sewer system after the Initiation of Operation date, shall be fully subject to this Agreement.
- B. This Agreement shall be effective for as long as the Expanded WWTP operates, unless terminated by mutual agreement of the Parties or by a substantial and continuing breach of this Agreement, without a timely cure by the breaching Party. A breach shall be deemed substantial only if a Party's violation(s) of the terms of this Agreement causes a violation of an enforceable limit in the NPDES Permit or threatens the health, safety, and welfare of the public of either Party. A breach shall be continuing if it cannot be timely cured. Unless an immediate and substantial threat to the health or safety of the public is created by the breach, the alleged breaching Party shall be given a minimum of one hundred eighty (180) days following receipt of written notice of the breach to timely cure. The non-breaching Party shall give written notice of the alleged breach, which shall contain a detailed description of the alleged breach and provide a date by which the breach must be cured. If an immediate and substantial threat to the public is created by the breach, the alleged breaching Party shall be given written notice of the breach and shall promptly cure. If the immediate and substantial threat to the public is not promptly cured, the non-breaching Party may pursue the legal and equitable remedies available under Section 12.C, without first utilizing the dispute resolution procedures of Section 12.B.

- C. If a substantial and continuing breach remains uncured for a minimum of one hundred eighty (180) days after the breaching Party receives notice of the breach, or the period provided for cure, whichever is longer, the non-breaching Party may give the alleged breaching Party notice of termination of the Agreement. Notice of termination shall state the termination date of the Agreement in writing, which shall be not less than sixty (60) months after the notice of termination is delivered to the Party allegedly committing the substantial and continuing breach. A Party may challenge a notice of termination as provided in Section 12 of this Agreement. Delivery of the notice of termination for an alleged immediate and substantial threat allows the allegedly breaching Party to pursue the legal and equitable remedies available under Section 12.C without first utilizing the dispute resolution procedures of Section 12.B.

4. Sale, Expansion or Transfer

- A. Brainerd agrees to inform Baxter of any planned expansion of its treatment facilities that serve or could serve Baxter, and to offer to include additional capacity or space for Baxter in said facilities, subject to Baxter participating on a proportionate basis in the cost of the expansion. Similarly, Baxter agrees to offer to include additional capacity or space for Brainerd in the expansion of any treatment facilities that serve or could serve Brainerd, subject to Brainerd participating on a proportionate basis in the cost of the expansion.
- B. Neither Party shall accept a Third Party Offer from a Third Party located within the other Party's corporate limits, except a Third Party Offer to purchase or operate the entire Expanded WWTP and

subject to the provisions of Sections 4.C through 4.E immediately below.

- C. Neither Party shall accept a Third Party Offer without first extending a right of first refusal to the other Party at the same price and on the same terms and conditions as contained in the Third Party Offer, subject to any appropriate price reduction adjustment for previous investments of Capital Costs in the Expanded WWTP; provided, however, that either Party shall have at least sixty (60) days from exercising this right of first refusal to close on the purchase. This right of first refusal shall not apply to the placing of bona fide mortgages or security interests against the Expanded WWTP or its real property.
- D. The Parties' notice to each other pursuant to the immediately preceding paragraph shall be in writing, shall be delivered to the current address of the receiving Party for the giving of notices and shall include the identity and address of the Party making the Third Party Offer and a complete copy of the Third Party Offer. The Party receiving the notice shall have thirty (30) days from receipt of the notice in which to notify the other Party of its election to purchase the property or other interests covered by the Third Party Offer. If the noticed Party fails to notify the other Party within the thirty (30) day period that it elects to purchase the property or other interests covered by the Third Party Offer, the first refusal right shall no longer apply to that specific Third Party Offer. However, the Parties' rights of first refusal shall continue in full force and effect and shall apply to any subsequent Third Party Offers received by the Parties during the term of this Agreement.

- E. Brainerd may not sell or otherwise transfer the Expanded WWTP or any rights or responsibilities to operate the Expanded WWTP unless such purchaser, transferee or operator agrees to assume and is assigned this Agreement, in whole, and all rights and responsibilities thereunder on behalf of Brainerd.
- F. Neither Party shall extend or connect its sanitary sewer into the other Party's corporate limits without that Party's consent.

5. Compliance with Applicable Laws

- A. By the Initiation of Operation date, the Parties shall have adopted, and shall maintain and enforce the following in such a manner as to comply with the *Federal Water Pollution Control Act Amendments of 1972* (Public Law 92-500) particularly Title II, Section 204(b) (1) and the Federal Regulations as contained in the Federal Register Volume 39, No. 29, dated February 11, 1974, and the amendments thereto.
 - i. An independent system of charges to assure that each recipient of waste treatment services within its jurisdiction will pay its proportionate share of the costs of operation and maintenance of the Expanded WWTP.
 - ii. An Ordinance pertaining to the use of the Sanitary Sewer complying with Public Law 92-500 and at least as restrictive as Section 700 of the Brainerd City Code, as it exists as of the Effective Date. Said Ordinance shall also require that new sewers and connections to the Sanitary Sewer system are designed and constructed in accordance with

Recommended Standards for Wastewater Facilities (Ten State Standards) and requirements of the MPCA.

- B. Baxter and Brainerd will comply with all applicable state and federal laws in the construction, maintenance, and operation of their Sanitary Sewer systems.
- C. Brainerd agrees that expansion of the WWTP shall require issuance of a conditional use permit and building permit from the City of Baxter.

6. Discharge Limitations

- A. The Parties recognize that there is a finite design capacity to be provided by the Expanded WWTP as described in Table A, and therefore, subject to this Agreement, their respective rights to discharge sewage into the Expanded WWTP are limited by Table A.

TABLE A

		Brainerd	Baxter	Total
Flow (MGD)	AWW	4.00	2.00	6.00
	Annual Average	3.20	1.60	4.80
	Peak Hour	8.30	5.60	13.90
	Peak Instantaneous	8.80	5.60	14.50
	Average Daily Flow	4.00	2.00	6.00
CBOD (lbs/d) (The maximum concentration shall not exceed 500 mg/L)	AWW	8,000	4,000	12,000
	Annual Average	6,400	3,200	9,600
TSS (lbs/d)	AWW	8,000	4,000	12,000

(The maximum concentration shall not exceed 500 mg/L)	Annual Average	6,400	3,200	9,600
Total Phosphorus TP (lbs/d) (The maximum concentration shall not exceed 12 mg/L)	AWW Annual Average	280 140 420 [Based on NPDES Permit limit of 1 mg/L]		
Total Mercury TM (lbs/day)*		2/3 of Expanded WWTF Capacity TBD	1/3 of Expanded WWTF Capacity TBD	Total Expanded WWTF Capacity TBD

*TM concentration and Loading Limits pending MPCA review and approval of the Mercury Minimization Plan.

- B. The Parties' contributions shall not exceed the flow, or the mass loading or concentrations shown for CBOD, TSS, and TP shown in Table B without Excess Operating Charges or Excess Capital Charges.

TABLE B

		Brainerd	Baxter	Total
Flow (MGD)	Average Daily Flow	4.00	2.00	6.00
CBOD (lbs/d) (The maximum concentration shall not exceed 500 mg/L)		8,000	4,000	12,000

TSS (lbs/d) (The maximum concentration shall not exceed 500 mg/L)		8,000	4,000	12,000
Total Phosphorus TP (lbs/d) (The maximum concentration shall not exceed 12 mg/L)		280 [Based on NPDES Permit limit of 1 mg/L]	140 [Based on NPDES Permit limit of 1 mg/L]	420 [Based on NPDES Permit limit of 1 mg/L]
Total Mercury TM (lbs/day)*		2/3 of Expanded WWTF capacity TBD	1/3 of Expanded WWTF Capacity TBD	Total Expanded WWTF Capacity TBD

*TM concentration and Loading Limits pending approval of the MPCA.

- C. If any of the following conditions in Sections 6.C.i through 6.C.v below occurs, then no later than thirty (30) days after the first day of the occurrence, Brainerd shall notify Baxter in writing and the parties shall promptly meet in good faith to formulate a plan to satisfy the future capacity needs of the Parties that may include, but is not limited to, re-allocation of Capacity between the Parties or commencing permitting and design of the Phase II Upgrade. If the Parties are unable to formulate a plan within ninety (90) days of notice, the provisions of Section 12 shall apply.
- i. Baxter's average wet weather flow first meets or exceeds 1.6 million gallons per day, or Brainerd's average wet weather flow first meets or exceeds 3.6 million gallons per day;

- ii. Baxter's average CBOD first meets or exceeds 2,560 pounds per day, or Brainerd's average CBOD first meets or exceeds 5,200 pounds per day;
- iii. Baxter's average TSS first meets or exceeds 2,560 pounds per day, or Brainerd's average TSS first meets or exceeds 5,200 pounds per day; or
- iv. Baxter's average TP first meets or exceeds 88 pounds per day, or Brainerd's average TP first meets or exceeds 145 pounds per day;
- v. Baxter's average TM loading first meets or exceeds 75% of the maximum concentration or loading then allowed to Baxter under this Agreement, or Brainerd's average TM loading first meets or exceeds 75% of the maximum concentration or loading then allowed to Brainerd under this Agreement.

D. Moratorium. The Parties intend to increase the Capacity of the Expanded WWTP to accommodate the growing wastewater treatment needs of the greater Brainerd-Baxter community. If, prior to January 1, 2015, any of the loading thresholds described in Section 6.C have been met and the Parties are not able or willing to sell additional Capacity to each other, or the Expanded WWTP achieves ninety percent (90%) of any parameter of its Capacity as established in Table A, then the following shall apply:

- i. Brainerd shall commence permitting and design of the Phase II Upgrade within (1) ninety (90) days from the last day of the month that the Expanded WWTP first operated at 90% of its Capacity, or (2) within one hundred eighty (180)

days from the last day of the month that the limits in Section 6.C were first met or exceeded, whichever occurs first; and

- ii. If the Expanded WWTP is operating at or above 90% of its Capacity and exceeds an enforceable NPDES Permit limit for the same parameter in at least two consecutive MPCA discharge monitoring reports, no new extensions to the Sanitary Sewer or to the Expanded WWTP shall occur until the construction of the Phase II Upgrade progresses to a point that the Expanded WWTP is able to treat additional Capacity.

7. Measuring Devices

- A. If a Party desires to connect to the other Party's sanitary sewer collection system at a location other than the Expanded WWTP, the Party desiring the connection will provide an automatic flow measuring and recording device with an integrator-totalizer at location(s) where sewage from the connecting Party's Sanitary Sewer system enters the other Party's Sanitary Sewer system. The location and terms of such a connection of the Parties Sanitary Sewers shall be governed by an amendment to this Agreement.
- B. Brainerd shall keep records and reports from any flow measuring devices at present and future connection locations and shall make such records available to Baxter.
- C. If any flow measuring devices fail at future connection locations, for the purpose of determining rates pursuant to this Agreement, the Parties will assume that during any period of failure of the measuring device, Average Daily Flow equals the average of the Average Daily Flow at that location for the same time period during

the three preceding years. If flows have changed significantly over the preceding three years, then an alternate method as mutually agreed by the Parties may be used to determine the flow during periods of failure of the measuring device.

- D. Brainerd shall retain the services of an independent testing agency that shall make inspections and perform calibrations of the flow-metering devices to maintain the accuracy of the devices. The inspections and calibrations shall occur at least annually, or at any other time either Party believes the flow-measuring device is not accurate. Cost for inspections other than the annual inspection shall be the responsibility of the Party requesting the inspection. A copy of all inspection and test results shall be provided to Baxter promptly after completion.
- E. The Parties may inspect flow measuring and recording devices at any reasonable time. In the event such a device fails, it shall be repaired or replaced within a reasonable time. Costs and expenses for these repairs shall be included in the annual Operating Costs allocated between the Parties. Baxter shall pay for the replacement of any device at future connection locations that fails more than three times in any calendar year, except the flow meter at the Expanded WWTP.

8. Inspections and Auditing

- A. The Parties shall have the right at all times to sample and test each other's sewage, including total influent, at the point of discharge to Brainerd's Sanitary Sewer systems and to the Expanded WWTP.
- B. All parts of the Expanded WWTP and all records, financial information and accounts relating to the matters covered by this

Agreement and applicable Sanitary Sewer System ordinances, shall be made available for inspection by Baxter at any reasonable time and shall be retained by Brainerd for a minimum of three years.

- C. Immediately after the Parties have duly executed this Agreement, both Parties will promptly copy or provide copies to each other of all future correspondence to and from the MPCA or other governmental agencies related to the Expanded WWTP, the NPDES Permit, or wastewater treatment.
- D. The Finance Directors of the Parties shall meet annually to review the Operating Costs Allocation and make recommendations to the Joint Wastewater Management Board for its review.

9. Testing and Sampling

- A. All sampling and testing shall be carried out according to customarily accepted practices and at times agreed upon by both Parties. CBOD, TSS, TP and TM tests shall be done monthly, or in accordance with the sampling schedule defined in the NPDES Permit, whichever is more frequent, utilizing 24-hour composite sampling. Other parameters may be added, if necessary for permit compliance, or enhanced operation of the Expanded WWTP.
- B. Both Parties will cooperate in performing any additional tests and sampling as may be required by a state or federal agency having jurisdiction over the Expanded WWTP and the Parties' Sanitary Sewer systems.
- C. Except as otherwise provided in this Agreement, any testing and sampling of the waste stream for operational purposes of the Expanded WWTP are considered as Operating Costs of the

Expanded WWTP. If either Party requests additional testing, any costs so incurred shall be at the sole expense of the Party requesting said additional testing. All testing shall be performed by a certified laboratory acceptable to the MPCA.

10. Operations

- A. Both Parties will at all times act diligently to keep their Sanitary Sewer systems and water pollution control facilities, including the Expanded WWTP, in good operating condition.
- B. Both Parties will continue efforts to reduce the inflow and infiltration entering into the Sanitary Sewer systems of their respective cities. Each Party will bear its own costs for taking such actions.
- C. Both Parties will take the necessary actions to reduce the fat, oil and grease, TP and TM loadings to the Expanded WWTP, by requiring sources of such loadings to install and regularly maintain fat/oil/water separators or other equipment designed to eliminate fat, oil and grease, TP and TM from the wastewater stream. Any such material removed prior to discharge to the Expanded WWTP shall be disposed of in an appropriate manner and not discharged to the Expanded WWTP. Each Party will bear its own costs for taking such actions.
- D. The Parties will cooperate with each other in the enforcement of their respective Sanitary Sewer system ordinances.
- E. Wastewater from Baxter or Brainerd shall not contain elements or compounds in such concentration that cause NPDES Permit violations or disrupt the operation of the Expanded WWTP.
- F. Within the timelines required by the NPDES Permit, BPU shall develop the Mercury Minimization and Phosphorus Minimization

Plans, provide draft plans to Baxter with at least ten (10) business days opportunity to comment on them, incorporate the reasonable comments of Baxter thereto, and submit them to the MPCA for approval.

- G. Each Party shall promptly reimburse the other Party for all actual costs the other Party incurs caused by the negligent acts or omissions of the Party. If both Parties are negligent, responsibility will be apportioned between them by agreement of the Parties or in accordance with Sections 12.B and 12.C.

11. Financial

The Parties shall pay Capital and Operating Costs of the Expanded WWTP as follows.

- A. Responsibility for shared Capital Costs shall be the following formula:

Brainerd = $\frac{2}{3}$ Flow Component Cost + $\frac{2}{3}$ Biological Component Cost + $\frac{2}{3}$ Solids Component Cost + $\frac{2}{3}$ Phosphorus Component Cost.

Baxter = $\frac{1}{3}$ Flow Component Cost + $\frac{1}{3}$ Biological Component Cost + $\frac{1}{3}$ Solids Component Cost + $\frac{1}{3}$ Phosphorus Component Cost.

The payment of these costs is addressed in a separate financing agreement between the Parties. If Brainerd terminates this Agreement, Baxter's obligation to pay Capital Costs shall be resolved according to the procedures in Section 12. If Baxter voluntarily elects to withdraw from this Agreement, Baxter shall be responsible to pay any unpaid portion of its Capital Costs on terms and conditions established by the Parties or under the procedures in Section 12.

- B. Responsibility for Operating Costs shall be allocated on a monthly basis based upon the Average Daily Flow and loadings according to the following formula:

Brainerd = Brainerd's ADF / Total ADF (Flow Component of the Operating Cost) + Brainerd's Average CBOD/Total Average CBOD (Biological Treatment Cost)+ Brainerd's Average TSS/Total Average TSS (Solids Treatment Cost)+ Brainerd's Average TP/Total Average TP (Phosphorus Treatment Cost).

Baxter = Baxter's ADF / Total ADF (Flow Component of the Operating Cost) + Baxter's Average CBOD/Total Average CBOD (Biological Treatment Cost)+ Baxter's Average TSS/ Total Average TSS(Solids Treatment Cost)+ Baxter's Average TP/Total Average TP(Phosphorus Treatment Cost).

Examples of the calculation of Operating and Capital Costs appear in Appendix A to this Agreement.

- C. Operating Costs, Excess Operating Charges and Excess Capital Charges, if any, shall be payable within 30 days of billing by Brainerd, and shall be subject to a late payment charge of 1.5% for each month or portion thereof overdue. Each bill or charge sent from Brainerd to Baxter shall include written or documentary evidence of all flows, and all analytical testing for CBOD, TSS, and TP, upon which Brainerd computed or calculated the charge.
- D. In the event of a dispute by the Parties as to the amount of Capital Cost or Operating Cost due BPU, payment shall be made to BPU as provided in Section 11.C above on all undisputed amounts.

- E. Disputes over Capital Costs and Operating Costs shall be heard before the Joint Wastewater Management Board, which shall make a recommendation to BPU as to resolution.
- F. It is the intent of this Agreement to provide for penalties to either Party for using more wastewater treatment plant capacity than the amount purchased in this Agreement.
- G. If either Party discharges wastewater to the Expanded WWTP that exceeds the AWW flow or loading limits described by Table B, the offending Party shall be liable to pay BPU an Excess Operating Charge in addition to the monthly Operating Costs. All Excess Operating Charges received by BPU shall be credited against the total Operating Costs. An example of the calculation of the Excess Operating Charge appears as Appendix B to this Agreement.
- H. An Excess Capital Charge as defined in this Agreement shall be assessed after written notice of such excess discharges and paid by the discharging Party to BPU. All Excess Capital Charges received by BPU from one Party shall be credited against the other Party's portion of the Capital Costs. Examples of the cumulative six-month determination and the calculation of the Excess Capital Charge appear as Appendix A to this Agreement.
- I. The assessment of Operating Costs under this Agreement shall begin on the Initiation of Operations date, and the formula for assessment of Operating Costs contained in the January 17, 2006, Second Amendment to the 1979 Contract shall terminate and be replaced by the formula set forth in this Agreement.
- J. In addition to the payment of Capital and Operating Costs as defined herein, the Parties agree that each Party shall bear sole responsibility for any fines or penalties assessed as a result of that

Party's individual actions and shall indemnify, defend and hold the other Party harmless for any fine or penalty.

12. Dispute Resolution

- A. If either Party can reasonably demonstrate that the terms of this Agreement are inequitable to it and the inequity is not due to the failure of either Party to perform under the terms of the Agreement, such Party may request modification of the terms or terms of the Agreement creating the inequity. The Parties shall negotiate proposed modifications to the Agreement in a good faith attempt to resolve the inequity; provided, however, that the failure to agree on a modification to eliminate or reduce the alleged inequity, after good faith negotiations, shall not, standing alone, qualify as a breach of the Agreement. If the Parties fail to resolve the issue after good-faith negotiations, the complaining party may only employ the Dispute Resolution procedure in Section 12.B.
- B. Except as otherwise provided on matters allegedly creating an immediate and substantial threat to the public, if the Parties cannot agree on a matter governed by this Agreement including matters described in Section 3.B of this Agreement, they shall first present the disputed issues to the Joint Wastewater Management Board at a special meeting called for that purpose. If either Party does not agree with the decision of the Board, the Party may, within ten (10) days of the Board's decision, appeal to the Brainerd Public Utilities Commission. The Commission shall decide the issue at a special meeting called for that purpose, unless the Parties agree to be heard at a regular meeting. If the dispute is still unresolved after the Commission's decision, the Parties shall mediate the issue. The Parties shall mutually select a mediator and share mediator

expenses equally. Any tentative agreement reached through mediation is not binding on the Parties unless ratified by the bodies with authority to act on behalf of the Parties.

- C. If the Parties are unable to resolve the dispute after good faith efforts to complete a prompt mediation process or if immediate and irreparable harm will result upon further delay, either Party may pursue any and all legal or equitable remedies available to it. The Parties hereby consent to the jurisdiction of Crow Wing County District Court. The Parties agree that the procedures set forth in Minnesota Statutes § 115.49, subdivisions 4 and 5, as effective in April of 2007, shall not apply to this Agreement.

13. Severability

In the event any provision of this Agreement shall be held invalid or unenforceable, the remaining provisions shall be valid and binding on the Parties unless such invalidity or non-enforceability would cause the Agreement to fail in its essential purpose.

14. Waivers.

One or more waivers by either Party shall not be a waiver of any subsequent breach under the Agreement.

15. Entire Agreement

Except for the Parties' financing agreement concerning the Expanded WWTP, this Agreement represents the entire agreement of the Parties concerning the Expanded WWTP, and this Agreement shall supersede all oral agreements and negotiations between the Parties relating to the subject matter hereof.

16. Notice

Whenever this Agreement provides for notice to a Party, this provision shall apply. Notices required under this Agreement shall be effective if delivered by electronic mail and by United States mail to the Parties as follows:

If to Brainerd: City Administrator
 City of Brainerd
 501 Laurel Street
 Brainerd, MN 56401

and

Superintendent
Brainerd Public Utilities
8027 Highland Scenic Road
P.O. Box 373
Brainerd, MN 56401

If to Baxter: City Administrator
 City of Baxter
 13190 Memorywood Drive
 P.O. Box 2626
 Baxter, MN 56425

And Public Works Director/
 City Engineer to Baxter
 City of Baxter
 13190 Memorywood Drive
 P.O. Box 2626
 Baxter, MN 56425

Each Party shall notify the other Party of any changes in the name, title, address or email of the persons to be notified in its City at any time during this Agreement.

17. Amendments.

This Agreement may be amended only by a written amendment signed by the Parties. Any amendments to this Agreement, including agreement on open terms such as referenced in Table A and Table B herein, shall be entitled "First Amendment" or "Second Amendment," as appropriate and consecutive and be executed and attached to this Agreement.

18. Assignment.

Neither Party shall assign or transfer this Agreement without the prior written consent of the other Party.

IN WITNESS WHEREOF, the parties below represent hereby that they have been duly authorized to sign this Agreement by their respective councils.

CITY OF BRAINERD

Dated: 7/27/07

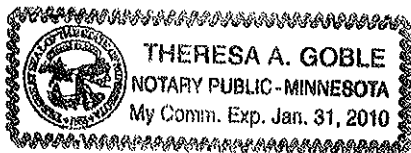
By: James E. Wallin
James E. Wallin Its: Mayor

By: Daniel J. Vogt
Daniel J. Vogt Its: City Administrator

SEAL

In Witness Whereof this 27 day of
July, 2007.

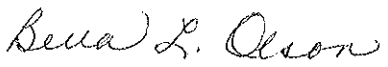
Theresa A. Goble
(Notary Public)



CITY OF BAXTER

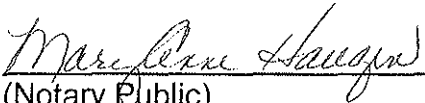
Dated: Nov. 27, 2007

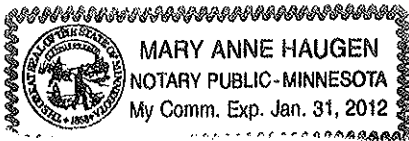
By: 
Darrel Olson, Its Mayor

By: 
Beva L. Olson, Its: City Clerk

SEAL

In Witness Whereof this 27th day of
November 2007.


(Notary Public)



Appendix A

Example Charge Calculations

Appendix A-1
Normal Flows and Loads

Design Flows and Loadings¹

Phase I Upgrade Design Flows and Loadings

	Brainerd	Baxter	Total
Average Daily Flow (MGD)	4.0	2.0	6.0
CBOD (lbs/d)	8,000	4,000	12000
CBOD maximum (mg/L)	500	500	-
TSS (lbs/d)	8,000	4,000	12000
TSS maximum (mg/L)	500	500	-
TP (lbs/d)	280	140	420
TP maximum (mg/L)	12	12	-
TM	Pending		

¹ From Long Term Agreement, Table B

Annual Input Data

Total Annual Operating Cost²: \$920,000

Calculate Base Unit Costs

Total Flow and Loading Estimate from Brainerd and Baxter (estimate at beginning of year to establish annual base unit operating costs)			
	Brainerd	Baxter	Brainerd and Baxter
Average Daily Flow (MGD)	3.4	1.7	5.10
CBOD (mg/L)	200	220	206.67
TSS (mg/L)	200	220	206.67
TP (mg/L)	8	9	8.33

	Weight	Base Unit Cost		Mass	Annual Cost
	(%)	(\$)	Units	(lbs/day)	(\$)
Flow	30%	\$0.148	1000 gal	NA	\$276,000
CBOD	30%	\$0.086	lb CBOD	8,796	\$276,000
TSS	30%	\$0.086	lb TSS	8,796	\$276,000
TP	10%	\$0.711	lb TP	355	\$92,000
Subtotals					\$920,000

² Total Annual O&M cost from Facilities Plan dated October 2005, Amended November 2006. Rounded to the nearest \$10,000.

Monthly Input Data

for
January 2011

Current Month	January
Year	2011
Number of days in billing period	31

Flow

	Brainerd	Baxter	Total
Total flow for period (gallons)	75,000,000	35,000,000	110,000,000
Average Daily Flow (MGD)	2.419	1.129	3.548

Loading

Measurement Number	Brainerd				Baxter			
	CBOD (mg/L)	TSS (mg/L)	TP (mg/L)	TM (ng/L)	CBOD (mg/L)	TSS (mg/L)	TP (mg/L)	TM (ng/L)
1	162	162	4	105	165	165	4	105
2	147	147	4		153	153	4	
3	153	153	4		150	150	4	
4	156	156	3		147	147	3	
5	150	150	4		144	144	4	
6	144	144	4		165	165	4	
7	159	159			159	159		
8	162	162			162	162		
9	165	165			165	165		
10	147	147			168	168		
11	144	144			165	165		
12	150	150			162	162		
13	156	156			159	159		
14	150	150			156	156		
15	147	147			153	153		
16	153	153			159	159		
17	150	150			165	165		
18								
19								
20								
Average Daily Loadings (conc.)	152.6	152.6	3.8	105.0	158.6	158.6	3.7	105.0
Average Daily Loadings (lbs/d)	3,082	3,082	76	-	1,495	1,495	35	-
Average Daily Loadings (mg/d)	-	-	-	962	-	-	-	449

Most Recent Twelve Months Input Data

Brainerd Most Recent Twelve Months Data

	Feb-10	Mar-10	Apr-10	May-10	Jun-10	Jul-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	Jan-11
Flow (MGD)	1.020	1.110	1.140	1.170	1.200	1.200	1.230	1.260	1.275	1.290	1.380	2.419
CBOD (lbs/d)	1,200	1,050	750	900	1,200	2,100	2,400	2,460	2,460	2,550	2,700	3,082
TSS (lbs/d)	1,200	1,050	750	900	1,200	2,100	2,400	2,460	2,460	2,550	2,700	3,082
TP (lbs/d)	69	75	78	83	86	90	93	95	96	102	105	76

Baxter Most Recent Twelve Months Data

	Feb-10	Mar-10	Apr-10	May-10	Jun-10	Jul-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	Jan-11
Flow (MGD)	0.510	0.540	0.570	0.570	0.600	0.600	0.615	0.630	0.630	0.660	0.690	1.129
CBOD (lbs/d)	600	525	375	450	600	1,050	1,200	1,230	1,230	1,260	1,350	1,495
TSS (lbs/d)	600	525	375	450	600	1,050	1,200	1,230	1,230	1,260	1,350	1,495
TP (lbs/d)	35	38	39	42	44	45	47	47	48	51	53	35

Base Charge Calculations

for
January 2011

Base Capital Charge Calculations

(Based on the estimated Phase I capital costs, actual costs will be dependent upon interest rates, construction bids, etc.)

Capital Cost¹: \$35,000,000

PFA Interest Rate: 1.74%
Repayment Period (years): 20

	Weight	Brainerd Allocation		Baxter Allocation		Subtotals
	(%)	(%)	(\$)	(%)	(\$)	(\$)
Flow	30%	66.67%	\$7,000,000	33.33%	\$3,500,000	\$10,500,000
CBOD	30%	66.67%	\$7,000,000	33.33%	\$3,500,000	\$10,500,000
TSS	30%	66.67%	\$7,000,000	33.33%	\$3,500,000	\$10,500,000
TP	10%	66.67%	\$2,333,333	33.33%	\$1,166,667	\$3,500,000
		Totals	\$23,333,333		\$11,666,667	\$35,000,000

	Brainerd	Baxter
Monthly Charges	\$0.00	\$0.00

¹ Capital cost from 90% Design, Opinion of Probable Project Costs, February 2007. Rounded to the nearest \$1,000,000.

Base Operating Charge Calculations

Brainerd

Current Month Flow and Loading Data

Average Daily Flow (MGD)	2.419
CBOD (mg/L)	152.6
TSS (mg/L)	152.6
TP (mg/L)	3.8

Current Month Operating Charge

	Base Unit Cost		Mass	Monthly Cost
	(\$)	Units	(lbs/day)	(\$)
Flow	\$0.148	1000 gal	NA	\$11,120
CBOD	\$0.086	lb CBOD	3,082	\$8,213
TSS	\$0.086	lb TSS	3,082	\$8,213
TP	\$0.711	lb TP	76	\$1,668
		Subtotal		\$29,214.96

Baxter

Current Month Flow and Loading Data

Average Daily Flow (MGD)	1.129
CBOD (mg/L)	158.6
TSS (mg/L)	158.6
TP (mg/L)	3.7

Current Month Operating Charge

	Base Unit Cost		Mass	Monthly Cost
	(\$)	Units	(lbs/day)	(\$)
Flow	\$0.148	1000 gal	NA	\$5,189
CBOD	\$0.086	lb CBOD	1,495	\$3,984
TSS	\$0.086	lb TSS	1,495	\$3,984
TP	\$0.711	lb TP	35	\$770
		Subtotal		\$13,926.66

for
January 2011

	Capital Cost/Design Flow or Loading			Most Recent Twelve Months Data												Six months or more greater than design parameter? (Y/N)	Average of highest six values	Excess Flow or Loading	Excess Capital Charge
	Unit Costs	1/10 Unit Costs	Units	Feb-10	Mar-10	Apr-10	May-10	Jun-10	Jul-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	Jan-11				
Flow	\$1.75	\$0.175	gal	1,020	1,110	1,140	1,170	1,200	1,200	1,230	1,260	1,275	1,290	1,380	2,419	N	0.00	0.00	\$0
CBOD	\$875.00	\$87.50	lb CBOD	1,200	1,050	750	900	1,200	2,100	2,400	2,460	2,460	2,550	2,700	3,082	N	0.00	0.00	\$0
TSS	\$875.00	\$87.50	lb TSS	1,200	1,050	750	900	1,200	2,100	2,400	2,460	2,460	2,550	2,700	3,082	N	0.00	0.00	\$0
TP	\$8,333.33	\$833.33	lb TP	69	75	78	83	86	90	93	95	96	102	105	76	N	0.00	0.00	\$0
TM	Pending																		\$0.00

	Capital Cost/Design Flow or Loading			Most Recent Twelve Months Data												Six months or more greater than design parameter? (Y/N)	Average of highest six values	Excess Flow or Loading	Excess Capital Charge
	Unit Costs	1/10 Unit Costs	Units	Feb-10	Mar-10	Apr-10	May-10	Jun-10	Jul-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	Jan-11				
Flow	\$1.75	\$0.175	gal	0.510	0.540	0.570	0.570	0.600	0.600	0.615	0.630	0.630	0.660	0.690	1.129	N	0.00	0.00	\$0
CBOD	\$875.00	\$87.50	lb CBOD	600	525	375	450	600	1,050	1,200	1,230	1,230	1,260	1,350	1,495	N	0.00	0.00	\$0
TSS	\$875.00	\$87.50	lb TSS	600	525	375	450	600	1,050	1,200	1,230	1,230	1,260	1,350	1,495	N	0.00	0.00	\$0
TP	\$8,333.33	\$833.33	lb TP	35	38	39	42	44	45	47	47	48	51	53	35	N	0.00	0.00	\$0
TM	Pending																		\$0.00

for
January 2011

Brainerd

Brainerd Current Monthly Flow and Loading Data

Average Daily Flow (MGD)	2.419
CBOD (mg/L)	152.6
TSS (mg/L)	152.6
TP (mg/L)	3.8
TM (ng/L)	105.0

Excess Flow Charge (for flow greater than 4.0 MGD)

Excess Flow Charge							
	Unit Cost Multiplier	Excess Flow Charge Unit Cost		Design Flow	Excess Flow	Daily Cost	Monthly Cost
	NA	(\$)	Units	(MGD)	(MGD)	(\$)	(\$)
Flow	2	\$0.30	1000 gal	4.000	0.000	\$0	\$0.00

Excess Loading Charge (for CBOD or TSS loading greater than 8,000 lbs/day and/or TP greater than 280 lbs/day)

Excess Loading Charge							
	Unit Cost Multiplier	Excess Loading Charge Unit Cost		Maximum Loading (mass) (lbs/day)	Excess Loading (mass) (lbs/day)	Daily Cost (\$)	Monthly Cost (\$)
		NA	Units				
CBOD	2	\$0.17	lb CBOD	8,000	0.0	\$0	\$0
TSS	2	\$0.17	lb TSS	8,000	0.0	\$0	\$0
TP	2	\$1.42	lb TP	280	0.0	\$0	\$0
TM	Pending						
						Total	\$0.00

Excess Strength Charge (for CBOD or TSS loading greater than 500 mg/L and/or TP greater than 12 mg/L)

Excess Strength Charge								
	Unit Cost Multiplier	Excess Strength Charge Unit Cost		Maximum Loading Concentration	Excess Loading Concentration	Excess Loading (mass)	Daily Cost	Monthly Cost
	NA	(\$)	Units	(mg/L)	(mg/L)	(lbs/day)	(\$)	(\$)
CBOD	5	\$0.43	lb CBOD	500	0.0	0.0	\$0	\$0
TSS	5	\$0.43	lb TSS	500	0.0	0.0	\$0	\$0
TP	5	\$3.55	lb TP	12	0.0	0.0	\$0	\$0
TM	Pending							
							Total	\$0.00

**BRAINERD PUBLIC UTILITIES
WASTEWATER TREATMENT CHARGES FOR THE
CITY OF BRAINERD
for
January , 2011**

Brainerd Monthly Flow and Loading Data

Number of days in billing period	31
Total flow for period (gallons)	75,000,000
Average Daily Flow (MGD)	2.419
CBOD (mg/L)	152.6
TSS (mg/L)	152.6
TP (mg/L)	3.8

I. Base Charges

Base Capital Charge	\$0.00
Base Operating Charge	<u>\$29,214.96</u>
Subtotal for Period	\$29,214.96

II. Excess Charges

Excess Capital Charge	\$0.00
Excess Operating Charges	
Excess Flow	\$0.00
Excess Loading	\$0.00
Excess Strength	<u>\$0.00</u>
Subtotal for Period	\$0.00

III. Base and Excess Charge Adjustments ('True up' from previous year based on actual Operating Costs)

Base Capital Charge Adjustment	\$0.00
Base Operating Charge Adjustment	\$0.00
Excess Capital Charge Adjustment	\$0.00
Excess Operating Charge Adjustments	
Excess Flow Adjustment	\$0.00
Excess Loading Adjustment	\$0.00
Excess Strength Adjustment	<u>\$0.00</u>
Subtotal for Period	<u>\$0.00</u>
Total for Period	\$29,214.96

**BRAINERD PUBLIC UTILITIES
WASTEWATER TREATMENT CHARGES FOR THE
CITY OF BAXTER
for
January , 2011**

Baxter Monthly Flow and Loading Data

Number of days in billing period	31
Total flow for period (gallons)	35,000,000
Average Daily Flow (MGD)	1.129
CBOD (mg/L)	158.6
TSS (mg/L)	158.6
TP (mg/L)	3.7

I. Base Charges

Base Capital Charge	\$0.00
Base Operating Charge	<u>\$13,926.66</u>
Subtotal for Period	\$13,926.66

II. Excess Charges

Excess Capital Charge	\$0.00
Excess Operating Charges	
Excess Flow	\$0.00
Excess Loading	\$0.00
Excess Strength	<u>\$0.00</u>
Subtotal for Period	\$0.00

III. Base and Excess Charge Adjustments ('True up' from previous year based on actual Operating Costs)

Base Capital Charge Adjustment	\$0.00
Base Operating Charge Adjustment	\$0.00
Excess Capital Charge Adjustment	\$0.00
Excess Operating Charge Adjustments	
Excess Flow Adjustment	\$0.00
Excess Loading Adjustment	\$0.00
Excess Strength Adjustment	<u>\$0.00</u>
Subtotal for Period	<u>\$0.00</u>
Total for Period	\$13,926.66

Appendix A-2
High Flows and Loads

Design Flows and Loadings¹

Phase I Upgrade Design Flows and Loadings

	Brainerd	Baxter	Total
Average Daily Flow (MGD)	4.0	2.0	6.0
CBOD (lbs/d)	8,000	4,000	12000
CBOD maximum (mg/L)	500	500	-
TSS (lbs/d)	8,000	4,000	12000
TSS maximum (mg/L)	500	500	-
TP (lbs/d)	280	140	420
TP maximum (mg/L)	12	12	-
TM	Pending		

¹ From Long Term Agreement, Table B

Annual Input Data

Total Annual Operating Cost²: \$920,000

Calculate Base Unit Costs

Total Flow and Loading Estimate from Brainerd and Baxter (estimate at beginning of year to establish annual base unit operating costs)			
	Brainerd	Baxter	Brainerd and Baxter
Average Daily Flow (MGD)	3.4	1.7	5.10
CBOD (mg/L)	200	220	206.67
TSS (mg/L)	200	220	206.67
TP (mg/L)	8	9	8.33

	Weight	Base Unit Cost		Mass	Annual Cost
	(%)	(\$)	Units	(lbs/day)	(\$)
Flow	30%	\$0.148	1000 gal	NA	\$276,000
CBOD	30%	\$0.086	lb CBOD	8,796	\$276,000
TSS	30%	\$0.086	lb TSS	8,796	\$276,000
TP	10%	\$0.711	lb TP	355	\$92,000
Subtotals					\$920,000

² Total Annual O&M cost from Facilities Plan dated October 2005, Amended November 2006. Rounded to the nearest \$10,000.

Monthly Input Data

for
January 2011

Current Month	January
Year	2011
Number of days in billing period	31

Flow

Total flow for period (gallons)
Average Daily Flow (MGD)

Brainerd	Baxter	Total
150,000,000	75,000,000	225,000,000
4.839	2.419	7.258

Loading

Measurement Number	Brainerd				Baxter			
	CBOD (mg/L)	TSS (mg/L)	TP (mg/L)	TM (ng/L)	CBOD (mg/L)	TSS (mg/L)	TP (mg/L)	TM (ng/L)
1	540	540	12.1	350	550	550	13.4	350
2	490	490	13		510	510	12.5	
3	510	510	12.4		500	500	12.4	
4	520	520	11.5		490	490	11.6	
5	500	500	13.2		480	480	12.2	
6	480	480	12.8		550	550	12.1	
7	530	530			530	530		
8	540	540			540	540		
9	550	550			550	550		
10	490	490			560	560		
11	480	480			550	550		
12	500	500			540	540		
13	520	520			530	530		
14	500	500			520	520		
15	490	490			510	510		
16	510	510			530	530		
17	500	500			550	550		
18								
19								
20								
Average Daily Loadings (conc.)	508.8	508.8	12.5	350.0	528.8	528.8	12.4	350.0
Average Daily Loadings (lbs/d)	20,547	20,547	505	-	10,677	10,677	250	-
Average Daily Loadings (mg/d)	-	-	-	6,411	-	-	-	3,205

Most Recent Twelve Months Input Data

Brainerd Most Recent Twelve Months Data

	Feb-10	Mar-10	Apr-10	May-10	Jun-10	Jul-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	Jan-11
Flow (MGD)	3.400	3.700	4.100	4.200	4.000	4.000	3.800	3.900	4.250	4.300	4.600	4.839
CBOD (lbs/d)	4,000	3,500	8,000	8,200	4,000	7,000	2,500	3,000	8,200	8,500	9,000	20,547
TSS (lbs/d)	4,000	3,500	8,000	8,200	4,000	7,000	2,500	3,000	8,200	8,500	9,000	20,547
TP (lbs/d)	230	250	310	315	285	300	260	275	320	340	350	505

Baxter Most Recent Twelve Months Data

	Feb-10	Mar-10	Apr-10	May-10	Jun-10	Jul-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	Jan-11
Flow (MGD)	1.700	1.800	2.050	2.100	2.000	2.000	1.900	1.900	2.100	2.200	2.300	2.419
CBOD (lbs/d)	2,000	1,750	4,000	4,100	2,000	3,500	1,250	1,500	4,100	4,200	4,500	10,677
TSS (lbs/d)	2,000	1,750	4,000	4,100	2,000	3,500	1,250	1,500	4,100	4,200	4,500	10,677
TP (lbs/d)	115	125	155	155	145	150	130	140	160	170	175	250

Base Charge Calculations

for
January 2011

Base Capital Charge Calculations

(Based on the estimated Phase I capital costs, actual costs will be dependent upon interest rates, construction bids, etc.)

Capital Cost¹: \$35,000,000

PFA Interest Rate: 1.74%

Repayment Period (years): 20

	Weight	Brainerd Allocation		Baxter Allocation		Subtotals
	(%)	(%)	(\$)	(%)	(\$)	(\$)
Flow	30%	66.67%	\$7,000,000	33.33%	\$3,500,000	\$10,500,000
CBOD	30%	66.67%	\$7,000,000	33.33%	\$3,500,000	\$10,500,000
TSS	30%	66.67%	\$7,000,000	33.33%	\$3,500,000	\$10,500,000
TP	10%	66.67%	\$2,333,333	33.33%	\$1,166,667	\$3,500,000
		Totals	\$23,333,333		\$11,666,667	\$35,000,000

	Brainerd	Baxter
Monthly Charges	\$0.00	\$0.00

¹ Capital cost from 90% Design, Opinion of Probable Project Costs, February 2007. Rounded to the nearest \$1,000,000.

Base Operating Charge Calculations

Brainerd

Current Month Flow and Loading Data

Average Daily Flow (MGD)	4.839
CBOD (mg/L)	508.8
TSS (mg/L)	508.8
TP (mg/L)	12.5

Current Month Operating Charge

	Base Unit Cost		Mass	Monthly Cost
	(\$)	Units	(lbs/day)	(\$)
Flow	\$0.148	1000 gal	NA	\$22,240
CBOD	\$0.086	lb CBOD	20,547	\$54,756
TSS	\$0.086	lb TSS	20,547	\$54,756
TP	\$0.711	lb TP	505	\$11,120
Subtotal				\$142,872.78

Baxter

Current Month Flow and Loading Data

Average Daily Flow (MGD)	2.419
CBOD (mg/L)	528.8
TSS (mg/L)	528.8
TP (mg/L)	12.4

Current Month Operating Charge

	Base Unit Cost		Mass	Monthly Cost
	(\$)	Units	(lbs/day)	(\$)
Flow	\$0.148	1000 gal	NA	\$11,120
CBOD	\$0.086	lb CBOD	10,677	\$28,454
TSS	\$0.086	lb TSS	10,677	\$28,454
TP	\$0.711	lb TP	250	\$5,501
Subtotal				\$73,529.35

for
January 2011

	Capital Cost/Design Flow or Loading			Most Recent Twelve Months Data												Six months or more greater than design parameter? (Y/N)	Average of highest six values	Excess Flow or Loading	Excess Capital Charge
	Unit Costs	1/10 Unit Costs	Units	Feb-10	Mar-10	Apr-10	May-10	Jun-10	Jul-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	Jan-11				
Flow	\$1.75	\$0.175	gal	3,400	3,700	4,100	4,200	4,000	4,000	3,800	3,900	4,250	4,300	4,600	4,839	Y	4.38	0.38	\$66,754
CBOD	\$875.00	\$87.50	lb CBOD	4,000	3,500	8,000	8,200	4,000	7,000	2,500	3,000	8,200	8,500	9,000	20,547	Y	10,407.96	2,407.96	\$210,697
TSS	\$875.00	\$87.50	lb TSS	4,000	3,500	8,000	8,200	4,000	7,000	2,500	3,000	8,200	8,500	9,000	20,547	N	0.00	0.00	\$0
TP	\$8,333.33	\$833.33	lb TP	230	250	310	315	285	300	260	275	320	340	350	505	Y	356.63	76.63	\$63,856
TM	Pending																		
																			\$341,306.77

	Capital Cost/Design Flow or Loading			Most Recent Twelve Months Data												Six months or more greater than design parameter? (Y/N)	Average of highest six values	Excess Flow or Loading	Excess Capital Charge
	Unit Costs	1/10 Unit Costs	Units	Feb-10	Mar-10	Apr-10	May-10	Jun-10	Jul-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	Jan-11				
Flow	\$1.75	\$0.175	gal	1,700	1,800	2,050	2,100	2,000	2,000	1,900	1,900	2,100	2,200	2,300	2,419	Y	2.19	0.19	\$34,106
CBOD	\$875.00	\$87.50	lb CBOD	2,000	1,750	2,000	4,100	2,000	3,500	1,250	1,500	4,100	4,200	4,500	10,677	N	0.00	0.00	\$0
TSS	\$875.00	\$87.50	lb TSS	2,000	1,750	2,000	4,100	2,000	3,500	1,250	1,500	4,100	4,200	4,500	10,677	Y	5,263.03	1,263.03	\$110,515
TP	\$8,333.33	\$833.33	lb TP	115	125	155	155	145	150	130	140	160	170	175	250	Y	177.45	37.45	\$31,207
TM	Pending																		
																			\$175,828.45

for
January 2011

Brainerd Current Monthly Flow and Loading Data

Average Daily Flow (MGD)	4.839
CBOD (mg/L)	508.8
TSS (mg/L)	508.8
TP (mg/L)	12.5
TM (ng/L)	350.0

Excess Flow Charge							
	Unit Cost Multiplier	Excess Flow Charge Unit Cost		Design Flow	Excess Flow	Daily Cost	Monthly Cost
	NA	(\$)	Units	(MGD)	(MGD)	(\$)	(\$)
Flow	2	\$0.30	1000 gal	4.000	0.839	\$249	\$7,712.58

Excess Loading Charge							
	Unit Cost Multiplier	Excess Loading Charge Unit Cost		Maximum Loading (mass)	Excess Loading (mass)	Daily Cost	Monthly Cost
	NA	(\$)	Units	(lbs/day)	(lbs/day)	(\$)	(\$)
CBOD	2	\$0.17	lb CBOD	8,000	12,547.0	\$2,157	\$66,874
TSS	2	\$0.17	lb TSS	8,000	12,547.0	\$2,157	\$66,874
TP	2	\$1.42	lb TP	280	225.0	\$320	\$9,914
TM	Pending						
						Total	\$143,662.48

Excess Strength Charge								
	Unit Cost Multiplier	Excess Strength Charge Unit Cost		Maximum Loading Concentration	Excess Loading Concentration	Excess Loading (mass)	Daily Cost	Monthly Cost
		NA	(\$)	Units	(mg/L)	(mg/L)	(lbs/day)	(\$)
CBOD	5	\$0.43	lb CBOD	500	8.8	356.0	\$153	\$4,744
TSS	5	\$0.43	lb TSS	500	8.8	356.0	\$153	\$4,744
TP	5	\$3.55	lb TP	12	0.5	20.0	\$71	\$2,203
TM	Pending							
							Total	\$11,690.28

for
January 2011

Average Daily Flow (MGD)	2.419
CBOD (mg/L)	528.8
TSS (mg/L)	528.8
TP (mg/L)	12.4
TM (ng/L)	350.0

Excess Flow Charge							
	Unit Cost Multiplier	Excess Flow Charge Unit Cost		Design Flow	Excess Flow	Daily Cost	Monthly Cost
	NA	(\$)	Units	(MGD)	(MGD)	(\$)	(\$)
Flow	2	\$0.30	1000 gal	2.000	0.419	\$124	\$3,851.69

Excess Loading Charge							
	Unit Cost Multiplier	Excess Loading Charge Unit Cost		Maximum Loading (mass)	Excess Loading (mass)	Daily Cost	Monthly Cost
	NA	(\$)	Units	(lbs/day)	(lbs/day)	(\$)	(\$)
CBOD	2	\$0.17	lb CBOD	4,000	6,677.0	\$1,148	\$35,588
TSS	2	\$0.17	lb TSS	4,000	6,677.0	\$1,148	\$35,588
TP	2	\$1.42	lb TP	140	110.0	\$156	\$4,847
TM	Pending						
						Total	\$76,022.33

Excess Strength Charge								
	Unit Cost Multiplier	Excess Strength Charge Unit Cost		Maximum Loading Concentration	Excess Loading Concentration	Excess Loading (mass)	Daily Cost	Monthly Cost
	NA	(\$)	Units	(mg/L)	(mg/L)	(lbs/day)	(\$)	(\$)
CBOD	5	\$0.43	lb CBOD	500	28.8	582.0	\$250	\$7,755
TSS	5	\$0.43	lb TSS	500	28.8	582.0	\$250	\$7,755
TP	5	\$3.55	lb TP	12	0.4	7.0	\$25	\$771
TM	Pending							
							Total	\$16,281.11

BRAINERD PUBLIC UTILITIES
WASTEWATER TREATMENT CHARGES FOR THE
CITY OF BRAINERD
for
January , 2011

Brainerd Monthly Flow and Loading Data

Number of days in billing period	31
Total flow for period (gallons)	150,000,000
Average Daily Flow (MGD)	4.839
CBOD (mg/L)	508.8
TSS (mg/L)	508.8
TP (mg/L)	12.5

I. Base Charges

Base Capital Charge	\$0.00
Base Operating Charge	<u>\$142,872.78</u>
Subtotal for Period	\$142,872.78

II. Excess Charges

Excess Capital Charge	\$341,306.77
Excess Operating Charges	
Excess Flow	\$7,712.58
Excess Loading	\$143,662.48
Excess Strength	<u>\$11,690.28</u>
Subtotal for Period	\$504,372.10

III. Base and Excess Charge Adjustments ('True up' from previous year based on actual Operating Costs)

Base Capital Charge Adjustment	\$0.00
Base Operating Charge Adjustment	\$0.00
Excess Capital Charge Adjustment	\$0.00
Excess Operating Charge Adjustments	
Excess Flow Adjustment	\$0.00
Excess Loading Adjustment	\$0.00
Excess Strength Adjustment	<u>\$0.00</u>
Subtotal for Period	<u>\$0.00</u>
Total for Period	\$647,244.89

**BRAINERD PUBLIC UTILITIES
WASTEWATER TREATMENT CHARGES FOR THE
CITY OF BAXTER
for
January , 2011**

Baxter Monthly Flow and Loading Data

Number of days in billing period	31
Total flow for period (gallons)	75,000,000
Average Daily Flow (MGD)	2.419
CBOD (mg/L)	528.8
TSS (mg/L)	528.8
TP (mg/L)	12.4

I. Base Charges

Base Capital Charge	\$0.00
Base Operating Charge	<u>\$73,529.35</u>
Subtotal for Period	\$73,529.35

II. Excess Charges

Excess Capital Charge	\$175,828.45
Excess Operating Charges	
Excess Flow	\$3,851.69
Excess Loading	\$76,022.33
Excess Strength	<u>\$16,281.11</u>
Subtotal for Period	\$271,983.58

III. Base and Excess Charge Adjustments ('True up' from previous year based on actual Operating Costs)

Base Capital Charge Adjustment	\$0.00
Base Operating Charge Adjustment	\$0.00
Excess Capital Charge Adjustment	\$0.00
Excess Operating Charge Adjustments	
Excess Flow Adjustment	\$0.00
Excess Loading Adjustment	\$0.00
Excess Strength Adjustment	<u>\$0.00</u>
Subtotal for Period	<u>\$0.00</u>
Total for Period	\$345,512.93