

CITY COUNCIL AGENDA

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Monday, June 5th, 2023 @ 7:30pm

The public is invited to attend these meetings in person

Attend by phone **City Council**: 1-844-992-4726 Meeting Access Code: 2492 325 2714

Attend by phone **Personnel and Finance 7:00 PM** Committee: 1-844-992-4726 Meeting
Access Code: 2492 560 7589

Attend by phone **Safety and Public Works 6:30 PM** Committee: 1-844-992-4726
Meeting Access Code: 2485 120 6974

Meetings are broadcast on CTC ch 8, Charter ch 181, YouTube, AppleTV, Roku, and
Amazon FireTV

1. Call To Order

2. Roll Call

____ G. Johnson ____ J. Czeczok ____ M. O'Day ____ K. Stunek

____ K. Terry ____ T. Stenglein ____ 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:

060523 COUNCIL AP REGISTER.pdf

B. Approval Of Minutes

Documents:

2023-05-15 CC Draft.pdf

2023-05-24 CC Draft.pdf

2023-05-30 CC Draft.pdf

C. Approval Of Licenses

Documents:

20230605 Contractor Licenses.pdf
2023 - 2024 COUNCIL APPROVALS - JUNE.pdf

D. Department Activity Reports

Documents:

FD Report.pdf
HR Report.pdf
PW Report.pdf

- E. Temporary Liquor License Submitted By Jackpine Brewery, For An Event To Be Held On June 15, July 27, And September 7, At NP Center 1511 Northern Pacific Road, Brainerd**
- F. Temporary On-Sale Liquor License Application- Submitted By Brainerd Jaycees For An Event To Be Held July 28 & 29 In Downtown Brainerd 6th St And Front St**
- G. Minnesota Lawful Gambling Application For Exempt Permit- Submitted By Brainerd Jaycees For An Event To Be Held At Brainerd High School 702 S 5th St On June 10, 2023**
- H. 2022 Audits For BPU And Brainerd HRA**

Documents:

Consent - BPU HRA 2022 Audits.pdf

- I. Accept The Retirement Of Custodian/Groundskeeper Randy Villnow Effective June 8, 2023.**

Documents:

CC - Accept Retirement Villnow.pdf

- J. Accept The Retirement Of Hydro Lead/Relief Operator Mark Levig Effective June 30, 2023.**

Documents:

CC - Accept Retirement Levig.pdf

- K. Accept The Retirement Of Hydro Operator Diane Mahady Effective June 30, 2023.**

Documents:

CC - Accept Retirement Mahady.pdf

- L. Ratify The Hiring Of 2023 Interns And Temporary/Seasonal**

Employees

Documents:

CC - Authorize Hiring 2023 Summer Temporary Employees_6.5.2023.pdf

- M. Approval Of Finance Manager, Business Office Support Specialist And Facilities Custodian Job Descriptions - Recommended By Brainerd Public Utilities Commission.**

Documents:

CC - Approve BPU Job Descriptions.pdf

6. Presentation

- A. Presentation Of Tower Award To Police Chief Mike Bestul**
B. Presentation On Age Friendly Brainerd

Documents:

MA - Presentation - Age Friendly.pdf

7. Council Committee Reports

- A. Personnel And Finance Committee 7:00 PM**

WebEx Teleconference Call-In Information

Call Toll-Free: 1-844-992-4726 Access Code: 2485 840 7471

Documents:

06-05 PF Agenda.pdf

- 1. Ratify The Hiring Of BPU Laborer Jason Gage**

Documents:

PF - Hiring of BPU Laborer.pdf

- 2. Ratify The Hiring Of Street Maintenance III - Mechanic Coleman Hayes**

Documents:

PF - Hiring of Maintenance III-Mechanic.pdf

- 3. Update On Juneteenth Holiday**

Documents:

PF - Juneteenth Holiday Update.pdf

- 4. Adopt Resolution Authorizing Application For Traffic Safety Grant**

Documents:

PF - RESTraffic Safety Enforcement Grant .pdf

5. Authorize Signatures And Enter Into School Resource Officer Services Agreement

Documents:

PF - SRO Agreement.pdf

6. Consider Request From Brainerd Community Action For Independence Day Fireworks Donation

Documents:

PF - BCA Donation Request.pdf

7. Adopt Resolution For State Bonding Priorities

Documents:

PF - 2024 Bonding Requests.pdf

B. Safety And Public Works Committee 6:30 PM

WebEx Teleconference Call-In Information

Call Toll-Free: 1-844-992-4726 Access Code: 2485 120 6974

Documents:

06-05 SPW Agenda.pdf

1. Consider Street Closure Request- N 8th St From Fir St To Bluff Ave

Documents:

SPW- Street Closure Request.pdf

2. Approve Event/Parking Lot Closure Application - GnarBQ

Documents:

SPW - Event Application - GnarBQ.pdf

3. Approve Event/Parking Lot Closure Application - LAMF Block Party

Documents:

SPW - Event Application - LAMF Block Party.pdf

4. Approve Event/Street Closure Application- Independence Day

Documents:

SPW-Event Independence Day.pdf

5. Approve Event/Street Closure Application - Street Fest

Documents:

SPW - Event Application - Street Fest.pdf

6. Approve Change Order 2 - Improvement 21-12 North Brainerd Reconstruction

Documents:

SPW - Chg Ord 2 - Imp 21-12 North Brainerd.pdf

7. Request To Award Improvement 23-03 - 2023 Large Patching Project

Documents:

SPW - Imp 23-03 Large Patching.pdf

8. Approve Award For TH 371B/Willow Street Roundabout Engineering Services Contract

Documents:

SPW -371B-Willow Engineering Contract.pdf

9. Discussion On Gate At Evergreen Landing

Documents:

SPW - Discussion on Evergreen Landing Gate.pdf

10. Discussion On Stop Sign Request - N 10th St And Ivy St

Documents:

SPW - Stop Sign Request - N 10th St and Ivy St.pdf

11. Discussion On Name-A-Truck Contest

Documents:

SPW - Name-a-Truck Contest.pdf

12. Report Of Survey Results On Washington Street Special Services District

Documents:

SPW - Washington St Special Services District Survey.pdf

13. Direction On Small Engine Repair And Home Businesses

Documents:

SPW - Home Businesses.pdf

14. Direction On Active Code Enforcement Cases

Documents:

SPW - Code Cases.pdf

8. **Unfinished Business**

A. **Final Reading- Proposed Ordinance 1551- Amending Section 515-4-8 Outdoor Lighting Of The Zoning Code**

Documents:

MA - ORD 1551 -Section 515-4-8.pdf

B. **Final Reading- Proposed Ordinance 1552- Amending Sections 1200 And 1205 Of The City Code- Sale And Consumption Of Alcoholic Beverages In Public Areas**

Documents:

MA -ORD 1552- 1200 and 1205.pdf

9. **Committee Recommendations - Recommended By Council President**

James Norwood- Planning Commission

Jeff Grunenwald- Planning Commission

10. **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 – 2 terms (Expire 2026) 2 terms (Expire 2025)

Library Board- 1 term (Expire 2025)

Rental Dwelling License Board of Appeals – 5 terms (Expire 2024)

TAC-- 1 term (Expire 2023)

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

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

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

Parking Commission-- 1 term (Expire 2026)

Planning Commission-- 1 term (Expire 2025) 1 term (Expire 2024)

11. **New Business**

A. **Consider Bee Keeping Permit For 1209 Oak Street**

Documents:

MA - Bee Keeping Permit.pdf

B. **Consider Variance Request At 2424 Business 371 For Outdoor Monument Sign**

Documents:

MA - Variance - 2424 Business 371.pdf

C. **Consider Variance Request At 431 B Street. NE For Garage Addition**

Documents:

MA - Variance - 431 B St.pdf

D. **Consider Variance Request For 3 Washington Street NE For Dunkin' Donuts**

Documents:

MA - Variance - 3 Washington St NE.pdf

E. **Reschedule Joint City Council BPU Commission Meeting**

Documents:

MA - Reschedule Joint Meeting.pdf

F. **Discussion On Council Procedures**

Documents:

MA - Council Procedures.pdf

12. **Public Forum**

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

13. **Staff Reports**

(Verbal: Any Updates since Packet)

14. **Mayor's Report**

15. **Council Member Reports**

16. Adjourn

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

MISSION

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

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 06/05/2023 - 06/05/2023

BOTH JOURNALIZED AND UNJOURNALIZED

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	Jrnalized Post Date
Vendor 4211 - A SHADE OF GREEN TREE MOVERS:							
3745							
77479	A SHADE OF GREEN TREE MOVERS	05/08/2023	06/07/2023	500.00	500.00	Open	N
	MOVE TREE AT GREGORY PARK	pziemer					06/07/2023
	400-9050-45530	CAPITAL - OTHER		500.00			
	Total for vendor 4211 - A SHADE OF GREEN TREE MOVERS:			500.00	500.00		
Vendor 0011 - ACE HARDWARE:							
314831/1							
77436	ACE HARDWARE	05/15/2023	06/07/2023	0.60	0.60	Open	N
	SQD 437 - SCREWS	pziemer					06/07/2023
	225-2120-42221	SQUAD CAR REPAIR SUPPLIES		0.60			
314752/1							
77444	ACE HARDWARE	05/12/2023	06/07/2023	37.16	37.16	Open	N
	HISTORIC WATER TOWER QUICK LINKS AND	pziemer					06/07/2023
	235-3100-42220	REPAIR & MAINT		37.16			
314825/1							
77449	ACE HARDWARE	05/15/2023	06/07/2023	61.16	61.16	Open	N
	AA BATTERIES	pziemer					06/07/2023
	237-3190-42220	REPAIR & MAINT		61.16			
314774/1							
77452	ACE HARDWARE	05/12/2023	06/07/2023	14.37	14.37	Open	N
	MMP - BATTING CAGE REPAIRS	pziemer					06/07/2023
	230-5200-42220	REPAIR & MAINT		14.37			
314658/1							
77453	ACE HARDWARE	05/09/2023	06/07/2023	17.99	17.99	Open	N
	MMP - TOILET SENSORS	pziemer					06/07/2023
	230-5200-42220	REPAIR & MAINT		17.99			
314932/1							
77456	ACE HARDWARE	05/18/2023	06/07/2023	74.55	74.55	Open	N
	MISC KEYS/SIGNS	pziemer					06/07/2023
	230-5200-42220	REPAIR & MAINT		74.55			
315033/1							
77484	ACE HARDWARE	05/22/2023	06/07/2023	28.76	28.76	Open	N
	EXPANDING FOAM	pziemer					06/07/2023
	237-3190-42220	REPAIR & MAINT		28.76			
314757/1							
77510	ACE HARDWARE	05/12/2023	06/07/2023	46.76	46.76	Open	N
	RATCHET/SPLICE/TUBE HEAT	pziemer					06/07/2023
	225-2220-42210	OPERATING SUPPLIES		46.76			

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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
315156/1 77538	ACE HARDWARE 4 GAS SENSOR TOTE 237-3190-42220	05/25/2023 pziemer	06/07/2023	8.99	8.99	Open	N 06/07/2023
	REPAIR & MAINT			8.99			
314210/1 77540	ACE HARDWARE DUCT TAPE 230-5200-42220	05/01/2023 pziemer	06/07/2023	6.19	6.19	Open	N 06/07/2023
	REPAIR & MAINT			6.19			
315200/1 77618	ACE HARDWARE TRUCK 106 VINYL NUMBERS 235-3100-42220	05/26/2023 pziemer	06/07/2023	4.80	4.80	Open	N 06/07/2023
	REPAIR & MAINT			4.80			
315278/1 77661	ACE HARDWARE SHOP SUPPLIES 230-5200-42220	05/31/2023 pziemer	06/07/2023	23.37	23.37	Open	N 06/07/2023
	REPAIR & MAINT			23.37			
Total for vendor 0011 - ACE HARDWARE:				324.70	324.70		

Vendor 2902 - ADVANCE AUTO PARTS:

6574315284643 77662	ADVANCE AUTO PARTS SWEEPER 111 & 118 AIR FILTERS 235-3100-42220	06/01/2023 pziemer	06/07/2023	206.78	206.78	Open	N 06/07/2023
	REPAIR & MAINT			206.78			
Total for vendor 2902 - ADVANCE AUTO PARTS:				206.78	206.78		

Vendor 3357 - ALPHA TRAINING & TACTICS LLC:

2023-0074 77648	ALPHA TRAINING & TACTICS LLC 709 - FIREARMS RECERT COURSE 225-2120-43330	05/01/2023 pziemer	06/07/2023	325.00	325.00	Open	N 06/07/2023
	PROFESSIONAL DEVELOPMENT			325.00			
2023-0132 77649	ALPHA TRAINING & TACTICS LLC 715 & 729 FIREARMS INSTRUCTOR COURSE 225-2120-43330	05/03/2023 pziemer	06/07/2023	1,350.00	1,350.00	Open	N 06/07/2023
	PROFESSIONAL DEVELOPMENT			1,350.00			
Total for vendor 3357 - ALPHA TRAINING & TACTICS LLC:				1,675.00	1,675.00		

Vendor 1453 - AMERICAN DOOR WORKS:

03-012016 77660	AMERICAN DOOR WORKS JAYCEE'S PARK VANDALISM REPAIRS 230-5200-42220	05/31/2023 pziemer	06/07/2023	1,183.00	1,183.00	Open	N 06/07/2023
	REPAIR & MAINT			1,183.00			
Total for vendor 1453 - AMERICAN DOOR WORKS:				1,183.00	1,183.00		

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
Vendor 2670 - AMERICAN STEEL SUPPLY INC:							
115252 77466	AMERICAN STEEL SUPPLY INC LUM PARK PIER 400-9050-45530	05/11/2023 pziemer	06/07/2023	17.81	17.81	Open	N 06/07/2023
	CAPITAL - OTHER			17.81			
115437 77480	AMERICAN STEEL SUPPLY INC SHOP PROJECT 230-5200-42220	05/19/2023 pziemer	06/07/2023	36.76	36.76	Open	N 06/07/2023
	REPAIR & MAINT			36.76			
	Total for vendor 2670 - AMERICAN STEEL SUPPLY INC:			54.57	54.57		
Vendor 0039 - ARAMARK UNIFORM SERVICES:							
2530139536 77447	ARAMARK UNIFORM SERVICES RUGS AND OVERALLS 235-3100-43430	05/11/2023 pziemer	06/07/2023	55.31	55.31	Open	N 06/07/2023
	MISCELLANEOUS			55.31			
2530141862 77459	ARAMARK UNIFORM SERVICES RUGS AND OVERALLS 235-3100-43430	05/18/2023 pziemer	06/07/2023	35.06	35.06	Open	N 06/07/2023
	MISCELLANEOUS			35.06			
2530144676 77576	ARAMARK UNIFORM SERVICES RUGS AND OVERALLS 235-3100-43430	05/25/2023 pziemer	06/07/2023	55.31	55.31	Open	N 06/07/2023
	MISCELLANEOUS			55.31			
	Total for vendor 0039 - ARAMARK UNIFORM SERVICES:			145.68	145.68		
Vendor 3343 - ARROW MANAGEMENT:							
31628 77482	ARROW MANAGEMENT 1005 3RD AVE NE - GARBAGE ABATEMENT 101-2400-43405	05/19/2023 pziemer	06/07/2023	800.00	800.00	Open	N 06/07/2023
	NUISANCES			800.00			
	Total for vendor 3343 - ARROW MANAGEMENT:			800.00	800.00		
Vendor 3859 - ASL INTERPRETING SERVICES INC:							
INV-00204-A 77506	ASL INTERPRETING SERVICES INC INTERPRETING SERVICES 225-2120-43300	05/23/2023 pziemer	06/07/2023	194.65	194.65	Open	N 06/07/2023
	PROFESSIONAL SERVICES			194.65			
	Total for vendor 3859 - ASL INTERPRETING SERVICES INC:			194.65	194.65		
Vendor 0745 - BATTERIES PLUS:							

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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
P62519035 77494	BATTERIES PLUS BATTERIES 225-2120-42210	05/19/2023 pziemer	06/07/2023	28.68	28.68	Open	N 06/07/2023
	OPERATING SUPPLIES			28.68			
	Total for vendor 0745 - BATTERIES PLUS:			28.68	28.68		
Vendor 3201 - BAYCOM INC:							
EQUIPINV_041843 75730	BAYCOM INC SQD 432 - REPLACEMENT KEYBOARD FOR T(pziemer 225-2120-42221	01/23/2023 pziemer	06/07/2023	143.00	143.00	Open	N 06/07/2023
	SQUAD CAR REPAIR SUPPLIES			143.00			
	Total for vendor 3201 - BAYCOM INC:			143.00	143.00		
Vendor 0078 - BRAINERD LAKES AREA DEV C:							
MAY 23 77463	BRAINERD LAKES AREA DEV C MAY 23 ECONOMIC DEVELOPMENT CONSULTING(pziemer 295-6510-43300	05/19/2023 pziemer	06/07/2023	2,916.67	2,916.67	Open	N 06/07/2023
	PROFESSIONAL SERVICES			2,916.67			
	Total for vendor 0078 - BRAINERD LAKES AREA DEV C:			2,916.67	2,916.67		
Vendor 0749 - BRAINERD LAKES SEWER, LLC:							
8083 77646	BRAINERD LAKES SEWER, LLC SATELLITE RENTALS: MMP/ROTARY/SHOP pziemer 230-5200-43410	05/31/2023 pziemer	06/07/2023	423.55	423.55	Open	N 06/07/2023
	RENTAL EXPENSE			245.00			
	OPERATING SUPPLIES			135.00			
	RENTAL EXPENSE			43.55			
	Total for vendor 0749 - BRAINERD LAKES SEWER, LLC:			423.55	423.55		
Vendor 0296 - BRAINERD PUBLIC UTILITIES:							
5/15/23 77443	BRAINERD PUBLIC UTILITIES MAY 22 STORM REIMBURSEMENT 101-0000-20850	05/15/2023 pziemer	06/07/2023	899.99	899.99	Open	N 06/07/2023
	DUE TO COMPONENT UNIT			899.99			
APR 2023/LIB 77472	BRAINERD PUBLIC UTILITIES 3/24/23-4/24/23 LIBRARY UTILITIES pziemer 211-5500-43381	05/01/2023 pziemer	06/07/2023	1,628.66	1,628.66	Open	N 06/07/2023
	BPU UTILITIES			1,628.66			
APR 2023/PARKS 77473	BRAINERD PUBLIC UTILITIES 3/24/23-4/24/23 PARKS UTILITIES pziemer 230-5200-43381	05/01/2023 pziemer	06/07/2023	3,879.67	3,879.67	Open	N 06/07/2023
	BPU UTILITIES			3,778.82			

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
	230-5200-43380	UTILITIES		100.85			
APR 2023/ CITY							
77474	BRAINERD PUBLIC UTILITIES	05/01/2023	06/07/2023	2,037.31	2,037.31	Open	N
	3/24/23-4/24/23 CITY UTILITIES	pziemer					06/07/2023
	101-1940-43381	BPU UTILITIES		1,825.50			
	101-9200-43381	BPU UTILITIES		123.42			
	236-3180-43381	BPU UTILITIES		36.00			
	401-1003-43380	UTILITIES		52.39			
APR 2023/FIRE							
77475	BRAINERD PUBLIC UTILITIES	05/01/2023	06/07/2023	2,401.00	2,401.00	Open	N
	3/24/23-4/24/23 FIRE DEPT UTILITIES	pziemer					06/07/2023
	225-2220-43381	BPU UTILITIES		2,401.00			
APR 2023/POLICE							
77476	BRAINERD PUBLIC UTILITIES	05/01/2023	06/07/2023	3,901.63	3,901.63	Open	N
	3/24/23-4/24/23 POLICE DEPT UTILITIES	pziemer					06/07/2023
	225-2120-43381	BPU UTILITIES		3,901.63			
APR 2023/STREETS							
77477	BRAINERD PUBLIC UTILITIES	05/01/2023	06/07/2023	24,659.05	24,659.05	Open	N
	3/24/23-4/24/23 STREET DEPT UTILITIES	pziemer					06/07/2023
	235-3100-43381	BPU UTILITIES		24,659.05			
MAY 23 COBRA							
77504	BRAINERD PUBLIC UTILITIES	05/23/2023	06/07/2023	75.55	75.55	Open	N
	REMIT MAY 2023 COBRA	pziemer					06/07/2023
	101-0000-14100	DUE FROM COMPONENT UNIT		75.55			
	Total for vendor 0296 - BRAINERD PUBLIC UTILITIES:			39,482.86	39,482.86		
Vendor 0929 - BRAUN INTERTEC CORP:							
B342772							
77529	BRAUN INTERTEC CORP	05/22/2023	06/07/2023	1,814.75	1,814.75	Open	N
	EAST RIVER ROAD - GROUND PENETRATING	pziemer					06/07/2023
	101-1700-43300	PROFESSIONAL SERVICES		1,814.75			
	Total for vendor 0929 - BRAUN INTERTEC CORP:			1,814.75	1,814.75		
Vendor 2072 - BREEZY POINT POLICE DEPARTMENT:							
2ND QTR 23							
77468	BREEZY POINT POLICE DEPARTMENT	05/19/2023	06/07/2023	1,844.09	1,844.09	Open	N
	REMIT 2ND QTR TZD	pziemer					06/07/2023
	225-0000-20800	DUE TO OTHER GOVT UNITS		1,844.09			
	Total for vendor 2072 - BREEZY POINT POLICE DEPARTMENT:			1,844.09	1,844.09		

Vendor MISC - BRIDGES OF HOPE:

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
B22-0004 77522	BRIDGES OF HOPE BD Bond Refund 101-0000-20701	05/24/2023 pziemer	06/07/2023	500.00	500.00	Open	N 06/07/2023
	B22-0004			500.00			
	Total for vendor MISC - BRIDGES OF HOPE:			500.00	500.00		
Vendor 0102 - CANON FINANCIAL SERVICE:							
30562842 77523	CANON FINANCIAL SERVICE 6/1/23-6/30/23 FD COPIER LEASE 225-2220-43331	05/23/2023 pziemer	06/07/2023	80.69	80.69	Open	N 06/07/2023
	LEASED PAYMENTS			80.69			
	Total for vendor 0102 - CANON FINANCIAL SERVICE:			80.69	80.69		
Vendor 0307 - CENTERPOINT ENERGY:							
92166-0/MAY23/ENG 77625	CENTERPOINT ENERGY 4/15/23-5/15/23 CITY UTILITIES 101-1940-43380	05/23/2023 pziemer	06/07/2023	488.58	488.58	Open	N 06/07/2023
	UTILITIES			296.80			
	UTILITIES			191.78			
92166-0/MAY23/STRTS 77626	CENTERPOINT ENERGY 4/15/23-5/15/23 STREET DEPT UTILITIES 235-3100-43380	05/23/2023 pziemer	06/07/2023	537.13	537.13	Open	N 06/07/2023
	UTILITIES			537.13			
92166-0/MAY23/FD 77627	CENTERPOINT ENERGY 4/15/23-5/15/23 FIRE DEPT UTILITIES 225-2220-43380	05/23/2023 pziemer	06/07/2023	276.19	276.19	Open	N 06/07/2023
	UTILITIES			148.02			
	UTILITIES			128.17			
92166-0/MAY23/PD 77628	CENTERPOINT ENERGY 4/15/23-5/15/23 POLICE DEPT UTILITIES 225-2120-43380	05/23/2023 pziemer	06/07/2023	69.99	69.99	Open	N 06/07/2023
	UTILITIES			69.99			
92166-0/MAY23/LIB 77629	CENTERPOINT ENERGY 4/15/23-5/15/23 LIBRARY UTILITIES 211-5500-43380	05/23/2023 pziemer	06/07/2023	562.96	562.96	Open	N 06/07/2023
	UTILITIES			562.96			
92166-0/MAY23/PARKS 77630	CENTERPOINT ENERGY 4/15/23-5/15/23 PARKS UTILITIES 230-5200-43380	05/23/2023 pziemer	06/07/2023	166.95	166.95	Open	N 06/07/2023
	UTILITIES			166.95			
	Total for vendor 0307 - CENTERPOINT ENERGY:			2,101.80	2,101.80		

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
Vendor 0229 - CLIFTONLARSONALLEN LLP:							
3733371							
77613	CLIFTONLARSONALLEN LLP	05/24/2023	06/07/2023	32,602.50	32,602.50	Open	N
	PROGRESS BILLING 3 - 2022 AUDIT	pziemer					06/07/2023
	101-9200-43300	PROFESSIONAL SERVICES		32,602.50			
	Total for vendor 0229 - CLIFTONLARSONALLEN LLP:			32,602.50	32,602.50		
Vendor 0137 - CUB FOODS - BAXTER:							
5/26/23							
77631	CUB FOODS - BAXTER	05/26/2023	06/07/2023	59.98	59.98	Open	N
	PLANTERS	pziemer					06/07/2023
	225-2220-42210	OPERATING SUPPLIES		59.98			
	Total for vendor 0137 - CUB FOODS - BAXTER:			59.98	59.98		
Vendor 0900 - CUB FOODS - BRAINERD:							
TRX 27 - FD							
77511	CUB FOODS - BRAINERD	05/20/2023	06/07/2023	4.49	4.49	Open	N
	GLAD PRESS N SEAL	pziemer					06/07/2023
	225-2220-42210	OPERATING SUPPLIES		4.49			
	Total for vendor 0900 - CUB FOODS - BRAINERD:			4.49	4.49		
Vendor 4079 - CUSTOM BUILDERS, INC:							
21:16 PAY REQ 8							
77455	CUSTOM BUILDERS, INC	05/17/2023	06/07/2023	234,130.30	234,130.30	Open	N
	IMP 21:16 PAY REQ 8 THRU 5/17/23	pziemer					06/07/2023
	401-9030-45530-21:16	CAPITAL-PYMTS TO CONTRACTS		234,130.30			
	Total for vendor 4079 - CUSTOM BUILDERS, INC:			234,130.30	234,130.30		
Vendor 0133 - CWC RECORDER:							
23-4091							
77536	CWC RECORDER	05/23/2023	06/07/2023	46.00	46.00	Open	N
	CU PERMIT - #984355 -MY NEIGHBOR TO	pziemer					06/07/2023
	101-2400-43350	PRINTING/LEGAL PUBLICATION		46.00			
23-4088							
77537	CWC RECORDER	05/23/2023	06/07/2023	92.00	92.00	Open	N
	A2 & CU - #984350 & 984351 - MY NEIGH	pziemer					06/07/2023
	101-2400-43350	PRINTING/LEGAL PUBLICATION		46.00			
	101-2400-43350	PRINTING/LEGAL PUBLICATION		46.00			
	Total for vendor 0133 - CWC RECORDER:			138.00	138.00		
Vendor 0134 - CWC SANITARY LANDFILL:							

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187815 77614	CWC SANITARY LANDFILL DOWNTOWN CLEANUP 401-1003-43430	05/26/2023 pziemer	06/07/2023	10.00	10.00	Open	N 06/07/2023
	MISCELLANEOUS			10.00			
	Total for vendor 0134 - CWC SANITARY LANDFILL:			10.00	10.00		

Vendor 0135 - CWC TREASURER:

6043 77490	CWC TREASURER LETG RMS BAS FEE QTY 17 MOBILE 225-2120-43309	05/18/2023 pziemer	06/07/2023	17,225.00	17,225.00	Open	N 06/07/2023
	COMPUTER TECHNICAL SUPPORT			17,225.00			
	Total for vendor 0135 - CWC TREASURER:			17,225.00	17,225.00		

Vendor 3438 - DAHLHEIMER BEVERAGE:

1863938 77541	DAHLHEIMER BEVERAGE CREDIT FOR PINE-SOL 230-5200-42220	05/01/2023 pziemer	06/07/2023	(18.00)	(18.00)	Open	N 06/07/2023
	REPAIR & MAINT			(18.00)			
1910961 77615	DAHLHEIMER BEVERAGE JANITORIAL - PARKS BATHROOMS 230-5200-42220	05/18/2023 pziemer	06/07/2023	113.20	113.20	Open	N 06/07/2023
	REPAIR & MAINT			113.20			
1916819 77616	DAHLHEIMER BEVERAGE JANITORIAL - PARKS BATHROOMS 230-5200-42220	05/25/2023 pziemer	06/07/2023	48.00	48.00	Open	N 06/07/2023
	REPAIR & MAINT			48.00			
1915226 77617	DAHLHEIMER BEVERAGE JANITORIAL - PARKS BATHROOMS 230-5200-42220	05/24/2023 pziemer	06/07/2023	655.25	655.25	Open	N 06/07/2023
	REPAIR & MAINT			655.25			
	Total for vendor 3438 - DAHLHEIMER BEVERAGE:			798.45	798.45		

Vendor 3502 - DAKOTA MAILING:

AR64031 77535	DAKOTA MAILING POSTAGE INK 101-1940-42200	05/22/2023 pziemer	06/07/2023	152.26	152.26	Open	N 06/07/2023
	OFFICE SUPPLIES			152.26			
	Total for vendor 3502 - DAKOTA MAILING:			152.26	152.26		

Vendor 3954 - DALLMAN SIGNS & GRAPHICS:

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576 77577	DALLMAN SIGNS & GRAPHICS SQD 411 - NEW SQUAD BUILD 400-9050-45530 CAPITAL - OTHER	05/24/2023 pziemer	06/07/2023	1,247.73 1,247.73	1,247.73	Open	N 06/07/2023
	Total for vendor 3954 - DALLMAN SIGNS & GRAPHICS:			1,247.73	1,247.73		
Vendor 3566 - DATA PRACTICES OFFICE:							
00000744504 77495	DATA PRACTICES OFFICE M. HALVERSON - LE DATA WORKSHOP 225-2120-43330 PROFESSIONAL DEVELOPMENT	05/17/2023 pziemer	06/07/2023	250.00 250.00	250.00	Open	N 06/07/2023
00000744505 77496	DATA PRACTICES OFFICE J.MCCULLOUGH - LE DATA WORKSHOP 225-2120-43330 PROFESSIONAL DEVELOPMENT	05/17/2023 pziemer	06/07/2023	250.00 250.00	250.00	Open	N 06/07/2023
	Total for vendor 3566 - DATA PRACTICES OFFICE:			500.00	500.00		
Vendor 1381 - DECHANTAL EXCAVATING LLC:							
PAY REQ 2: 21:12 77647	DECHANTAL EXCAVATING LLC IMP 21:12 NORTH BRAINERD PAY REQ 2 401-9030-45530-21:12 CAPITAL-PYMTS TO CONTRACTS	05/31/2023 pziemer	06/07/2023	885,739.74 885,739.74	885,739.74	Open	N 06/07/2023
	Total for vendor 1381 - DECHANTAL EXCAVATING LLC:			885,739.74	885,739.74		
Vendor 4215 - DESIGN ELECTRIC INC:							
02314-1 77656	DESIGN ELECTRIC INC IMP 21:12 HOLLY STREET FLASHER 401-9030-45530-21:12 CAPITAL-PYMTS TO CONTRACTS	05/31/2023 pziemer	06/07/2023	4,947.70 4,947.70	4,947.70	Open	N 06/07/2023
	Total for vendor 4215 - DESIGN ELECTRIC INC:			4,947.70	4,947.70		
Vendor 0440 - DESTINATION DOWNTOWN BRAINERD COALI:							
MAY 2023 77462	DESTINATION DOWNTOWN BRAINERD COALI MAY 23 ECONOMIC DEVELOPMENT CONSULTING 295-6510-43300 PROFESSIONAL SERVICES	05/19/2023 pziemer	06/07/2023	909.09 909.09	909.09	Open	N 06/07/2023
	Total for vendor 0440 - DESTINATION DOWNTOWN BRAINERD COALI:			909.09	909.09		
Vendor 3080 - DOUCETTE'S LANDSCAPING & CONTRACTIN:							
10503 77478	DOUCETTE'S LANDSCAPING & CONTRACTIN QTY 27 TREES WARRANTY & MAINTENANCE	05/09/2023 pziemer	06/07/2023	24,975.00	24,975.00	Open	N 06/07/2023

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	400-9050-45530	CAPITAL - OTHER		24,975.00			
	Total for vendor 3080 - DOUCETTE'S LANDSCAPING & CONTRACTIN:			24,975.00	24,975.00		
Vendor 3353 - DTM FLEET SERVICE:							
1617 77437	DTM FLEET SERVICE SQD 403 - NEW SQUAD BUILD 400-9050-45530	05/11/2023 pziemer CAPITAL - OTHER	06/07/2023	5,855.78 5,855.78	5,855.78	Open	N 06/07/2023
1635 77650	DTM FLEET SERVICE SQD 403 - NEW SQUAD BUILD 400-9050-45530	05/30/2023 pziemer CAPITAL - OTHER	06/07/2023	266.63 266.63	266.63	Open	N 06/07/2023
	Total for vendor 3353 - DTM FLEET SERVICE:			6,122.41	6,122.41		
Vendor 1286 - EAST SIDE OIL COMPANY:							
R105225 77534	EAST SIDE OIL COMPANY OIL FILTERS 227-3230-43428	05/24/2023 pziemer USED OIL RECYCLING EXPENSE	06/07/2023	100.00 100.00	100.00	Open	N 06/07/2023
	Total for vendor 1286 - EAST SIDE OIL COMPANY:			100.00	100.00		
Vendor 3800 - ENVIROTECH:							
68969 77521	ENVIROTECH JANITORIAL SUPPLIES 101-1940-42220	05/23/2023 pziemer REPAIR & MAINT	06/07/2023	3,505.38 3,505.38	3,505.38	Open	N 06/07/2023
69060/CH 77609	ENVIROTECH JUN 23 CITY HALL JANITORIAL 101-1940-43300	05/30/2023 pziemer PROFESSIONAL SERVICES	06/07/2023	1,890.71 1,890.71	1,890.71	Open	N 06/07/2023
69060/FD 77610	ENVIROTECH JUN 23 FIRE DEPT JANITORIAL 225-2220-43300	05/30/2023 pziemer PROFESSIONAL SERVICES	06/07/2023	254.95 254.95	254.95	Open	N 06/07/2023
69060/PD 77611	ENVIROTECH JUN 23 POLICE DEPT JANITORIAL 225-2120-43300	05/30/2023 pziemer PROFESSIONAL SERVICES	06/07/2023	1,344.39 1,344.39	1,344.39	Open	N 06/07/2023
69060/STRTS 77612	ENVIROTECH JUN 23 STREET DEPT JANITORIAL 235-3100-43300	05/30/2023 pziemer PROFESSIONAL SERVICES	06/07/2023	254.95 254.95	254.95	Open	N 06/07/2023

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Total for vendor 3800 - ENVIROTECH:				7,250.38	7,250.38		
Vendor 0170 - FASTENAL COMPANY:							
MNBAX261622							
77619	FASTENAL COMPANY	05/25/2023	06/07/2023	20.33	20.33	Open	N
	TRAFFIC SIGN HARDWARE	pziemer					06/07/2023
	235-3170-42210	OPERATING SUPPLIES		20.33			
Total for vendor 0170 - FASTENAL COMPANY:				20.33	20.33		
Vendor 3865 - FIRST ARRIVING LLC:							
1816							
77651	FIRST ARRIVING LLC	05/03/2023	06/07/2023	479.40	479.40	Open	N
	FIRST ARRIVING RENEWAL	pziemer					06/07/2023
	225-2120-43309	COMPUTER TECHNICAL SUPPORT		479.40			
Total for vendor 3865 - FIRST ARRIVING LLC:				479.40	479.40		
Vendor 0177 - FIRST IMPRESSION PRINTING:							
87703							
77663	FIRST IMPRESSION PRINTING	05/24/2023	06/07/2023	32.00	32.00	Open	N
	715 BUSINESS CARDS	pziemer					06/07/2023
	225-2120-42200	OFFICE SUPPLIES		32.00			
Total for vendor 0177 - FIRST IMPRESSION PRINTING:				32.00	32.00		
Vendor 2993 - FRANKLIN OUTDOOR ADVERTISING:							
30853							
77632	FRANKLIN OUTDOOR ADVERTISING	05/30/2023	06/07/2023	650.00	650.00	Open	N
	6/9/23-7/6/23 BILLBOARD ADVERTISING	pziemer					06/07/2023
	404-9055-43430	MISCELLANEOUS		650.00			
Total for vendor 2993 - FRANKLIN OUTDOOR ADVERTISING:				650.00	650.00		
Vendor 1967 - FRONTIER PRECISION INC:							
274988							
77460	FRONTIER PRECISION INC	05/18/2023	06/07/2023	1,863.60	1,863.60	Open	N
	LATHES & PINK GLO FLAGGING PAINT	pziemer					06/07/2023
	401-9030-43430	MISCELLANEOUS		1,863.60			
Total for vendor 1967 - FRONTIER PRECISION INC:				1,863.60	1,863.60		
Vendor 0186 - GALLS LLC:							
024389860							
77524	GALLS LLC	05/04/2023	06/07/2023	129.49	129.49	Open	N
	773LB - CSO UNIFORM SHIRT AND BOOTS	pziemer					06/07/2023
	225-2121-41113	UNIFORM ALLOWANCE		129.49			

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024392434 77525	GALLS LLC 701JD - UNIFORM STAR INSIGNIA 225-2120-41113	05/04/2023 pziemer	06/07/2023	53.13 53.13	53.13	Open	N 06/07/2023
024452016 77526	GALLS LLC 773LB - CSO UNIFORM SHIRT 225-2121-41113	05/10/2023 pziemer	06/07/2023	13.28 13.28	13.28	Open	N 06/07/2023
024438692 77652	GALLS LLC 725 - UNIFORM BOOTS 225-2120-41113	05/09/2023 pziemer	06/07/2023	250.94 250.94	250.94	Open	N 06/07/2023
Total for vendor 0186 - GALLS LLC:				446.84	446.84		

Vendor 4214 - GEO'S PAINT & FINISH:

2023-1571 77643	GEO'S PAINT & FINISH STREET GARAGE INTERIOR/EXTERIOR DOOR 235-3100-42220	05/25/2023 pziemer	06/07/2023	1,575.00 1,575.00	1,575.00	Open	N 06/07/2023
Total for vendor 4214 - GEO'S PAINT & FINISH:				1,575.00	1,575.00		

Vendor 0193 - GOODIN COMPANY:

06638902-00 77622	GOODIN COMPANY LUM PARK TOILET REPAIR 230-5200-42220	05/25/2023 pziemer	06/07/2023	315.51 315.51	315.51	Open	N 06/07/2023
06638914-00 77623	GOODIN COMPANY LUM PARK TOILET REPAIR 230-5200-42220	05/25/2023 pziemer	06/07/2023	52.45 52.45	52.45	Open	N 06/07/2023
Total for vendor 0193 - GOODIN COMPANY:				367.96	367.96		

Vendor 2385 - GOVERNMENTJOBS.COM, INC:

INV-25434 - ADDTL 77486	GOVERNMENTJOBS.COM, INC NEW HIRE IMPORT 3/1/23-2/29/24 101-1400-43309	05/01/2023 pziemer	06/07/2023	1,000.00 1,000.00	1,000.00	Open	N 06/07/2023
Total for vendor 2385 - GOVERNMENTJOBS.COM, INC:				1,000.00	1,000.00		

Vendor 1913 - GRAND FORKS FIRE EQUIPMENT LLC:

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37816 77512	GRAND FORKS FIRE EQUIPMENT LLC PPE BOOTS 225-2220-42250 PERSONAL PROTECTIVE GEAR Total for vendor 1913 - GRAND FORKS FIRE EQUIPMENT LLC:	05/10/2023 pziemer	06/07/2023	586.76 586.76 586.76	586.76 586.76	Open	N 06/07/2023
Vendor 3303 - HALVERSON, MIRANDA:							
5/12/23 77438	HALVERSON, MIRANDA M.HALVERSON-EVIDENCE MANAGEMENT TRNG pziemer 225-2120-43330 PROFESSIONAL DEVELOPMENT Total for vendor 3303 - HALVERSON, MIRANDA:	05/12/2023 pziemer	06/07/2023	61.20 61.20 61.20	61.20 61.20	Open	N 06/07/2023
Vendor 0209 - HEARTLAND TIRE INC.:							
3040180 77497	HEARTLAND TIRE INC. SQD 435 TIRES 225-2120-42221 SQUAD CAR REPAIR SUPPLIES	05/18/2023 pziemer	06/07/2023	795.96 795.96	795.96	Open	N 06/07/2023
3040464 77653	HEARTLAND TIRE INC. SQD 431 - TIRES 225-2120-42221 SQUAD CAR REPAIR SUPPLIES Total for vendor 0209 - HEARTLAND TIRE INC.:	05/30/2023 pziemer	06/07/2023	735.00 735.00 1,530.96	735.00 1,530.96	Open	N 06/07/2023
Vendor 0356 - HIRSHFIELD'S DECORATING:							
09302573 77450	HIRSHFIELD'S DECORATING PAINT SUPPLIES - PARKS 230-5200-42220 REPAIR & MAINT Total for vendor 0356 - HIRSHFIELD'S DECORATING:	05/11/2023 pziemer	06/07/2023	358.22 358.22 358.22	358.22 358.22	Open	N 06/07/2023
Vendor 1293 - IDENTISYS:							
619097 77442	IDENTISYS ACCESS CONTROL CARDS QTY 100 101-1800-42210 OPERATING SUPPLIES Total for vendor 1293 - IDENTISYS:	05/11/2023 pziemer	06/07/2023	444.16 444.16 444.16	444.16 444.16	Open	N 06/07/2023
Vendor 3795 - INDEPENDENT TESTING TECHNOLOGIES:							
42227 77483	INDEPENDENT TESTING TECHNOLOGIES IMP 21-12 TESTING SERVICES	05/15/2023 pziemer	06/07/2023	2,875.00	2,875.00	Open	N 06/07/2023

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
	401-9030-43300-21:12	PROFESSIONAL SERVICES		2,875.00			
	Total for vendor 3795 - INDEPENDENT TESTING TECHNOLOGIES:			2,875.00	2,875.00		
Vendor 3202 - INNOVATIVE OFFICE SOLUTIONS LLC:							
IN4204693							
77498	INNOVATIVE OFFICE SOLUTIONS LLC	05/22/2023	06/07/2023	173.82	173.82	Open	N
	INK PENS & SQUAD ROOM TONER	pziemer					06/07/2023
	225-2120-42200	OFFICE SUPPLIES		173.82			
	Total for vendor 3202 - INNOVATIVE OFFICE SOLUTIONS LLC:			173.82	173.82		
Vendor 0213 - INTOXIMETERS INC:							
734733							
77654	INTOXIMETERS INC	05/22/2023	06/07/2023	1,275.00	1,275.00	Open	N
	QTY 3 PBTS	pziemer					06/07/2023
	225-2120-41113	UNIFORM ALLOWANCE		1,275.00			
	Total for vendor 0213 - INTOXIMETERS INC:			1,275.00	1,275.00		
Vendor 3488 - JEFFERSON FIRE & SAFETY:							
IN303104							
77633	JEFFERSON FIRE & SAFETY	05/23/2023	06/07/2023	330.27	330.27	Open	N
	PPE BOOTS	pziemer					06/07/2023
	225-2220-42250	PERSONAL PROTECTIVE GEAR		330.27			
	Total for vendor 3488 - JEFFERSON FIRE & SAFETY:			330.27	330.27		
Vendor MISC - JOY SCHULTZ:							
51663506							
77645	JOY SCHULTZ	05/31/2023	06/07/2023	91.70	91.70	Open	N
	PAVILLION REFUND	pziemer					06/07/2023
	230-0000-34780	PARK PAVILION FEES		85.00			
	101-0000-20810	STATE TAX PAYABLE		5.84			
	101-0000-20811	COUNTY SALES TAX		0.43			
	101-0000-20812	CITY TAX PAYABLE		0.43			
	Total for vendor MISC - JOY SCHULTZ:			91.70	91.70		
Vendor 3545 - KITCHIGAMI REGIONAL LIBRARY - CC:							
5/11/23							
77531	KITCHIGAMI REGIONAL LIBRARY - CC	05/11/2023	06/07/2023	265.00	265.00	Open	N
	4/13/23-5/11/23 REMIT LIB CC CHARGES	pziemer					06/07/2023
	211-0000-20800	DUE TO OTHER GOVT UNITS		265.00			
	Total for vendor 3545 - KITCHIGAMI REGIONAL LIBRARY - CC:			265.00	265.00		
Vendor 3469 - LAKES AREA MAT SERVICE INC:							

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20230509 #520 77514	LAKES AREA MAT SERVICE INC POLICE DEPT FLOOR MATS 225-2120-43300	05/09/2023 pziemer	06/07/2023	42.92 42.92	42.92	Open	N 06/07/2023
20230523 #520 77515	LAKES AREA MAT SERVICE INC POLICE DEPT FLOOR MATS 225-2120-43300	05/23/2023 pziemer	06/07/2023	42.92 42.92	42.92	Open	N 06/07/2023
20230523 #522 77516	LAKES AREA MAT SERVICE INC CITY HALL FLOOR MATS 101-1940-43410	05/22/2023 pziemer	06/07/2023	44.08 44.08	44.08	Open	N 06/07/2023
20230509 #522 77517	LAKES AREA MAT SERVICE INC CITY HALL FLOOR MATS 101-1940-43410	05/22/2023 pziemer	06/07/2023	44.08 44.08	44.08	Open	N 06/07/2023
Total for vendor 3469 - LAKES AREA MAT SERVICE INC:				174.00	174.00		

Vendor 3627 - LAKES AREA WILDLIFE CONTROL:

MAY 2023

77502	LAKES AREA WILDLIFE CONTROL MAY 2023 ANIMAL CONTROL CONTRACT 225-2700-43300	05/19/2023 pziemer	06/07/2023	3,076.00 3,076.00	3,076.00	Open	N 06/07/2023
Total for vendor 3627 - LAKES AREA WILDLIFE CONTROL:				3,076.00	3,076.00		

Vendor MISC - LEVEL CONTRACTING LLC:

BFG22-0013 77431	LEVEL CONTRACTING LLC 962 YORK COURT BD BOND REFUND 101-0000-20600	05/17/2023 pziemer	06/07/2023	6,000.00 6,000.00	6,000.00	Open	N 06/07/2023
BFG22-0014 77432	LEVEL CONTRACTING LLC 978 YORK COURT BD BOND REFUND 101-0000-20600	05/17/2023 pziemer	06/07/2023	6,000.00 6,000.00	6,000.00	Open	N 06/07/2023
BFG22-0019 77433	LEVEL CONTRACTING LLC 954 YORK COURT BD BOND REFUND 101-0000-20600	05/17/2023 pziemer	06/07/2023	2,200.00 2,200.00	2,200.00	Open	N 06/07/2023
BFG22-0020 77434	LEVEL CONTRACTING LLC 946 YORK COURT BD BOND REFUND 101-0000-20600	05/17/2023 pziemer	06/07/2023	4,000.00 4,000.00	4,000.00	Open	N 06/07/2023

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BFG22-0021 77435	LEVEL CONTRACTING LLC 1092 HOLTON AVE BD BOND REFUND 101-0000-20600	05/17/2023 pziemer BFG22-0021	06/07/2023	3,000.00 3,000.00	3,000.00 3,000.00	Open	N 06/07/2023
	Total for vendor MISC - LEVEL CONTRACTING LLC:			21,200.00	21,200.00		

Vendor 2141 - M&M EXPRESS SALES & SERVICE:

440141 77467	M&M EXPRESS SALES & SERVICE MOWER BLADES 230-5200-42220	05/11/2023 pziemer REPAIR & MAINT	06/07/2023	508.64 508.64	508.64	Open	N 06/07/2023
446003 77634	M&M EXPRESS SALES & SERVICE 4-CYCLE FUEL, SNOW AND LAWN 225-2220-42210	05/26/2023 pziemer OPERATING SUPPLIES	06/07/2023	48.30 48.30	48.30	Open	N 06/07/2023
	Total for vendor 2141 - M&M EXPRESS SALES & SERVICE:			556.94	556.94		

Vendor 0239 - MACQUEEN EQUIPMENT INC:

P15635 77520	MACQUEEN EQUIPMENT INC SCBA 225-2220-42220	05/23/2023 pziemer REPAIR & MAINT	06/07/2023	119.00 119.00	119.00	Open	N 06/07/2023
P50198 77532	MACQUEEN EQUIPMENT INC SWEEPER 111 & 118 DIRT SHOES 235-3100-42220	05/24/2023 pziemer REPAIR & MAINT	06/07/2023	2,537.61 2,537.61	2,537.61	Open	N 06/07/2023
	Total for vendor 0239 - MACQUEEN EQUIPMENT INC:			2,656.61	2,656.61		

Vendor 1753 - MARCO:

INV11233449 77487	MARCO UNIFY IT 5/19/23-6/18/23 101-1800-43309	05/19/2023 pziemer COMPUTER SUPPORT	06/07/2023	1,128.12 1,128.12	1,128.12	Open	N 06/07/2023
INV11239860 77509	MARCO MICROSOFT 365 4/16/23-5/15/23 101-1800-43309 260-9020-43309	05/22/2023 pziemer COMPUTER SUPPORT COMPUTER SUPPORT	06/07/2023	2,568.00 2,344.00 224.00	2,568.00	Open	N 06/07/2023
	Total for vendor 1753 - MARCO:			3,696.12	3,696.12		

Vendor 0889 - MENARDS - BAXTER:

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96699 77491	MENARDS - BAXTER ADAPTORS/BUSHINGS 230-5200-42220	05/08/2023 pziemer REPAIR & MAINT	06/07/2023	79.43 79.43	79.43	Open	N 06/07/2023
96369 77492	MENARDS - BAXTER SHOP SUPPLIES 230-5200-42220	05/03/2023 pziemer REPAIR & MAINT	06/07/2023	66.87 66.87	66.87	Open	N 06/07/2023
96268 77493	MENARDS - BAXTER BALL VALVE/FASTENERS 230-5200-42220	05/01/2023 pziemer REPAIR & MAINT	06/07/2023	95.25 95.25	95.25	Open	N 06/07/2023
Total for vendor 0889 - MENARDS - BAXTER:				241.55	241.55		
Vendor 0254 - MILLS MOTORS INC:							
582600 77519	MILLS MOTORS INC E3 WINDOW / DOOR 225-2220-42220	05/10/2023 pziemer REPAIR & MAINT	06/07/2023	335.00 335.00	335.00	Open	N 06/07/2023
Total for vendor 0254 - MILLS MOTORS INC:				335.00	335.00		
Vendor 0445 - MN FIRE SERVICE CERTIFICATION BOARD:							
11239 77513	MN FIRE SERVICE CERTIFICATION BOARD FIRE OFFICER CERTIFICATION EXAM X2 225-2220-43330	05/11/2023 pziemer PROFESSIONAL DEVELOPMENT	06/07/2023	252.00 252.00	252.00	Open	N 06/07/2023
Total for vendor 0445 - MN FIRE SERVICE CERTIFICATION BOARD:				252.00	252.00		
Vendor 3168 - MOTORS-N-MORE:							
29858 77499	MOTORS-N-MORE SQD 431 - OIL CHANGE 225-2120-42221	05/17/2023 pziemer SQUAD CAR REPAIR SUPPLIES	06/07/2023	23.00 23.00	23.00	Open	N 06/07/2023
29867 77500	MOTORS-N-MORE SQD 435 - OIL CHANGE 225-2120-42221	05/18/2023 pziemer SQUAD CAR REPAIR SUPPLIES	06/07/2023	23.00 23.00	23.00	Open	N 06/07/2023
29859 77503	MOTORS-N-MORE SQD 434 - OIL CHANGE 225-2120-42221	05/17/2023 pziemer SQUAD CAR REPAIR SUPPLIES	06/07/2023	23.00 23.00	23.00	Open	N 06/07/2023

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29877 77507	MOTORS-N-MORE SQD 437 - OIL CHANGE 225-2120-42221	05/23/2023 pziemer	06/07/2023	23.00	23.00	Open	N 06/07/2023
	SQUAD CAR REPAIR SUPPLIES			23.00			
29878 77508	MOTORS-N-MORE SQD 433 - OIL CHANGE 225-2120-42221	05/23/2023 pziemer	06/07/2023	23.00	23.00	Open	N 06/07/2023
	SQUAD CAR REPAIR SUPPLIES			23.00			
29879 77527	MOTORS-N-MORE SQD 431 - AC SERVICE 225-2120-42221	05/23/2023 pziemer	06/07/2023	246.42	246.42	Open	N 06/07/2023
	SQUAD CAR REPAIR SUPPLIES			246.42			
29880 77528	MOTORS-N-MORE SQD 430 - OIL CHANGE 225-2120-42221	05/24/2023 pziemer	06/07/2023	23.00	23.00	Open	N 06/07/2023
	SQUAD CAR REPAIR SUPPLIES			23.00			
Total for vendor 3168 - MOTORS-N-MORE:				384.42	384.42		

Vendor 1449 - M-R SIGN CO., INC.:

219896 77644	M-R SIGN CO., INC. DIP SIGNS AND TYPE 3 BARRICADES 235-3170-42210	05/25/2023 pziemer	06/07/2023	1,894.53	1,894.53	Open	N 06/07/2023
	OPERATING SUPPLIES			1,894.53			
Total for vendor 1449 - M-R SIGN CO., INC.:				1,894.53	1,894.53		

Vendor 0656 - MYERS, RONALD:

4/25/23 77501	MYERS, RONALD WORK APPOINTMENT 225-2120-43330	05/01/2023 pziemer	06/07/2023	153.93	153.93	Open	N 06/07/2023
	PROFESSIONAL DEVELOPMENT			153.93			
Total for vendor 0656 - MYERS, RONALD:				153.93	153.93		

Vendor 0273 - NAPA AUTO PARTS:

604842 77485	NAPA AUTO PARTS MILWAUKEE BATTERIES 237-3190-42220	05/15/2023 pziemer	06/07/2023	282.99	282.99	Open	N 06/07/2023
	REPAIR & MAINT			282.99			
607854 77539	NAPA AUTO PARTS TI BATTERY 225-2220-42220	05/25/2023 pziemer	06/07/2023	308.23	308.23	Open	N 06/07/2023
	REPAIR & MAINT			308.23			
Total for vendor 0273 - NAPA AUTO PARTS:				591.22	591.22		

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Vendor 3211 - NATIONAL PELRA ADMIN OFFICE:							
4989							
77594	NATIONAL PELRA ADMIN OFFICE	05/26/2023	06/07/2023	250.00	250.00	Open	N
	2023 MPELRA CONF - K. SCHUBERT	pziemer					06/07/2023
	101-1400-43330	PROFESSIONAL DEVELOPMENT		250.00			
	Total for vendor 3211 - NATIONAL PELRA ADMIN OFFICE:			250.00	250.00		
Vendor 0427 - NISSWA POLICE DEPT:							
2ND QTR 23							
77469	NISSWA POLICE DEPT	05/19/2023	06/07/2023	343.57	343.57	Open	N
	REMIT 2ND QTR TZD	pziemer					06/07/2023
	225-0000-20800	DUE TO OTHER GOVT UNITS		343.57			
	Total for vendor 0427 - NISSWA POLICE DEPT:			343.57	343.57		
Vendor 0736 - NORTHLAND FIRE PROTECTION:							
53807							
77530	NORTHLAND FIRE PROTECTION	05/19/2023	06/07/2023	1,020.45	1,020.45	Open	N
	CH FIRE EXTINGUISHER - SERVICE/RECEIVED	pziemer					06/07/2023
	101-1940-42220	REPAIR & MAINT		1,020.45			
	Total for vendor 0736 - NORTHLAND FIRE PROTECTION:			1,020.45	1,020.45		
Vendor 0284 - OFFICE SHOP:							
1127336-0							
77445	OFFICE SHOP	05/12/2023	06/07/2023	86.62	86.62	Open	N
	MANILA ENVELOPES	pziemer					06/07/2023
	230-5200-42200	OFFICE SUPPLIES		86.62			
1127474-0							
77471	OFFICE SHOP	05/16/2023	06/07/2023	49.91	49.91	Open	N
	CALCULATOR/PENCIL LEAD	pziemer					06/07/2023
	101-1940-42200	OFFICE SUPPLIES		49.91			
326852-0							
77489	OFFICE SHOP	05/19/2023	06/07/2023	56.70	56.70	Open	N
	COPIER CONTRACT	pziemer					06/07/2023
	225-2220-43331	LEASED PAYMENTS		56.70			
1127347-0							
77664	OFFICE SHOP	05/12/2023	06/07/2023	1,060.00	1,060.00	Open	N
	CONFERENCE TABLE & CHAIRS/OVERHEAD Bl	pziemer					06/07/2023
	400-9050-45530	CAPITAL - OTHER		1,060.00			
	Total for vendor 0284 - OFFICE SHOP:			1,253.23	1,253.23		

Vendor 3634 - ONSITE MEDICAL SERVICES INC:

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24223 77533	ONSITE MEDICAL SERVICES INC ANNUAL HEARING TESTS 225-2120-43300 PROFESSIONAL SERVICES Total for vendor 3634 - ONSITE MEDICAL SERVICES INC:	05/24/2023 pziemer	06/07/2023	775.00 775.00 775.00	775.00 775.00	Open	N 06/07/2023
Vendor 2137 - O'REILLY AUTOMOTIVE STORES INC.:							
1647-193492 77451	O'REILLY AUTOMOTIVE STORES INC. TRUCK LIGHT REPAIRS 230-5200-42220 REPAIR & MAINT	05/11/2023 pziemer	06/07/2023	8.52 8.52	8.52	Open	N 06/07/2023
1647-196121 77481	O'REILLY AUTOMOTIVE STORES INC. EASY PULL - SHOP TRAILER 230-5200-42220 REPAIR & MAINT Total for vendor 2137 - O'REILLY AUTOMOTIVE STORES INC.:	05/22/2023 pziemer	06/07/2023	27.99 27.99 36.51	27.99 36.51	Open	N 06/07/2023
Vendor 3413 - RATWIK, ROSZAK AND MALONEY:							
APR 2023 77658	RATWIK, ROSZAK AND MALONEY APR 23 RETAINER/SPECIAL SERVICES 101-1610-43301 101-0000-14100 101-1610-43301 101-0000-14100 401-1619-43300 CITY ATTORNEY DUE FROM COMPONENT UNIT CITY ATTORNEY DUE FROM COMPONENT UNIT PROFESSIONAL SERVICES Total for vendor 3413 - RATWIK, ROSZAK AND MALONEY:	05/01/2023 pziemer	06/07/2023	8,760.86 3,670.11 1,105.50 2,381.88 938.33 665.04 8,760.86	8,760.86	Open	N 06/07/2023
Vendor 3410 - ROUTE MATCH SOFTWARE LLC:							
RMSMA00000893 77595	ROUTE MATCH SOFTWARE LLC 7/1/23-6/30/24 USER LICENSE/HOSTING 203-9000-43309 203-0000-15510 COMPUTER TECHINCAL SUPPORT PREPAID OTHER Total for vendor 3410 - ROUTE MATCH SOFTWARE LLC:	05/01/2023 pziemer	06/07/2023	2,317.61 1,158.81 1,158.80 2,317.61	2,317.61	Open	N 06/07/2023
Vendor 3768 - SADUSKY RENOVATIONS:							
60 77657	SADUSKY RENOVATIONS INSPECTION SERVICES 5/30/23 101-2400-43300 PROFESSIONAL SERVICES Total for vendor 3768 - SADUSKY RENOVATIONS:	06/01/2023 pziemer	06/07/2023	331.60 331.60 331.60	331.60	Open	N 06/07/2023

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
Vendor 3612 - SEVERSON PORTER LAW:							
MAY 2023							
77461	SEVERSON PORTER LAW MAY 23 PROSECUTION AGREEMENT 225-2127-43310	05/19/2023 pziemer MISDEMEANOR PROSECUTOR	06/07/2023	18,333.33 18,333.33	18,333.33 18,333.33	Open	N 06/07/2023
	Total for vendor 3612 - SEVERSON PORTER LAW:			18,333.33	18,333.33		
Vendor 0322 - STREICHERS PROF EQUIP:							
I1632714							
77439	STREICHERS PROF EQUIP 701JD UNIFORM SHIRTS 225-2120-41113	05/09/2023 pziemer UNIFORM ALLOWANCE	06/07/2023	171.96 171.96	171.96	Open	N 06/07/2023
I1632716							
77440	STREICHERS PROF EQUIP 702 TR UNIFORM SHIRTS 225-2120-41113	05/09/2023 pziemer UNIFORM ALLOWANCE	06/07/2023	171.96 171.96	171.96	Open	N 06/07/2023
I1632787							
77441	STREICHERS PROF EQUIP 702 TR UNIFORM SHIRTS 225-2120-41113	05/09/2023 pziemer UNIFORM ALLOWANCE	06/07/2023	90.98 90.98	90.98	Open	N 06/07/2023
	Total for vendor 0322 - STREICHERS PROF EQUIP:			434.90	434.90		
Vendor 3838 - SWANSON HASKAMP CONSULTING:							
MAY 2023							
77465	SWANSON HASKAMP CONSULTING MAY 23 ECONOMIC DEVELOPMENT CONSULTING 295-6510-43300	05/19/2023 pziemer PROFESSIONAL SERVICES	06/07/2023	2,916.67 2,916.67	2,916.67	Open	N 06/07/2023
	Total for vendor 3838 - SWANSON HASKAMP CONSULTING:			2,916.67	2,916.67		
Vendor 0408 - TOWMASTER:							
459793							
77454	TOWMASTER POWER PACK CASTING ASSY 235-3125-42220	05/09/2023 pziemer TRUCK 105 TARP REPAIR	06/07/2023	149.16 149.16	149.16	Open	N 06/07/2023
460115							
77488	TOWMASTER TANDEM PLOW TRUCK BUILDUP - VIN 1392 400-9050-45530	05/19/2023 pziemer CAPITAL - OTHER	06/07/2023	137,170.00 137,170.00	137,170.00	Open	N 06/07/2023
	Total for vendor 0408 - TOWMASTER:			137,319.16	137,319.16		
Vendor 0087 - VISIT BRAINERD:							

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APR 23 LODGING							
77457	VISIT BRAINERD	05/18/2023	06/07/2023	1,655.87	1,655.87	Open	N
	REMIT APRIL 2023 LODGING TAX	pziemer					06/07/2023
	101-9200-43340 LODGING TAX REMIT/PR			1,655.87			
MAR 23 LODGING							
77458	VISIT BRAINERD	05/01/2023	06/07/2023	1,927.96	1,927.96	Open	N
	REMIT MARCH 2023 LODGING TAX	pziemer					06/07/2023
	101-9200-43340 LODGING TAX REMIT/PR			1,927.96			
MAY 2023							
77464	VISIT BRAINERD	05/19/2023	06/07/2023	3,333.34	3,333.34	Open	N
	MAY 23 ECONOMIC DEVELOPMENT CONSULTING	pziemer					06/07/2023
	295-6510-43300 PROFESSIONAL SERVICES			3,333.34			
	Total for vendor 0087 - VISIT BRAINERD:			6,917.17	6,917.17		
Vendor 0888 - WEST BRAINERD AUTO SERVICE:							
043931							
77655	WEST BRAINERD AUTO SERVICE	05/31/2023	06/07/2023	20.00	20.00	Open	N
	SQD 430 - TOW	pziemer					06/07/2023
	225-2120-42221 SQUAD CAR REPAIR SUPPLIES			20.00			
	Total for vendor 0888 - WEST BRAINERD AUTO SERVICE:			20.00	20.00		
Vendor 0346 - WIDSETH SMITH NOLTING:							
223415							
77624	WIDSETH SMITH NOLTING	05/22/2023	06/07/2023	3,159.00	3,159.00	Open	N
	IMP 21:17 LUM PARK ROAD/BOAT LAUNCH	pziemer					06/07/2023
	401-9030-43300-21:17 PROFESSIONAL SERVICES			3,159.00			
	Total for vendor 0346 - WIDSETH SMITH NOLTING:			3,159.00	3,159.00		
Vendor 1159 - WINNERS TROPHY:							
12680							
77448	WINNERS TROPHY	05/11/2023	06/07/2023	55.00	55.00	Open	N
	TOWER AWARD - M. BESTUL	pziemer					06/07/2023
	101-9200-43430 MISCELLANEOUS			55.00			
	Total for vendor 1159 - WINNERS TROPHY:			55.00	55.00		
Vendor 1712 - WSB & ASSOCIATES:							
R-018999-000-20							
77505	WSB & ASSOCIATES	05/22/2023	06/07/2023	2,155.50	2,155.50	Open	N
	IMP 21:16 MLT APRIL 2023	pziemer					06/07/2023
	401-9030-43300-21:16 PROFESSIONAL SERVICES			2,155.50			

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R-022575-000-1 77518	WSB & ASSOCIATES MSP RIVERBANK RESTORATION PROJECT 401-9030-43300-21:16	05/22/2023 pziemer	06/07/2023	3,104.00	3,104.00	Open	N 06/07/2023
	PROFESSIONAL SERVICES			3,104.00			
	Total for vendor 1712 - WSB & ASSOCIATES:			5,259.50	5,259.50		
# of Invoices:	158	# Due:	158	Totals:	1,510,494.60	1,510,494.60	
# of Credit Memos:	1	# Due:	1	Totals:	(18.00)	(18.00)	
Net of Invoices and Credit Memos:				1,510,476.60	1,510,476.60		

--- TOTALS BY GL DISTRIBUTION ---

101-0000-14100	DUE FROM COMPONENT UNIT	2,119.38
101-0000-20600	BFG22-0013	21,200.00
101-0000-20701	B22-0004	500.00
101-0000-20810	STATE TAX PAYABLE	5.84
101-0000-20811	COUNTY SALES TAX	0.43
101-0000-20812	CITY TAX PAYABLE	0.43
101-0000-20850	DUE TO COMPONENT UNIT	899.99
101-1400-43309	COMPUTER TECHNICAL SUPPORT	1,000.00
101-1400-43330	PROFESSIONAL DEVELOPMENT	250.00
101-1610-43301	CITY ATTORNEY	6,051.99
101-1700-43300	PROFESSIONAL SERVICES	1,814.75
101-1800-42210	OPERATING SUPPLIES	444.16
101-1800-43309	COMPUTER SUPPORT	3,472.12
101-1940-42200	OFFICE SUPPLIES	202.17
101-1940-42220	REPAIR & MAINT	4,525.83
101-1940-43300	PROFESSIONAL SERVICES	1,890.71
101-1940-43380	UTILITIES	488.58
101-1940-43381	BPU UTILITIES	1,825.50
101-1940-43410	RENTAL EXPENSE	88.16
101-2400-43300	PROFESSIONAL SERVICES	331.60
101-2400-43350	PRINTING/LEGAL PUBLICATION	138.00
101-2400-43405	NUISANCES	800.00
101-9200-43300	PROFESSIONAL SERVICES	32,602.50
101-9200-43340	LODGING TAX REMIT/PR	3,583.83
101-9200-43381	BPU UTILITIES	123.42
101-9200-43430	MISCELLANEOUS	55.00
203-0000-15510	PREPAID OTHER	1,158.80
203-9000-43309	COMPUTER TECHNICAL SUPPORT	1,158.81
211-0000-20800	DUE TO OTHER GOVT UNITS	265.00
211-5500-43380	UTILITIES	562.96
211-5500-43381	BPU UTILITIES	1,628.66
225-0000-20800	DUE TO OTHER GOVT UNITS	2,187.66
225-2120-41113	UNIFORM ALLOWANCE	2,013.97
225-2120-42200	OFFICE SUPPLIES	205.82
225-2120-42210	OPERATING SUPPLIES	28.68
225-2120-42221	SQUAD CAR REPAIR SUPPLIES	2,078.98
225-2120-43300	PROFESSIONAL SERVICES	2,399.88
225-2120-43309	COMPUTER TECHNICAL SUPPORT	17,704.40
225-2120-43330	PROFESSIONAL DEVELOPMENT	2,390.13
225-2120-43380	UTILITIES	69.99

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 06/05/2023 - 06/05/2023

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Page: 24/26

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
	225-2120-43381	BPU UTILITIES		3,901.63			
	225-2121-41113	UNIFORM ALLOWANCE		142.77			
	225-2127-43310	MISDEMEANOR PROSECUTOR		18,333.33			
	225-2220-42210	OPERATING SUPPLIES		159.53			
	225-2220-42220	REPAIR & MAINT		762.23			
	225-2220-42250	PERSONAL PROTECTIVE GEAR		917.03			
	225-2220-43300	PROFESSIONAL SERVICES		254.95			
	225-2220-43330	PROFESSIONAL DEVELOPMENT		252.00			
	225-2220-43331	LEASED PAYMENTS		137.39			
	225-2220-43380	UTILITIES		276.19			
	225-2220-43381	BPU UTILITIES		2,401.00			
	225-2700-43300	PROFESSIONAL SERVICES		3,076.00			
	227-3230-43428	USED OIL RECYCLING EXPENSE		100.00			
	230-0000-34780	PARK PAVILION FEES		85.00			
	230-5200-42200	OFFICE SUPPLIES		86.62			
	230-5200-42220	REPAIR & MAINT		3,667.56			
	230-5200-43380	UTILITIES		267.80			
	230-5200-43381	BPU UTILITIES		3,778.82			
	230-5200-43410	RENTAL EXPENSE		288.55			
	230-5215-42210	OPERATING SUPPLIES		135.00			
	235-3100-42220	REPAIR & MAINT		4,361.35			
	235-3100-43300	PROFESSIONAL SERVICES		254.95			
	235-3100-43380	UTILITIES		537.13			
	235-3100-43381	BPU UTILITIES		24,659.05			
	235-3100-43430	MISCELLANEOUS		145.68			
	235-3125-42220	TRUCK 105 TARP REPAIR		149.16			
	235-3170-42210	OPERATING SUPPLIES		1,914.86			
	236-3180-43381	BPU UTILITIES		36.00			
	237-3190-42220	REPAIR & MAINT		381.90			
	260-9020-43309	COMPUTER SUPPORT		224.00			
	295-6510-43300	PROFESSIONAL SERVICES		10,075.77			
	400-9050-45530	CAPITAL - OTHER		171,092.95			
	401-1003-43380	UTILITIES		52.39			
	401-1003-43430	MISCELLANEOUS		10.00			
	401-1619-43300	PROFESSIONAL SERVICES		665.04			
	401-9030-43300-21:12	PROFESSIONAL SERVICES		2,875.00			
	401-9030-43300-21:16	PROFESSIONAL SERVICES		5,259.50			
	401-9030-43300-21:17	PROFESSIONAL SERVICES		3,159.00			
	401-9030-43430	MISCELLANEOUS		1,863.60			
	401-9030-45530-21:12	CAPITAL-PYMTS TO CONTRACTS		890,687.44			
	401-9030-45530-21:16	CAPITAL-PYMTS TO CONTRACTS		234,130.30			
	404-9055-43430	MISCELLANEOUS		650.00			

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 06/05/2023 - 06/05/2023

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Page: 25/26

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			84,414.39	84,414.39		
	203 - TRANSIT FUND			2,317.61	2,317.61		
	211 - LIBRARY FUND			2,456.62	2,456.62		
	225 - PUBLIC SAFETY FUND			59,693.56	59,693.56		
	227 - RECYCLING FUND			100.00	100.00		
	230 - PARK & RECREATION FUND			8,309.35	8,309.35		
	235 - STREET & SEWER FUND			32,022.18	32,022.18		
	236 - PARKING LOT FUND			36.00	36.00		
	237 - SANITARY SEWER FUND			381.90	381.90		
	260 - AIRPORT FUND			224.00	224.00		
	295 - EDA FUND			10,075.77	10,075.77		
	400 - CAPITAL PROJECTS FUND			171,092.95	171,092.95		
	401 - CONSTRUCTION FUND			1,138,702.27	1,138,702.27		
	404 - FIRE DEPARTMENT CAPITAL			650.00	650.00		
--- TOTALS BY DEPT/ACTIVITY ---							
	0000 -			28,422.53	28,422.53		
	1003 - 10:03 DWNTWN MAIN CNTRACT			62.39	62.39		
	1400 - ADMINISTRATION			1,250.00	1,250.00		
	1610 - LEGAL-CIVIL ATTORNEY			6,051.99	6,051.99		
	1619 -			665.04	665.04		
	1700 - ENGINEERING			1,814.75	1,814.75		
	1800 - IT/GIS			3,916.28	3,916.28		
	1940 - CITY HALL			9,020.95	9,020.95		
	2120 - POLICE DEPARTMENT			30,793.48	30,793.48		
	2121 - COMMUNITY SERVICE			142.77	142.77		
	2127 - MISDEMEANOR PROSECUTOR			18,333.33	18,333.33		
	2220 - FIRE DEPARTMENT			5,160.32	5,160.32		
	2400 - COMMUNITY DEVL/INSPECTION			1,269.60	1,269.60		
	2700 - ANIMAL CONTROL			3,076.00	3,076.00		
	3100 - S & S MAINTENANCE			29,958.16	29,958.16		
	3125 - SNOW REMOVAL			149.16	149.16		
	3170 - TRAFFIC CONTROL			1,914.86	1,914.86		
	3180 - PARKING LOTS EXPENSE			36.00	36.00		
	3190 - SANITARY SEWER EXPENSE			381.90	381.90		
	3230 - RECYCLING EXPENSE			100.00	100.00		
	5200 - PARK MAIN/ADMINISTRATION			8,089.35	8,089.35		
	5215 - ADULT SOFTBALL			135.00	135.00		
	5500 - LIBRARY-BUDGETED			2,191.62	2,191.62		
	6510 - ECONOMIC DEVELOPMENT AUTH			10,075.77	10,075.77		
	9000 - TRANSIT FUND			1,158.81	1,158.81		
	9020 - AIRPORT M & O			224.00	224.00		

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD
EXP CHECK RUN DATES 06/05/2023 - 06/05/2023
BOTH JOURNALIZED AND UNJOURNALIZED
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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 ---							
	9030 - CONSTRUCTION PROJ-MISC			1,137,974.84	1,137,974.84		
	9050 - CAPITAL PROJECTS-MISC			171,092.95	171,092.95		
	9055 - FIRE DEPARTMENT CAPITAL			650.00	650.00		
	9200 - CITY-WIDE			36,364.75	36,364.75		

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, Czeczok, O'Day, Stunek, Terry, Stenglein, 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 CZECZOK AND STUNEK, DULY CARRIED, TO APPROVE THE AGENDA.

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

- A. Approval of Bills
- B. Approval of Minutes
 - a. Regular City Council Meeting held on May 1st, 2023
- C. Department Activity Report
- D. Ratify the Hiring of 2023 Interns and Temporary/ Seasonal Employees
- E. Approve Temporary On-Sale Liquor License Applications Submitted By Lakes Area Music Festival At 702 S 5th St, On July 28th & 29th, August 4, August 11, August 19th Contingent On Approvals

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

MS4 Presentation and Public Hearing

City Engineer/Public Works Director Dehn presented the annual presentation of the MS4 (Municipal Separate Storm Sewer System) report. In 2022 staff inspected 48 of 84 outfalls, 22 ponds, 14 stockpiles, and all 22 rain gardens performing maintenance as needed. The City Code was updated to comply with the new permit requirements and implemented new plans and standard operating procedures. He discussed the impacts the MS4 permit has on homeowners and developers and showed examples of good and poor practices.

Member Czeczok asked whether there are any streets in the City of Brainerd that are not salted and sanded and whether the salt and sand will eventually make its way into the storm sewer. He also questioned whether requirements for developers like silk fences and concrete washes would add to the cost of homes.

City Engineer Dehn stated that the City salts and sands based on the conditions of the streets. There are no streets that are off limits for salt and sand. The City does its best to reduce the amount of salt and sand used, there is training that the plow drivers do take to understand the effects of salt and sand. The requirements for developers would depend on the site and the operations of the developer. Those requirements are regulated by the State and enforced by the City as a part of the MS4 permit.

The Chair opened the public hearing at 7:40 p.m.

No one came forward

The Chair closed the public hearing at 7:41 p.m.

Council Committee Reports

Personnel and Finance Committee

Consider Waiving Nuisance Assessment at 702 2nd Ave NE

Committee Chair Johnson stated this was another timing situation, and that the current owner bought the property at the Sheriff's sale. The assessments were not known to the owner at the time of the purchase.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO THE WAIVE \$750 NUISANCE ASSESSMENT FOR 702 2ND AVE NE (PID 41191490).

Consider Magnuson Separation Agreement as Recommended by the Public Utilities Work Group and Public Utilities

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND TERRY, DULY CARRIED, TO APPROVE THE SEPARATION AGREEMENT WITH MR. SCOTT MAGNUSON AS PRESENTED.

Accept Resignation of Public Works Administrative Specialist Cari LaRose and Authorize Hiring Process

Member Czczok asked the hiring date of Ms. LaRose.

HR Director Schubert stated that she has been with the City a little over six months.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO ACCEPT ADMINISTRATIVE SPECIALIST CARI LAROSE'S RESIGNATION EFFECTIVE MAY 19, 2023; FURTHER, TO AUTHORIZE STAFF TO INITIATE THE HIRING PROCESS FOR ADMINISTRATIVE SPECIALIST – PUBLIC WORKS DEPARTMENT POSITION.

Discussion of Outdoor Library Pickup Lockers at the Brainerd Public Library

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND TERRY, DULY CARRIED, TO SUPPORT THE OUTDOOR PICKUP LOCKERS AT THE BRAINERD PUBLIC LIBRARY, WITH THE UNDERSTANDING THAT ANY FUTURE REPAIRS, MAINTENANCE, REPLACEMENT OR VANDALISM CLEAN UP SHALL COME FROM THE LIBRARY LEVY WITHOUT AN ADDITIONAL REQUEST FOR FUNDING.

Safety and Public Works Committee

Approve Event/Street Closure Application- Memorial Day Parade & Event

Committee Chair O'Day stated that anyone who is able to attend some, or all of the event should.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO APPROVE THE APPLICATION UNDER THE CONDITIONS LISTED ON THE APPLICATION.

Consider Request from Brainerd Restoration for Outdoor Seating Downtown Brainerd

Committee Chair O'Day referenced the examples that Brainerd Restoration is looking into. Considerations for ADA compliance and snow removal were also discussed in committee.

Member Czczok clarified that this is in the planning stage, not installation stage.

Member Johnson stated that Brainerd Restoration qualified for a DEED Mainstreet Grant to pay for the project, City Staff isn't involved in the project, should not affect Staff time.

Mayor Badeaux requested that the seating enable people to sit across from someone.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND STENGLEIN, DULY CARRIED, TO AUTHORIZE STAFF TO WORK WITH BRAINERD RESTORATION FOR THE FREESTANDING SEATING IN THE CITY'S RIGHT-OF-WAY IN DOWNTOWN BRAINERD.

Adopt Resolution Accepting LMC Grant Navigator Funding

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO ADOPT RESOLUTION ACCEPTING LMC GRANT NAVIGATOR FUNDING.

RESOLUTION 23:24

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

Approve Transit Fare Increase for Brainerd

Committee Chair O'Day stated that Staff presented a number of recommendations from the TAC. One of the recommendations was to increase fares by almost double the already increased fare. Our transit partners will be considering the transit system in the coming months, and after they have made their determinations the City Council can revisit the matter.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO REVISIT THE MATTER AT THE FIRST MEETING IN JULY.

Approve WSB Contract Amendment- Harrison Safe Routes to School (SRTS)

Committee Chair O'Day stated that this is for the design work that needed to be done after deciding not to remove on street parking.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND STENGLEIN, DULY CARRIED, TO APPROVE THE WSB CONTRACT AMENDMENT IN THE AMOUNT OF \$4,652.

Request to Award Improvement 22-06- Harrison Safe Routes to School (SRTS)

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO AWARD OF THE IMPROVEMENT 22-06 CONTRACT TO DECHANTAL EXCAVATING IN THE AMOUNT OF \$465,8722.

Committee Chair O'Day stated that this allows the City to use the grant money for the project.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO APPROVE THE SAFE ROUTES TO SCHOOL GRANT AGREEMENT.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK TO ADOPT RESOLUTION APPROVING THE TERMS OF THE GRANT AGREEMENT.

RESOLUTION 24:23

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

Discussion Regarding Improvement 21-15- Buffalo Hills Gully Remediation Project

Committee Chair O'Day gave an overview of the advice by Attorney Langel regarding the responsibility of the City in repairing the gully. The City has changed the land and drainage enough to consider the gully a liability to the City, Attorney Langel also recommended not assessing nearby property owners. The project will be paid for with the grant that the City was awarded which covers 80% of the project cost, the rest will come from potential funding from SWCD and the Storm Water Utility Funds.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND STENGLEIN, DULY CARRIED, TO APPROVE THE MOU AGREEMENT WITH CWC SWCD AWARD THE CONSTRUCTION ENGINEERING CONTRACT TO SEH IN THE AMOUNT OF \$64,130.

Unfinished Business

Final Reading- Proposed Ordinance 1549- Amending Sections 1200 and 1205 of the City Code- Sale and Consumption of Alcoholic Beverages in Public Places

City Engineer/Public Works Director Dehn gave an overview of the ordinance.

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND O'DAY, DULY CARRIED, TO CONDUCT THE FINAL READING OF PROPOSED ORDINANCE 1549 AN ORDINANCE AMENDING SECTIONS 1200 AND 1205 OF THE CITY CODE PERTAINING TO THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC PLACES AND DISPENSE WITH THE ACTUAL READING.

The Chair opened the public hearing at 7:57 p.m.

Wayne Erickson, 1727 13th Ave NE, stated that the City Council should not support this ordinance. There are enough places to consume alcohol and alcohol attributes to more problems and police department stress.

Marshall Tousignant, 303 Aspen Ct, stated that history has shown us that alcohol has done nothing good for society. If the ordinance is passed, the responsibility for the first casualty is on the shoulders of the City Council.

The Chair closed the public hearing at 8:04 p.m.

Member Johnson stated that he takes the public comment given today very seriously. He believes that as a City if the ordinance does pass, that we need to keep a close eye on incidents, be quick to respond, and rescind any pieces that are at issue. The important issue within the ordinance was that the current regulations are confusing and City staff could not regulate the City Code.

Member Terry stated that she was supportive of the ordinance, however, the ordinance does not include regulations for consumption at youth sport events. Therefore, she will be voting no.

Council discussion took place.

Member O'Day stated that there is softball and campers already in the parks. He thinks the City Council should pass the ordinance as it stands, and staff could bring back an ordinance to amend it to include restricting consumption at youth events at the next meeting.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND O'DAY TO ADOPT ORDINANCE 1549.

ORDINANCE 1549

Upon roll call, Council Members Johnson, O'Day, and Stenglein voted "aye". Members Cieczok, Stunek, Terry, and Bevans voted "nay". The Chair declared the motion failed.

Member Johnson stated that softball players should be cited beginning on Tuesday by direction of the Council.

Final Reading- Proposed Ordinance 1550- Amending Section 1310.05 of the City Code- On-Street Parking of Unattended Trailers

City Engineer/Public Works Director Dehn stated that at the guidance of Council staff struck the language "trailers actively hitched" and put in a clarifying statement pertaining to work/construction trailers allowable by permit.

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND CZECZOK, DULY CARRIED, TO CONDUCT THE FINAL READING OF PROPOSED ORDINANCE 1550 AN ORDINANCE AMENDING SECTION 1310.05 OF THE CITY CODE PERTAINING TO ON-STREET PARKING OF UNATTENDED TRAILERS AND DISPENSE WITH THE ACTUAL READING.

The Chair opened the public hearing at 8:14 p.m.

Marshall Tousignant, 303 Aspen Ct, does not support the ordinance.

The Chair closed the public hearing at 8:16 p.m.

Member Johnson stated that the discussion originated in the Industrial Park to remove unattended trailers from the street and onto private commercial properties. This ordinance bans U-Haul trailers from November to April, no one can move to Brainerd and park a U-Haul on the street during the winter without being ticketed. This ordinance is too much in an attempt to fix a finite problem.

Member O'Day asked Member Johnson if he could support the ordinance if it was limited to just the Industrial Park. He would support the ordinance if it was limited to the Industrial Park. That brings its own challenges in defining the industrial park.

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND O'DAY TO ADOPT ORDINANCE 1550.

ORDINANCE 1550

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

Call for Applicants – Informational:

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

Charter Commission – 2 terms (Expire 2026) 2 terms (Expire 2025)

Library Board- 1 term (Expire 2025)

Rental Dwelling License Board of Appeals – 5 terms (Expire 2025)

TAC—1 term (Expires 2023)

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

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

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

Parking Commission—1 term (Expire 2026)

Planning Commission-- 1 term (Expire 2025) 1 term (Expire 2024)

New Business

First Reading- Proposed Ordinance 1551- Amending Section 515-4-8 Outdoor Lighting of the Zoning Code

Community Development Director Kramvik gave an overview of the ordinance.

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND TERRY, DULY CARRIED, TO CONDUCT THE FIRST READING OF PROPOSED ORDINANCE 1551 AN ORDINANCE AMENDING SECTION 515-4-8 OF THE ZONING CODE AND DISPENSE WITH THE ACTUAL READING.

Consider Draft Statute Revision for Cemetery Funding

Administrator Bergman stated State Statutes only allow cities of the fourth class or statutory cities to appropriate funds for cemeteries. Evergreen Cemetery reached out to Representative Heintzeman to request he author a bill to revise Minnesota State Statute 471.84 to include home rule charter cities the ability to appropriate funds to cemeteries. She was contacted by Representative Heintzeman's Legislative Aid with proposed language. Representative Heintzeman asked if the City agrees with the proposed bill and amendment. Rep. Heintzeman is planning to introduce this bill in the 2024 legislative session.

Member Johnson asked who will assume the responsibility of the cemetery if the current board dissolves. If Evergreen reverts to the City, he would be in support of the language, if it reverts to the County he would not.

Chair Bevans stated that this consideration does not go beyond giving agreement to Representative Heintzeman in support of the language.

Member Johnson stated that this is a step in the process to potentially funding Evergreen in the future. He has many questions that he feels he needs answered before the bill is introduced before the City should say it supports it.

Member Czczok stated that the property lies within the City of Brainerd, the County wants nothing to do with Evergreen.

Member Stenglein stated that cities like Brainerd should have the opportunity to support cemeteries if they choose. The topic is bigger than just Brainerd and the Evergreen.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND STENGLEIN TO SUPPORT LANGUAGE TO REVISE MINNESOTA STATUTE 471.84 TO INCLUDE HOME RULE CHARTER CITIES WITH THE ABILITY TO FUND CEMETERIES.

Upon roll call Members Czczok, Stunek, Stenglein, and Bevans voted "aye". Members Johnson, O'Day, and Terry voted "nay". The Chair declared the motion carried.

Set Joint Workshop of City Council and the Brainerd HRA on May 30th at 6:00 p.m.

City Administrator Bergman stated that the Brainerd HRA asked to have a joint workshop to discuss the development of the Thrifty White property and the potential for a TIF district.

Member O'Day asked whether there are more topics for the Council and HRA to discuss at the workshop, as these two boards rarely meet together.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND STENGLEIN, DULY CARRIED, TO SET THE JOINT WORKSHOP OF THE CITY COUNCIL AND BRAINERD HRA FOR MAY 30, 2023, AT 6:00 P.M. LOCATION TO BE DETERMINED.

Public Forum

The Chair opened the public forum at 8:32 p.m.

No one came forward.

The Chair closed the public forum at 8:32 p.m.

Staff Reports

Community Development Director Kramvik stated that at the next Planning Commission meeting there will be considerations for 3 variances.

City Engineer/Public Works Director Dehn stated that Staff received inquiries from Member O'Day about opening East River Road and Evergreen boat landing. Staff determined that at the time of the request there was a river current extended to the parking lot at the Evergreen landing and road conditions were not dry enough to allow vehicles to drive for public safety. Evergreen landing was accessible by foot. On East River Road between Kiwanis and Rotary Parks staff were concerned that the high flood waters may have produced voids in the road, Braun Intertec was enlisted to scan the road for possible voids. It was determined that there is a possible void in that area, Anderson Brothers will core the road in the area to determine the size of the void. Should the void be minimal the road can be reopened. The focus is public safety and preventing cave ins on the road. Finally, Lyman P. White Park's construction

is nearing completion and contractors are committed to having the grand opening of the park on June 3rd.

Administrator Bergman stated the City has been approached by Strength Studio to purchase the Annex, previously the City has leased the space. The National Association of Realtors applied for a grant to bring professionals into Crow Wing County to explore properties that may be suited for housing developments. The team will be in the area in July. Finally, Administrator Bergman received a call from Commissioner Franzen to request her to serve on the County HRA Board. She is looking for input from the Council before she commits.

The Council was generally supportive. Chair Bevans asked the Council to let Administrator Bergman or himself know if they had concerns.

HRA Director Charpentier is looking forward to the work session. Greater Lakes Association of Realtors have explored the opportunity for interest in Crow Wing County. The HRA Board will be discussing the opportunity at its next meeting.

Mayor Report

Mayor Badeaux stated that if you are available, you should attend the Memorial Day events. The events are moving, and it is great to be a part of the celebrations and memorials. He requested that Mayoral funds be used for purchase of ferns for the gully so it can be called "The Fern Gully".

Council Member Reports

Member Czczok stated as a note to police that neighbors of the new sober home on D street have observed suspicious behavior.

Member Stenglein stated that the sober home has improved the curb appeal. The Planning Commission will also be discussing the cannabis legislation at the State.

Member O'Day thanked Mr. Dehn for his report. He was concerned about the use of the landing for fishing opener. East River Road was more of a concern for him to be closed for the length of time it has been closed. He would rather the road be open and repair it if it does need to be fixed. There have been vehicles driving around the barriers.

Member Johnson stated that even though the Mayor cannot appoint him to the nights watch with the change in the Charter, he would volunteer his services to write tickets to those trying to have fun and socialize at Memorial Park.

Chair Bevans asked Deputy Chief Davis what exciting thing happens on June 3rd. He welcomed Deputy Chief Davis into his new position and thanked Chief Bestul for his service. The Council will not meet before Chief Bestul's retirement. He stated that the construction on the Northside is moving along quickly, he congratulated Staff for making it palatable.

Adjourn

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

The Chair adjourned the meeting at 8:47 p.m.

Jennifer Bergman
City Administrator

May 15th, 2023

Brainerd, MN
May 24th, 2023

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

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

First Reading- Ordinance 1552- Amending Sections 1200 and 1205 of the Brainerd City Code- Sale and Consumption of Alcoholic Beverages in Public Places

Chair Bevans stated that he called the special meeting at the request of Member O'Day. Staff has prepared a revised ordinance for the sale and consumption of alcohol in public places.

City Engineer/Public Works Director Dehn gave an overview of the ordinance. Staff has prepared a new ordinance that includes language prohibition of consumption in the area of organized youth events and specific allowance of consumption for occupants of Lum Park Campground as part of their campsite rental.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND O'DAY, DULY CARRIED, TO CONDUCT THE FIRST READING OF ORDINANCE 1552 AN ORDINANCE AMENDING SECTIONS 1200 AND 1205 OF THE CITY CODE AND DISPENSE WITH THE ACTUAL READING.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND O'DAY TO SET THE PUBLIC HEARING FOR ORDINANCE 1552 FOR JUNE 5, 2023, AT THE REGULAR CITY COUNCIL MEETING.

Adjourn

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

The Chair adjourned the meeting at 6:03 p.m.

Jennifer Bergman
City Administrator

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

Upon roll call, the following members were noted as present: Czeczok, O'Day, Stunek, Stenglein, and Bevans. Mayor Badeaux was also noted as present. Members Johnson and Terry were noted as absent. HRA Members noted as present: Duval, Erickson, and Verchota.

Also noted as present were Administrator Bergman, Finance Director Hillman, Community Development Director Kramvik, HRA Director Charpentier, HRA Finance Director Young, HRA Rehab Coordinator Schommer, Mikaela Huot of Baker Tilly, and Skip and Andrew Duchesneau of DW Jones.

Overview of Tax Increment Financing (TIF)

Mikaela Huot, Baker Tilly, gave an overview of Tax Increment Financing.

Member Czeczok asked for clarification on how the HRA would use TIF funds as the administrator.

Ms. Huot stated that as the Administrative Authority the HRA would be the authority for the ongoing maintenance and yearly reporting of the district. If approved, the HRA would negotiate a TIF note with the developer and the HRA would disperse the TIF funds to the developer and maintain a certain percentage for other eligible expenses in the district.

Member Czeczok asked whether the housing units would be added to the HRA's stock of housing. He also asked in negotiation of the agreement whether the area would be expanded to include more than the properties within the project.

HRA Director Charpentier stated that the housing would not be managed by the HRA. The HRA is responsible for annual reporting and administering the money. He also stated that the focus would be on these properties not an expanded area.

Discussion on a Potential Redevelopment TIF District

HRA Director Charpentier gave an overview of the project proposed by DW Jones as a Redevelopment TIF District. The City and HRA have been working with DW Jones since 2015 to redevelop the Thrifty White property.

Community Development Director Kramvik gave an overview of the zoning of the property. The property is in the Town Center District with an overlay district that requires the first floor be commercial along 8th Street.

Skip Duchesneau, DW Jones, gave an overview of the acquisition and future development and financing of the project.

Andrew Duchesneau, DW Jones, gave an overview of the design of the development.

Member Czeczok asked the Duchesneaus what the ultimate goal of the property development in downtown Brainerd.

Mr. Andrew Duchesneau stated that due to the need for housing in Brainerd and the opportunity to develop downtown is exciting.

Member Czeczok clarified that they are developing for profit.

Mr. Skip Duchesneau stated that yes, they are developing the property for profit.

Member Czeczok asked about the potential for having 30-40 kids living in the building. What will these kids do in the middle of the city? There are no amenities for them, and they are within close distance of bars.

Mr. Skip Duchesneau stated that the building doesn't have any 3-bedroom units by design. He believes they could fill 3-bedroom units. However, they are targeting people who are being hired by businesses that have nowhere to live when they are transitioning to the area.

Member O'Day stated that this property in the center of town is where you want your population to be so that its close to stores and the other amenities. He stated that this is a major investment downtown and a major improvement to what is there. Every business downtown would benefit from having 78 units.

Member Stenglein stated that the property is also close to Washington and other parks and amenities appropriate for kids. She does not foresee many young kids in this building.

Member Czeczok asked whether the City Council would have any input after the TIF district is declared and the HRA administers the area.

Community Development Director Kramvik stated that from a planning perspective and design process there will still need to be public input and decisions made by the City Council.

Administrator Bergman stated that the HRA started working with DW Jones in 2015. At that time the HRA's goal was to increase housing and downtown revitalization. She stated that the City Council would hold the initial public hearing, at that point the HRA would negotiate the terms of the development agreement and establish the tax increment district.

Member Czeczok asked rent estimates and requirements of renters.

Skip Duchesneau stated that a 2-bedroom 2-bath is 1,140 square feet at \$1250/month. He also stated that 1-bedrooms range from 662- 939 square feet and rent would range \$975-\$1100/month. Renters would be required to adhere to their typical tenant selection criteria. With the Housing Trust Fund loan, the development requires that 80% of the rental stock meets area median income. After paying off the loan, the development will be market rate.

HRA Member Erickson stated that the prices quoted for these units are fantastic and will fill quickly. The City needs to do everything it can to help the development of this property.

HRA Member Verchota asked about the total project cost.

Member Czeczok asked what the taxes are on the property currently and what he foresees the actual money received accumulating to.

Skip Duchesneau stated that the project cost will be about \$17.2 million. Currently, the taxes on the property are about \$18,000. DW Jones has cash in \$2 million, \$11 million in debt, and the remainder would be grant funded.

Administrator Bergman asked Mr. Duchesneau to address the plan for the overhead wires that are on the property.

Skip Duchesneau stated that they have reached out to all of the utilities that would be affected and DW Jones would cover the cost to reroute the utilities.

Member Czeczok asked when this will be presented to the Council.

HRA Director Charpentier stated the Council should expect to see the item in July.

Administrator Bergman stated that the purpose of the workshop was to hear about the proposed development and also to see if the Council is agreeable to the HRA administering the TIF District.

Overview of the Brainerd HRA

HRA Director Charpentier gave an overview of the Brainerd HRA. Housing & Redevelopment Authorities are local units of government governed by State Statute and created by cities or counties. They provide a sufficient supply of adequate, safe, and sanitary dwellings. The Brainerd HRA goals include redevelopment, housing, engagement with developers, land acquisition, and workforce retention and growth. He gave an overview of the development of Brainerd Oaks, Dal-Mar, and Serene Pines to date 83 of 112 properties have been sold to end buyers. He also talked about the Small Cities Redevelopment Program grants that have been utilized downtown, in northeast, and the current project in southeast that they have applied for.

Adjourn

The Chair adjourned the meeting at 7:24 p.m.

Jennifer Bergman
City Administrator

ALLSTAR CONSTRUCTION COMMERC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
5145 INDUSTRIAL ST	General Commercial	Active		12/31/2023	2023-0026	12/31/2023

DECK TEK

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
11256 30TH ST	Residential Building	Active			2023-0001	12/31/2023

JM HEATING & AIR

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
11330 WHITEFISH AVE	Mechanical	Active	MB658862	10/03/2024	2023-0059	12/31/2023

MASTER TRADE SERVICES, INC.

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
1200 5TH ST S	General Commerical	Active		12/31/2023	2023-0011	12/31/2023

Total Licensees4

Population: All Records
Licensee.DateRegistered Between 5/10/2023 12:00:00 AM AND 6/1/2023 12:00:00 AM

**2022-2023 LICENSE RENEWALS
JUNE 5, 2023 COUNCIL MEETING**

BULK & FILLING STATION LICENSES: 9 RENEWALS

Mill Ave Holiday 1500 Mill Ave Brainerd, MN 56401	Mid Town Depot 321 Washington Street Brainerd, MN 56401	Casey's #4264 3325 Oak Street Brainerd, MN 56401
SAVE Liquor LLC 701 Industrial Park Road SW Brainerd, MN 56401	Speedway #4880 421 Washington St NE Brainerd, MN 56401	Casey's General Store #3654 850 Lum Park Rd Brainerd, MN 56401
Holiday Stationstores, LLC. 424 South 6th Street Brainerd, MN 56401	Best Oil Company, LLC 1202 Madison Street Brainerd MN 56401	Speedway #4076 Northern Tier 1223 South 6th Street Brainerd, MN 56401

OFF SALE BEER – 3 Renewals

Brainerd Cub Foods – S&R Quisberg, Inc. 417 8th Ave NE Brainerd, MN 56401	Casey's General Store #3654 850 Lum Park Rd Brainerd, MN 56401	Holiday Stationstores, LLC. 424 South 6th Street Brainerd, MN 56401
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COCKTAIL ROOM / DISTILLERY – 2 Renewal

BRAINERD DISTILLING COMPANY – COCKTAIL ROOM 25 WASHINGTON ST NE BRAINERD MN 56401	BRAINERD DISTILLING COMPANY - DISTILLERY 25 Washington St NE Brainerd MN 56401
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ON SALE LIQUOR LICENSES – 13 Renewals

Pit Stop Bar 723 Laurel Street Brainerd, MN 56401	Yesterday's Gone 219 S 9th Street Brainerd, MN 56401	Shep's on 6th Inc. 315 S 6th Street Brainerd, MN 56401
CC'S BAR 121 WASHINGTON ST BRAINERD MN 56401	O'Neary's Irish Pub 305 S 7th Street Brainerd, MN 56401	The Parlor 714 Laurel Street Brainerd MN 56401
The Last Turn Saloon 214-216 S 8th Street Brainerd, MN 56401	Northern Pacific Hospitality (Notch 8) 1551 Northern Pacific RD Brainerd MN 56401	9th Street Social Club 212 S 9th Street Brainerd, MN 56401
CLASS 2 RESTAURANT Blue Oyster 612 Front Street Brainerd, MN 56401 CLASS 2 RESTAURANT	CLASS 2 RESTAURANT Sage on Laurel 606 Laurel Street Brainerd, MN 56401 CLASS 2 RESTAURANT	El Potro Mexican Restaurant 314 S. 7th Street Brainerd, MN 56401 CLASS 2 RESTAURANT
The Local 218 723 Mill Ave Brainerd, MN 56401 CLASS 2 RESTAURANT		

CLUB ON SALE LICENSES – 3 Renewals

American Legion #255
708 Front Street
Brainerd, MN 56401

VFW Post #1647
309 South 6th Street
Brainerd, MN 56401

Brainerd Elks Lodge
215 South 9th Street
Brainerd, MN 56401

OFF SALE LIQUOR LICENSES – 5 Renewals

Mill Ave Liquor LLC
1424 Mill Ave NE
Brainerd, MN 56401

Coborn's - Cash Wise Liquor
513 B Street NE
Brainerd, MN 56401

Cornerstone Liquor
817 Washington Street
Brainerd, MN 56401

Casey's #4264
3325 Oak Street
Brainerd, MN 56401

SAVE Liquor
701 Industrial Pk Rd SW
Brainerd, MN 56401

BEER/WINE LICENSE – 3 Renewal

Big Jay's Pizza Arcade
217 S 7th St
Brainerd MN 56401

Slice on Oak
625 Oak Street
Brainerd, MN 56401

JR's No. 19 BBQ
302 Washington St
Brainerd MN 56401

Contingent Upon Inspection by the Fire Department

ON SALE LIQUOR LICENSES – 2 Renewal

SE'z LLC
707 Laurel Street (Basement)
Brainerd, MN 56401

Jack's House
300 Hwy 25 South
Brainerd, MN 56401

CLASS 3 BOWLING/HOTEL

CLUB ON SALE LICENSES – 1 Renewal

Brainerd Eagles #287
124 Front Street
Brainerd, MN 56401

OFF SALE BEER – 1 Renewal

Super America #4076 Northern Tier
1223 South 6th Street
Brainerd, MN 56401



Brainerd Fire Department Monthly Report

May 2023

ACTIVITIES AND PUBLIC EDUCATION

In May, we presented fire extinguisher training to the Women's Shelter staff. We also presented fire safety information to 40 Preschool and Kindergarten children from Discovery School; 200 First and Second Grade children from Baxter School; and kitchen fire safety to Forestview Middle School. Cooking fires are the leading cause of reported home fires and the second leading cause of home fire deaths. Firefighters used the MN Fire Chiefs Kitchen Fire trailer as a tool to show students why it is important to not use water on a grease fire.



We held our Paid on-Call Firefighter written and physical testing to establish a hiring list and will be conducting interviews in early June with a plan to hire in August.

Firefighters and their families gathered together in May and shared dinner and played family bingo.



TRAINING



Firefighter training in May included Electrical Safety. Firefighters Hidalgo and Kramer also completed their Fire Apparatus Operator and Fire Officer training. We ended May with firefighters completing their annual physical abilities training.



We toured the MN DNR Air Tanker Base and learned about aircraft safety and their capabilities when working with the MN DNR aircraft.



Firefighters participated in a live burn with forcible entry and a live burn vehicle fire simulator. Firefighters trained in apparatus placement, hose deployment, extinguishment, and overhaul. This training gave our newer firefighters the opportunity to put all their training together in a scenario-based response.



Brainerd Fire Department Monthly Report

May 2023

INSPECTIONS	
Fire Alarm	23
Fire Pump	4
Hood Suppression	44
Knox Box	5
License Inspection	15
Special Suppression	1
Sprinkler System	36

BRAINERD FIRE COVERAGE AREA INCIDENT REPORT	
Type of NFIRS Incident (National Fire Incident Reporting System)	Coverage Area Total Incidents (Includes City of Brainerd)
Fire	17
Rescue & Emergency Medical Service	8
Hazardous Condition	5
Service Calls	8
Good Intent Call	11
Alarm Activation	13
Severe Weather	0
TOTAL	62
Type of NFIRS Incident (National Fire Incident Reporting System)	City of Brainerd Total Incidents
Fire	6
Rescue & Emergency Medical Service	3
Hazardous Condition	2
Service Calls	6
Good Intent Call	5
Alarm Activation	8
Severe Weather	0
TOTAL	30

The City of Brainerd and Crow Wing County want to be sure you are aware of emergencies as they happen. **Everbridge** enables critical information, such as snow removal, severe weather and unexpected road closures to be sent in a time-sensitive message by phone, email address, text messages and more. You create and control your profile and have the ability to make changes or delete your account at any time. Information provided is used only for notification purposes and is never released to any other vendor or organization. Sign up at <https://member.everbridge.net/index/892807736729514#/signup>. Contact the Crow Wing County Emergency Management Director at 218-825-3443 with any questions.

CROW WING COUNTY ALERT



HR DIRECTOR REPORT



In this report:

- Classification and Compensation Study
- Joint City Council / BPU Commission Meeting
- Wellness Committee
- Personnel
- Juneteenth Holiday

Classification and Compensation Study

The HR Director and City Administrator are reviewing the initial Position Classification Evaluation Workbook with the preliminary analysis. We are reviewing the draft data and are providing feedback for FH's consideration.

We are expecting to receive the initial Market Study Workbook from Flaherty & Hood at any time. Our plan is to present recommendations to the Council hopefully in mid-June.

Joint City Council/BPU Commission Meeting

The City Council and BPU Commission had planned to hold a joint meeting on June 26th to discuss several topics including the reorganization of the BPU Department. At this time, it sounds like that meeting may be postponed.

To provide an update, since his appointment to the Public Utilities Director position effective May 2nd, Director Wicklund has provided insight for his ideas to accomplish a reorganization. We are discussing those options with Flaherty & Hood so his recommendations can be incorporated into the Classification and Compensation Study recommendations. We also believe that the BPU Commission should be aware and make a recommendation on this proposed reorganization before it is considered by Council.

Wellness Committee

The Wellness Committee organized a Lunch 'N Learn on May 24th. With May being Mental Health Awareness month, the topic for the Lunch 'N Learn was mental-health related.

Personnel

New Hires/Promotions for City/BPU/HRA:

John Davis - Police Chief (6/3)
Anthony Runde - Deputy Police Chief (6/3)
Jason Gage - BPU Laborer (6/12)
Coleman Hayes - Maintenance III-Mechanic (6/12)
Numerous temporary/seasonal employees

Farewell to:

Cari LaRose - Admin Specialist-Public Works (5/19)
Randy Villnow - Custodian/Groundskeeper (6/8)
Mike Bestul - Police Chief (6/16)
Diane Mahady - Hydro Operator (6/30)
Mark Levig - Hydro Lead/Relief Operator (6/30)

Current Job Opportunities:

Full-time

Administrative Specialist - Public Works Dept.
We received 24 applicants. Interviews will be held the first week in June.
Police Officer - Two conditional job offers were given and accepted. Both candidates are now going through the pre-employment process. Staff will ask Council to officially ratify their hiring when the pre-employment process is completed.
Paid-on-Call Firefighter - Going through the interview process.

Part-time/Internships/Seasonal Positions:

Public Works Intern
BPU Seasonal Laborer
BPU Wastewater Intern
Concession Worker
Umpire - Adult Softball
Weekend Ball Field Maintenance

There are currently 12 City/HRA/Airport employees with Family & Medical Leave Act (FMLA) issues. 7 of those cases are for intermittent leave when

Juneteenth Holiday and new MN Laws

It's official – Juneteenth will be a state holiday in 2023. The law was originally supposed to go into effect on August 1, 2023, but a provision to amend the effective date of the new law was adopted and signed by the Governor. We are working with our Attorney to determine what the next steps are for the City of Brainerd. We will provide an update when more information is determined.

Staff will be participating in a LMC Webinar on June 1st to learn about this and many new laws recently passed by the MN Legislature with employment consequences.



CITY ENGINEER/PUBLIC WORKS DIRECTOR REPORT JUNE 5, 2023 CITY COUNCIL MEETING

Recreation Report

Adult Sports

- Adult Summer Softball
 - All leagues are in full swing.
 - MS1 – 10 teams
 - MS2 – 11 teams
 - Women's – 11 teams
 - Coed – 12 teams
 - We are currently waiting until the epoxy flooring is completed to sell concessions.
 - The lights are overheating in the concession stand again/the switches aren't catching; we were recently told the equipment needed for the replacement has been backordered.
- Brainerd Early Bird – Saturday April 22nd was cancelled due to weather.
- Doubles pickleball – working on schedules.
 - Planning on hosting a practice/team meetings on May 30 and June 1st.



Special Events

- Fishing Clinic - May 20th 9:30 a.m. – 2p.m.
- Ribbon Cutting/Grand Opening event for Lyman P. White Park – June 3, 11 a.m. – 4 p.m.
- 12U/10U Battle of the Lakes Baseball Tournaments June 2-4

Miscellaneous

- Getting Banners hung & reaching out to businesses regarding (old/new/returning) banners. Discovered that several banners were tossed last year due to being in disrepair from the several windstorms that incurred.
- With Cari's resignation, we have been working non-stop on how this department will function this summer, with our entire busy season ahead of us. It will take a minimum of 1 month to hire but most likely longer. Several other City departments have graciously asked their admin staff to take on some extra duties. We have temporarily assigned our Special Event Assistant the additional duty of Parks Intern to which she will specifically help with scheduling practices and provide some office hours for us.
- We are still waiting for finalized athletic schedules from community education. Concessions schedules/set up have been put on hold.

Parks Maintenance Report

- Turning on water at all parks
- Putting out all pickleball nets and basketball stations
- Repairing leaks
- Uncovering flower beds
- Pumping retaining ponds
- Moving our shop
- Painting picnic tables and repairing
- Opened up campground
- Put up batting cages
- Working on fields
- Put out boat dock, swimming dock and pier

- Picking up branches and garbage
- Checked all scoreboards
- Repaired backstops
- Mulching and mowing
- Benches to all courts
- Tennis nets up
- Picnic tables and garbage cans out
- Pressure washed and painted Gregory fountain
- Flags up
- Hung all pavilion signs
- Fixed sunscreen for softball getting all ballfield supplies out to parks
- Took cab and winter attachments off tractor and put on mower deck and bagger
- Mowing boulevards and water towers
- Working on splash pad (planning to be open by Memorial Day)
- Working on Gregory Park fountain (planning to be on by Memorial Day)

Streets Maintenance Report

Public Works Maintenance Facility Addition

Work has completed on the new addition at the Public Works Maintenance Facility. Parks Maintenance staff has completed moving their operations into the new addition.

Maintenance Tasks Completed Month Prior

- Sewer inspection and cleaning as needed
- Marking utility locates
- Continued pothole patching
- Street sweeping as staff and weather allows
- Haul debris piles from parks from ADA construction
- Assisted with East River Road coring and restoration
- Opened Evergreen Landing gate and graded entrance road and parking area
- Installed downtown flowerpot urns and bike racks
- Installed traffic control for special event closures
- Performed traffic control for College Drive tree planting
- Negotiated with Allstar Construction and LMC Insurance to resolve Jaycees Park storm damage repairs
- Cleanup tasks at the Public Works Maintenance Facility

Engineering Report

Historic Water Tower Project

Hy-Tec will also be cleaning up and removing the fencing in the parking lot area. LHB has also completed their additional investigation for the exterior stucco as part of the Phase II portion of the project. It would be expected that they will provide a report of the findings of that investigation. Staff is intending to prepare plans and specifications for the remaining Phase I tasks, including replacing windows, repainting stairs, and additional electrical work as discussed previously. Once prepared, staff will be requesting Council authorization to bid these items to be funded by the \$200,000 in ARPA funds that was allocated by the City Council.

North Brainerd Reconstruction Project

As of this packet, Phase 1 of the project is wrapping up and Phase 2 will be kicking off. The contractor will be completed with paving and restoration activities on Phase 1. City staff will be inspecting the final product of Phase 1 and compiling a punch list of final items to be completed by the contractor before completion. On Phase 2, the contractor will complete removals during the week of Memorial Day. Shortly after the removals are completed, it is expected that watermain will begin. The contractor is still on pace to complete the project on time, if not earlier than originally expected.

TH 25 Bridge Replacement over BNSF Railway

The contractor has begun most of the pier work on both ends of the bridge. Once pier work is completed, the contractor will begin working on the abutments as the piers are completed. The east side is expected to occur first. The contractor is currently planning for work on 28th Street around August 9th. The detour is currently in place and will remain until the project is completed. Traffic should utilize the signed detour route of Washington Street, S. 6th Street, and Thiesse Road.

Graydon Avenue Outfall Repair Project

Council awarded the repair project to DeChantal Excavating. Staff is completing execution of the contract and bonding requirements. Shortly following the completion of the contract work, staff will be reviewing shop drawings from the storm sewer pipe supplier before fabrication and shipping. It is planned to have this work occur during the summer.

Harrison Elementary Safe Routes to School Project

Council awarded the project to DeChantal Excavating. Staff will be coordinating with the contractor on executing the contract. Staff, WSB, and the contractor had a Pre-Construction meeting on May 24th to discuss timelines, detours and traffic controls, coordination with the school district, and other matters related to the construction project. It is expected that the project will begin in early to mid June. Project is planned to be completed before the resumption of the school year.

Other Activities

- Reviewed RFP responses for Preliminary, Design and Construction Engineering services for the S. 6th/Willow Roundabout Project (HSIP)
 - Reviewed Erosion and Sediment Control plan for proposed developments
 - Performing survey at Lum and Jaycees Parks to assist with ARPA projects
 - Solicited and collected proposals for the Large Patching and Crack Sealing projects
 - Performed review for stop sign request at N 10th St. and Ivy St.
 - Performed review for stop sign request at 16th St. SE and Maple St.
 - Performed investigation into potential voids in East River Road after flooding receded.
 - Reviewed TH 210/Washington Street ICE Report from MnDOT
 - Sent notices out for leaves and grass clippings thrown into the streets
 - Provided infrastructure information to potential developer on Whippoorwill Lane
 - Provided infrastructure information to potential developer at Thrifty White building
 - Met with Mr. Straka regarding the property across from Lum Park in reference to the potential pedestrian bridge.
 - Met with property owners adjacent to Buffalo Hills Gully project to discuss questions regarding easements
-

Transit Report

Activities

- The call answered percentages have fallen back below the expected rate of 85% but staff continues to work with the new dispatchers on ways to correct this.
- Phone answering and Maintenance are the top priorities currently for 3PC and the main part of our conversations.
- Daily meetings with 3PC Director, and also quick follow ups daily with their Maintenance Manager.
- Continued additional training being provided to the dispatchers as issues arise and training opportunities are presented. Trainings are also provided to the 3PC Director.
- 3PC is short staffed with drivers and is weekly cutting hours due to not enough drivers to operate buses
- Staff has begun conversations with administrative staff of the cooperative partners to discuss the recommended changes and fare increases. It is expected that staff will present options to the various Boards and Councils for direction on how they would like to proceed.
- May 1st Brainerd Inside City Limits transit fare increased to \$2.25 (was \$1.25). Staff will be presenting an additional recommended increase to the July 3rd Council meeting.
- Staff met with the MnDOT Data & Technology Coordinator to discuss the Transit program's 5-Year Technology Plan. Some revisions have been made to reflect accomplishments and future needs.
- Staff is holding a kick-off meeting with the MnDOT Consultant that will be providing Service Planning, Financial Planning, and Technology Planning services. It is expected that this work will take place until May 2024.
- The Transit program has received a couple positive comments and reviews as well as an opinion piece in the Brainerd Dispatch illustrating the value of the service.



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: 2022 Audits for BPU and Brainerd HRA

AGENDA: Consent Agenda

ACTION REQUESTED: Choose an item

SUBMITTED BY: Connie Hillman

DEPARTMENT: Finance

PRESENTER: N/A

ESTIMATED TIME (MIN): N/A

SUMMARY OF ISSUE:

The 2022 audits for Brainerd Public Utilities and Brainerd HRA have been completed and presented to the respective boards. The audits can be found via the links below:

BPU: <https://bpu.org/wp-content/uploads/2023/05/Audited-Financial-Report-2022.pdf>

HRA: <http://brainerdhra.org/wp-lib/wp-content/uploads/2023/04/2022-Audited-Financial-Statements.pdf>

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Click to enter text

RECOMMENDED ACTION/MOTION:

Informational

FINANCIAL IMPACT:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping: Click to enter text

Is this budgeted? (Please Explain) Click to enter text



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Accept Retirement of Randy Villnow

AGENDA: Consent Agenda

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert & Todd
Wicklund

DEPARTMENT: Human Resources

PRESENTER: n/a

ESTIMATED TIME (MIN): n/a - consent

SUMMARY OF ISSUE:

Custodian/Groundskeeper/Store Clerk Randy Villnow has submitted his retirement letter. Randy's retirement will be effective June 8, 2023. Staff recommends to accept Mr. Villnow's retirement with regret. This approval will also authorize Mr. Villnow's severance pay per city policy and the IBEW BPU Union Contract.

The BPU Commission recommended approval of Mr. Villnow's retirement at its May 30, 2023 meeting.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

With Mr. Villnow's retirement, Staff recommended and the BPU Commission approved creating a new Facilities Custodian position. Approval of that job description as well as the job descriptions for two other BPU positions is listed as a separate consent calendar item for approval.

RECOMMENDED ACTION/MOTION:

n/a – consent calendar.

FINANCIAL IMPACT:

Is there a cost associated with this request: Yes

What is the total cost, with tax and shipping: Unknown-depends on final accrual balances

Is this budgeted? (Please Explain) Yes via accrued liability balances.

To whom it may concern,

I, Randy Villnow, intend to retire effective June 8, 2023. My intent was to draw down my accrued leave and it will be depleted as of that date. Any remaining small balances will be deposited into my HCSP.

Randy Villnow

Signature

5-25-23

Date

received
5/25/23

BPU



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Accept Retirement of Mark Levig

AGENDA: Consent Agenda

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert & Todd
Wicklund

DEPARTMENT: Human Resources

PRESENTER: n/a

ESTIMATED TIME (MIN): n/a - consent

SUMMARY OF ISSUE:

Hydro Lead/Relief Operator Mark Levig has submitted his retirement notice. Mark's retirement will be effective June 30, 2023. Staff recommends to accept Mr. Levig's retirement with regret. This approval will also authorize Mr. Levig's severance pay per city policy and the USW Hydro Union Contract.

The BPU Commission recommended approval of Mr. Levig's retirement at its May 30, 2023, meeting.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Staff has contacted the United Steel Workers (USW) Union to discuss options realizing three out of five Hydro Operators will have retired by the end of this June and that automation of the Hydro facility is in process. We are hoping that most of the automation will be completed late this fall. We also believe that a fourth operator will be retiring before next July as well. We currently have a Memorandum of Understanding (MOU) with the USW and IBEW Unions allowing IBEW employees to temporarily perform work at the Hydro facility when USW employees are absent or unavailable. That MOU will expire December 31, 2023.

RECOMMENDED ACTION/MOTION:

n/a – consent calendar.

FINANCIAL IMPACT:

Is there a cost associated with this request: Yes

What is the total cost, with tax and shipping: Unknown-depends on final accrual balances

Is this budgeted? (Please Explain) Yes via accrued liability balances.

To whom it may concern,

Please consider this as my letter of intent to retire on June 30th, 2023

Thank you.

Mark Levig

Per Mark, his last working day will be Monday, June 26. He will be taking leave Tuesday (06/27) and Wednesday (06/28). MS

received
3/30/23



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Accept Retirement of Diane Mahady

AGENDA: Consent Agenda

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert & Todd
Wicklund

DEPARTMENT: Human Resources

PRESENTER: n/a

ESTIMATED TIME (MIN): n/a - consent

SUMMARY OF ISSUE:

Hydro Operator Diane Mahady has submitted her retirement notice. Diane's retirement will be effective June 30, 2023. Staff recommends to accept Ms. Mahady's retirement with regret. This approval will also authorize Ms. Mahady's severance pay per city policy and the USW Hydro Union Contract.

The BPU Commission recommended approval of Ms. Mahady's retirement at its May 30, 2023, meeting.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Staff has contacted the United Steel Workers (USW) Union to discuss options realizing three out of five Hydro Operators will have retired by the end of this June and that automation of the Hydro facility is in process. We are hoping that most of the automation will be completed late this fall. We also believe that a fourth operator will be retiring before next July as well. We currently have a Memorandum of Understanding (MOU) with the USW and IBEW Unions allowing IBEW employees to temporarily perform work at the Hydro facility when USW employees are absent or unavailable. That MOU will expire December 31, 2023.

RECOMMENDED ACTION/MOTION:

n/a – consent calendar.

FINANCIAL IMPACT:

Is there a cost associated with this request: Yes

What is the total cost, with tax and shipping: Unknown-depends on final accrual balances

Is this budgeted? (Please Explain) Yes via accrued liability balances.

Diane Mahady Retirement

To whom it may concern, I plan on retiring on June ~~30~~ 2023.

The night shift of June 26-2023 will be my last shift that I work.

Thank you, Diane Mahady

5-8-23
Diane Mahady

received
5/12/23
C BPN



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Authorize Hiring 2023 Temporary Employees

AGENDA: Consent Agenda

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert

DEPARTMENT: Human Resources

PRESENTER: Kris Schubert

ESTIMATED TIME (MIN): n/a

SUMMARY OF ISSUE:

Attached is a listing of 2023 summer temporary employees that recently received a conditional job offer and successfully completed their background checks. Also included is a notation if the employee is eligible for funding under Sourewell's Internship Program. Please note that if funding arrangements are approved by Sourcewell, Sourcewell will reimburse the City for wages paid up to \$14 per hour and up to 640 hours (approximately 80 working days).

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Pursuant to MN Statute, seasonal assignments are limited to 67 working days per calendar year or 100 working days per calendar year if the employees are under the age of 22, are full-time students enrolled in a nonprofit or public educational institution prior to being hired by the employer, and have indicated, either in an application for employment or by being enrolled at an educational institution for the next academic year or term, an intention to continue as students during or after their temporary employment.

RECOMMENDED ACTION/MOTION:

Motion to authorize the hiring of the 2023 Interns and summer temporary employees as presented on the attached listing.

FINANCIAL IMPACT:

Is there a cost associated with this request: Yes

What is the total cost, with tax and shipping: Unknown – depends on hours worked.

Is this budgeted? (Please Explain) Yes – Wages are included in the 2023 budget.

2023 Interns/Temporary Employee List

<u>Name</u>	<u>Job Title</u>	<u>Date of Hire</u>	<u>Hourly Rate</u>	<u>Budgeted Wage</u>	<u>Eligible for Sourcewell Funding</u>
1 Kaden Imdieke	BPU Summer Maintenance	6/6/2023	\$16.00	\$14.00 - \$16.00	No
2 Rex Block	BPU Summer Maintenance	5/22/2023	\$16.00	\$14.00 - \$16.00	No
3 Mackenzie Stockinger	Parks Seasonal Maintenance	5/22/2023	\$16.00	\$14.00 - \$16.00	No
4 Logan Goltz	Weekend Ball Field Maintenance	TBD	\$15.00	\$14.00-\$16.00	No
5 Emily Bjorgan	Parks and Rec Intern	5/20/2023	\$16.00	\$14.00-\$16.00	Yes
6 Troy Herron	Adult Softball Umpire	5/18/2023	\$32.00/Game	\$32.00/Game	No
7 Patrick Wussow	Public Works Intern	8/1/2023	\$16.00	\$14.00-\$16.00	No

Submitted for Consideration for the June 5, 2023 Council Meeting



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Approve BPU Finance Manager, Business Office Support Specialist, and Facilities Custodian Job Descriptions

AGENDA: Consent Agenda

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert & Todd Wicklund

DEPARTMENT: Human Resources/Public Utilities

PRESENTER: n/a

ESTIMATED TIME (MIN): n/a - consent

SUMMARY OF ISSUE:

Attached are job descriptions for the BPU Finance Manager, Business Office Support Specialist and Facilities Custodian positions. The Brainerd Public Utilities Commission included the new Finance Manager and Business Office Support Specialist positions in its 2023 budget. In addition, and with the recent retirement of Custodian/Groundskeeper Randy Villnow, we have slightly changed that job description to create the new Facilities Custodian position. Please note that Staff is expecting that Flaherty and Hood will be recommending job description format changes for all positions in the near future. The Brainerd Public Utilities Commission, at its May 30th meeting, reviewed and recommended approval of all three job descriptions.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

At the May 1st Council meeting, the Council approved the creation of the new BPU Finance Manager position subject to job title and compensation information from Flaherty & Hood. Since that time, Staff has determined that the position should be entitled Finance Manager primarily since there will be two non-union supervisors that will report to this position and the Manager title makes sense for organizational hierarchy. In addition, Staff has finalized the attached job descriptions utilizing our current format and submitted Job Analysis Questionnaires to Flaherty & Hood for their review and consideration for a wage recommendation. Since Flaherty & Hood is still in the process of completing our Classification and Compensation Study, Staff is hoping that a recommended wage for these positions will be presented at the June 20th Council meeting.

RECOMMENDED ACTION/MOTION:

n/a – consent calendar.

FINANCIAL IMPACT:

Is there a cost associated with this request: Not for approving a job description – the wage will be considered separately. Please note that wages for new union positions must be negotiated with the union.

What is the total cost, with tax and shipping: [Click to enter text](#)

Is this budgeted? (Please Explain) Yes – all three positions are included in the 2023 BPU Budget.



Finance Manager

Department: Brainerd Public Utilities (BPU)

FLSA Status: Exempt

General Definition of Work

Responsible for guiding the financial and administrative functions for BPU. These functions include finance, general accounting, budgeting, financial forecasting, business information systems, internal controls, investment/debt management, business/financial performance monitoring, rate structuring, and risk management initiatives. Works under the administrative oversight of the Public Utilities Director. Exercises general and administrative supervision over BPU Finance Division employees either directly or through supervisory staff.

Qualification Requirements

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

Essential Functions

- Assists the Public Utilities Director to establish financial and strategic goals and performance measures for BPU, including long-range financing and investment strategies.
- Supervises the operation of the BPU Business Office and Administrative Staff to ensure BPU customers promptly receive reliable and efficient service.
- Responsible for the supervision of all BPU Finance Division staff including training, inspecting and assigning work, developing staff schedules, coaching, and counseling; conducts performance evaluations; disciplines when needed in accordance with city policies; assists in making a recommendation for the selection of Finance Division employees.
- Assists with the development and issuance of administrative rules, policies and procedures necessary to ensure proper functioning of all Public Utilities divisions.
- Attends and participates in all Commission meetings and other official meetings as needed.
- Evaluates potential projects, programs, and services to determine feasibility and impact on utility operations and makes recommendations to the Public Utilities Director.
- Responds to concerns, issues, complaints, and questions from the public; mediates disputes and resolves issues as appropriate.
- Responsible for project investment and project financing of infrastructure and capital requirements related to all Public Utilities divisions.
- Participates in planning for future capital needs. Oversees debt financing. Manages outstanding debt and development of debt issuance and retirement strategy.
- Maintains relationships with bankers, attorneys, bond rating agencies, and bond insurers.
- Administers the Department's property and casualty insurance program including maintaining appropriate insurance coverage.
- Oversees business information systems function to ensure necessary resources are available to meet BPU and end user needs at an affordable cost.
- Assists the Public Utilities Director to oversee and implement cost-of-service and rate design studies for BPU.
- Manages all accounting operations including:
 - Preparing financial statements and reports for internal and external use.
 - Directing preparation of annual operating budgets and projections.
 - Directing general accounting, payroll and accounts payable functions.
 - Oversees development, implementation, and monitoring of internal controls.

Finance Manager

Page 2

Essential Functions (Continued)

- Ensures compliance with all pertinent local, state and federal regulations and Commission policy regarding financial and accounting systems and procedures.
- Assists the Public Utilities Director in negotiating long-term Purchase Power Agreement with power provider and service territory boundary agreements subject to Commission approval.
- Prepares and analyzes quotes and bids for products and services; recommends selection of firms or individuals to provide products and services; executes or recommends execution of contracts to Commission for approval.
- Responsible for BPU Commission and Utilities Department Secretary duties as required by the City Charter.
- Performs other duties as assigned or when necessary.

Knowledge, Skills and Abilities

- Strong interpersonal, oral, and written communications skills.
- Ability to effectively formulate and execute Commission policies and programs to ensure successful and efficient operations that support strategic initiatives.
- Demonstrated expertise in a variety of financial concepts and functions with ability to leverage previous experience and knowledge of best practices.
- Supervise staff and delegate work; Is a team builder with the ability to coach, mentor, and develop all direct reports.
- Strong knowledge of accounting regulations such as Federal and Minnesota state rules and statutes, GASB, and GAAP.
- Knowledge of Utility codes and regulations including MPCA, MPUC and FERC.
- Sound understanding of information technology and experience with appropriately investing in capital equipment.
- Proficient in the use of PC's and relevant business software.
- Strong leadership skills including problem solving and decision making.

Education, Experience and Special Requirements

Minimum Qualifications:

- Bachelor's degree in accounting or business administration with concentration in accounting.
- Eight (8) years of experience in accounting of which two (2) years of experience must be as supervisor.
- Ability to obtain a valid MN driver's license upon hire.

Desired Qualifications:

- An advanced degree and/or CPA certification.
- Five years of municipal and/or utility related experience. Utility supervisory experience is highly desirable.

Physical Requirements

This work requires the occasional exertion of up to 25 pounds of force; work regularly requires speaking or hearing, using hands to finger, handle or feel and repetitive motions, frequently requires sitting and occasionally requires standing, walking, reaching with hands and arms, pushing or pulling and lifting; work has standard vision requirements; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; work requires preparing and analyzing written or computer data, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work is generally in a moderately noisy location (e.g. business office, light traffic).

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

Last Revised: May 11, 2023



Business Office Support Specialist

Department: Brainerd Public Utilities (BPU)

FLSA Status: Non-Exempt

General Definition of Work

The Business Office Support Specialist is a union position under the general supervision of the Accounting Supervisor. The primary duty for this position is to relieve/back up various positions within the business/repair office and will perform a variety of administrative and/or customer service duties relating to customer utility accounts and other utility business.

Qualification Requirements

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

Essential Functions

- Ability to relieve and/or assist other administrative and customer service positions as needed; Works as a team with other Customer Service personnel to provide exceptional customer service.
- Responsible for daily payment drop box pick up, bank deposits, post office/City Hall mail pick up and drop off.
- Responsible for preparation of BPU Commission board packets including agenda and related documents.
- Address questions from utility customers and other outside agencies and assist with problems, complaints, and service concerns.
- Assist in receiving payments from the public at the counter, drive-thru, and by telephone.
- Scanning and organizing Laserfiche files.
- Monitor BPU incoming emails and respond or forward to appropriate staff.
- Review, approve, and process customer rebates.
- Review, approve, and process customer Electric Service Upgrade rebates.
- Assist with preparation on daily service orders for final readings.
- Assist in the process and maintenance in the collection of bad debts including corresponding with collection agencies.
- Occasional administrative work for Wastewater Supervisor.
- Performs routine office tasks as required.
- Special Projects as assigned.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

Business Office Support Specialist

Page 2

Knowledge, Skills and Abilities

- Working knowledge of BPU's policies and procedures, including safety practices and procedures.
- Demonstrates organizational and time management skills to organize daily work schedule efficiently with the ability to handle multiple interruptions and adjustment of priorities throughout the day without compromising accuracy or efficiency.
- Logical thinker with ability to solve practical problems, applying common sense to interpret and independently carry out detailed instructions in various forms, and an aptitude for math to provide the ability to compile, review, and tabulate financial data.
- Outstanding communication and interpersonal skills and be able to work with customers to answer questions and provide service in a professional manner.
- Must be able to deal with complaints, difficult situations, and angry individuals. Possesses the ability to effectively gather and present information as well as respond to questions and resolve complaints from the general public, all departments, government officials, and public agencies in a courteous manner; and preserving confidentiality of account and credit information relating to customer accounts.
- Require knowledge and understanding of BPU accounting and billing systems and practices related to customer accounts.
- Proficient in the use of PC's and relevant software packages, knowledge of basic office equipment, as well as accounting and clerical procedures; accurately managing files and records; possess ability to create spreadsheets, compose correspondence, reports, and documents.

Education, Experience and Special Requirements

- High school diploma or GED
- Completion of office practices and/or general accounting courses, and/or equivalent combination of related education and experience.
- One or more years of utility related experience desired.
- Valid MN driver's license

Physical Requirements

This work requires the occasional exertion of up to 25 pounds of force; work regularly requires speaking and hearing, using hand to finger, handle or feel and repetitive motions, frequently requires sitting and occasionally requires standing, walking, reaching with hands and arms, pushing or pulling and lifting; work has standard vision requirements; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; work requires preparing and analyzing written or computer data, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work is generally in a moderately noisy location (e.g. business office, light traffic). Employee is not required to work in adverse weather conditions.

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

Last Revised: May 26, 2023



Facilities Custodian

Department: Brainerd Public Utilities (BPU)

FLSA Status: Non-Exempt

General Definition of Work

The Facilities Custodian job classification is a union position, under the general supervision of the Accounting Supervisor, who provides a full range of all custodial services at all BPU facilities.

Qualification Requirements

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

Essential Functions

- Responsible for custodial services at Service Center and at all other BPU facilities, including development of comprehensive building custodial services schedule and inspections of facilities and equipment.
- Dust all open areas on desks, counter, file cabinets, shelves, and window ledges and shades.
- Clean windows, doors, carpets, and walls as needed.
- Clean all conference tables, break room tables, kitchen counters, sinks, and microwaves. Clean the front of all cupboards, waste receptacles and refrigerator; polish furniture and fixtures as needed.
- Vacuum all rugs and carpet including the entrances and furniture as needed.
- Empty, clean, and sanitize waste/recycle receptacles as needed.
- Sweep, mop, and scrub all floors as needed.
- Clean and disinfect bathroom counters, sinks, towels, and soap dispensers, the front of the waste receptacles, toilets/urinals, handrails, stall walls/doors and clean the mirrors; treat toilets; restock restroom supplies.
- Maintains custodial supplies.
- Prepare for and clean up after Commission/Public meetings.
- Performs related tasks as assigned.

Facilities Custodian

Page 2

Knowledge, Skills and Abilities

- Thorough working knowledge of methods, materials, and equipment used in custodial work.
- Ability to learn to use a variety of custodial equipment, supplies and materials. (Floor buffer, vacuum, carpet steamer and other associated equipment)
- Ability to understand hazards associated with a variety of cleaning supplies.
- Thorough knowledge of the occupational hazards of the work and necessary safety precautions to comply with BPU and OSHA safety requirements.
- Ability to submit time electronically via Employee Self Service (ESS).
- Ability to establish and maintain effective relationships with customers, associates, and the public.
- Ability to work independently in the absence of supervision.

Education and Experience

- High school diploma or GED
- Three years of custodial experience or equivalent combination of education and experience.
- Valid MN driver's license.

Physical Requirements

This work requires the regular exertion of up to 25 pounds of force, frequent exertion of up to 50 pounds of force and occasional exertion of up to 100 pounds of force; work requires standing, walking and using hands to finger, handle or feel and occasionally requires speaking or hearing, stooping, kneeling, crouching or crawling, reaching with hands and arms, pushing or pulling and lifting; work requires standard, close, and distance vision; vocal communication is required for expressing or exchanging ideas by use of measuring devices, operating motor vehicles or equipment and observing general surroundings and activities; work may require exposure to outdoor weather conditions including exposure to extreme hot and cold; work is generally in a moderate noise location (business office with office equipment and light traffic, Hydro, Water Plant, and Wastewater Treatment Plant).

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

Last Revised: May 30, 2023



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Presentation on Becoming an Age Friendly City

AGENDA: Main Agenda

ACTION REQUESTED: Discussion Item

SUBMITTED BY: James Kramvik, CDD

DEPARTMENT: Community Development

PRESENTER: Eleanor Brukett

ESTIMATED TIME (MIN): 15 minutes

SUMMARY OF ISSUE:

The presentation before the City Council is a presentation of Age Friendly Cities by Eleanor Burkett. This presentation will detail the state of the aging population in the region, the process for a city to become officially designated Age-Friendly, and explain exactly what makes a city age friendly.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

The purpose of the presentation is to inform the City Council about Age Friendly Cities and ask the presenter any questions. The presenter would like the City to be the entity overseeing the program with support from volunteers in the community. Staff will bring an agenda item to the next City Council meeting for consideration of this request.

RECOMMENDED ACTION/MOTION:

No Action

FINANCIAL IMPACT:

Is there a cost associated with this request: no

What is the total cost, with tax and shipping: \$0.00

Is this budgeted? (Please Explain) no

Age Friendly Brainerd, MN

**Brainerd City Council
June 5, 2023**

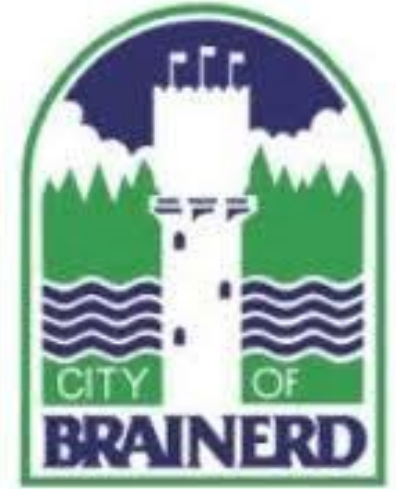
Eleanor Burkett
Central MN Council on Aging
Community Development Specialist



What is Age Friendly?

- Why Brainerd?
- Overview of Age Friendly Communities
- Examples of AF MN Communities
- The Process

What Makes Brainerd a Great Place to Live?



Crow Wing County Older Adults Demographics

- In 2020, an estimated 22.9% of Minnesota's population was adults aged 60+
 - 31.2% of Crow Wing County's population was adults aged 60+
- As of 2019, in Crow Wing County it is estimated that 23.2% of persons 60+ were living alone compared to 22.2% in the region and 25.5% in the state.
- The Family Caregiver Ratio in MN is 8 for the CMCOA region it is 7
 - Crow Wing County's ratio is 9
- In 2021, it is estimated that 7.6% of Minnesotans 60+ are living below the poverty threshold.
 - 7.7% in Crow Wing County

Community Preferences & Trends



- Aging Population
- Real Estate & Infrastructure Development
- Progress & Preferences



AARP Livable Communities



- Engaging older adults
- Research & Resources
- Demonstrations & Grants



AARP Network of Age-Friendly Communities in Minnesota



Alexandria

St. Cloud

Princeton

Wyoming

Brooklyn Park

Maple Grove

Minneapolis

West St. Paul

Oakdale

Duluth

Northfield

Pine Island

Wabasha

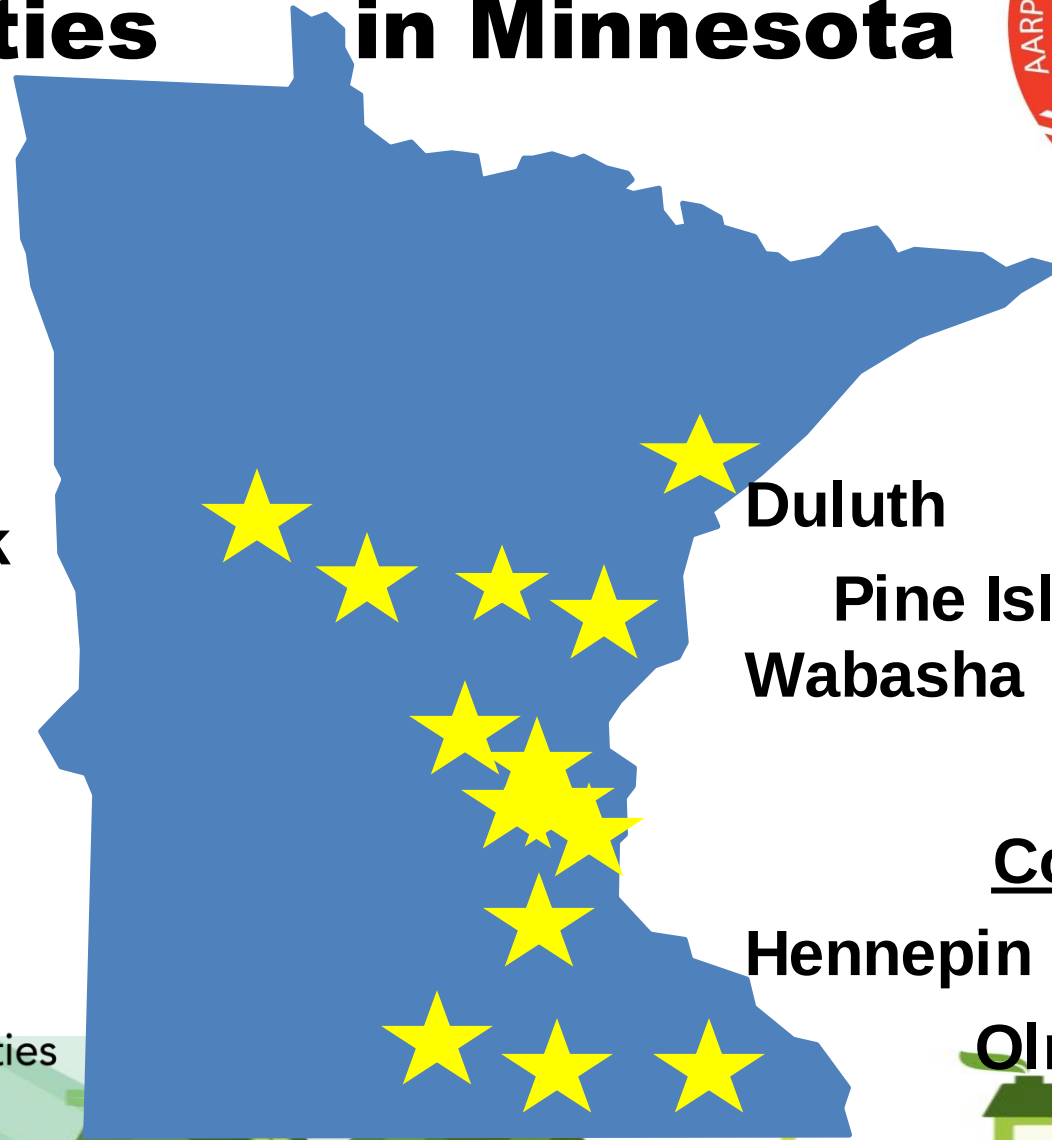
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Counties:

Hennepin

Lake

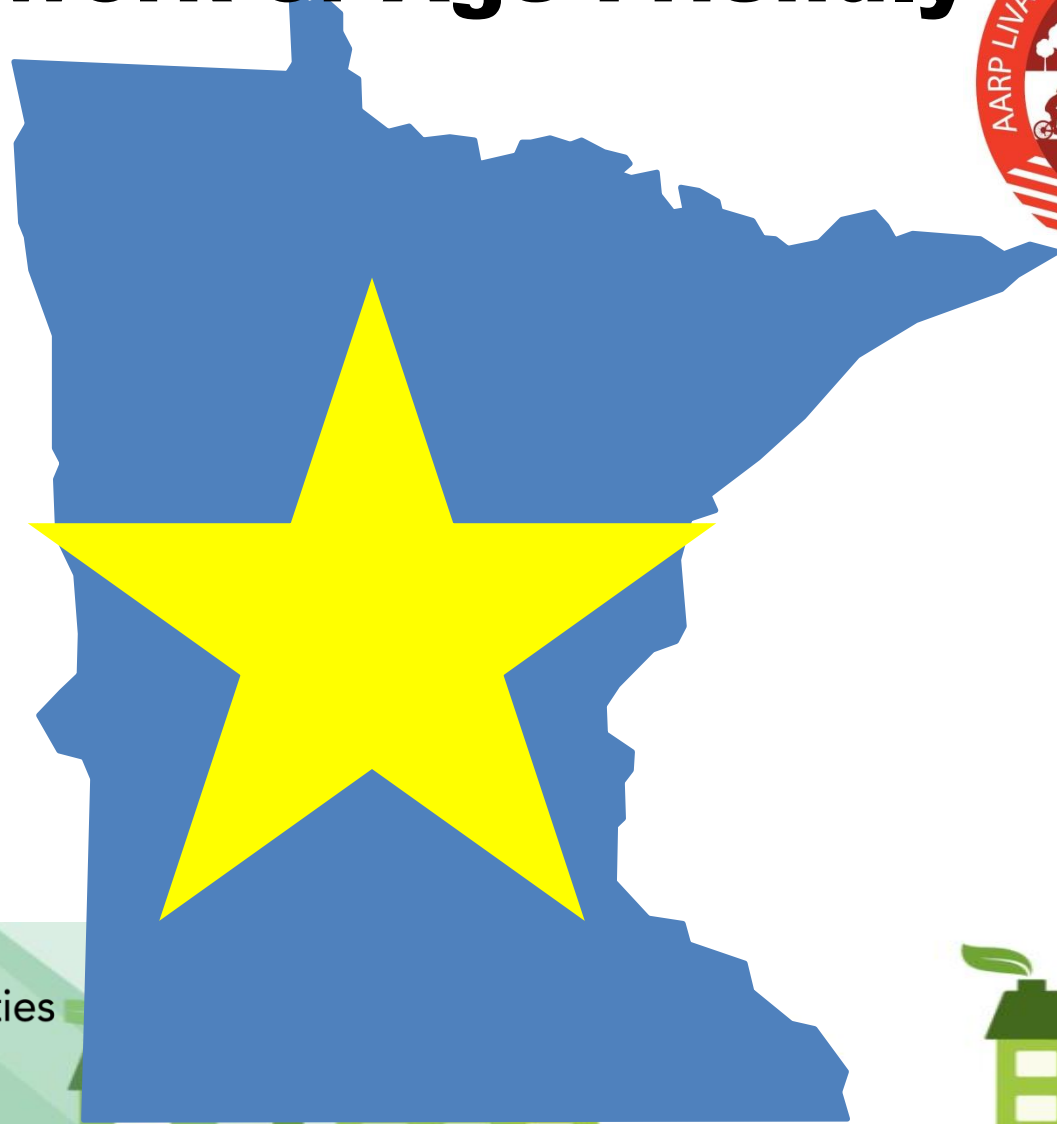
Olmstead



AARP® Real Possibilities
Minnesota



AARP Network of Age-Friendly States



AARP® Real Possibilities
Minnesota



8 Domains of Livability



- Outdoor Spaces & Buildings
- Transportation
- Housing



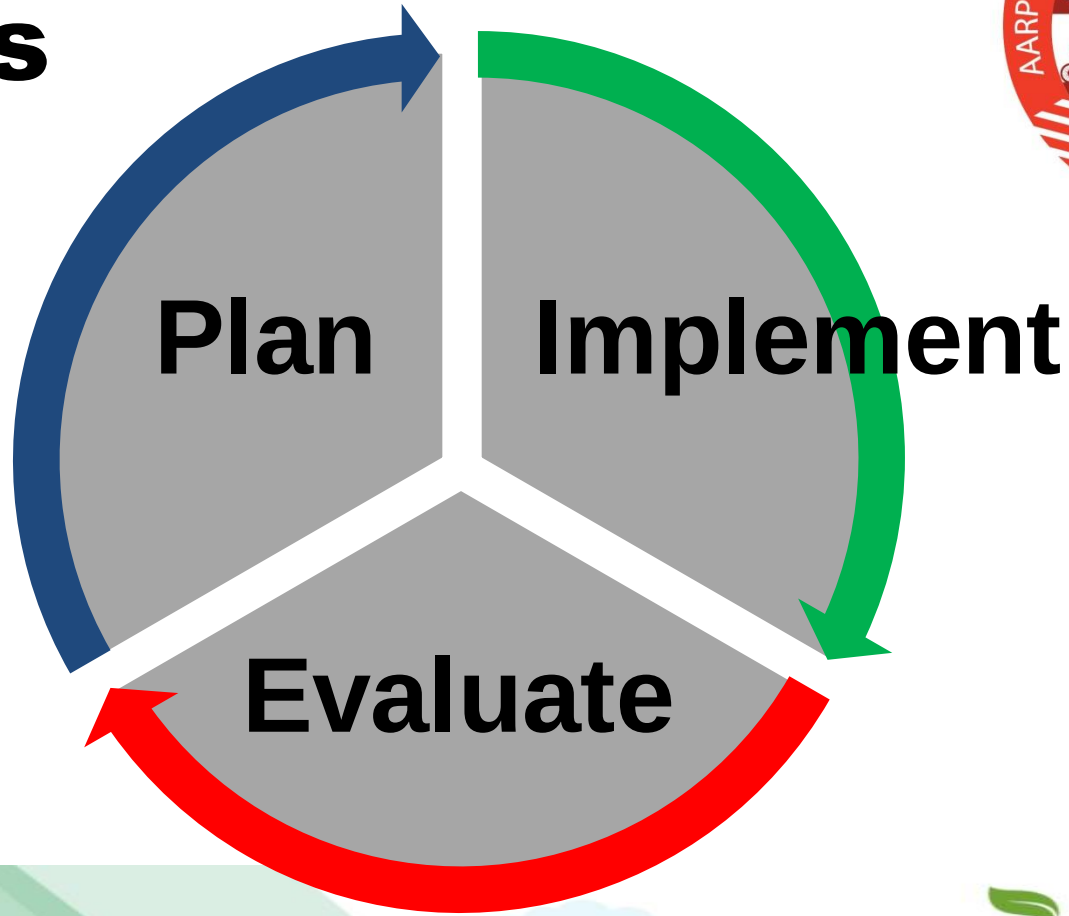
8 Domains of Livability



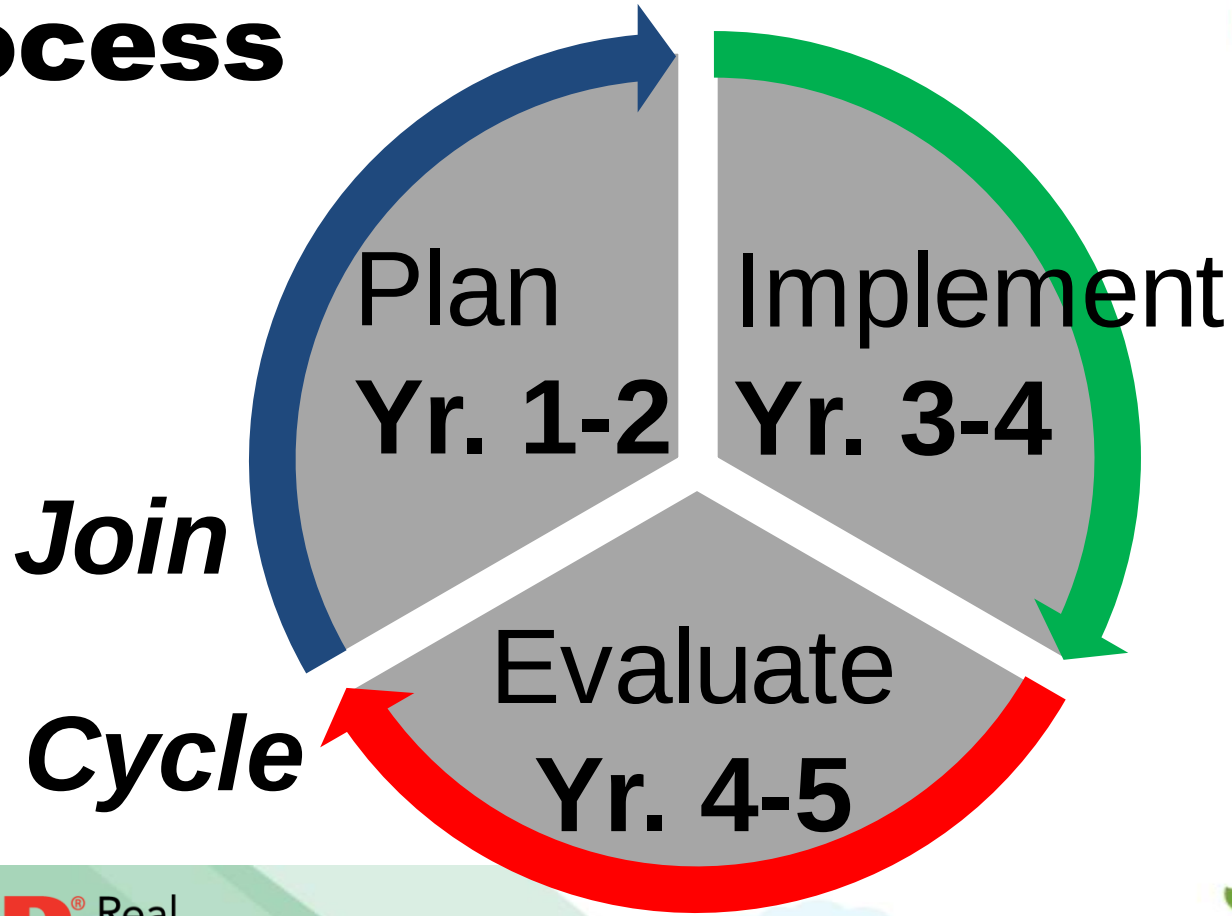
- **Social Participation**
- **Respect & Social Inclusion**
- **Civic Participation & Employment**
- **Communication & Information**
- **Community & Health Services**



Age-Friendly Process



Age-Friendly Process



Impact of Membership

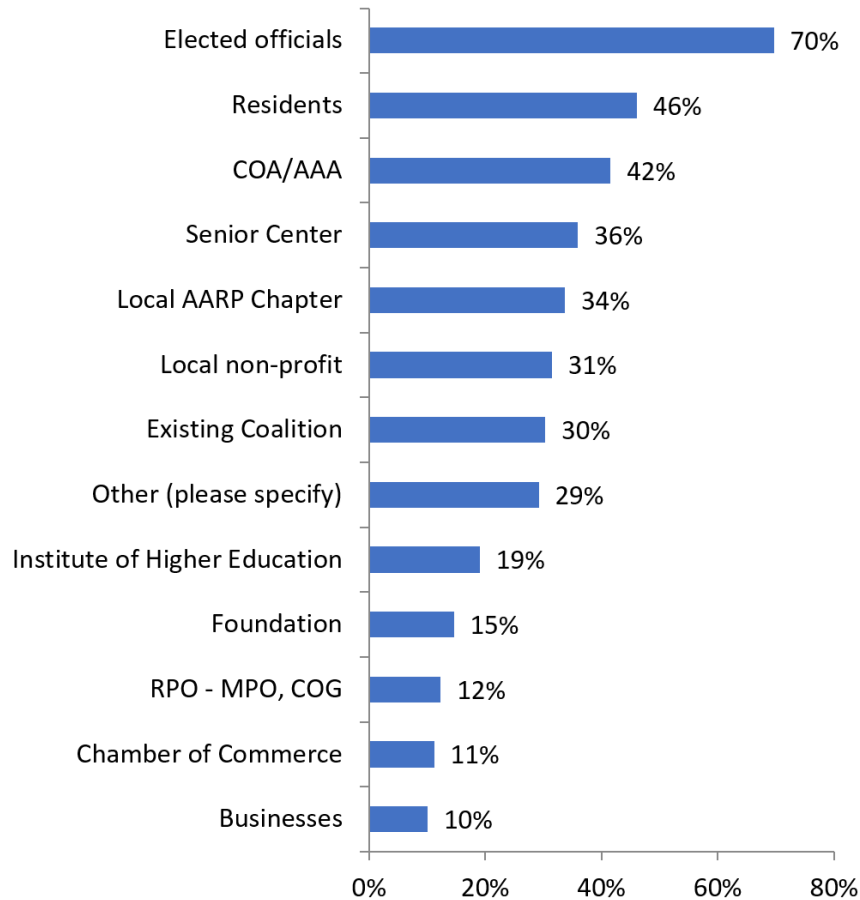


- 60% - achieved change in public policy
- 34% - private sector action or investment
- 85% - other successes

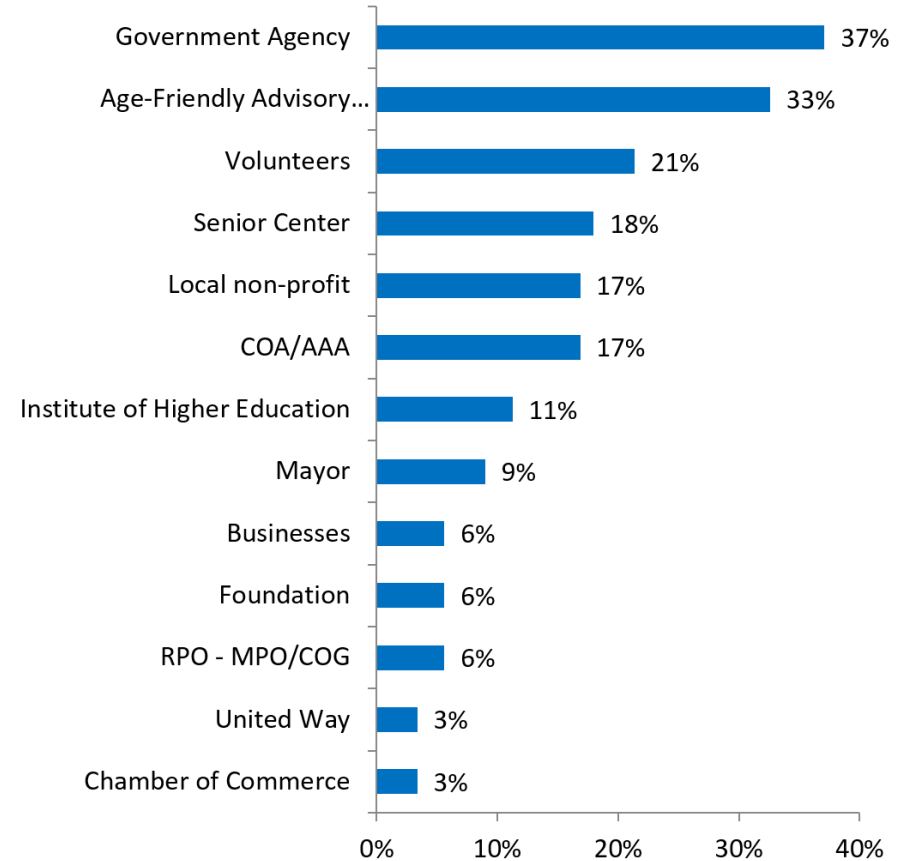


Age-friendly champions (pre- and during) are many

Who were the major champions that supported enrollment? Check all that apply.



Who serves as the lead organization(s) to coordinate the age-friendly work? Check all that apply.



COA/AAA: Council on/Area Agency on Aging
RPO: Regional Planning Organization
MPO: Metropolitan Planning Organization
COG: Council of Government

Food for Thought



It's logical to think about “gaps” and unmet needs, but what are the strengths that make your communities age-friendly?



You Are Not Alone!

AARP Minnesota

Jay Haapala

Associate State Director

jhaapala@aarp.org

651-726-5654



Central MN Council on Aging

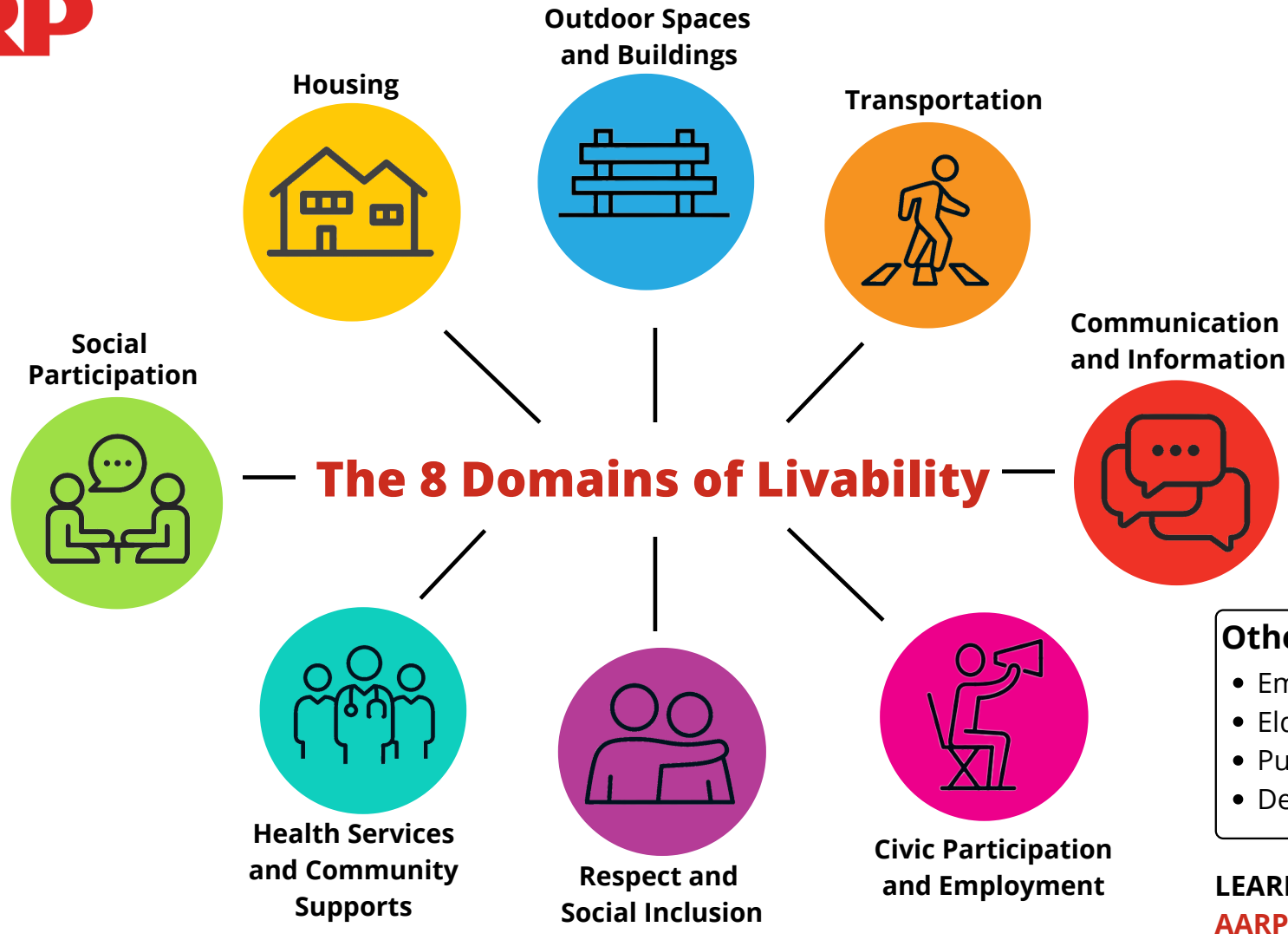
Eleanor Burkett

Community Development Specialist

Eleanor.burkett@cmcoa.org

218-454-0940





Other Areas

- Emergency Preparedness
- Elder abuse
- Public safety
- Dementia-friendly

LEARN MORE

[AARP.org/Livable](https://www.aarp.org/Livable)

ENGAGING YOUR COMMUNITY

Monday, August 21, 2023
Virtual - 1:00 p.m. to 2:30 p.m.

This session focuses on:

- Bringing people together to learn what is needed
- Engaging community support for your activity
- Developing and sharing educational materials and resources

This is the second session in a series of five age-friendly community of learning sessions for agencies and communities working on age-friendly or dementia-friendly initiatives and services. Each virtual 90-minute session will offer information and discussion for participants to learn from each other.

UPCOMING SESSIONS

Session 3 - September 18th

Session 4 - December 18th

Session 5 - February 26th

**ATTENDANCE AT ALL SESSIONS
IS BENEFICIAL BUT OPTIONAL.**

This event is free with registration.
Register at <https://t.ly/Lvhy>



Questions?
Email: Melissa.Lyon@cmcoa.org



LIVABLE COMMUNITIES RESOURCES

AARP Livable Communities supports the efforts of neighborhoods, towns, cities and rural areas to be great places for people of all ages. We believe that communities should provide safe, walkable streets; age-friendly housing and transportation options; access to needed services; and opportunities for residents of all ages to participate in community life.

AARP Livable Communities Website

AARP Livable Communities' award-winning website is the entryway to AARP's suite of livability content and materials, including publications, articles, photo albums and all sorts of inspiring ideas and best practices information for local leaders and livability advocates.

Visit: [AARP.org/Livable](https://www.aarp.org/Livable)

AARP Livable Communities e-Newsletter

Created for community "influencers" — elected officials, local leaders, advocates, municipal staff, placemaking professionals and interested residents — our free weekly newsletter is filled with information about livability and age-friendly efforts.

Subscribe: [AARP.org/LivableSubscribe](https://www.aarp.org/LivableSubscribe) or text **LIVABLE to 50757**

AARP Network of Age-Friendly States and Communities

The age-friendly network serves as a catalyst to educate local leaders (both elected officials and engaged residents) and encourage them to implement the types of changes that make communities more livable for older adults and people of all age.

Learn more: [AARP.org/AgeFriendly](https://www.aarp.org/AgeFriendly)

AARP Community Challenge

This annual grant program helps communities become more livable by providing funds for quick-action projects that make immediate, tangible improvements and jump-start long-term change. *(Subscribe to our newsletter to be among the first to know when the next application window opens.)*

Learn more: [AARP.org/CommunityChallenge](https://www.aarp.org/CommunityChallenge)

AARP Livability Index

As an interactive online tool, the AARP Livability Index scores neighborhoods and communities across the U.S. based on the available services and amenities in seven broad categories of community livability: housing, neighborhood, transportation, environment, health, engagement, and opportunity.

Learn more: [AARP.org/LivabilityIndex](https://www.aarp.org/LivabilityIndex)

AARP Technical Assistance

AARP partners with experts in housing, transportation, economic development, public spaces, community engagement and more to search as advisors and provide specialized assistance to local governments and community organizations.

Learn more by emailing:

Livable@AARP.org

CONNECT WITH US

 [AARP.ORG/LIVABLE](https://www.aarp.org/LIVABLE)

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 [AARP LIVABLE COMMUNITIES](https://www.facebook.com/AARP.LIVABLE.COMMUNITIES)

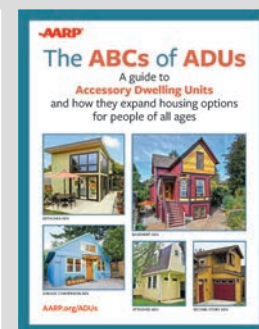
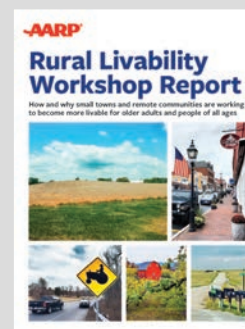
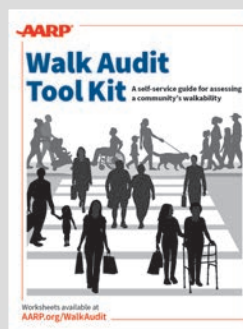
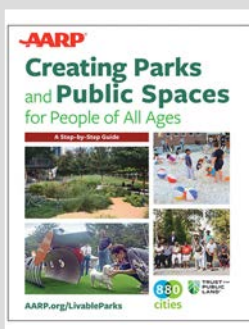
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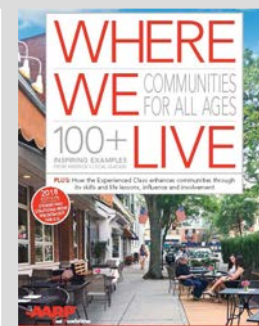
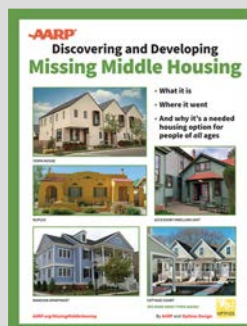
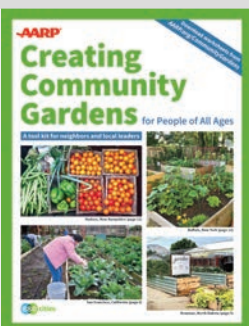
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AARP.org/WalkAudit

Where We Live: Communities for All Ages

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MORE

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

June 5, 2023

7:00 PM

2nd Floor Conference Room

WebEx Teleconference Call-In Information Call Toll-

Free: 1-844-992-4726 Access Code: 2485 840 7471

1. Ratify the Hiring of BPU Laborer Jason Gage
2. Ratify the Hiring of Street Maintenance III - Mechanic Coleman Hayes
3. Update on Juneteenth Holiday
4. Adopt Resolution Authorizing Application for Traffic Safety Grant
5. Authorize Signatures and Enter Into School Resource Officer Services Agreement
6. Consider Request from Brainerd Community Action for Independence Day
Fireworks Donation
7. Adopt Resolution for State Bonding Priorities



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Ratify the Hiring of BPU Laborer Jason Gage

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert & Todd
Wicklund

DEPARTMENT: Human Resources/BPU

PRESENTER: Kris Schubert

ESTIMATED TIME (MIN): 2 minutes

SUMMARY OF ISSUE:

We received 12 applications for the BPU Laborer position and conducted 6 interviews. Jason Gage was hired for the BPU Laborer position. Jason will start on Monday, June 12, 2023, at Step 4 (\$26.32 per hour) of the 2023 IBEW Laborer Wage Grid.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Mr. Gage's step placement is in accordance with the hiring guidance previously provided by Council.

RECOMMENDED ACTION/MOTION:

Ratify the hiring of Jason Gage effective June 12, 2023; further, that he be placed on Step 4 of the Laborer wage grid (\$26.32 per hour).

FINANCIAL IMPACT:

Is there a cost associated with this request: Yes

What is the total cost, with tax and shipping: Wage is \$26.32 per hour

Is this budgeted? (Please Explain) Yes - This position was included in the 2023 budget.



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Ratify the Hiring of Maintenance III-Mechanic Coleman Hayes

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert & Jessie Dehn

DEPARTMENT: Human Resources/Public Works

PRESENTER: Kris Schubert

ESTIMATED TIME (MIN): 2 minutes

SUMMARY OF ISSUE:

We received 4 applications for the Maintenance III-Mechanic position and conducted 4 interviews. Coleman Hayes was hired for the Maintenance III-Mechanic position. Coleman will start on Monday, June 12, 2023, at Step 4 (\$31.14 per hour) of the 2023 IUOE Streets Division Maintenance III – Mechanic Wage Grid.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Mr. Hayes's step placement is in accordance with the hiring guidance previously provided by Council.

RECOMMENDED ACTION/MOTION:

Ratify the hiring of Coleman Hayes effective June 12, 2023; further, that he be placed on Step 4 of the IUOE Maintenance III wage grid (\$31.14 per hour).

FINANCIAL IMPACT:

Is there a cost associated with this request: Yes

What is the total cost, with tax and shipping: Wage is \$31.14 per hour

Is this budgeted? (Please Explain) Yes – This position was included in the 2023 budget.



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Update on Juneteenth Holiday

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert & Jennifer Bergman

DEPARTMENT: Human Resources

PRESENTER: Kris Schubert

ESTIMATED TIME (MIN): 2 minutes

SUMMARY OF ISSUE:

Juneteenth will be recognized as a state holiday in 2023. The law was originally supposed to go into effect on August 1, 2023, but a provision to amend the effective date of the new law was adopted and recently signed by the Governor. Cities are scrambling to try to implement this and there are a lot of unknowns at this time.

By State Law, we are required to close City offices and business cannot be conducted on June 19, 2023, in observance of the Juneteenth holiday. Attached is the Article 15 of our Employee Policy Manual regarding Holidays. Staff is recommending to amend the Employee Policy Manual to include Juneteenth as a Holiday. We are working with our Attorney and the League of MN Cities to provide more information specifically how this affects union contract negotiations. We hope to provide an update at the Council meeting.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

As a reminder, per law, no public business can be transacted on any holiday, except in case of necessity, including the new Juneteenth holiday. In addition to closing city offices that day, the Council meeting normally scheduled for that evening will be delayed to Tuesday, June 20th, as is our customary practice when holidays are observed on a Monday. Staff will publish a special meeting notice for the June 20th meeting to comply with Open Meeting Law requirements.

RECOMMENDED ACTION/MOTION:

Motion to acknowledge that the City of Brainerd will recognize Juneteenth as a State Holiday on June 19, 2023 by amending Article 15 – Holidays of the Employee Policy Manual to include Juneteenth as a Holiday.

FINANCIAL IMPACT:

Is there a cost associated with this request: Yes

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

Is this budgeted? (Please Explain) No – this is an unfunded mandate from the State

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

Section 13.02 Conditions

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

Section 13.03 Rates

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

ARTICLE 14. MEAL AND COFFEE BREAKS

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

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

ARTICLE 15. HOLIDAYS

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

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

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

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

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

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

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

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

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

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

ARTICLE 16. REGULAR VACATION

Section 16.01 General Vacation Rules

A. When Taken



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Adopt Resolution of Support for Traffic Safety Enforcement Grant Application

AGENDA: P&F Committee

ACTION REQUESTED: Adopt Resolution

SUBMITTED BY: John Davis, Police Chief

DEPARTMENT: Police

PRESENTER: John Davis

ESTIMATED TIME (MIN): 3 minutes

SUMMARY OF ISSUE:

The 2024 fiscal year grant cycle for the Department of Public Safety (DPS) Office of Traffic Safety (OTS) Traffic Safety Enforcement Grant will begin October 1, 2023. Staff is currently working on completion of the 2024 grant application which must be submitted by June 12, 2023. The Brainerd Police Department is the fiscal agency for the Traffic Safety Enforcement Grant.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

The National Highway Traffic Safety Administration (NHTSA) provides federal funding to DPS-OTS to implement a safety program to reduce traffic crashes and the deaths, injuries, and property damage resulting from those crashes. The grant funding supports targeted enforcement in high risk areas identified by the Brainerd Lakes Towards Zero Death Passenger Safety Coalition. The grant funding request being made is for \$61,697.16, a portion of which can be used by the fiscal agency for administrative costs which the police department has used and plans to continue using. In addition, as the fiscal agency we will receive up to \$900.00 in a matching equipment purchase for preliminary breath tests and \$2,475.00 in full tuition reimbursement towards Breath Test Operator certification and recertification courses. Coordination of the enforcement program also allows the Brainerd Police Department to schedule enforcement projects within the City of Brainerd during times when there are increased needs for targeted enforcement. Once completed, the application will be available for review upon council request prior to submission.

RECOMMENDED ACTION/MOTION:

Adopt resolution authorizing the Police Department to apply for the Traffic Safety Enforcement Grant from the MN Department of Public Safety, Office of Traffic Safety.

FINANCIAL IMPACT:

Is there a cost associated with this request: Periodic use of staff time

What is the total cost, with tax and shipping: [Click to enter text](#)

Is this budgeted? (Please Explain) [Click to enter text](#)

RESOLUTION

A RESOLUTION AUTHORIZING APPLICATION OF TRAFFIC SAFETY ENFORCEMENT GRANT

WHEREAS, the City of Brainerd supports a collaboration between the Brainerd Police Department and the Brainerd Lakes Towards Zero Deaths Passenger Safety Coalition.

WHEREAS, the City of Brainerd supports the Brainerd Police Department continuing to be the fiscal agency for the Traffic Safety Enforcement Grant.

WHEREAS, the City of Brainerd supports the Brainerd Police Department applying for the MN Department of Public Safety Office of Traffic Safety Traffic Safety Enforcement Grant in the amount of \$61,697.16.

NOW THEREFORE BE IT RESOLVED the City Council authorizes Police Chief John Davis to submit the Traffic Safety Enforcement Grant to the MN Department of Public Safety in the amount of \$61,697.16.

Adopted this 5th day of June 2023

KELLY BEVANS
President of the Council

Adopted this 5th day of June 2023

DAVE BADEAUX
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Authorize Signatures and Enter into SRO Services Agreement

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Connie Hillman/John Davis

DEPARTMENT: Finance/Police

PRESENTER: Connie Hillman/John Davis

ESTIMATED TIME (MIN): 5 minutes

SUMMARY OF ISSUE:

The City has provided a School Resource Officer (SRO) to ISD 181 for many years. The agreement is renewed every two years. Attached is the proposed agreement for the 2023-2024 and 2024-2025 school years at a base rate of \$91,788 (3% increase) and \$96,664 (5.4% increase) respectively. The School Board is scheduled to approve the attached draft agreement at their June 12, 2023 meeting.

Other than the update to the base payments, the contract date has been updated from a September 1st start to a July 1st start date (coincide with the school district's fiscal year and to made the agreement be for 2 years), and the contact information on page 5 for both the City and the School District were updated.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

The base payment for the 2023-2024 school years was calculated by taking the 2023 adopted personnel services budget for the police department, subtracting the budget for CSO's and Administrative Support Staff. Then adding in the average annual lease cost of a vehicle and annual insurance cost. This number is then divided by the number of budgeted sworn officers (25.5) and by 2,080 hours to get to the average cost per hour. The average cost per hour is multiplied by 8 hours a day and 171 days (contracted days), and then an estimated \$1,500 for SRO training is included. The 5.4% increase for the 2024-2025 school year is based on the LELS union contract overall hourly wage increase settlement for the 2024 calendar year. This was the same way the base cost was determined for the 2021-2023 contract agreement.

A brief history of the base payments by school year are: 2022-2023 \$89,454; 2021-2022 \$84,948; 2020-2021 \$76,500 adjusted to \$51,500 due to COVID; 2019-2020 \$75,000 adjusted to \$55,000 due to COVID

RECOMMENDED ACTION/MOTION:

Authorize the signatures and enter into the proposed School Resource Officer Services Agreement between the City of Brainerd and Independent School District No. 181 as presented.

FINANCIAL IMPACT:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping: Total Revenue of \$91,778 and \$96,664

Is this budgeted? (Please Explain) Yes it will be budgeted in respective calendar years

SCHOOL RESOURCE OFFICER SERVICES AGREEMENT

This School Resource Officer Services Agreement (“Agreement”) is entered into by and between Independent School District No. 181, Brainerd Public Schools (“District”) and the City of Brainerd (“City”). The District and the City are collectively referred to herein as the “Parties,” and individually as a “Party.”

WHEREAS, the Parties desire to maintain a cooperative and coordinated approach to deterring and addressing criminal activity on school property and at District-sponsored events and activities;

WHEREAS, Minnesota Statutes, section 126C.44 authorizes the District to contract with the City to have peace officers provide school resource services; and

WHEREAS, Minnesota Statutes, section 126C.44 further authorizes the District to levy for an appropriate portion of the costs the City incurs in paying wages, providing benefits, and providing transportation for peace officers who are assigned to perform school resource officer duties in the District;

NOW, THEREFORE, IN CONSIDERATION OF the mutual promises contained in this Agreement and other valuable consideration, the sufficiency and receipt of which is acknowledged, the Parties agree as follows:

1. **Term and Termination.** This Agreement is for a term beginning on July 1, 2023, and ending on June 30, 2025. Either Party may terminate this Agreement, with or without cause, by delivering to the other Party a written notice of termination not less than ninety (90) days prior to the date of termination of this Agreement. All payments due under this Agreement shall be prorated in the event of such termination.
2. **Definitions.** The following definitions apply to this Agreement:
 - a. **“Additional services”** mean services that a peace officer provides, at the District’s request, outside the regular hours of school resource officer (“SRO”) service that are described in the third numbered paragraph of this Agreement. By way of example, but without limitation, a SRO performs additional services if, at the written request of a school administrator or District administrator, the SRO attends a school board meeting, an extracurricular activity, or a community function that is held in the evening.
 - b. **“Exigent circumstances”** mean circumstances under which the courts permit police officers to execute a warrantless search or seizure; circumstances under which a reasonable police officer would believe that a person presents an immediate and substantial risk of harm to self or others; circumstances under which urgent action is reasonably necessary in order to prevent the destruction of evidence of a serious crime; and circumstances in which a police officer is in hot

pursuit of a suspect who is believed to have committed, or to have attempted to commit, a serious crime and is in the process of fleeing.

- c. **“School resource officer” or “SRO”** means a licensed peace officer who is employed by the City and is assigned by the City to provide SRO duties and/or additional services pursuant to this Agreement.
- d. **“SRO duties”** are the following law enforcement duties performed by the SRO, as assigned by the City:
 - protecting persons who are present on school property or at a school sponsored event or activity;
 - protecting real and personal property;
 - deterring truancy;
 - serving as a role model for students, parents, and community members;
 - conferring with students, parents, and community members for the purpose of deterring or addressing criminal behavior on school property or at a school sponsored event or activity;
 - advising on security vulnerabilities in the District’s schools;
 - visiting and inspecting high delinquency areas on school property;
 - being present and visible on school property;
 - deterring all forms of criminal activity on school property and at school sponsored events and activities;
 - serving as a resource for school officials regarding the prevention of criminal activity on school property and at school sponsored events and activities;
 - serving as a mentor and resource for students;
 - giving presentations to students and staff that are designed to promote safety or to deter, decrease, or otherwise address drug use or other potential criminal activity by students during school hours;
 - investigating and otherwise addressing criminal activity that has occurred, is alleged to have occurred, may have occurred, or is expected to occur on school property or at a school sponsored event or activity;
 - recovering stolen property;
 - enforcing all criminal laws on school property and at school sponsored events and activities;
 - apprehending criminals and suspected criminals;
 - responding to emergencies including, but not limited to, medical emergencies and situations involving a threat of violence or harm to property or to any person who is on school property or is at a school sponsored event or activity;
 - attending trainings provided by the District;
 - meeting and collaborating with school administrators and District administrators to develop and work toward mutually agreed upon goals; and
 - other tasks as assigned by the Brainerd Police Department.

All SRO duties shall be performed in accordance with applicable City, Brainerd Police Department, and District policies and procedures.

- e. **“School day”** means a day on which school is in session for in-person instruction, hybrid instruction, or distance learning, including any make-up days that are scheduled because school was canceled for any reason. School days are identified on the District calendar, which is published on the District’s website. Days on which students attend summer school are not school days.
 - f. **“School property”** means any property owned, leased, or controlled by the District where an elementary school, middle school, secondary school, secondary vocational center, alternative learning program, or other school providing educational services is located or used for educational purposes, or where extracurricular or cocurricular activities are regularly provided.
3. **Assignment of School Resource Officer.** The City will assign one full-time licensed peace officer to perform SRO duties on a full-time basis. SRO services will be provided during each school day. The SRO will provide SRO services at all school property within the City and will be primarily assigned to Brainerd High School.
- a. **Base Services.** The SRO provided by the City will carry out SRO duties for eight (8) hours each school day beginning on the first day of the regular school year through the last day of the regular school year, except for any days in which students are not in attendance due to a school closure or distance learning, for up to one hundred seventy-one (171) days per school year.
 - b. **Absences.** If the regular SRO is absent for more than 10 consecutive school days, the City will undertake reasonable efforts to assign another licensed peace officer to serve as a temporary replacement and perform the regular SRO’s duties during any additional absences.
 - c. **Vehicles, Equipment, and Training.** The City is responsible for providing the SRO with a vehicle and all necessary law enforcement equipment, including any necessary electronic devices. The City is also responsible for providing training and education to all peace officers who are assigned to provide services pursuant to this Agreement.
 - d. **Objections to Personnel.** The City will undertake reasonable efforts to assign peace officers who are acceptable to the District, and will provide the District with an opportunity to provide input before a new SRO is assigned to the District. The District will notify the City’s Chief of Police of any concerns related to the performance of the SRO. Any request for reassignment of the SRO that is based on work-related concerns must be made in writing to the Chief of Police. The City will have thirty (30) calendar days to demonstrate to the District’s satisfaction that the concern has been addressed in accordance with applicable collective bargaining agreements, City policies, and practices.

4. **Base Payment.** The District will pay the City for all SRO services, excluding additional services, as follows:
 - a. **2023-2024 School Year.** The District will pay the City a total of \$91,788. This amount will be paid in two equal installments on December 15, 2023 and June 15, 2024.
 - b. **2024-2025 School Year.** The District will pay the City a total of \$96,664. This amount will be paid in two equal installments on December 15, 2024, and June 15, 2025.
5. **Invoice for Additional Services.** The District's Superintendent, Lead Principals, or Activities Director may request in writing that the City assign one or more peace officers to provide "additional services" as defined in this Agreement. The City will make reasonable efforts to accommodate such requests. When the City assigns an officer to provide additional services, the District will be responsible for paying the officer's wages for the hours worked while providing additional services, any resulting overtime costs, a prorated portion of the officer's benefits for the hours worked while providing additional services, and the officer's transportation costs directly associated with providing additional services. The City will submit an itemized invoice to the District describing the additional services that were provided, the location where the additional services were provided, and the costs the City incurred in providing the additional services.
6. **District Responsibilities.** In addition to making the payments described in this Agreement, the District will provide office space for the SRO in the Brainerd High School. At a minimum, the office space will be furnished with a desk, two or more chairs, and landline telephone. The office will be enclosed, provided with electricity and access to the internet and telephone service, lighted, and climate controlled in the same manner as the other rooms in the Brainerd High School. The SRO will have access to the office during the normal business hours of the Brainerd High School. In the event that the SRO requires access to the office when the Brainerd High School is not open, the City may contact Reid Thiesse, Director of Buildings and Grounds, who shall make arrangements to allow the SRO to access the office. The SRO may print materials and make photocopies at the school where the SRO is stationed if the materials and photocopies relate to SRO duties. Individual schools may elect to provide additional resources, such as a two-way radio, to the SRO. School administrators and District administrators will provide guidance and assistance to each SRO as needed.
7. **Relationship of the Parties.** Nothing in this Agreement may be construed to create a partnership or joint venture between the District and the City. Neither party has any authority or power to take any unilateral action that could legally bind the other party. For purposes of the Minnesota Government Data Practices Act, each party is considered to be an independent contractor relative to the other party. The parties understand and agree that this Agreement does not create any rights or obligations beyond those expressly contained herein, including, but not limited to, any rights or obligations to any third party.

8. **SRO Employment Status.** At all times and for all purpose, the City is and will remain the exclusive employer of all peace officers who perform services pursuant to this Agreement. No SRO may be considered to be an official, employee, agent, educational service provider, or representative of the District, and neither party may make any representation to the contrary. The City maintains full control over the peace officers it employs and is solely responsible for all employment and administrative functions related its employees, including, but not limited to, supervision and evaluation, payroll and deductions, maintenance of all required insurance (e.g. workers' compensation insurance, unemployment insurance, liability insurance), and any labor disputes or grievances.
9. **Liability and Indemnification.** Each party is solely responsible for the act(s) and omission(s) of its own officers, employees, officials, agents, and representatives. To the extent permitted by law, each party agrees to indemnify the other party from any and all damages, liability, judgments, claims, expenses, attorney fees, and costs resulting from any act or omission of any of its officers, employees, officials, agents, or representatives. Each party's liability, if any, is limited under Minnesota Statutes Chapter 466, and nothing this Agreement may be deemed to constitute a waiver of those limits.
10. **Prohibited Actions.** In the absence of exigent circumstances, a peace officer who is employed by the City may not interview a student on school property about criminal activity or potential criminal activity unless: (a) the officer is conducting a maltreatment of minor investigation; (b) the crime has occurred, is alleged to have occurred, may have occurred, is occurring, or is reasonably expected to occur in the near future on school property or at a school sponsored event or activity; or (c) the officer has obtained prior written permission from the building principal and from the student's parent or guardian or the student, if the student is eighteen (18) years of age or older. In addition, the parties understand and agree that a peace officer, including any SRO assigned pursuant to this Agreement, may not participate in recommending or determining student discipline or in investigating incidents of student discipline which do not involve potential criminal activity.
11. **Execution of Arrest Warrants.** When executing an arrest warrant for a student on school property, a peace officer must make reasonable efforts to protect other students and staff members who are present and to avoid undue embarrassment to the student who is being arrested. This paragraph is not intended to prevent an officer from taking immediate action to arrest a student who is fleeing or who presents an imminent and substantial risk of harm to self, others, or property.
12. **Notices.** The District must provide all official notices under this Agreement by electronic mail or U.S. Mail addressed to the City's Chief of Police, John Davis, at john.davis@ci.brainerd.mn.us or at 225 E River Road, Brainerd, MN 56401. The City must provide all official notices under this Agreement by electronic mail or U.S. Mail addressed to the District's Superintendent, Heidi Hahn, at heidi.hahn@isd181.org or Washington Educational Services Building, 804 Oak St., Brainerd, MN 56401. Either party may designate a different addressee or address at any time by giving written notice

to the other party. Notice that is delivered by mail is effective upon mailing. Notice that is delivered by email is effective upon transmission.

13. **Data Practices.** All government data that are collected, created, received, or maintained as a result of this Agreement will be handled in accordance with all applicable federal and state laws, including, but not limited to, the Minnesota Government Data Practices Act (“MGDPA”). The parties recognize that educational data maintained by the District are protected under the MGDPA and under and the Family Educational Rights Privacy Act (“FERPA”), including its implementing regulations at 34 C.F.R. part 99. The parties acknowledge that unless a statutory exception applies, the District may not disclose private educational data to a SRO without the written consent of the student’s parent or guardian (or the written consent of the student if the student is eighteen years of age or older); a lawfully issued subpoena; or a court order. Nothing in this Agreement may be construed to modify the responsibilities of either party under the MGDPA or the District’s responsibilities under FERPA.
14. **Background Checks.** The City must conduct, or have conducted, a criminal background check on all peace officers who provide any service pursuant to this Agreement. The background check must be completed before the peace officer provides any service pursuant to this Agreement.
15. **No Unlawful Discrimination.** The District and the City each agree to provide equal employment opportunities to all employees and applicants for employment in accordance with all applicable federal, state, and local laws. No person may be excluded from full employment rights in, participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program, service, or activity based on race, color, religion, age, sex, disability, marital status, sexual preference, public assistance status, creed, or national origin. In addition, the District and the City each specifically agree not to discriminate unlawfully against any student in any program, service, activity, or decision based on race, color, religion, age, sex, disability, marital status, sexual preference, public assistance status, creed, or national origin.
16. **Waiver and Enforcement.** The failure to insist on compliance with any term, covenant, or condition contained in this Agreement must not be deemed to be a waiver of that term, covenant, or condition, nor will any waiver or relinquishment of any right or power contained in this Agreement at any time be deemed to be a waiver or relinquishment of any right or power at any other time. Each party is be responsible for its own costs, expenses, and any attorneys’ fees associated with this Agreement and any related matters, including enforcement of this Agreement.
17. **Equal Drafting.** In the event that either party asserts that a provision of this Agreement is ambiguous, this Agreement must be construed to have been drafted equally by the Parties.
18. **Choice of Law, Forum and Severability.** This Agreement is governed by the laws of the State of Minnesota, without regard to its conflict of laws provisions. The parties

agree that the Minnesota state and federal courts will have exclusive jurisdiction over any dispute arising out of this Agreement. If a court determines that any part of this Agreement is unlawful or unenforceable, the remaining portions of the Agreement will remain in full force and effect.

19. **Entire Agreement, Changes, and Effect.** This Agreement constitutes the entire agreement between the District and the City regarding the matters contained herein. This Agreement supersedes any inconsistent statements or promises made by either party. This Agreement also supersedes and terminates any prior or existing agreements or contracts regarding the same or any similar subject matter. Neither party has relied upon any statements, promises, agreements, or representations that are not stated in this Agreement. No changes to this Agreement are valid unless they are in writing and signed by both parties. A copy of this Agreement has the same legal effect as the original.

IN WITNESS WHEREOF, the parties have entered into this Agreement on the dates recorded by their signature. By signing below, each party specifically acknowledges that it has read this Agreement and that it understands and voluntarily agrees to be legally bound by all terms of the Agreement.

CITY OF BRAINERD

Mayor

Date

City Administrator

Date

Chief of Police

Date

INDEPENDENT SCHOOL DISTRICT NO. 181

School Board Chair

Date

School Board Clerk

Date



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Consider Request from BCA for Independence Day Fireworks Donation

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Connie Hillman

DEPARTMENT: Finance

PRESENTER: Executive Director BCA/City Staff

ESTIMATED TIME (MIN): 5 Minutes

SUMMARY OF ISSUE:

Please see the attached letter from Dave Badeaux, Executive Director of Brainerd Community Action.

Staff inquired about Baxter's contribution for fireworks and was told that it has been \$8,000 as well the last handful of years.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Historically we have used the special projects budget line item for the fireworks/celebration donation. Below is a history of the donations made for this cause:

2016 through 2022 - \$8,000
2015 - \$7,500
2014 - \$8,500
2013 - \$8,000
2011 and 2012 - \$5,000
2010 - \$0

There was \$28,000 budgeted for special projects in 2023. As of the end of May \$7,517 of the budget has been used; \$500 donation to the historical society and \$7,017 for Civic Clerk software relating to the 2023 portion of the fee. This results in \$20,483 of the budget remaining.

RECOMMENDED ACTION/MOTION:

Approve the request from Brainerd Community Action for a donation for Independence Day fireworks in the amount of \$8,000 to be paid from the special projects budgeted line item.

FINANCIAL IMPACT:

Is there a cost associated with this request: Yes
What is the total cost, with tax and shipping: \$8,000
Is this budgeted? (Please Explain) Yes, under Special Projects



May 31, 2023

Dear City Officials,

Each year Brainerd Community Action hosts numerous annual events that attract thousands of people into The Brainerd Lakes Area and throughout our communities. We are in the midst of our planning season and continuing to prepare for the 2023 Fourth of July firework display.

What we learned over the last few years is that the firework portion of the day is the most important part of our local celebration, and we aim to continue to bring a world class show to all those who are able to view. Continuing to shoot from a centralized location and doing so with the goal of shooting as high as possible has proven very popular with both cities and has allowed people to view the show from a wider area than in years past. Because of this Brainerd Community Action will be using this as a basis for our event and putting an extra emphasis on making sure this portion of the day is top tier.

What we ask of both our cities, Brainerd and Baxter, is that they continue to support the fireworks portion of this important event for our area.

Brainerd Community Action will continue to evaluate how we can best present this patriotic moment for our community, and as always, our goal will be to provide a celebration that is both appropriate for and worthy of the title of Minnesota's 4th of July Capital right here in the Brainerd Lakes.

Thank you for your continued community support.

A handwritten signature in blue ink, appearing to read "Dave Badeaux", is written over a light blue horizontal line.

Dave Badeaux
Executive Director
Brainerd Community Action

RECEIVED

MAY 31 2023

**CITY OF BRAINERD
ADMINISTRATION**



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Adopt Resolutions for State Bonding Priorities

AGENDA: P&F Committee

ACTION REQUESTED: Adopt Resolution

SUBMITTED BY: Jennifer Bergman

DEPARTMENT: Administration

PRESENTER: Jennifer Bergman

ESTIMATED TIME (MIN): 5 Minutes

SUMMARY OF ISSUE:

2024 is scheduled to be a state bonding year. The bonding bill applications need to be submitted to Minnesota Management and Budget (MMB) by June 16, 2023 in order to be considered by the legislature. Prior to submitting an application, the Council should adopt a resolution. The resolution needs to be adopted and added to the application by October 13th. However MMB would like it to be included with the initial application if possible. The resolution represents support for the project, as well as prioritizing the projects if multiple applications are to be submitted.

For the 2022 bonding year, the City submitted two applications in the following priority: 1) Water Storage Tanks and 2) Cuyuna Lakes State Trail Extension. The water storage tanks were approved for state bonding money in the 2023 legislation.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Staff is recommending the three applications for the following projects in this priority:

- 1) Water Treatment Plant Improvements, Lead and Copper Corrosion Compliance
- 2) Pedestrian Bridge Crossing over Highway 210
- 3) Cuyuna Lakes State Trail Extension

RECOMMENDED ACTION/MOTION:

Adopt Resolution authorizing the City Administrator to file an application with the Minnesota Management and Budget Office for 2024 state appropriations funded from state general obligation bonds.

FINANCIAL IMPACT:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping: [Click to enter text](#)

Is this budgeted? (Please Explain) [Click to enter text](#)

RESOLUTION

XX:23

AUTHORIZING THE CITY ADMINISTRATOR TO FILE AN APPLICATION WITH THE MINNESOTA MANAGEMENT AND BUDGET OFFICE FOR 2024 STATE APPROPRIATIONS FUNDED FROM STATE GENERAL OBLIGATION BONDS

WHEREAS: Minnesota Statutes section 16A.86 establishes the process by which local governments and political subdivisions may request state appropriations for capital improvement projects; and

WHEREAS, the Minnesota Management and Budget Office will be soon accepting local government requests for state appropriations for capital improvement projects that the State Legislature will consider during the 2024 Legislative Session; and

WHEREAS, all requests for appropriations funded from state general obligation bonds must be accompanied by a resolution of the governing body of the applicant with the project priority number if submitting multiple requests; and

WHEREAS, local governments are encouraged to be selective in their requests and propose only the most important projects with clear regional or statewide significance; and

WHEREAS, the City of Brainerd has deemed; the number 1 priority being the Water Treatment Plant Improvements, Lead and Copper Corrosion Compliance; and, the number 2 priority being the Pedestrian Bridge Crossing over Highway 210, the number 3 priority being the Cuyuna Lakes State Trail extension.

WHEREAS, the City of Brainerd requires State bonding appropriations to provide financing to supplement City and other local funding to effectuate the design and construction of the aforementioned projects of regional and state significance.

NOW, THEREFORE BE IT RESOLVED, that the Brainerd City Council assigns the project priority and project priority numbers as follows:

1. Water Treatment Plant Improvements, Lead and Copper Corrosion Compliance
2. Pedestrian Bridge Crossing Over TH 210
3. Cuyuna Lakes State Trail Extension

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Brainerd City Council authorizes the submission of requests for 2024 state appropriations funded from state general obligation bonds to assist in financing the following projects of regional and state significance – the number 1, 2 and 3 projects.

Adopted this ____ day of _____, 2023

KELLY BEVANS

President of the Council

Approved this ____ day of _____, 2023

DAVE BADEAUX

Mayor

ATTEST: _____

JENNIFER BERGMAN

City Administrator

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

June 5, 2023

6:30 PM

Council Chambers

**WebEx Teleconference Call-In Information Call Toll-Free:
1-844-992-4726 Access Code: 2485 120 6974**

1. Consider Street Closure Request- N 8th St from Fir to Bluff
2. Approve Event/Parking Lot Closure Application- GnarBQ
3. Approve Event/Parking Lot Closure Application- LAMF Block Party
4. Approve Event/Street Closure Application- Independence Day
5. Approve Event/Street Closure Application-Street Fest
6. Approve Change Order 2- Improvement 21-12 North Brainerd Reconstruction
7. Request to Award Improvement 23-03- 2023 Large Patch Project
8. Approve Award for TH 371 B/Willow Street Roundabout Engineering Services Contract
9. Discussion on Gate at Evergreen
10. Discussion on Stop Sign Request N 10th St and Ivy St
11. Discussion on Name a Truck
12. Report of Survey Results Washington Street Special Services District
13. Direction on Small Engine Repair and Home Businesses
14. Direction on Active Code Enforcement



Brainerd City Council Agenda Request

MEETING DATE: 06/05/2023

TITLE OF ITEM: Consider Street Closure Request- N 8th St from Fir to Bluff

AGENDA: SPW Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Jessie Dehn, PW Director

DEPARTMENT: Public Works

PRESENTER: Jessie Dehn, PW Director

ESTIMATED TIME (MIN): 3 Min

SUMMARY OF ISSUE:

Will Riley, 801 Fir St, is requesting a temporary closure of N 8th St from Fir St to Bluff Ave on June 17th. He is holding his daughter's grad party at his home from 12:00pm to 4:30pm. He is requesting this closure as his house is across N 8th from Triangle Park and he would like to ensure that children could cross the street safely to the park.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

[Click to enter text](#)

RECOMMENDED ACTION/MOTION:

Approve/Deny the temporary closure of N 8th St from Fir St to Bluff Ave on June 17th, 2023.

FINANCIAL IMPACT:

Is there a cost associated with this request: [Click to enter text](#)

What is the total cost, with tax and shipping: [Click to enter text](#)

Is this budgeted? (Please Explain) [Click to enter text](#)



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Approve Event/Street Closure Application – GnarBQ

AGENDA: SPW Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: City Eng/PW Director Dehn

DEPARTMENT: Public Works

PRESENTER: City Eng/PW Director Dehn

ESTIMATED TIME (MIN): 2 Minutes

SUMMARY OF ISSUE:

Attached to this request is the event and parking lot closure application for the GnarBQ event, to be held on July 1st from 12 p.m. to 5 p.m. The event consists of a pop-up skate park, barbeque, and live music.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

This event by the Lakes Area Skatepark Association will utilize the City Hall parking lot. They are proposing to utilize the power available by the corner of the parking lot. They are planning for a PA system and live music. The applicant has indicated that they will provide one restroom but have not decided on a vendor. They are requesting that City staff provide trash receptacles and park benches for the event. For the barbeque, the applicant has applied for the temporary food vendor license through the MN Dept. of Health.

RECOMMENDED ACTION/MOTION:

Staff recommends approval of the attached application under the conditions listed in the attached event application.

FINANCIAL IMPACT:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping: [Click to enter text](#)

Is this budgeted? (Please Explain) [Click to enter text](#)



SPECIAL EVENT APPLICATION

Date of Application: 5/15/23

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

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

Name of event: Gnar BQ

Organizer Information

Organizer's Name: Lakes Area Skatepark Association
Organizer's Address: 1620 9th Ave NE, Brainerd
Event Contact Person: Jake Remaker
Event Contact Daytime Phone: 712-202-4858
Event Contact E-mail Address: Lakes Area Skatepark@gmail.com
Contact Name/Number Day of Event: 712-202-4858
For Profit/Nonprofit Status (type): 501(c)(3)

Applicant information (if different from the event organizer):

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

Event Information

Event Details (list each date separately)

Event Date	Start Time	End Time	Event Location(s) – see locations listed below
7-1-23	12:00p	5:00p	City Hall Parking lot

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

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

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

Description of Activities

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

we will be hosting a pop-up skatepark & barbeque event. Grilled items will be provided for a free will donation, a donation is not required to eat. there will be live music & amplified sound during the event.

Site Information

Electrical usage

☒ Yes

☐ No

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

Sound system / PA system

Amplified Sound

☒ Yes

☐ No

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

PA system & live music

Restrooms provided

☒ Yes

☐ No

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

Company contracted for restrooms:

not decided

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

Signs, banners, and/or posters/flyers

☒ Yes

☐ No

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

banners within the parking lot area

Trash Receptacle Disposal

☐ Yes

☒ No

Company contracted for trash receptacle disposal:

Additional Event Information

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

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

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

Street Closure Request Information

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

NA

Date and time for beginning of street closures: _____

Date and time for reopening of streets: _____

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

NA

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

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

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

Hold Harmless Agreement and Insurance Information

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

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

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

Signature of Event Applicant

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



Signature of Applicant



Print Name

Contacts, Permits, and Fees Checklist

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

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

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

Contact Information

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

For Official Use Only

Department Sign-offs Required

Department	Date/Initials	Comments
Brainerd Public Utilities	_____	No comments
City Administration	_____	Submit COI
Engineering Department	5/25 JD	See conditions below
Fire Department	_____	No comments
Fire Support/EMS	_____	No comments
Parks Department	_____	No comments
Planning Department	JK	Remove signs/banners after event
Police Department	_____	No comments

Event Application Approval

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

City Administrator

Date

Approval Conditions

1. Request traffic control materials, trash receptacles, and picnic benches 1 week prior to event. Materials can be requested at 218-513-4412.
2. Submit Certificate of Insurance to City Hall prior to event.
3. Remove all signs/banners after the event.

Certification of Street Closure Approval

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



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Approve Event/Street Closure Application – LAMF Block Party

AGENDA: SPW Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: City Eng/PW Director Dehn

DEPARTMENT: Public Works

PRESENTER: City Eng/PW Director Dehn

ESTIMATED TIME (MIN): 2 Minutes

SUMMARY OF ISSUE:

Attached to this request is an event/parking lot closure application for the Annual Lakes Area Music Festival Block Party, to be held on Wednesday, August 9, 2023 in the Laurel Street Parking Lot.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

This is the Lakes Area Music Festival concert that is free to the public. There is a stage set up, portable sound facilities, etc. Sage on Laurel provides the power for the event each year, and there is amplified sound. The music is typically done by 8:30 PM. The applicant has indicated that Blakeman will be providing portable restrooms for the event. Waste Management will be providing refuse collection after the event.

RECOMMENDED ACTION/MOTION:

Staff recommends approval of the attached application under the conditions listed in the attached event application.

FINANCIAL IMPACT:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping: Click to enter text

Is this budgeted? (Please Explain) Click to enter text



SPECIAL EVENT APPLICATION

Date of Application: 2023-05-06

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

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

Name of event: LAMF BLOCK PARTY

Organizer Information

Organizer's Name: MIKE ANGLAND
Organizer's Address: 15873 OLD STONEBRIDGE TRAIL
Event Contact Person: MIKE ANGLAND
Event Contact Daytime Phone: 218-821-1343
Event Contact E-mail Address: Mike.Angland@wsn.us.com
Contact Name/Number Day of Event: NO IDEA WHAT THIS IS ASKING
For Profit/Nonprofit Status (type): NONPROFIT - Brainerd Restoration

Applicant information (if different from the event organizer):

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

Event Information

Event Details (list each date separately)

Event Date	Start Time	End Time	Event Location(s) – see locations listed below
2023-08-09	3:30	9:00	Laurel Street Parking Lot

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

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

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

Description of Activities

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

THIS IS THE 5th ANNUAL LAKES AREA MUSIC FESTIVAL
CONCERT, THAT IS FREE TO THE PUBLIC
WE SET UP A STAGE, PORTABLE FACILITIES, ETC.
IT'S AN AWESOME EVENT, THANKS CITY OF BRAINERD

Site Information

Electrical usage

☐ Yes☐ No

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

**POWER FOR SPEAKERS ON STAGE, WE USE SAGE POW
SARAH HAYDEN SHAW PROVIDES THIS EVERY YEAR**

Amplified Sound

☐ Yes☐ No

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

**WE USE SPEAKERS EVERY YEAR AND WE'RE DONE
PLAYING BY 8:30 P.M.**

Restrooms provided

☐ Yes☐ No

If yes, how many 2 (a ratio of 1 for every 100-150 people is recommended)

Company contracted for restrooms: **BLAKEMAN**

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

Signs, banners, and/or posters/flyers

☐ Yes☐ No

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

Trash Receptacle Disposal

☐ Yes☐ No

Company contracted for trash receptacle disposal: **WASTE MANAGEMENT**

Additional Event Information

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

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

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

Street Closure Request Information

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

Date and time for beginning of street closures: _____

Date and time for reopening of streets: _____

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

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

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

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

Hold Harmless Agreement and Insurance Information

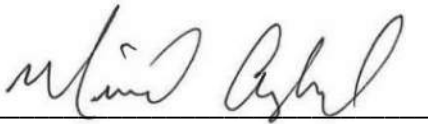
The Applicant covenants to save, defend, hold harmless, and indemnify the City of Brainerd and all of its officers, departments, agencies, agents, and employees (collectively the "City") from and against any and all claims, losses, damages, injuries, fines, penalties, costs (including court costs and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

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

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

Signature of Event Applicant

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



Signature of Applicant

MIKE ANGLAND

Print Name

Contacts, Permits, and Fees Checklist

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

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

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

Contact Information

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

For Official Use Only

Department Sign-offs Required

Department	Date/Initials	Comments
Brainerd Public Utilities		No comments
City Administration		No comments
Engineering Department	5/25 JD	See conditions below
Fire Department	5/17 TH	See conditions below.
Fire Support/EMS		No comments
Parks Department		No comments
Planning Department	5/17 JK	No issues.
Police Department		No comments

Event Application Approval

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

City Administrator

Date

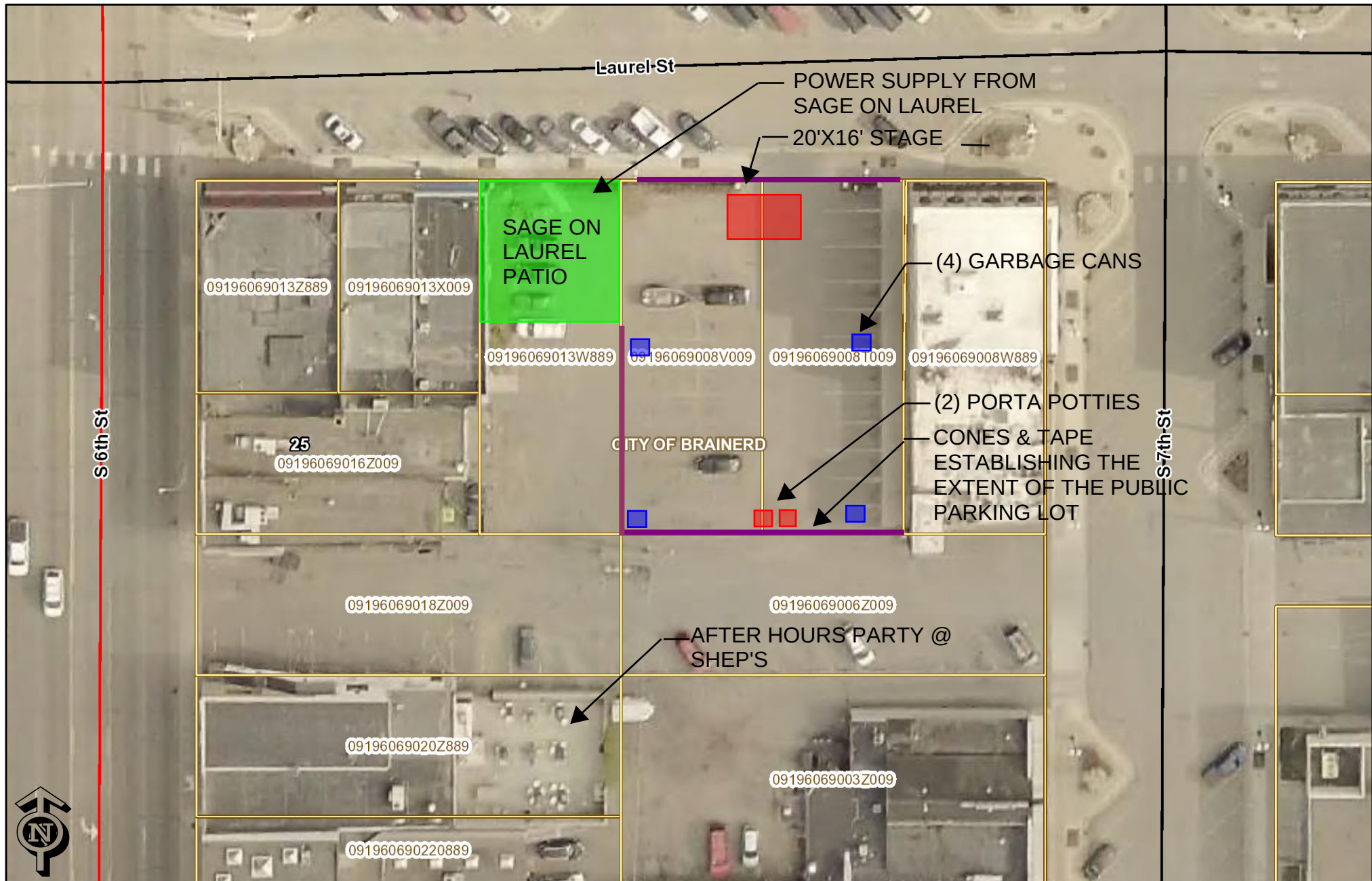
Approval Conditions

- 1. Request traffic control materials 1 week prior to event. Materials can be requested at 218-513-4412.
- 2. Per MN State Fire Code If they have more than 1000 people attending the event in a fenced off or controlled access area, they will need to provide trained crowd managers for the event.

Certification of Street Closure Approval

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

2023-05-06



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Date: 7/25/2018 Time: 2:29:37 PM





Brainerd City Council Agenda Request

MEETING DATE: 06/05/2023

TITLE OF ITEM: Event/Street Closure- Independence Day

AGENDA: SPW Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Jessie Dehn, PW Director

DEPARTMENT: Public Works

PRESENTER: Jessie Dehn, PW Director

ESTIMATED TIME (MIN): 5 minutes

SUMMARY OF ISSUE:

Attached to this request is an event/street closure application for the 4th of July Celebration to be held on July 4th, 2023 from 6 pm - 11 pm for the parade and fireworks display.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Staging for the parade route will be at the High School Upper Parking Lot, Parade route will follow S. 5th street to Laurel. Turn left and continue to East River Rd. Turn left and make its way down East River Rd to the lower high school parking lot. A list of requested barricades, signs, and cones is attached. There will be an announcer booth and the applicant has indicated it will be at the end of the route. Music will be broadcast at the high school football field along with hosting the booth and EMCEE. 65 restrooms will be provided near Don Adamson Field. Banners will be placed along the fencing at the football field and on the stage. Waste Partners is contracted for waste. The applicant is requesting the closure per the attached map in the application. All businesses along the route are closed that day, but advertising for the event will be via print, social media, online calendar, and PSA's. The police department has indicated that there has been issues in the past of not having enough traffic control, so the street department will drop off additional devices at the police department for their use if needed.

RECOMMENDED ACTION/MOTION:

Staff recommends approval of the attached event/street closure application under the conditions the applicant remove any banners and signs after the event, apply for a permit for the fireworks through the Fire Department, and that the applicant ensures to coordinate the activities for the day regarding traffic control, etc. with the police department.

FINANCIAL IMPACT:

Is there a cost associated with this request: Click to enter text

What is the total cost, with tax and shipping: Click to enter text

Is this budgeted? (Please Explain) Click to enter text



SPECIAL EVENT APPLICATION

Date of Application: 5/31/2023

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

RECEIVED

MAY 31 2023

Type of event:

☐
☒

Event – City Parking Lot
Event with Street Closure

☐
☐

Event – City Park
Other _____

**CITY OF BRAINERD
ADMINISTRATION**

Name of event: Brainerd / Baxter 4th of July Celebration

Organizer Information

Organizer's Name:

Brainerd Community Action

Organizer's Address:

321 South 7th St. Suite 105

Event Contact Person:

Dave Badeaux- Executive Director

Event Contact Daytime Phone:

218-829-5278

Event Contact E-mail Address:

info@brainerdcommunityaction.org

Contact Name/Number Day of Event:

For Profit/Nonprofit Status (type):

Nonprofit

Applicant information (if different from the event organizer):

Applicant Name:

Dave Badeaux

Applicant Address:

Same

Applicant Phone:

Applicant E-mail Address:

Event Information

Event Details (list each date separately)

Event Date	Start Time	End Time	Event Location(s) – see locations listed below
7/4/2023	6pm	11pm	Brainerd High School Lower Site

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

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

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

Description of Activities

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

Parade -6pm (See Map)

Family activities - 8pm (sack races, relays, various competitions)

Live Music- 8pm

Fireworks 10:15 Sharp

Site Information

Electrical usage ☐ Yes ☒ No

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

Food Vendors and Broadcasters will all use generators

Amplified Sound ☒ Yes ☐ No

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

Hubbard Radio will be broadcasting over the stadium PA as well as from a

small staged location at the end of the parade route

Restrooms provided ☒ Yes ☐ No

If yes, how many **65** (a ratio of 1 for every 100-150 people is recommended)

Company contracted for restrooms: **Blakeman Pumping**

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

Signs, banners, and/or posters/flyers ☒ Yes ☐ No

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

Sponsorship banners will be placed along the fencing of the football stadium

and flyers and posters will be located through out town advertising the event

Trash Receptacle Disposal ☒ Yes ☐ No

Company contracted for trash receptacle disposal: **Waste Partners**

Additional Event Information

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

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

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

Street Closure Request Information

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

Parade route will follow S. 5th street to Laurel. Turn left and continue to East River Rd. Turn left and make its way down

East River Rd to the lower high school parking lot. A list of requested barricades, signs, and cones is attached.

Date and time for beginning of street closures: 5pm

Date and time for reopening of streets: 8pm or after parade has concluded

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

This year access to college drive will not be blocked and traffic will be allowed to continue as needed.

We will again be staging east of the highschool utilizing the new parking lots

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

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

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

Hold Harmless Agreement and Insurance Information

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

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

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

Signature of Event Applicant

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



Signature of Applicant

Dave Badeaux

Print Name

Contacts, Permits, and Fees Checklist

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

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

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

Contact Information

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

For Official Use Only

Department Sign-offs Required

Department	Date/Initials	Comments
Brainerd Public Utilities	_____	_____
City Administration	_____	Submit COI
Engineering Department	_____	Coordinate with Street Department
Fire Department	_____	_____
Fire Support/EMS	_____	_____
Parks Department	_____	_____
Planning Department	_____	Remove Banners and Signs after event
Police Department	_____	Coordinate with PD

Event Application Approval

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

City Administrator

Date

Approval Conditions

Certification of Street Closure Approval

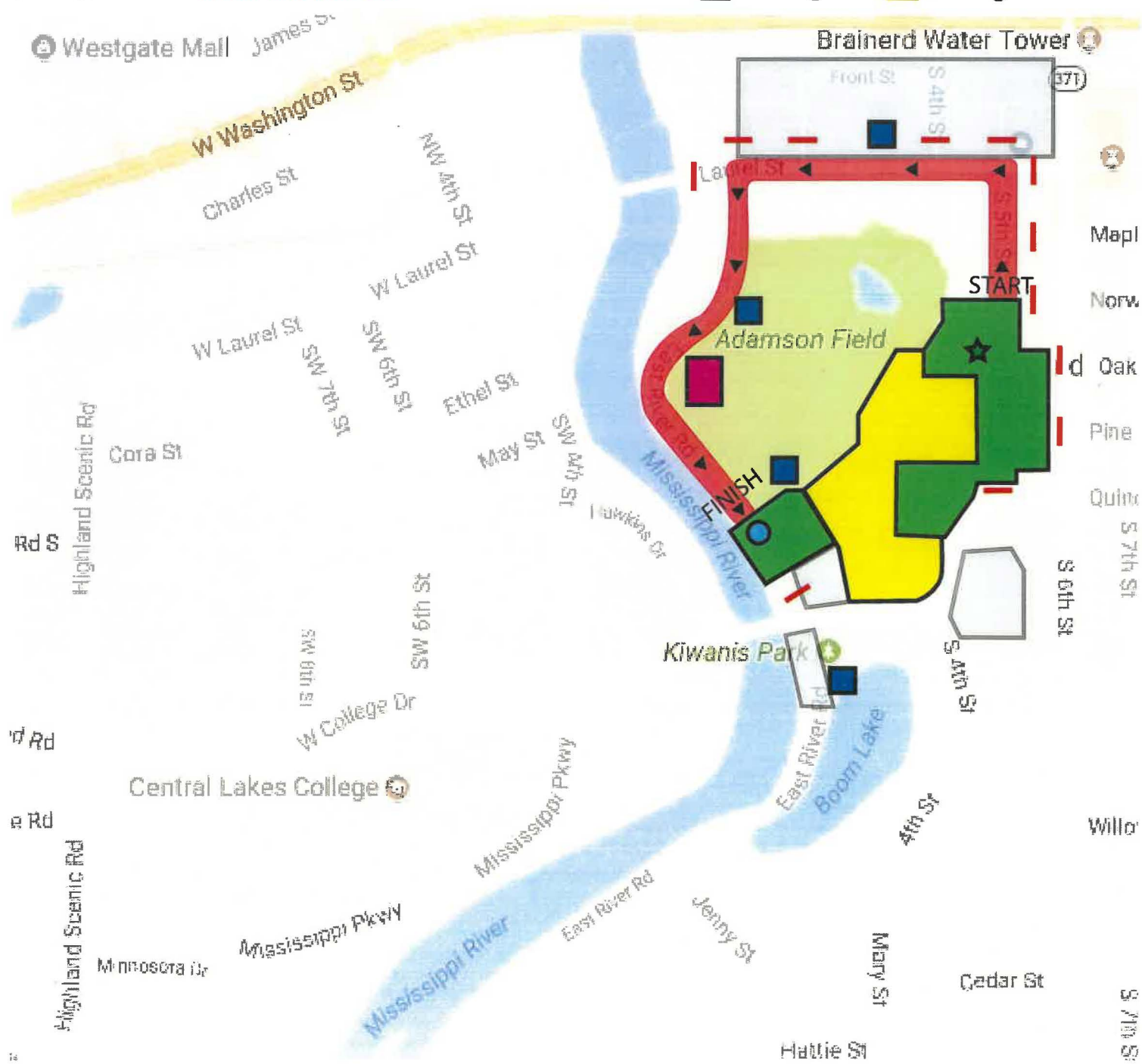
The street closure request as described herein was approved by the City Council at their _____, 20__ meeting. Approval is subject to the following condition(s):



BRAINERD 4TH OF JULY PARADE

JULY 4TH AT 6PM

- | | | |
|--------------|-----------|-----------------|
| Parade Route | Restrooms | Staging Area |
| Registration | Emcee | Concessions |
| Barricade | Parking | Brd High School |



The following use of barricades, cones and no parking signs are being requested for the Community 4th of July Celebration:

Barricades:

- 5th & Quince
- 5th & Oak
- 5th & Norway
- 5th & Maple
- 5th & Laurel (East and North)
- 4th & Laurel
- 2nd & Laurel
- E. River Road & Laurel – Police & Fire Dept.
- E. River Road & College Dr.

Cones:

- 15 cones High School Parking lot North of Itchy Zebra
- 10 cones High School Lower Parking lot South of Stadium

No Parking Signs:

- Along parade route

Thank you,

Dave Badeaux

Executive Director

Brainerd Community Action



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Approve Event/Street Closure Application –Street Fest

AGENDA: SPW Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: City Eng/PW Director Dehn

DEPARTMENT: Public Works

PRESENTER: City Eng/PW Director Dehn

ESTIMATED TIME (MIN): 2 Minutes

SUMMARY OF ISSUE:

Attached to this request is the event and street closure application for the annual Street Fest, to be held from July 28th at 12 p.m. to July 29th at 12 a.m. The event consists of ribfest, games, activities, vendor market, and music.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

This event is same as in years past. Power is provide by the Jaycees. They have professional sound equipment. The applicant has indicated that Nelson Sanitation will provide additional restrooms. They have contracted with Waste Partners for trash receptacles. The Jaycees intend on placing small banners, flyers on event corners, etc. before and during the event. They have requested the closure of Front Street between S. 6th Street and S. 8th Street on both days. They are also requesting closure of the Front Street Parking Lot on July 29th. They will also be utilizing the Mills Parking Lot. Sidewalks will remain open to the event.

RECOMMENDED ACTION/MOTION:

Staff recommends approval of the attached application under the conditions listed in the attached event application.

FINANCIAL IMPACT:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping: [Click to enter text](#)

Is this budgeted? (Please Explain) [Click to enter text](#)



SPECIAL EVENT APPLICATION

Date of Application: 5/16/2023

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

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

Name of event: Street Fest

Organizer Information

Organizer's Name: Brainerd Jaycees, Inc.
Organizer's Address: PO Box 384, Brainerd, MN
Event Contact Person: Cassandra Clarken
Event Contact Daytime Phone: (218) 330-3543
Event Contact E-mail Address: brdstreetfest@gmail.com
Contact Name/Number Day of Event: Cassandra Clarken (218) 330- 3543
For Profit/Nonprofit Status (type): Non-Profit

Applicant information (if different from the event organizer):

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

Event Information

Event Details (list each date separately)

Event Date	Start Time	End Time	Event Location(s) – see locations listed below
07/29	7am	12am	Mills Lot and Front Street Parking Lot
7/28	12 pm	12 am	Mills lot and Front St 6th- 8th
7/29	6 am	12 am	Mills lot and Front St 6th-8th
07/29	6 am	4 pm	Front St Parking Lot

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

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

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

Description of Activities

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

Ribfest, games, activities, vendor market, and music

Site Information

Electrical usage

☒

Yes

☐

No

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

Powered By Jaycees

Amplified Sound

☒

Yes

☐

No

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

Professional sound equipment by Silent Partners Production

Restrooms provided

☒

Yes

☐

No

If yes, how many 15+ (a ratio of 1 for every 100-150 people is recommended)

Company contracted for restrooms: Nelson Sanitaton

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

Signs, banners, and/or posters/flyers

☒

Yes

☐

No

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

small banners, flyers on event corners, permits

Trash Receptacle Disposal

☒

Yes

☐

No

Company contracted for trash receptacle disposal: Waste Partners

Additional Event Information

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

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

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

Street Closure Request Information

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

Front Street between 6th St and 7th St with a portion between 7th St and 8th St

Date and time for beginning of street closures: Saturday 6am

Date and time for reopening of streets: Sunday 12am

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

Sidewalks will remain open during event

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

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

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

Hold Harmless Agreement and Insurance Information

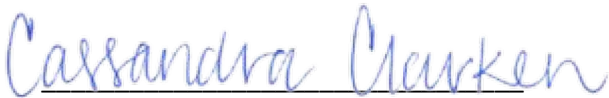
The Applicant covenants to save, defend, hold harmless, and indemnify the City of Brainerd and all of its officers, departments, agencies, agents, and employees (collectively the "City") from and against any and all claims, losses, damages, injuries, fines, penalties, costs (including court costs and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

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

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

Signature of Event Applicant

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



Signature of Applicant

Cassandra Clarken

Print Name

Contacts, Permits, and Fees Checklist

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

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

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

Contact Information

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

For Official Use Only

Department Sign-offs Required

Department	Date/Initials	Comments
Brainerd Public Utilities		
City Administration		Submit COI
Engineering Department	5/25 JD	Request traffic control materials 1 week prior to event.
Fire Department	TH	Per MN State Fire Code If they have more than 1000 people attending the event in a fenced off or controlled access area, they will need to provide trained crowd managers for the event.
Fire Support/EMS		
Parks Department		
Planning Department	JK	Remove signs/banners following event
Police Department	JD	Hire 2 officers for security from 8pm-12am

Event Application Approval

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

City Administrator

Date

Approval Conditions

- 1. Request traffic control materials 1 week prior to event. Materials can be requested at 218-513-4412.
- 2. If more than 1,000 people attending in a controlled access area, provide trained crowd managers for the event.
- 3. Remove signs/banners following the event
- 4. Hire 2 officers for security from 8 p.m. until 12 a.m.
- 5. Submit Certificate of Insurance to City Hall prior to the event.

Certification of Street Closure Approval

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



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Approve Change Order 2 – Imp 21-12 North Brainerd Reconstruction

AGENDA: SPW Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: City Eng/PW Director Dehn

DEPARTMENT: Public Works

PRESENTER: City Eng/PW Director Dehn

ESTIMATED TIME (MIN): 5 Minutes

SUMMARY OF ISSUE:

Staff was aware of blocks during Phase 1 that had concrete underneath the existing asphalt pavement that would need to be removed as part of the reconstruction project. Staff utilized previous records to estimate the amount of concrete under the pavement that would need to be replaced with granular material. During removals, it was found that the concrete was thicker than anticipated. With this thicker section, more granular material was required to build the road grade back to the necessary elevations prior to placement of the new gravel base and pavement. This was an unforeseen condition that was not anticipated during the design process.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

When this was discovered, staff was working with the contractor to determine if additional material could be found elsewhere in Phase 1 that could be moved to the areas needing additional granular material. Unfortunately, the amount of material needed far exceeded what was available elsewhere on Phase 1.

There will also be areas that have a similar removal of concrete under the existing pavement in Phase 2. However, staff is optimistic that there will be surplus material elsewhere on Phase 2 that can be used if necessary.

RECOMMENDED ACTION/MOTION:

Staff recommends approval of Change Order 2 in the amount of \$32,793.60.

FINANCIAL IMPACT:

Is there a cost associated with this request: Yes

What is the total cost, with tax and shipping: \$32,793.60

Is this budgeted? (Please Explain) Change Orders aren't budgeted, but are part of construction and unforeseen expenses that arise during construction projects.



STATE AID FOR LOCAL TRANSPORTATION
CHANGE ORDER

Rev. February 2018

SP/SAP(s)		MN Project No.:	N/A	Change Order No.	2
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Project Location	Juniper Street - N 2nd Street to N 10th Street, N 3rd Street - Washington Street to Holly Street, N 6th Street - Washington Street to Juniper Street, N 7th Street - Kingwood Street		
Local Agency	City of Brainerd	Local Project No.	21-12
Contractor	DeChantal Excavating LLC	Contract No.	2022-03
Address/City/State/Zip	P O Box 315 / Brainerd / MN / 56401		
Total Change Order Amount \$		\$32,793.60	

Change order for the furnishing and installing of Granular Borrow to supplement material onsite.

Estimate Of Cost: (Include any increases or decreases in contract items, any negotiated or force account items.)					
Item No.	Description	Unit	Unit Price	+ or - Quantity	+ or - Amount \$
2105.60 7	GRANULAR BORROW (LV)	C Y	\$21.35	1536	\$32,793.60
Net Change this Change Order					\$32,793.60

Due to this change, the contract time: (check one)	
☐ Is NOT changed	☐ May be revised as provided in MnDOT Specification 1806
Number of Working Days Affected by this Contract Change:	Number of Calendar Days Affected by this Contract Change:

Approved by Project Engineer: [1#first_name#0] [1#last_name#3] Date: [1#obtained#5]

Print Name: [1#first_name#1] [1#last_name#2] Phone: [1#phone#4]

Approved by Contractor: [2#first_name#6] [2#last_name#9] Date: [2#obtained#11]

Print Name: [2#first_name#7] [2#last_name#8] Phone: [2#phone#10]

DSAE Portion: The State of Minnesota is not a participant in this contract. Signature by the District State Aid Engineer is for FUNDING PURPOSES ONLY and for compliance with State and Federal Aid Rules/Policy. Eligibility does not guarantee funds will be available.

This work is eligible for:

[3#fund_fed3#14] Federal Funding
[3#fund_state3#16] State Aid Funding
[3#fund_local3#15] Local/Other Funds

District State Aid Engineer: [3#first_name#12] [3#last_name#13]

Date: [3#obtained#17]



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Request to Award Imp 23-03 – 2023 Large Patching Project

AGENDA: SPW Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: City Eng/PW Director Dehn

DEPARTMENT: Public Works

PRESENTER: City Eng/PW Director Dehn

ESTIMATED TIME (MIN): 2 Minutes

SUMMARY OF ISSUE:

Staff requested proposals for Imp 23-03 – 2023 Large Patching Project and received 2 responses.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

The large patching project is an annual patching contract to perform several areas of bituminous patching at locations where small patching or pothole patching is not appropriate.

In total, 2 bids were received from Anderson Brothers and Knife River. Total bid prices submitted by each contractor were \$49,023.00 and \$51,733.08, respectively. The budgeted amount for this project is \$50,000.

RECOMMENDED ACTION/MOTION:

Staff recommends award of the Improvement 23-03 Large Patching contract to Anderson Brothers in the amount of \$49,023.00.

FINANCIAL IMPACT:

Is there a cost associated with this request: Yes

What is the total cost, with tax and shipping: \$49,023.00

Is this budgeted? (Please Explain) Yes, \$50,000 was budgeted in the CIP.

Patch	SIZE SQ FT	SIZE SQ YD
Northtown Street (West Side)		
Patch 1	64	7
Patch 2	2238	249
Patch 3	70	8
Patch 4	50	6
Patch 5	144	16
Warrior Aveune (north of Northtown Street)	980	109
Northtown Street (east of Warrior Avenue)	387	43
Northtown Street (at McKay Road)	572	64
Woodcrest Lane (north of Graydon)		
Patch 1	533	59
Patch 2	410	46
Woodcrest Lane (north end, dead end)		
Patch 1	552	61
Patch 2	220	24
Maple Street (between 16th and 17th Streets)	1080	120
Maple Street (at 16th Street)		
Patch 1	384	43
Patch 2	264	29
28th Street (south of Oak Street)		
Patch 1	2044	227
Patch 2	117	13
6th Avenue NE (north of E Street)		
Patch 1	852	95
Patch 2	286	32
Patch 3	108	12
Patch 4	336	37
6th Avenue NE (north of F Street)		0
Patch 1	286	32
Patch 2	256	28
Patch 3	663	74
6th Avenue NE (North of G Street)		
Patch 1	228	25
Patch 2	316	35
Patch 3	1100	122
Patch 4	480	53
Patch 5	544	60
Patch 6	403	45
Totals	15967	1774



Proposal

Anderson Brothers Construction Company
11325 Hwy 210 E
Brainerd, Minnesota 56401
(218) 829-1768 / (218) 829-7607 Fax

Proposal Submitted To City Of Brainerd		Phone 218-513-0173	Date May 17, 2023
Street 501 Laurel St		Job Name Street Patches	
City, State and Zip Brainerd Mn.		Job Location	
Attn:	Job Phone	Mail To	

We hereby submit specifications and estimates for:

We will saw cut and remove old asphalt and regrade, shape and compact Class 5 gravel base and the construction

of a 2.5" compacted hot mix bituminous wearing course over an area being approximately 1774 square yards.

All materials and workmanship shall conform to the Department of Transportation Specifications for Highway Construction.

**A land use or alteration permit may be required through your local County or Municipal Planning and Zoning office. All required permits and associated fee's are the sole responsibility of the private property owner.*

(a) ANY PERSON OR COMPANY SUPPLYING LABOR OR MATERIALS FOR THE IMPROVEMENT TO YOUR PROPERTY MAY FILE A LIEN AGAINST YOUR PROPERTY IF THAT PERSON OR COMPANY IS NOT PAID FOR THE CONTRIBUTION. (b) UNDER MINNESOTA LAW, YOU HAVE THE RIGHT TO PAY PERSONS WHO SUPPLIED LABOR OR MATERIALS FOR THIS IMPROVEMENT DIRECTLY AND DEDUCT THIS AMOUNT FROM OUR CONTRACT PRICE, OR WITHHOLD THE AMOUNTS DUE THEM FROM US UNTIL 120 DAYS AFTER COMPLETION OF THE IMPROVEMENT UNLESS WE GIVE YOU A LIEN WAIVER SIGNED BY PERSONS WHO SUPPLIED ANY LABOR OR MATERIALS FOR THE IMPROVEMENT WHO GAVE YOU TIMELY NOTICE.

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

Forty Nine Thousand Twenty Three Dollars

dollars (\$49,023)

Payment due upon completion. Subject to credit approval.

Past due accounts are subject to a service charge of 1-1/2% per month (18% per annum)

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized
Signature

Doug Tulenchik
Doug Tulenchik, Project Manager

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance

Signature

Note: This proposal may be withdrawn by us if not accepted within 30 days

Quote for Brainerd 2023 Patching

05/18/2023 10:39AM Page 1

KNIFE RIVER CORPORATION - NC

4787 Shadow Wood Drive NE
Sauk Rapids, MN 56379

Phone: (320) 251-9472
Fax: (320) 258-2940

Bond:
Sales Tax:
Bid Date:

Quote To: James Fladung
City of Brainerd
501 Laurel Street
Brainerd MN 56401

Phone: (218) 513-0173
Fax:
Email: jfladung@ci.brainerd.mn.us

Quote is valid for 15 days.

Item	Description	Quantity	Unit	Unit Price	Extension
10	Remove and Replace Bit Patches	15,967.000	SF	3.240	51,733.08
Total Quote: \$					51,733.08

Inclusions/Exclusions:

NOTES:

1. All items tied, unless approved by Estimator.
2. Bond, if included, may be prorated to a maximum of 0.4%. We will provide our own bond for rates above this.
3. Mix to be a MnDOT SPWEA240BR
4. Work to be done in the 2023 season.

PAYMENT TERMS:

1. To accept this proposal, sign and return a copy to Knife River Corp.
2. A valid credit account with Knife River Corp. is required before work will be scheduled.
3. No retainage is provided for in this quotation or per owner as required in plans and spec's. Any deducts due to material deficiencies must be in writing and Knife River Corp. notified prior to the invoice being due.
4. All work becomes due and payable within 30 days of the invoice. Balances beyond 30 days are subject to finance charges in accordance with the credit agreement.

ACCEPTANCE:

All material is guaranteed to be as specified. All work will be completed in a workmanlike manner according to standard practices.

Your signature indicates you agree to the prices, specifications and conditions as stated. It gives us authorization to do the work specified and payment will be made as outlined above.

Signature: _____

Signature: Adam J. Swma

Printed Name: _____

Printed Name: Adam J. Swma

Title: _____

Title: Estimator/Project Manager

Firm: _____

Firm: Knife River Corporation - North Central

Date: _____

Date: 5-18-23



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Approve Award for TH 371B/Willow Street Roundabout Engineering Services Contract

AGENDA: SPW Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: City Eng/PW Director Dehn

DEPARTMENT: Public Works

PRESENTER: City Eng/PW Director Dehn

ESTIMATED TIME (MIN): 5 Minutes

SUMMARY OF ISSUE:

As a reminder, the City was awarded \$750,000 in Highway Safety Improvement Program (HSIP) grant funding to construct a roundabout at the intersection of S. 6th Street (TH 371B) and Willow Street. It is intended that the project would be constructed in 2025 to have the intersection available for the additional traffic expected during the TH 210/Washington Street Reconstruction Project in 2026-2027. To meet the timelines necessary to design and construct by 2025, staff is recommending awarding an engineering contract for preliminary, design, and construction engineering altogether in one contract. Generally, MnDOT shares in the cost of the engineering and construction of intersections on their network based on legs. In this instance, it is expected that MnDOT would share in 50% of the costs of this project. Staff is continuing to work with MnDOT to develop the necessary agreements that would outline the shared responsibilities of the project.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Staff received 4 proposals for the engineering services. The engineering firms were Bolton & Menk, SEH, Stonebrooke, and WSB. Several staff assisted in performing a thorough review of the proposals and scored the proposals based on a 1-10 weighted scale. After scoring and applying the weighting factors, the following are the scores for each firm with the total cost proposed in parenthesis.

1. SEH (Short Elliott Hendrickson) = 7.62 (\$387,511.20)
2. Bolton & Menk = 7.23 (\$375,875.00)
3. WSB = 6.76 (\$496,945.00)
4. Stonebrooke Engineering = 5.69 (\$612,775.00)

RECOMMENDED ACTION/MOTION:

Staff recommends award of the TH 371B/Willow Street Roundabout Project Engineering Contract to SEH (Short Elliott Hendrickson) in the amount of \$387,511.20.

FINANCIAL IMPACT:

Is there a cost associated with this request: Yes

What is the total cost, with tax and shipping: \$387,511.20

Is this budgeted? (Please Explain) Yes, this project is being identified in the Capital Improvement Program. Local costs not covered by the HSIP grant would be generally State-Aid eligible.



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Discussion on Evergreen Landing Gate

AGENDA: SPW Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: City Eng/PW Director Dehn

DEPARTMENT: Public Works

PRESENTER: City Eng/PW Director Dehn

ESTIMATED TIME (MIN): 10 Minutes

SUMMARY OF ISSUE:

Staff received a request from Council Member Johnson to bring the gate at Evergreen Landing to Council for further discussion. On 4/5/2021, then-City Engineer Paul Sandy presented a recommendation to the Council to install a gate at this location to prevent damage to the gravel road during the spring season while the road was in poor condition and submerged for spring flooding. At that meeting, Council Member Johnson asked if the spring season included fishing opener, the response was "no". During Spring 2023, we received a significant amount of flooding of the Mississippi River and thus the road and parking area was submerged under flood waters for a considerable amount of time. At the time fishing opener came, staff reviewed the area with the Police Department. As there were still flood waters present in the road and parking area, the decision was made to keep the gate closed to prevent vehicle entry with the presence of flooding in the park. Police and Public Works staff agreed that there existed a public safety concern as well as potential damage to the roadway should vehicles be allowed to enter the area. Staff did present this decision and the basis of such at the Council meeting on May 15th.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Three potential options are available for the Council to discuss:

1. Remove the gate at the entrance to the park.
2. Keep the gate and clarify that staff is directed to ensure that the gate is open for fishing opener, regardless of conditions.
3. Keep the gate and clarify that the gate can continue to be closed should the conditions not be supportive of vehicle traffic.

Council could utilize one of the above options or provide an alternative proposal or directive to staff as they wish.

RECOMMENDED ACTION/MOTION:

Staff recommends option 3 as described above to keep the gate in-place and allow staff to evaluate conditions throughout the spring to determine an appropriate opening date based on conditions.

FINANCIAL IMPACT:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping: [Click to enter text](#)

Is this budgeted? (Please Explain) [Click to enter text](#)



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Discuss Stop Sign Request – N. 10th Street and Ivy Street

AGENDA: SPW Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: City Eng/PW Director Dehn

DEPARTMENT: Public Works

PRESENTER: City Eng/PW Director Dehn

ESTIMATED TIME (MIN): 10 Minutes

SUMMARY OF ISSUE:

A stop sign request for the north and south directions of N. 10th Street at the intersection of N. 10th Street and Ivy Street was received by staff.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Please see the attached memo and recommendation. Below are links to some helpful resources regarding stop sign requests.

<http://www.dot.state.mn.us/research/reports/2017/2017RIC05.pdf>

<https://www.youtube.com/watch?v=FJjnoi1Wwzw>

<https://www.youtube.com/watch?v=blp5ysHVdcA>

RECOMMENDED ACTION/MOTION:

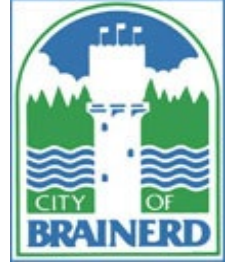
Staff recommends not installing additional stop signs in the north-south directions of N. 10th Street at the intersection of N. 10th Street and Ivy Street.

FINANCIAL IMPACT:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping: Click to enter text

Is this budgeted? (Please Explain) Click to enter text



MEMO

TO: BRAINERD CITY COUNCIL

FROM: CITY ENGINEER/PUBLIC WORKS DIRECTOR JESSIE DEHN

DATE: JUNE 5, 2023

SUBJECT: STOP SIGN REQUEST – N. 10th STREET AND IVY STREET

Staff has received a stop sign request for the north and south directions of traffic at the intersection of N. 10th Street and Ivy Street in North Brainerd. When reviewing requests for an All-Way Stop intersection control, there are several factors that should be considered, both through engineering judgement and standards as outlined in the Minnesota Manual on Uniform Traffic Control Devices (MMUTCD). They are listed below:

- Is the crash rate excessive? 5 crashes in one year, specifically right-turn and left-turn collisions and right angle crashes.
- Do traffic volumes exceed 300 vehicles per hour for any 8 hours of an average day?
- Do traffic volumes on the minor street exceed 200 vehicles, pedestrian, and bicycle units for the same 8 hours?
- Does a large majority of the traffic on the major street exceed speeds of 40 miles per hour?
- The MMUTCD states that YIELD or STOP signs should not be used for speed control.
- Studies have shown that inclusion of stop signs tend to result in increased mid-block speeds, and if placed where not warranted, promotes drivers disregard for stop signs that results in a compliance rate (coming to a complete stop) of less than 20%. The overuse of stop signs gives motorists a perception of lost time. This tends to lead to more severe crashes at stop-controlled intersections than uncontrolled intersections.
- As a result of snowy conditions in winter months, stop sign approaches tend to become icy from vehicles sliding to a stop and then spinning their wheels to proceed (friction and heat). The icy approaches can result in additional crashes and the need for increased sanding operations by maintenance staff.
- Residents in the area tend to believe that the stop signs will reduce speed, increase driver awareness, and that vehicles will stop, which gives a false sense of security when approaching an intersection.

Staff has done a thorough review of the intersection. Traffic volumes are low for this intersection, likely due to one of the legs as a dead-end approach (east leg of Ivy Street). There have been no documented crashes at this intersection in the past 10 years. Thus, this intersection does not exhibit an issue or history of intersection-related crashes.

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

Staff evaluated site distance issues through a site visit and the use of google maps. Photos of each direction are attached to this item. There are sight line obstructions for this intersection due to vegetation and a hill. Both are generally addressed with the stop signs on the Ivy Street approaches.

Staff requested information on speed-related citations at this intersection. The Police Department has done extra speed enforcement in response to resident complaints of speeding through this intersection. No speeding citations have been issued at this intersections and the general opinion of officers that have done speed enforcement at this intersection have reported that drivers are not exceeding the speed limit at this location.

Staff is not recommending addition of stop signs on the N. 10th Street legs of this intersection. The traffic volumes, crash rates, nor history of speeding citations do not warrant the addition of stop signs at this intersection. Staff would again like to stress the expectation that all traffic control devices are important and should be treated as such. Unwarranted or unnecessary traffic control devices diminishes the importance of all other traffic control and therefore leads to unintended consequences.

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

Ivy Street – From the East



Ivy Street – From the West



N. 10th Street – From the North



N. 10th Street – From the South





Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Name-a-Truck Contest

AGENDA: SPW Committee

ACTION REQUESTED: Discussion Item

SUBMITTED BY: City Eng/PW Director Dehn

DEPARTMENT: Public Works

PRESENTER: City Eng/PW Director Dehn

ESTIMATED TIME (MIN): 2 Minutes

SUMMARY OF ISSUE:

Staff recently received the new dump/plow truck that was ordered in early 2022. With the new arrival, "Cousin Eddie" will move onto a most-deserved retirement after his many years of faithful and dedicated service to the City of Brainerd. Staff is now looking for residents to provide recommendations to name the new truck with the best options being presented to the SPW Committee at a future meeting.

Survey can be accessed via the following link: <https://arcg.is/reyzP>

Staff will post the link on social media and the website as well.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Information Only.

RECOMMENDED ACTION/MOTION:

Information Only.

FINANCIAL IMPACT:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping: Click to enter text

Is this budgeted? (Please Explain) Click to enter text





Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Report of Survey Results on Washington Street Special Services District

AGENDA: SPW Committee

ACTION REQUESTED: Discussion Item

SUBMITTED BY: City Eng/PW Director Dehn

DEPARTMENT: Public Works

PRESENTER: City Eng/PW Director Dehn

ESTIMATED TIME (MIN): 2 Minutes

SUMMARY OF ISSUE:

In February, staff presented Council with an alternative option for the Downtown Special Services District for snow removal services. Council responded with a request of staff to survey businesses along the Washington Street corridor if there was interest in establishing a similar Special Services District for sidewalk snow removal.

Staff mailed a flyer to all businesses between Baxter Drive and 5th Street NE adjacent to Washington Street. The flyer included a link and QR code to a 4-question survey. The four questions were as follows:

1. Were you aware that there is a Special Services District established for the downtown area?
2. Were you aware of this requirement in the City Code and what level of compliance would you consider your property?
3. Would you have interest in establishing a Special Services District that would include your property to hire a contractor to complete sidewalk snow removal for snow events of 4 inches or more? (Staff estimated an “average” year under the current contract at roughly \$11 per linear foot of frontage per year)
4. Would you have interest in establishing a Special Services District that would include your property to employ a City staff person to complete sidewalk snow removal for all snow events, regardless of amount? (Staff estimated an “average” year at roughly \$3.12 per linear foot of frontage per year)

The results of that survey is attached to this agenda item.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Information Only.

RECOMMENDED ACTION/MOTION:

Information Only.

FINANCIAL IMPACT:

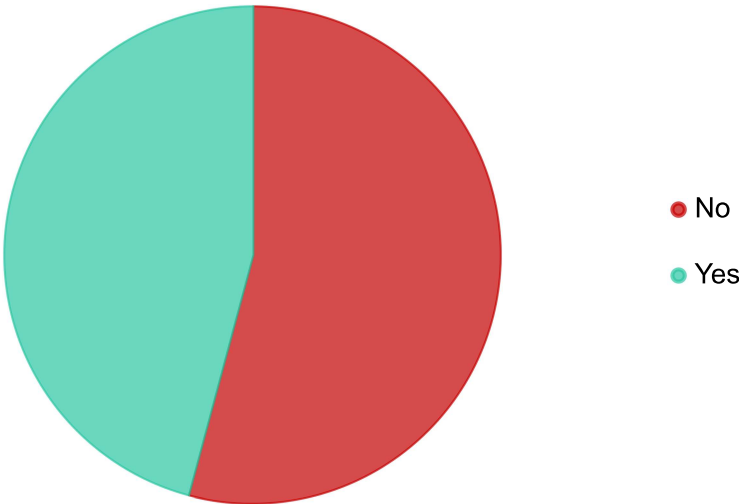
Is there a cost associated with this request: No

What is the total cost, with tax and shipping: Click to enter text

Is this budgeted? (Please Explain) Click to enter text

Special Services District Survey

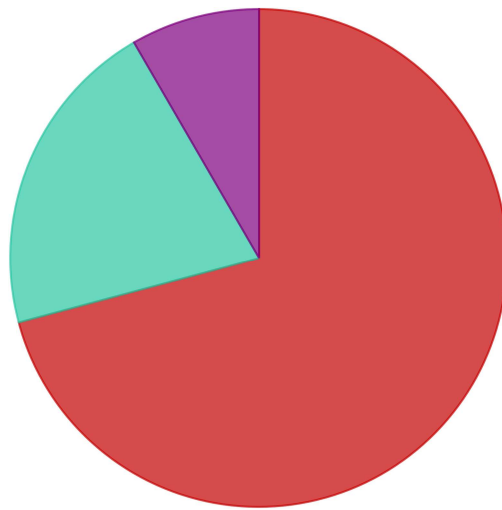
Were you aware that there is a Special Services District established for the... *



Answers	Count	Percentage
No	13	54.17%
Yes	11	45.83%

Answered: 24 Skipped: 0

Were you aware of this requirement in the City Code and what level of...

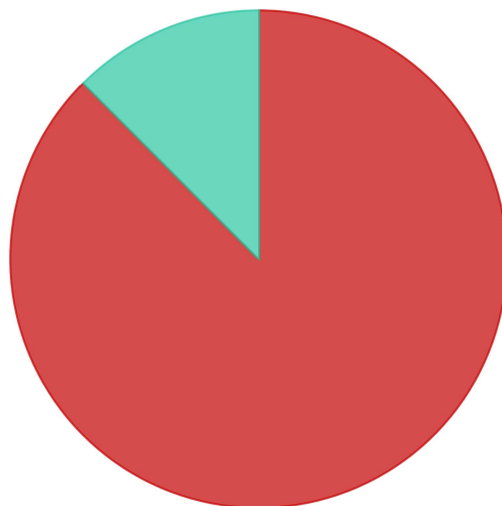


- Yes, am aware and am diligent in clearing sidewalks.
- Yes, am aware but somewhat comply.
- No, was not aware of this requirement
- Yes, am aware but do not comply.

Answers	Count	Percentage
Yes, am aware and am diligent in clearing sidewalks.	17	70.83%
Yes, am aware but somewhat comply.	5	20.83%
No, was not aware of this requirement	2	8.33%
Yes, am aware but do not comply.	0	0%

Answered: 24 Skipped: 0

Would you have interest in establishing a Special Services District that woul...



- No, am not interested in this service.
- Yes, would be interested in this.

Answers**Count****Percentage**

No, am not interested in this service.

21

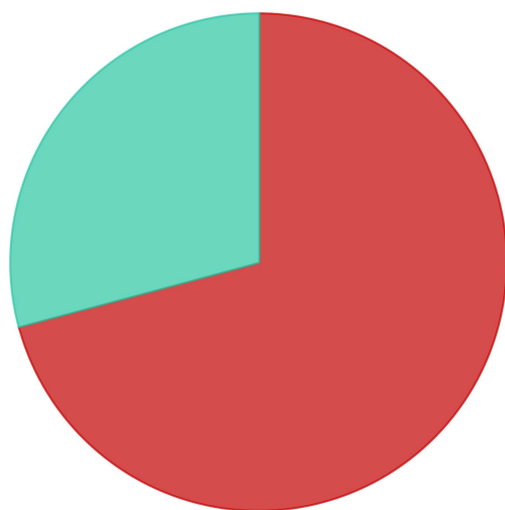
87.5%

Yes, would be interested in this.

3

12.5%

Answered: 24 Skipped: 0

Would you have interest in establishing a Special Services District that woul...

● No, am not interested in this service.

● Yes, would be interested in this service.

Answers**Count****Percentage**

No, am not interested in this service.

17

70.83%

Yes, would be interested in this service.

7

29.17%

Answered: 24 Skipped: 0



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Direction on Small Engine Repair and Home Businesses

AGENDA: SPW Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: James Kramvik, CDD

DEPARTMENT: Community Development

PRESENTER: James Kramvik, CDD

ESTIMATED TIME (MIN): 5 min

SUMMARY OF ISSUE:

See Memo

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Staff would like the Safety and Public Works Committee to review home businesses and determine if small engine repair for watercraft, power tools, and any other item not listed within the "Motor Vehicle" definition should be allowed in residential districts subject to the regulations set forth in Section 515-3-19 Home Business. This is a policy decision by City Council and staff is looking for guidance and interpretation of the Code for future decisions and regulations.

RECOMMENDED ACTION/MOTION:

Option 1: Any items not listed as prohibited in the motor vehicle definition are allowed to be repaired at a home business and is considered minor repair services or similar use.

Option 2: Watercraft and small engine repair are closely related to motor vehicle repair and is not considered minor repair services or similar uses and should not be permitted as a home business.

FINANCIAL IMPACT:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping: N/A

Is this budgeted? (Please Explain) N/A

MEMO



TO: Mayor and City Council

FROM: James Kramvik, Community Development Director

DATE: June 5, 2023

RE: Direction on Small Engine Repair and Home Businesses

Summary of Issue

Brainerd continues to see an increase in Home Businesses throughout the community. The current zoning code allows for two types of home businesses according to Section 515-3-19 of the Zoning Code. The first type of home business is permitted if the occupation or profession is lawful, conducted within the Principal Dwelling Unit, and includes such uses as professional offices, minor repair services, photo or art studios, dressmaking, barbershops, beauty shops, or similar uses.

The second type of home business requires an administrative permit issued by the Community Development Department and must be identified as a permitted home business use in the first paragraph. The following items also apply:

- 1) An attached garage and/or an accessory building may be used.
- 2) Only articles made or services provided on the premises may be sold on the premises.
- 3) Outdoor storage of materials and equipment are subject to the zoning code requirements and cannot be visible to neighboring properties or the ROW.
- 4) No equipment, activity, or process shall be used in such Home Occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses of the lot; and such use must not endanger the health and safety of the occupants or neighborhood residents.

City Code Section 2013.03 states that no motor vehicle shall be repaired in any Residential District in the City of Brainerd for compensation.

City Code Section 2011.01 Subd. 2 defines "Motor vehicle" as any vehicle which is self propelled and designated to travel along the ground and shall include, but not be limited to, automobiles, trucks, buses, motorbikes, motorcycles, motor scooters, tractors, go carts, campers, trailers, snowmobiles, and all terrain vehicles.

The Administrative Permit may include conditions that require the expiration of the Permit upon the sale of the property, change in tenancy of the property, or an event or date as established by the Zoning Administrator.



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Direction on Active Code Enforcement Cases

AGENDA: SPW Committee

ACTION REQUESTED: Direction Requested

SUBMITTED BY: James Kramvik

DEPARTMENT: Community Development

PRESENTER: James Kramvik, CDD

ESTIMATED TIME (MIN): 10 minutes

SUMMARY OF ISSUE:

With the adoption of Ordinance No. 1524, the revised Section 320 of the City Code dictates that violations of the City Code shall, after receiving a notice of violation, be issued up to three administration citations for non-compliance. Once three citations have been issued, the violation shall be brought before the Safety & Public Works Committee for review. The Committee shall then make a recommendation to the City Council as to how to proceed with enforcement of the violation.

Staff is bringing three (3) properties before the Committee for review. Staff is looking for direction from the Council as how to proceed with the cases.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Attached are the case files for:

1113 Rosewood St

505 and 506 Rosewood St

Section 320, action that could be taken against these properties include:

- Continued administrative citations in an amount determined by the City Council
- Abatement of the offense (depending on the type of offense)
- Legal action (at the recommendation of the City Attorney depending on the type of the offense)
- Cease corrective action

RECOMMENDED ACTION/MOTION:

See attached memo

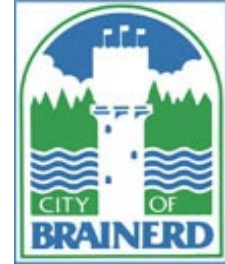
FINANCIAL IMPACT:

Is there a cost associated with this request: no

What is the total cost, with tax and shipping: \$0.00

Is this budgeted? (Please Explain) no

MEMO



TO: Mayor and City Council

FROM: James Kramvik, Community Development Director

DATE: June 5, 2023

RE: Recommendations for Active Code Enforcement Cases

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

- **1113 Rosewood – Garbage, Junk/Debris, and Exterior Structure**
 - Received one (1) Notice of Violation Letter (4/11/2023) and three (3) Citations for Garbage
 - First citation 4/19/2023 – Third citation 5/11/2023
 - \$600 in open citations
 - Received one (1) Notice of Violation Letter (4/11/2023) and three (3) Citations for Junk/Debris/Blight
 - First citation 4/19/2023 – Third citation 5/18/2023
 - \$600 in open citations
 - Received one (1) Notice of Violation Letter (4/11/2023) and three (3) Citations for Exterior Structure
 - First citation 4/19/2023 – Third citation 6/01/2023
 - \$600 in open citations

Staff recommends obtaining a search warrant to abate the garbage and junk/debris. Staff also recommends sending a \$300 citation every month for the property maintenance violation until November 1st.

- **505 Rosewood St**
 - Received one (1) Notice of Violation Letter (5/26/22) and three (3) Citations for Junk/Debris/Blight
 - First citation 11/21/22 – Third citation 5/12/23
 - \$600 in open citations
 - All junk and debris on 505 & 506 Rosewood Street is the result of the property owner of 505 Rosewood Street, Mr. Kramer.

Staff recommends issuing a 10-day notice for final corrective action and cleanup for both 505 and 506 Laurel Street. If both properties are not cleaned up, staff recommends seeking legal action against Mr. Kramer.

- **506 Rosewood St**

- Received one (1) Notice of Violation Letter (5/26/22) and three (3) Citations for Junk/Debris/Blight
 - First citation 11/21/22 – Third citation 5/12/23
 - \$600 in open citations

Staff recommends no action at this time against the property owner of 506 Rosewood Street.

Summary of Actions Taken

1005 3rd Ave NE – Administrative warrant received, and property was abated 5/4/23 - junk and debris - \$825 in open fines.

915 Laurel Street – Administrative warrant received 5/30/23. Will be abated by contracted vendor.

1306 Oak Street – Immediate \$300 fine for garbage – Administrative warrant received 5/23/23. Will be abated by contracted vendor 6/1/23.

1306 Oak Street – Repeat grass issue – Immediate \$300 fine and immediate abatement for long grass/weeds will take place 6/1/23.

1201 Norwood – Repeat grass issue – Immediate \$300 fine and immediate abatement for long grass/weeds will take place 6/1/23.

927 7th Ave NE – Repeat grass issue – Immediate \$300 fine and immediate abatement for long grass/weeds will take place 6/1/23.

408 2nd Ave NE – Repeat grass issue – Immediate \$300 fine and immediate abatement for long grass/weeds will take place 6/1/23.

1213 Pine Street – Garbage – Sent to the City Attorney to obtain a warrant to abate the garbage on 6/1/23

1113 ROSEWOOD



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

THIS IS THE ONLY NOTICE YOU WILL RECEIVE

Administrative Citation

Department of Building Safety – 218-828-2307

EN23-0100

Date of Violation: 05/22/2023

Parcel ID: 41250639

Violator(s): BRAVERMAN, DAVE
1113 ROSEWOOD ST
BRainerd, MN 56401-

Location/Address of Violation: **1113 ROSEWOOD ST**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
IPMC 304.1,304.6	Exterior Structure	\$200.00

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

Citation Amount Due: \$200.00

Payment Due By: 30 Days from Date of Violation

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

Re-inspection Date: 06/01/2023

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

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

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

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

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

Representative: Darrin Deseth, Building Official

Date: 05/22/2023

Representative's Signature:

(served via first class mail)





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

THIS IS THE ONLY NOTICE YOU WILL RECEIVE

Administrative Citation

Department of Building Safety – 218-828-2307

EN23-0099

Date of Violation: 05/18/2023

Parcel ID: 41250639

Violator(s): BRAVERMAN, DAVE
1113 ROSEWOOD ST
BRainerd, MN 56401-

Location/Address of Violation: **1113 ROSEWOOD ST**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
IPMC 308.1	Junk/Debris/Blight	\$300.00

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

Citation Amount Due: \$300.00

Payment Due By: 30 Days from Date of Violation

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

Re-inspection Date: 05/28/2023

**For uncorrected or continued violations, the City may correct the violation and assess the charges for doing so.
An additional citation will be issued if the violation is not corrected by the re-inspection date.
Failure to pay the fine will result in it being assessed against the property as provided in Minnesota Statute 429.
Unpaid fines, including an administrative charge of \$25.00 plus interest of the total balance, will be assessed
against the property of the owner charged with the violation.**

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

Representative: Darrin Deseth, Building Official

Date: 05/18/2023

Representative's Signature:

(served via first class mail)







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

THIS IS THE ONLY NOTICE YOU WILL RECEIVE

Administrative Citation

Department of Building Safety – 218-828-2307

EN23-0098

Date of Violation: 05/11/2023

Parcel ID: 41250639

Violator(s): BRAVERMAN, DAVE
1113 ROSEWOOD ST
BRainerd, MN 56401-

Location/Address of Violation: **1113 ROSEWOOD ST**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
IPMC 308	Garbage	\$300.00

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

Citation Amount Due: \$300.00

Payment Due By: 30 Days from Date of Violation

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

Re-inspection Date: 05/21/2023

**For uncorrected or continued violations, the City may correct the violation and assess the charges for doing so.
An additional citation will be issued if the violation is not corrected by the re-inspection date.
Failure to pay the fine will result in it being assessed against the property as provided in Minnesota Statute 429.
Unpaid fines, including an administrative charge of \$25.00 plus interest of the total balance, will be assessed
against the property of the owner charged with the violation.**

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

Representative: Darrin Deseth, Building Official

Date: 05/11/2023

Representative's Signature:

(served via first class mail)



April 11, 2023

BRAVERMAN, DAVE
1113 ROSEWOOD ST
BRAINERD, MN 56401-

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

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

Property Address: 1113 ROSEWOOD ST
Real Estate Code: 41250639

Violation: Junk/Debris/Blight
IPMC308.1

Description: Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage. Rubbish is defined as combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials; furniture, appliances, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

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

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

Action should be taken on or before 04/25/2023

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

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

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

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

Respectfully,
By Order of:
THE CITY OF BRAINERD





04/11/2023 15:14

April 11, 2023

BRAVERMAN, DAVE
1113 ROSEWOOD ST
BRainerd, MN 56401-

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

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

Property Address: 1113 ROSEWOOD ST
Real Estate Code: 41250639

Violation: Exterior Structure
IPMC 304.1, 304.6

Description: The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety, or welfare. Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

Corrective action required; thirty (30) days are allowed from the date of this letter.

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

Action should be taken on or before 05/11/2023

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

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

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

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

Respectfully,
By Order of:
THE CITY OF BRAINERD



April 11, 2023

BRAVERMAN, DAVE
1113 ROSEWOOD ST
BRAINERD, MN 56401-

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

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

Property Address: 1113 ROSEWOOD ST
Real Estate Code: 41250639

Violation: Garbage
IPMC308

Description: Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage. Garbage is defined as the animal and vegetable waste created from the preparation and consumption of food. Occupants are responsible for properly disposing of their garbage by either using a garbage disposal (if available) or by placing the waste in approved garbage storage containers.

Corrective action is required; seven (7) days are allowed from the date of this letter.

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

Action should be taken on or before 04/18/2023

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

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

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

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

Respectfully,
By Order of:
THE CITY OF BRAINERD



August 10, 2022

BRAVERMAN, DAVE
1113 ROSEWOOD ST
BRAINERD, MN 56401-

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

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

Property Address: 1113 ROSEWOOD ST
Real Estate Code: 41250639

Violation: Junk/Debris/Blight
Ordinance: 2010

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

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

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

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

Action should be taken on or before 08/24/2022

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

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

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

If you are unable to make the corrections by the date above or believe this violation is in error, please call this office to discuss or make other arrangements. Office hours are 7:30 to 4:30, Monday through Friday. **Feel free to contact**

Housing Inspector Jason Stockinger at 218/454-3416 if you have questions.

Respectfully,

By Order of:

THE CITY OF BRAINERD



08/10/2022 10:54



08/10/2022 10:52







505 ROSEWOOD



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

THIS IS THE ONLY NOTICE YOU WILL RECEIVE

Administrative Citation

Department of Building Safety – 218-828-2307

EN22-0185

Date of Violation: 05/12/2023

Parcel ID: 41240645

Violator(s): KRAMER, KENNETH & ROSEMARY
10865 COUNTY ROAD 44
BRainerd, MN 56401

Location/Address of Violation: **505 ROSEWOOD ST**

VIOLATION

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

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

Citation Amount Due: \$300.00

Payment Due By: 30 Days from Date of Violation

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

Re-inspection Date: 05/22/2023

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

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

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

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

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

Representative: Darrin Deseth, Building Official

Date: 05/12/2023

Representative's Signature:

(served via first class mail)





May 26, 2022

KRAMER, KENNETH & ROSEMARY
10865 COUNTY ROAD 44
BRainerd, MN 56401

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

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

Property Address: 505 ROSEWOOD ST
Real Estate Code: 41240645

Violation: Junk/Debris/Blight
Ordinance: 2010

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

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

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

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

Action should be taken on or before 06/09/2022

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

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

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

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

May 26, 2022

KRAMER, KENNETH & ROSEMARY
10865 COUNTY ROAD 44
BRainerd, MN 56401

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

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

Property Address: 505 ROSEWOOD ST
Real Estate Code: 41240645

Violation: Unlicensed/Inoperable Vehicle
Ordinance: 2011

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

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

Action should be taken on or before 06/09/2022

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

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

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

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

Respectfully,
By Order of:
THE CITY OF BRAINERD







506 ROSEWOOD



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

THIS IS THE ONLY NOTICE YOU WILL RECEIVE

Administrative Citation

Department of Building Safety – 218-828-2307

EN22-0177

Date of Violation: 05/12/2023

Parcel ID: 41240619

Violator(s): IMGRUND, RONALD
PO BOX 585
BRAINERD, MN 56401

Location/Address of Violation: **506 ROSEWOOD ST**

VIOLATION

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

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

Citation Amount Due: \$300.00

Payment Due By: 30 Days from Date of Violation

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

Re-inspection Date: 05/22/2023

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

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

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

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

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

Representative: Darrin Deseth, Building Official

Date: 05/12/2023

Representative's Signature:

(served via first class mail)





May 24, 2022

IMGRUND, RONALD
PO BOX 585
BRAINERD, MN 56401

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

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

Property Address: 506 ROSEWOOD ST
Real Estate Code: 41240619

Violation: Junk/Debris/Blight
Ordinance: 2010

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

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

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

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

Action should be taken on or before 06/07/2022

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

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

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

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

May 24, 2022

IMGRUND, RONALD
PO BOX 585
BRainerd, MN 56401

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

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

Property Address: 506 ROSEWOOD ST
Real Estate Code: 41240619

Violation: Unlicensed/Inoperable Vehicle
Ordinance: 2011

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

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

Action should be taken on or before 06/07/2022

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

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

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

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

Respectfully,
By Order of:
THE CITY OF BRAINERD









Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Final Reading- Proposed Ordinance 1551- Amending Section 515-4-8 Outdoor Lighting of the Zoning Code

AGENDA: Main Agenda

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: James Kramvik, CDD

DEPARTMENT: Community Development

PRESENTER: James Kramvik, CDD

ESTIMATED TIME (MIN): 5 min

SUMMARY OF ISSUE:

Planning Commission has recommended an amendment to Section 515-4-8 Outdoor Lighting regarding color temperature, dimmable lighting, and performance standards. Planning Commission also recommended that the General Commercial (GC) Zoning District should have a pole height range of (13) feet up to (20) feet with shielding. An attached sketch depicts (13) foot light poles on the perimeter of a parking lot in which light can be spilled into the right-of-way. Interior pole lights can be adjusted to a (20) foot height as long as the light source is directed and remains on the property. The previous zoning code allowed a pole height range of (20) feet to (25) feet in the GC District. City Council reviewed and approved this recommendation at the last City Council meeting.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

This proposed amendment to Section 515-4-8 regulates outdoor lighting on private properties and is separate from the lighting policy recently approved by City Council. However, there were discussions and coordination with Streets Department, BPU, and Parks Department for consistency in Brainerd.

- 1) All new lighting must have a correlated color temperature (CCT) of 3,000 Kelvin (K) or lower.
- 2) All new nonresidential lighting must dim by at least 50% or turn off at 10PM or one hour after close of business, whichever is later.
- 3) PSP and Park Districts were added to the proposed lighting ordinance with a pole height range of (13) feet to (20) feet with shielding.

RECOMMENDED ACTION/MOTION:

- 1) Motion to hold the first reading of Proposed Ordinance No. 1551, an ordinance amending Section 515-4-8 of the Zoning Code and dispense with the actual reading.
 - Note: A vote to dispense with the actual reading of the ordinance must be unanimous
- 2) Hold a Public Hearing on proposed Ordinance No. 1551
- 3) Motion to approve Ordinance No. 1551

FINANCIAL IMPACT:

Is there a cost associated with this request: No
What is the total cost, with tax and shipping: N/A
Is this budgeted? (Please Explain) N/A

**ORDINANCE
NO. 1551**

AN ORDINANCE AMENDING SECTION 515-4-8, OUTDOOR LIGHTING

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Section 515-4-8. D of the Zoning Code is hereby amended as indicated, with deleted language struck out and new language underlined:

~~D. Light Trespass~~ Lighting Restrictions and Trespass

1. Color Temperature of Lamps. All new lighting must have a correlated color temperature (CCT) of 3,000 Kelvin (K) or lower.
 - a. All new light fixtures displaying a non-intended correlated color temperature is considered in violation of this ordinance.
 - b. Outdoor commercial or public recreational uses such as, but not limited to, baseball fields, football fields, hockey rinks, and tennis courts are exempted from this paragraph.
2. Dimmable Lighting. All new nonresidential lighting must dim by at least 50% or turn off at 10PM or one hour after close of business, whichever is later.
 - a. Lighting in the Park District is exempted from this paragraph.
3. Maximum Light Levels. Light trespass shall not exceed one (1) foot candle at the center line of a public street or four-tenths (0.4) foot candles at the property line of adjacent residential property as measured at the property line per the method outlined in this Section.
4. The foot candle level of a light source shall be measured at the property line and taken after dark with the light meter held six (6) inches above the ground with the meter facing the light source. A reading shall be taken with the light source on, then with the light source off. The difference between the two readings will be identified as the light intensity.

SECTION TWO: Section 515-4-8. E.1 and E.2 of the Zoning Code is hereby amended as indicated, with deleted language struck out and new language underlined:

E. Performance Standards.

1. Residential Use Standards. All exterior lighting shall be directed away from adjoining residential property or from any public right-of-way. All lighting shall be installed in accordance with the following provisions:
 - a. The luminaire shall contain a full cut off fixture which directs and cuts off light at an angle of 90 degrees or less.
 - b. The light source shall be controlled so as not to light adjacent property in excess of the maximum light levels defined by this Ordinance.
 - c. Architectural and landscape lights that include unshielded fixtures, lighting of entire facades, or architectural features of a building are permitted.
 - i. The bulb or light source shall be directed or shielded from view by an observer at five (5) feet above grade at the nearest property line and shall not be directed into the night sky.
 - ii. Flagpole and path lighting are exempted from the above paragraph.

- d. The maximum height of the fixture, pole, and base above the ground grade permitted for pole light sources is thirteen (13) feet. ~~A light source mounted on a structure shall not exceed the height of the structure.~~
 - i. If the bulb/light source is fully recessed and/or shielded from view by an observer at five (5) feet above grade at the nearest property line, an increase in light source height to a maximum of twenty (20) feet may be allowed.
 - e. A light source mounted on a structure shall not exceed the height of the structure and shall be fully recessed and/or shielded from view by an observer at five (5) feet above grade at the nearest property line. ~~Any luminaire affixed to a structure shall contain a full cut off fixture which directs and cuts off light at an angle of ninety (90) degrees or less.~~
 - i. ~~Any luminaire or light source not affixed to a structure shall be hooded and down cast to protect the night sky.~~
2. Business/Industrial Use/Public Semi-Public/Park Standards. All exterior lighting shall be directed away from adjoining residential property or from any public right-of-way. All lighting shall be installed in accordance with the following provisions:
 - a. The luminaire shall contain a full cut off fixture which directs and cuts off light at an angle of 90 degrees or less.
 - b. The light source shall be controlled so as not to light adjacent property in excess of the maximum light levels defined by this Ordinance.
 - c. Architectural, historical, and landscape lights that include unshielded fixtures, ~~that are not shielded,~~ or lighting of entire facades, or architectural features of a building are permitted. ~~In no case shall the light affect adjacent property in excess of the maximum light levels defined in this Ordinance.~~
 - i. The bulb or light source shall be directed or shielded from view by an observer at five (5) feet above grade at the nearest property line and shall not be directed into the night sky.
 - ii. Flagpole and path lighting are exempted from the above paragraph.
 - d. In ~~GC and~~ GC and CC, PSP, and P Districts, the maximum height of the fixture, pole and base above the ground grade permitted for pole light sources is thirteen (13) feet. ~~A light source mounted on a structure shall not exceed the height of the structure.~~
 - i. If the bulb/light source is fully recessed and/or shielded from view by an observer at five (5) feet above grade at the nearest property line, an increase in light source height to a maximum of 20 feet may be allowed.
 - e. In GC, TC, MS, ME Districts, the maximum height of the fixture, pole and base above the ground grade permitted for pole light sources is 20 feet. ~~A light source mounted on a structure shall not exceed the height of the structure.~~
 - i. If the bulb/light source is fully recessed and/or shielded from view by an observer at five (5) feet above grade at the nearest property line, an increase in light source height to a maximum of 25 feet may be allowed.
 - f. In the GI District, the maximum height of the fixture, pole and base above the ground grade permitted for pole light sources is 25 feet. ~~A light source mounted on a structure shall not exceed the height of the structure.~~
 - i. If the bulb/light source is fully recessed and/or shielded from view by an observer at five (5) feet above grade at the nearest property line, an increase in light source height to a maximum of 30 feet may be allowed.

- g. A light source mounted on a structure shall not exceed the height of the structure and shall be fully recessed and/or shielded from view by an observer at five (5) feet above grade at the nearest property line.
- h. Direct or reflected light from high temperature processes such as combustion or welding shall not be visible from any adjoining property.
- i. Location.
 - i. The light source of an outdoor light fixture shall be set back a minimum of three (3) feet from a street right-of-way or residential property and three (3) feet from any other property line.
 - ii. No light source shall be located on the roof unless said light enhances the architectural features of the building and is approved by an Administrative Permit.

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

Adopted this _____ day of _____, 2023

KELLY BEVANS
President of the Council

Approved this _____ day of _____, 2023

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 an ordinance amendment to amend Section 515-4-8 of the Brainerd Zoning Code relating to outdoor lighting color temperature of lamps, dimmable lighting, and lighting performance standards. The proposed ordinance would require all new outdoor lighting in the City of Brainerd to have a correlated color temperature of 3,000 Kelvin or lower. The proposed ordinance would also require all new nonresidential lighting to dim by at least fifty percent or turn off at 10PM or one hour after close of business, whichever is later. The City Council will also consider an amendment to the performance standards of outdoor lighting within Zoning Districts and require all outdoor lighting attached to structures to be fully recessed and/or shielded.

A Public Hearing will be conducted by the City Council at 7:30 p.m. Monday, June 5, 2023, in City Hall Council Chambers, 501 Laurel Street, Brainerd.

The public is invited to attend the hearing to offer input regarding the proposed outdoor lighting ordinance amendment. Any individual needing special accommodations please call (218) 828-2307.

Dated this 22nd day of May 2023

Publication Date: May 24th, 2023

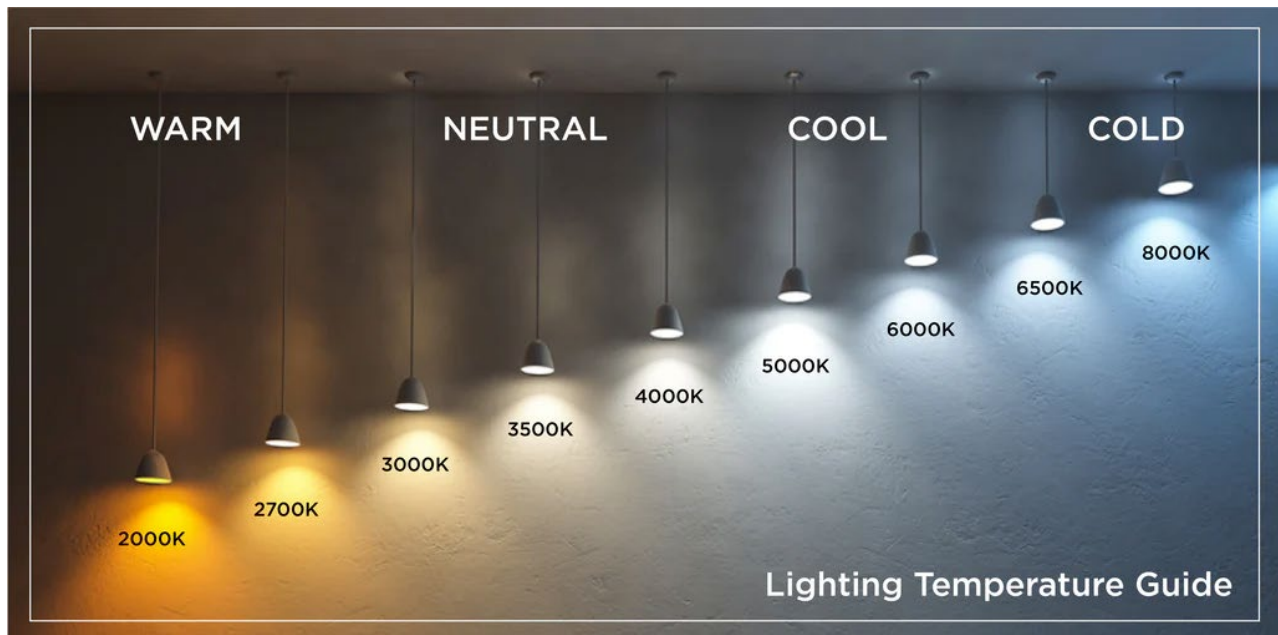


James L. Kramvik
Community Development Director

Shield and Cutoff Requirement Example



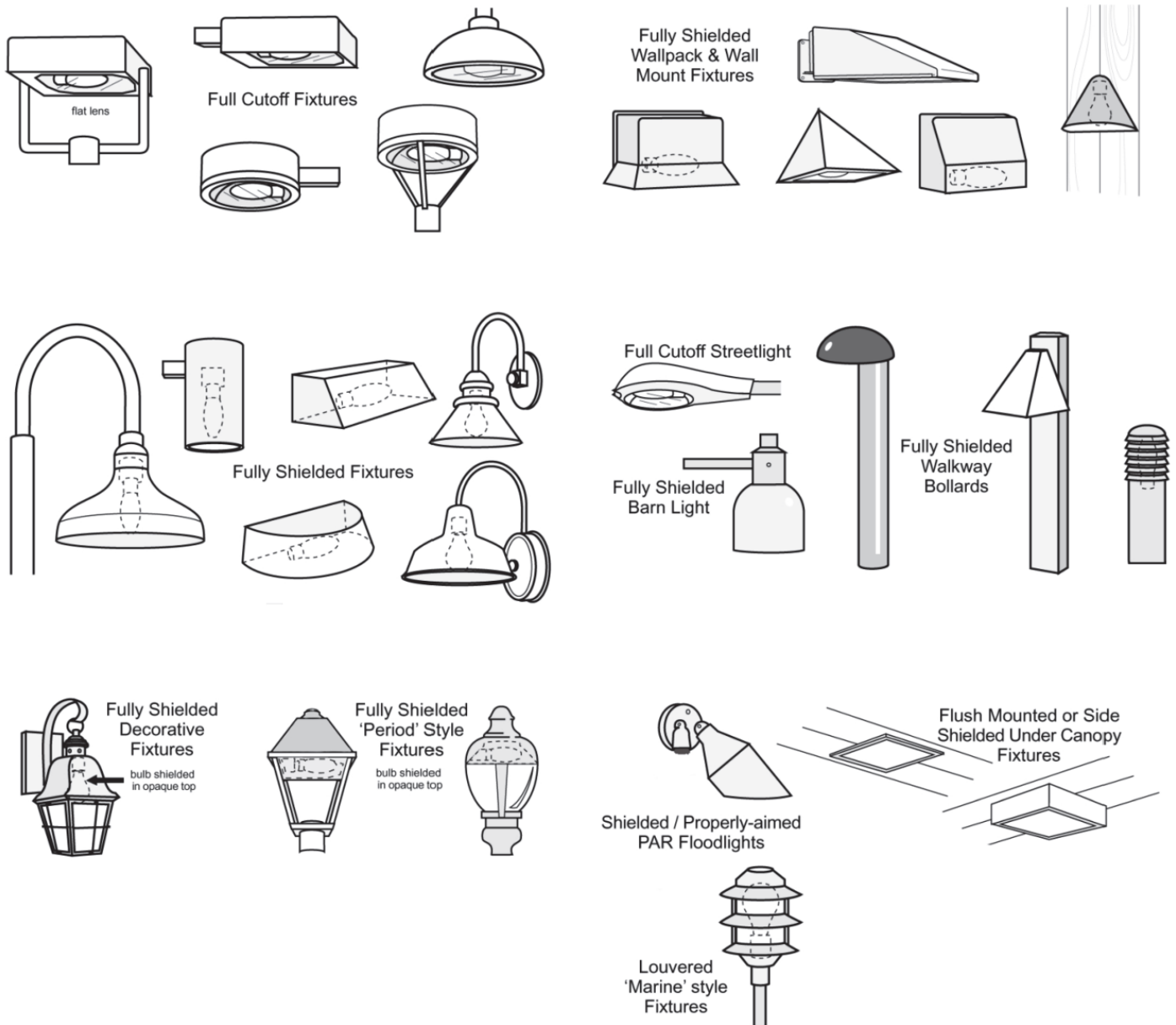
Lighting Color Temperature Guide



City of Sanibel

Dark Sky Light Fixture Guide

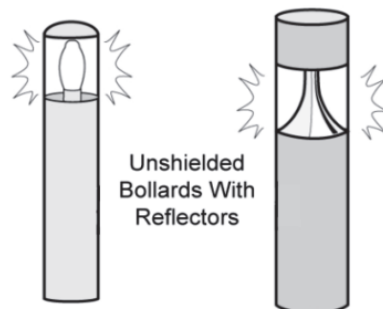
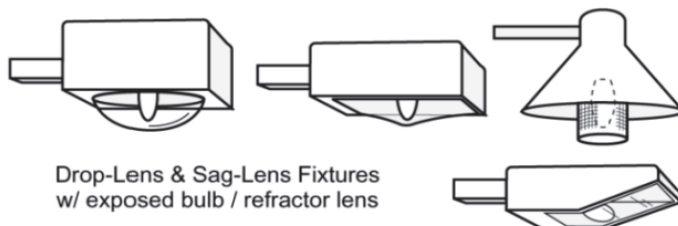
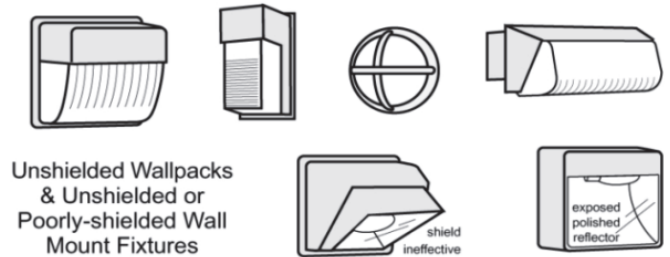
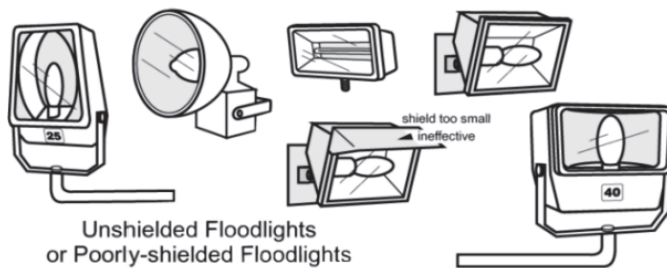
Compliant: Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night



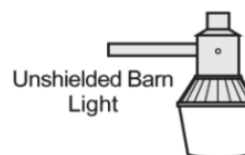
City of Sanibel

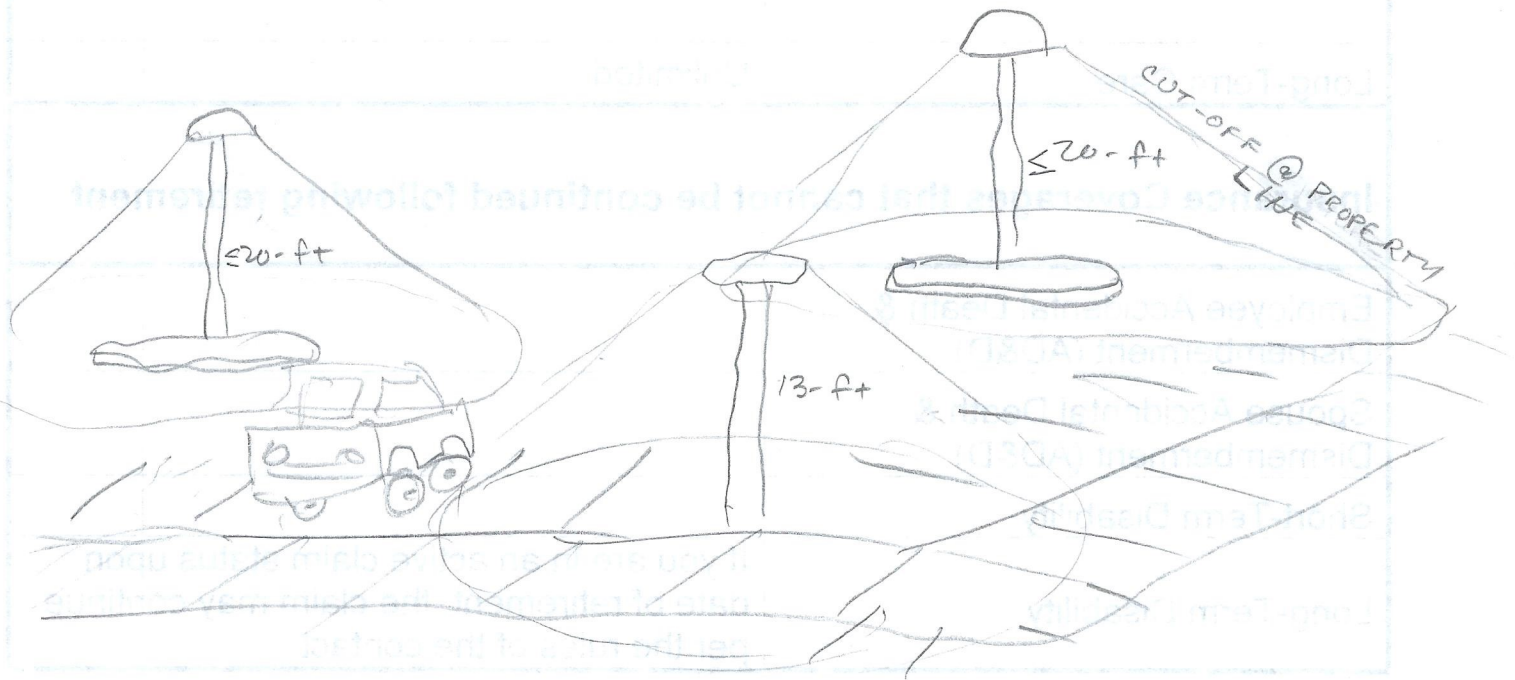
Dark Sky Light Fixture Guide

Noncompliant: Fixtures that produce light trespass and glare



Unshielded Streetlight





EXAMPLE PARKING LOT LIGHTING DESIGN FOR
RESIDENTIAL AND B-1/B-2 DISTRICTS

NOTICE OF HEARING

The City of Brainerd Planning Commission will be conducting a public hearing to consider an ordinance amendment to amend Section 515-4-8 of the Brainerd Zoning Code relating to outdoor lighting color temperature of lamps, dimmable lighting, and lighting performance standards. The proposed ordinance would require all new outdoor lighting in the City of Brainerd to have a correlated color temperature of 3,000 Kelvin or lower. The proposed ordinance would also require all new nonresidential lighting to dim by at least fifty percent or turn off at 10PM or one hour after close of business, whichever is later. The Commission will also consider an amendment to the performance standards of outdoor lighting within Zoning Districts and require all outdoor lighting attached to structures to be fully recessed and/or shielded.

A Public Hearing will be conducted by the Planning Commission at 6:00 p.m. Wednesday, April 19, 2023, in City Hall Council Chambers, 501 Laurel Street, Brainerd.

The public is invited to attend the hearing to offer input regarding the proposed outdoor lighting ordinance amendment. Any individual needing special accommodations please call (218) 828-2307.

Dated this 5th day of April 2023

Publication Date: April 8th, 2023



James L. Kramvik
Community Development Director



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Final Reading – Proposed Ordinance 1552 – Revision of City Codes 1200 and 1205

AGENDA: Main Agenda

ACTION REQUESTED: Hold Public Hearing

SUBMITTED BY: City Eng/PW Director Dehn

DEPARTMENT: Public Works

PRESENTER: City Eng/PW Director Dehn

ESTIMATED TIME (MIN): 10 Minutes

SUMMARY OF ISSUE:

Staff is recommending a revision to City Code to allow the sale and consumption of alcoholic beverages within public parks, streets, and other public places. Proposed Ordinance 1552 would revise Sections 1200 and 1205 of the City Code to allow sale and consumption of alcoholic beverages under the circumstances and conditions as described.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

The subject of alcohol in parks was discussed in December when discussing the new amphitheater facility policies. That discussion raised questions regarding use/sale of alcohol in all parks and public places. When this was brought to the City Council for their review in January, there was additional questions regarding considerations for adult softball at Memorial Park and the campground in Lum Park. The Council and Park Board discussed this matter at the Joint Workshop in February. After final details were agreed upon by the Park Board at March, a proposed ordinance was prepared and reviewed by the City Attorney.

During discussions with the City Council at the May 15, 2023 Council meeting. It was requested that there was desire to include a prohibition of consumption in the area of organized youth events. Staff included this addition as well as specific allowance of consumption for occupants of Lum Park Campground as part of their campsite rental.

A copy of the proposed Ordinance is included in this packet.

RECOMMENDED ACTION/MOTION:

1. Motion to conduct the final reading of Proposed Ordinance 1552, an ordinance amending Sections 1200 and 1205 of the City Code and dispense with the actual reading.
* Note: a vote to dispense with the actual reading of the ordinance must be unanimous.
2. Hold a Public Hearing on Proposed Ordinance 1552.
3. Motion to adopt Proposed Ordinance 1552, an ordinance amending Sections 1200 and 1205 of the City Code

FINANCIAL IMPACT:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping: Click to enter text

Is this budgeted? (Please Explain) Click to enter text

**ORDINANCE
NO. 1552**

**AN ORDINANCE AMENDING SECTIONS 1200 AND 1205 OF THE CITY CODE
CONCERNING SALE AND CONSUMPTION OF
ALCOHOLIC BEVERAGES IN PUBLIC PLACES**

THE CITY COUNCIL FOR THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Purpose.

The existing City Code prohibits the sale and consumption of liquor in public places, while non-intoxicating malt liquor is allowed in limited circumstances in Memorial Park. This amendment provides the opportunity for the sale and consumption of alcoholic beverages in public parks pursuant to temporary on-sale licenses approved by the State under Minnesota Statutes section 340A.404, subdivision 10.

SECTION TWO: Amendment. The following provisions of Section 1200 are amended as indicated, with deleted language struck out and new language underlined:

1200.17 ~~Restrictions on Purchase and Consumption.~~ Subdivision 1. Liquor in Unlicensed Places. No person shall sell alcoholic beverages in any public place unless pursuant to a properly issued license ~~or a permit from the Commissioner of Public Safety under Minnesota Statutes, Section 340.119 and no person shall consume liquor in any such place.~~ Alcoholic beverages may be sold in a public place pursuant to a temporary on-sale liquor license, subject to the following conditions:

- a) Only a club or charitable, religious, or other nonprofit organization in existence for at least three years may apply for a temporary on-sale liquor license. The on-sale of alcoholic beverages must be in connection with a social event within the City sponsored by the applicant. The applicant shall also apply for an event permit as required by City Code. The applicant may contract for alcoholic beverage catering services with the holder of a full-year on-sale intoxicating liquor license issued by any municipality or county.
- b) Sale of alcoholic beverages are prohibited from the following parks:
 - 1. Bane Park – 1717 South 7th Street
 - 2. Buster Dog Park – 1101 East River Road
 - 3. Gustafson Park – NE 9th Avenue and N Street
 - 4. Hitch-Wayne Park - 1201 South 7th Street
 - 5. Meadows Park – 9141 Wolves Street
 - 6. Mississippi River Landing – 1201 Evergreen Avenue
 - 7. O'Brien Park – 2424 Pine Street
 - 8. Trailside Park – Beaver Dam Road
 - 9. Triangle Park – 723 Fir Street
- c) The event permit requires approval by the City Council. If approved, the event permit is subject to the terms set forth by the Council. Those terms include the following:
 - 1. The sale of alcoholic beverages is limited to four consecutive days or less as set forth in the license.
 - 2. Sale of alcoholic beverages in public parks is prohibited during organized youth activities.

3. If catered, the event permit applicant shall provide the name and address of the catering entity that holds a full-year on-sale intoxicating liquor license.
4. For events within a public street, the area in which alcoholic beverages are to be sold and consumed must be entirely contained within a building and/or within temporary fencing preventing sale and consumption of alcohol outside the approved area.
5. Individuals shall not bring outside alcoholic beverages into the area covered under the event permit.
6. Alcoholic beverages shall not be sold or consumed within a glass container.
7. One or more peace officers may be assigned to the event at licensee's sole cost. The number and nature of peace officer presence shall be in the sole discretion of the Police Chief or the Chief's designee.
8. The licensee shall provide proof of liability and property insurance. The liability insurance shall be in an amount no less than the tort limits set forth in Minn. Stat. § 466.04. The property insurance shall be in an amount no less than \$500,000 per occurrence.

Subdivision 2. Consumption in Public Places. ~~No person shall consume liquor on a public highway, public park except in compliance with Section 1205.03, Subd. 5, or other public places.~~ Alcoholic beverages may be consumed in a public park, public street, or other public place, subject to the following conditions:

- a) Consumption of alcoholic beverages is prohibited in the following parks:
 - a. Buster Dog Park – 1101 East River Road
 - b. Gustafson Park – NE 9th Avenue and N Street
 - c. Hitch-Wayne Park - 1201 South 7th Street
 - d. Mississippi River Landing – 1201 Evergreen Avenue
 - e. Trailside Park – Beaver Dam Road
 - f. Triangle Park – 723 Fir Street
- b) Consumption of alcoholic beverages is prohibited at any park during organized youth events.
- c) Permission is specifically granted to occupants of Lum Park Campground during their rental period.
- d) Consumption of alcoholic beverages in any public street or other public place, other than public parks, must be in connection with a permitted social event within the City.

SECTION THREE: Repeal. Section 1205.03 is hereby repealed.

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

Adopted this ____ day of _____, 2023

KELLY BEVANS
President of the Council

Approved this ____ day of _____, 2023

DAVE BADEAUX
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator

Publication date: _____, 2023

NOTICE OF HEARING

The City of Brainerd City Council will be conducting a public hearing to consider Proposed Ordinance No. 1552. The purpose of this ordinance amendment is to amend Sections 1200 and 1205 of the Brainerd City Code concerning the sale and consumption of alcoholic beverages within public parks, public streets, and other public spaces. The proposed ordinance would allow the sale and consumption of alcoholic beverages under certain circumstances and conditions.

A Public Hearing will be conducted by the City Council at 7:30 p.m. Monday, June 5th, 2023, in City Hall Council Chambers, 501 Laurel Street, Brainerd.

The public is invited to attend the hearing to offer input regarding Proposed Ordinance No. 1552. Any individual needing special accommodations please call (218) 828-2307.

Dated this 24th day of May, 2023

Publication Date: May 24th, 2023

A handwritten signature in dark ink, appearing to read "Jessie Dehn", written over a horizontal line.

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



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Consider Bee Keeping Permit for 1209 Oak Street

AGENDA: Main Agenda

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: James Kramvik, CDD

DEPARTMENT: Community Development

PRESENTER: James Kramvik, CDD

ESTIMATED TIME (MIN): 5 min

SUMMARY OF ISSUE:

Brian Timmers submitted an application for a Bee Keeping Permit for one colony at 1209 Oak Street. The applicant has met all requirements outlined in Section 900.06 of the Code of Ordinances. Per Subdivision 7 of said section, all property owners within 150 feet of the applicant's property lines shall be notified of the permit request and have 10 days from the mailing of this notice to submit comments to the City. If objections are received, the City Council shall consider this application.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Staff received two calls and one email regarding this application. The email and one caller indicated that Mr. Timmers does not live at the property and had concerns with his ability to manage the hive if he is not always present. Staff did mail a letter to Mr. Timmers for a possible non-licensed rental. Mr. Timmers stated that someone is living at the residence with him, is not paying rent, and is therefore not a rental. Staff has no other means to verify this claim. Another caller was unable to email but did have concerns for their family as one member is very allergic to bees and the colony would be in close proximity to their home.

Mr. Timmers had a property owner that manages an orchard in Crow Wing County verify his knowledge and expertise in Bee Keeping. The orchard owner partnered with Mr. Timmers for the pollination of his orchard and indicated that he has worked with him for a number of years. Staff verified the location and owner on the Crow Wing County GIS map.

Bee Keeping Permits are required to be renewed annually and must go through the same mailing process as the original permit.

RECOMMENDED ACTION/MOTION:

Staff would like City Council to review the facts and public concerns and make a motion to either approve or deny the permit application.

FINANCIAL IMPACT:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping: N/A

Is this budgeted? (Please Explain) N/A



Annual Bee Keeping Permit Application

City of Brainerd

501 Laurel Street ♦ Brainerd, MN 56401 ♦ 218.828.2307 ♦ 218.828.2316 (fax)
www.ci.brainerd.mn.us

Annual City of Brainerd License Fee: \$40.00

Permit Expires: December 31, 20__

Applicant Information

Applicant Name Brian Timmers

Applicant Address 1209 OAK ST

Address of Bee Keeping (if different) _____

Phone Number _____ Email Address: _____

A. Read and Initial each item.

☒ I understand that the City will send notices of my permit application to all neighbors within 150 feet of my property lines. If no written objections are received by the City within 10 days of mailing, the permit may be issued. If any written objections are received within that time, the City Council must review the permit application for approval.

☒ I have read, understand, and will abide by the Standards of Practice for beekeeping found in City Code, Section 900.

1 colony

B. Apiary Plan.

Please attached a scaled sketch with the proposed apiary improvements. This sketch should include the location of the house, all property lot lines, all colonies, the water source, the location of any immediately adjacent houses, and the location of any required flyways.

C. Sale of Honey.

- a. I intended to sell honey produced on-site from my home. ☐ Yes ☒ No
- b. If I intend to sell site-produced honey from my home, then I have read and understand City Code Section 900. ☐ (If yes, initial here)

D. Beekeeping Training.

Please explain how you meet the beekeeping training requirement. Also, attach a copy of your certificate of completion or other applicable documentation.

2013 - NOW
10+ years of experience
in and around Brainerd
After Bee Before Three Colonies

Applicant Signature: *Brian Timmers*

Date: 5-4-23

Print Name: Brian Timmers



~~Very expensive~~ April 15th
very expensive

Lee Hong

South Long Lake Landowner permission

2 Leases 1 by April
Can be in place

Crow Wing County



1 Items

PARCEL NUMBER

APPRCL TDTDNM

OWNIDN OWNAME OWADR1

41300563

09181020 CITY OF BRAINERD

100377 TIMMERS, 1209 OAK ST
BRIAN S

X

Scale 1: 300

X: 569771.2126

Y: 171734.9502

NOTICE OF APPLICATION

Notice is hereby given that Brian Timmers, 1209 Oak St., Brainerd, MN 56401, has submitted a permit application for bee keeping. The proposed hive shall be located on property owned by the applicant immediately adjacent from the applicant's home.

The applicant has met all requirements outlined in Section 900.06 of the Code of Ordinances. Per Subdivision 7 of said section, all property owners within 150 feet of the applicant's property lines shall be notified of the permit request and have 10 days from the mailing of this notice to submit comments to the City.

If no objections are received by Friday, May 25, the permit application will be processed and approved. If objections are received, the City Council shall consider this application during the regular City Council meeting on Monday, June 5, at 7:30pm in the Council Chambers at Brainerd City Hall.

Any individual needing special accommodations or would like more information about this request please call (218) 828-2307.

Dated this 15th day of May 2023.

James Kramvik
Community Development Director

From: [James Kramvik](#)
To: [Toni Gage](#)
Subject: FW: Bees
Date: Thursday, May 18, 2023 10:19:22 AM

Email

James Kramvik

James Kramvik
Community Development Director
(218)454-3408

City of Brainerd

501 Laurel St
Brainerd, MN 56401

From: [REDACTED]
Sent: Wednesday, May 17, 2023 3:27 PM
To: James Kramvik <jkramvik@ci.brainerd.mn.us>
Subject: Bees

Dear Mr.Kramvik:

Thank you for our phone conversation on May 17 regarding the bee hive application by Brian Timmers at 1209 Oak Street, Brainerd. During our phone conversation, I voiced by opposition to the application. Your letter indicated the hive would be on property owned by the applicate. This dwelling on the property is a rental property occupied by a disabled tenant, Dareld. I believe that Mr. Timmers resides with his mother on Rice Lake, Brainerd. During our conversation today, I understood you to say that I could attend a city council meeting on June 6th. This will not work for me as I have a physical disability. This response has been prepared by my wife, [REDACTED] She can be reached at [REDACTED]

Thank you far you assistance with this matter,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Consider Variance Request for 2424 Business 371

AGENDA: Main Agenda

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: James Kramvik

DEPARTMENT: Community Development

PRESENTER: James Kramvik, CDD

ESTIMATED TIME (MIN): 5 minutes

SUMMARY OF ISSUE:

Scott Doss has submitted a variance request on behalf of Minnesota Teen and Adult Challenge at 2424 Business 371, Brainerd, MN 56401 to exceed the height limitation requirement for a monument sign at 12 feet. The applicant is requesting a variance to install a 15-foot-tall sign, 3 feet off the property line along the Business 371 right-of-way.

The findings of fact stated the right-of-way on Business 371 is approximately 73' wide from the curb to the property line, which is significantly greater than most rights-of-way in Brainerd. The distance and speed at which vehicles travel along this thoroughfare makes communication and signage difficult for this property. Adding additional height to the sign will help communicate messages and entrances to the property.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Planning Commission considered this request at their last meeting on May 17th. The motion to recommend approval of the variance request at 2424 Business 371 to allow for an increase in sign height from 12 feet to 15 feet was moved and seconded by Commissioners Stenglein and Gorham. Upon roll call, Members Stenglein and Gorham voted "aye". Members Duval and Yeager voted "nay". The Chair declared a tie vote and no action was taken.

There were concerns voiced by two Commission members that a design alteration of the sign could achieve the desired effect for the applicant and therefore a variance would not be required. Cost considerations for custom signage does not constitute a practical difficulty alone.

Staff recommends approval of this variance request as it will not alter the essential character of the locality and this Public Semi-Public zoned property is uniquely positioned next to Business 371 where this is an increased right-of-way and rate of travel compared to other properties zoned PSP.

RECOMMENDED ACTION/MOTION:

Staff recommend approval of this variance request at 2424 Business 371 to allow a 15-foot-tall monument sign

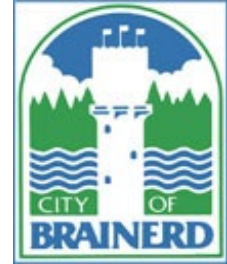
FINANCIAL IMPACT:

Is there a cost associated with this request: no

What is the total cost, with tax and shipping: \$0.00

Is this budgeted? (Please Explain) no

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director
Dylan Edwards, Assistant Planner

DATE: May 17, 2023

RE: Consider Variance Request for 2424 Business 371

Scott Doss has submitted a variance request on behalf of Minnesota Teen and Adult Challenge at 2424 Business 371, Brainerd, MN 56401 to exceed the height limitation requirement for a monument sign at 12 feet. The applicant is requesting a variance to install a 15-foot-tall sign, 3 feet off the property line along the Business 371 right-of-way.

Property Area: 9.36 Acres

Adjacent Uses: North: Residential Living
East: Concrete Works
South: Vacant Parcels
West: Senior Living

Adjacent Zoning: North: CN-2 (Contemporary Neighborhood 2) District
East: GI (General Industrial) District
South: GC (General Commercial) District
West: PSP (Public / Semi-Public) District

Findings of Fact:

1. 2424 Business 371 is in a PSP (Public/ Semi-Public) Zoning District.
2. [Section 515-3-35 J.4b](#) regulates signage for PSP District Uses and states:
“For each principal building on a lot, there shall not be more than one (1) freestanding monument sign except on a corner lot where two signs; one facing each street, shall be permitted. No such signs shall exceed one hundred (100) square feet in area. Monument signs may not exceed twelve (12) feet in height. The monument sign may include a changeable copy sign as part of the allowable sign area.”
 - a. *The applicant is requesting a variance from the twelve (12) foot monument sign height limit to install a fifteen (15) foot tall monument sign with a signage area total of 86 square feet.*

3. [Section 515-5-4.B.3](#), General Provisions and Evaluation Criteria. – Variances shall only be permitted:
- a. When they are in harmony with the general purposes and intent of the ordinance and
 - i. *It is Stated Section 515-3-35A.2c the purpose of this ordinance is to, “Improve the visual appearance of the City while providing for effective means of communication, consistent with constitutional guarantees and the City’s goals of public safety and aesthetics.”*
 - ii. *This variance request allows the applicant and the property to communicate their message more clearly, is more aesthetically pleasing, and fits with the character of the location.*
 - b. When the variances are consistent with the Comprehensive Plan.
 - i. *The Variance proposed supports the aims of the following Comprehensive Plan Goals and Policies:*
 - 1. *Land Use - Goal 2 : Through thoughtful planning, to maintain the unique identity of the city and all the appropriate land uses that support it.*
 - a. *Policy 3 – “Promote reinvestment in the City’s main highway corridors and downtown.”*
 - b. *The proposed sign is an investment in a visual improvement of a property on one of the main thoroughfares into the City.*
 - c. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance.
 - i. *The right-of-way on Business 371 is approximately 73’ wide from the curb to the property line, which is significantly greater than most rights-of-way in Brainerd. This distance and speed at which vehicles travel along this thoroughfare makes communication and signage difficult for this property. Adding additional height to the sign will help communicate messages and entrances to the property.*
4. [Section 515-5-4.B.4](#), Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance.;
- a. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
 - i. *The width of the right-of-way and speed of traffic on Business 371 is unique to this property and much different than most properties in the PSP District.*
 - b. The variance, if granted, will not alter the essential character of the locality.
 - i. *The proposed sign will enhance the property, is modest in size compared to surrounding signs and billboards and will not alter the character of the locality.*

- c. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
- 5. Section 515-5-4. B.5, The Board may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

At the time of this writing, no party had contacted the Community Development Department with questions regarding the proposed project and did not have any concerns.

Staff Opinion:

Staff recommend approval of this variance request at 2424 Business 371 to allow a 15-foot-tall monument sign.



Community Development Department

City Hall – 501 Laurel Street Brainerd, MN 56401

218-828-2307

www.ci.brainerd.mn.us

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

	RESIDENTIAL	COMMERCIAL
CONDITIONAL USE PERMIT	☐ (\$250.00)	☐ (\$400.00 + \$500.00 escrow deposit)
REZONING	☐ (\$300.00)	☐ (\$500.00)
VARIANCE	☐ (\$250.00)	☒ (\$400.00 + \$500.00 escrow deposit)

PROPERTY ADDRESS: 2424 Business Hwy 371 South

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

Property Owner Name: Minnesota Adult and Teen Challenge

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

Phone Number: 218-833-8777 Fax: _____ E-mail: Scott.doss@MNTC.org

Applicant Name: (If different than Property Owner) _____

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

Phone Number: _____ Fax: _____ E-mail: _____

Description of Request: We are asking to place a sign in our front yard that is 15' high. This is higher than the 12' code. We believe that due to the higher speed limit, large right of way, and non-residential area, we are a great location to consider a variance for.

Scott Doss
Property Owner Signature

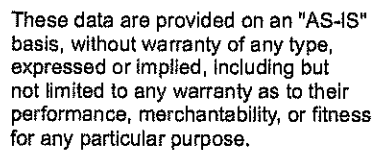
4/26/2023
Date

Scott Doss (Employee)
(Please print name)

Scott Doss
Applicant Signature

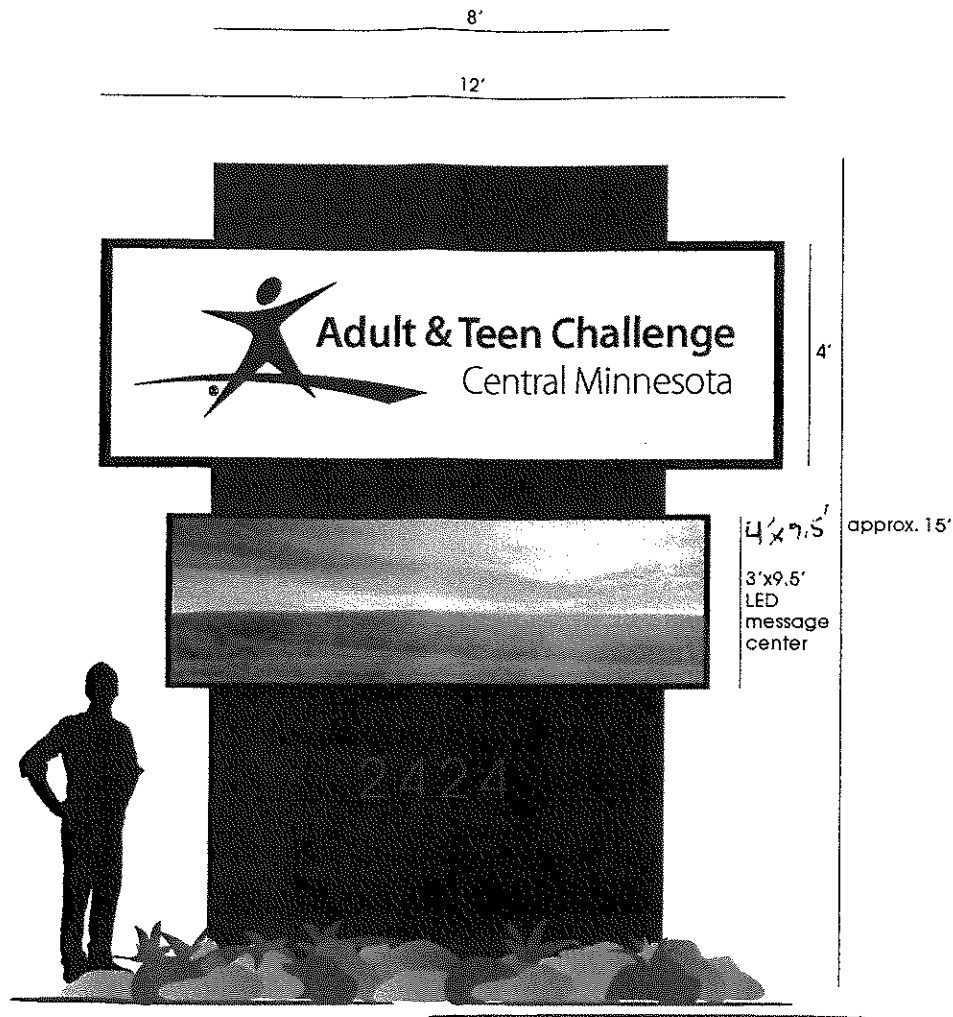
4/26/2023
Date

Scott Doss
(Please print name)



CROW WING
COUNTY
MINNESOTA

4/26/2022



MNTC monument sign

- project management
- site survey
- graphic design
- 4' x 12' double sided Internally lit sign
- vinyl graphics on polycarbonate faces
- 3' x 9.5' double sided message center - 10 MM
- software package
- wireless communication (can control from phone/desktop)
- time/ temp.
- electrical wiring out of signs
- aluminum pole wrap/ painted color of choice
- adhesive vinyl address numbers

Installation

- (2) 5" x 5" steel square posts
- direct burial
- rock/ concrete footings
- set signs

..... \$54,462.00

- estimate valid for 30 days
- final electrical hookups by others
- decorative landscaping/ rockwork by others
- removing existing sign by others
- necessary sign permits may be additional
- 50% down payment required to start fabrication

MNTC monument sign
display sign - creative
3/21/23

UPLAND
ADVERTISING & DESIGN, LLC

21683 Campbell Lake Rd. Merrifield, MN 56465
218/828/9435

◆ This artwork and creative is property of Upland Advertising & Design until purchased



Google Maps 2424 Voyageur Hwy

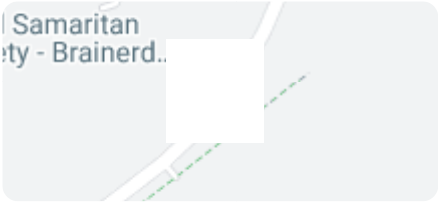


Brainerd, Minnesota

Google Street View

Sep 2019 See more dates

Image capture: Sep 2019 © 2023 Google



NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Minnesota Adult and Teen Challenge has submitted a variance request at 2424 Business 371 to exceed the height limit for pylon signs in the Public-Semi-Public (PSP) Zoning District. The maximum height limit for monument signs in the PSP District is twelve (12) feet per Section 515-3-35.J.4. The applicant is requesting to exceed this limit with a proposed fifteen (15)-foot-tall monument sign. The property included in this application is described as:

*LOT 1 BLOCK 1
ASSEMBLIES OF GOD ADDITION TO BRAINERD
P.I.N. 41010608
Section 1, Township 44, Range 31*

A copy of the proposed site plan is on file for review at the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, May 17th, 2023, in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the variance request.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2309.

Dated this 2nd day of May 2023



James Kramvik
Community Development Director

Publication Date: May 6th 2023



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Consider Variance Request for 431 B Street NE

AGENDA: Main Agenda

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: James Kramvik

DEPARTMENT: Community Development

PRESENTER: James Kramvik, CDD

ESTIMATED TIME (MIN): 5 minutes

SUMMARY OF ISSUE:

Dale E. Holmquist Jr has submitted a variance request at 431 B St. NE Brainerd, MN 56401 to construct an addition on an accessory structure. The requested variance is from Zoning Code Section 515-2-8.C The applicant is requesting the Accessory Building Standards side yard (corner) setback be 7' for a corner lot property and is proposing a 12' x 24' addition with a second story added to the garage.

The findings of fact noted that the buildable area for accessory structures on this property is reduced to 27' wide because of the non-conforming lot width and the setback standards for corner lots in the TN-1 District. The applicant would also like to reuse and repurpose the existing garage that was built prior to the current zoning code standards.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Planning Commission considered this request at their last meeting on May 17th and unanimously recommended approval of the variance request to allow for a 7 foot side yard corner setback for the proposed addition to an existing accessory structure.

RECOMMENDED ACTION/MOTION:

Approve the variance request to allow for a 7 foot side yard corner setback for the proposed addition to the existing accessory structure.

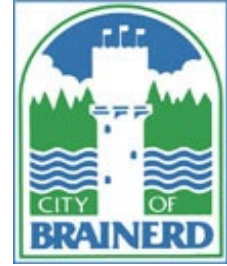
FINANCIAL IMPACT:

Is there a cost associated with this request: no

What is the total cost, with tax and shipping: \$0.00

Is this budgeted? (Please Explain) no

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director
Dylan Edwards, Assistant Planner

DATE: May 17, 2023

RE: Consider Variance Request for 431 B St. NE

Dale E. Holmquist Jr has submitted a variance request at 431 B St. NE Brainerd, MN 56401 to construct an addition on an accessory structure.

The requested variance is from Zoning Code [Section 515-2-8.C](#) the applicant is requesting the Accessory Building Standards side yard (corner) setback be 7' for a corner lot property.

Property Area: 0.13 Acres

Adjacent Uses: North: Single Family Dwelling
East: Liquor Store
South: Single Family Dwelling
West: Single Family Dwelling

Adjacent Zoning: North: TN-1(Traditional Neighborhood) Zoning District
East: CC (Commercial Corridor) Zoning District
South: TN-1(Traditional Neighborhood) Zoning District
West: TN-1(Traditional Neighborhood) Zoning District

Findings of Fact:

1. 431 B St NE is in a TN-1 (Traditional Neighborhood One) Zoning District.
2. Section 515-2-8.C states:
"Accessory Building Standards, Side Yard Setback, detached (Minimum) – 5'/10' corner."
 - a. *The applicant is requesting a variance from Zoning District Dimensional Standards proposing a 7' setback as opposed to the required 10' for corner lots.*
 - b. *The applicant is also proposing a second story addition to the garage which would be an expansion to a non-conforming structure without a variance to allow a 7' side yard (corner) setback.*
 - c. *The location of the existing garage and proposed addition are behind the principal building which is a requirement of the Zoning Code*

3. Per Section 515-2-8 the total allowable accessory structure building square footage cannot exceed 750 square feet or 10% of the lot, whichever is greater.
 - a. *The applicant has proposed as 12' x 24' addition for a total accessory structure square footage of approximately 713 SQFT (square footage is measured from the inside wall).*
 - b. *The second story square footage is not calculated within the above square footage standards.*
4. Per Section 515-2-8 the accessory structure height (maximum) is 35' but may not exceed the height of the principal structure.
 - a. *The applicant has proposed a height of 23' at the mid-point of the roof which is less than the height of the primary structure.*
5. [Section 515-5-4.B.3](#), General Provisions and Evaluation Criteria. – Variances shall only be permitted:
 - a. When they are in harmony with the general purposes and intent of the ordinance and
 - i. *As stated in Section 515-2-8 the purpose of the TN-1 zoning district is "to provide for a compact, pedestrian-oriented mix of residential uses". It is a neighborhood that is designed in a compact manner to ensure density and pedestrian orientation." This variance request is consistent with the general purposes and intent of the ordinance as this property is located in a dense and compact neighborhood and the addition to the accessory structure will not greatly alter the characteristics of the TN-1 neighborhood.*
 - b. When the variances are consistent with the Comprehensive Plan
 - i. *The Comprehensive Plan states in Housing Goal 3, Ensure quality living conditions for all residents.*
 1. *Policy 2 states that the city should "Promote the maintenance and rehabilitation of all properties."*
 - c. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance.
 - i. *The lot at 431 B St. NE has a non-conforming lot width of 42' as opposed to the minimum 50' lot width required for the TN-1 Zoning District. The lot width along with the fact that this property is a corner lot restricts the buildable area for accessory structures.*
6. [Section 515-5-4.B.4](#), Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance.;
 - a. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
 - i. *The buildable area for accessory structures on this property is reduced to 27' wide because of the non-conforming lot width and the setback standards for corner lots in the TN-1 District. The applicant would also like to reuse and repurpose the existing garage that was built prior to the current zoning code standards.*

- b. The variance, if granted, will not alter the essential character of the locality.
 - i. *The granting of this variance will not substantively affect the neighborhood character as many nearby primary structures and accessory structures do not meet the current allowable setback standards for the TN-1 District. The height of the garage is also consistent with the neighborhood as there are many surrounding two story structures.*
 - c. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
7. Section 515-5-4. B.5, The Board may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

At the time of this writing, two parties have contacted the Community Development Department with questions regarding the proposed project and did not have any concerns.

Staff Opinion:

Staff recommends the Planning Commission approve this variance request at 431 B St. for a 7' side yard (corner) accessory structure setback.



Community Development Department

City Hall – 501 Laurel Street Brainerd, MN 56401

218-828-2307

www.ci.brainerd.mn.us

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

	RESIDENTIAL	COMMERCIAL
CONDITIONAL USE PERMIT	☐ (\$250.00)	☐ (\$400.00 + \$500.00 escrow deposit)
REZONING	☐ (\$300.00)	☐ (\$500.00)
VARIANCE	☒ (\$250.00)	☐ (\$400.00 + \$500.00 escrow deposit)

PROPERTY ADDRESS: 431 B St NE

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

Property Owner Name: Dale E Holmquist Jr

Street Address: 431 B St NE City: Brainerd State: MN Zip Code: 56401

Phone Number: 218-537-3430 Fax: _____ E-mail: _____

Applicant Name: (If different than Property Owner) _____

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

Phone Number: _____ Fax: _____ E-mail: _____

Description of Request: 7 FT Side Yard, corner setback for
Accessory Structure Addition.

Dale E Holmquist Jr
Property Owner Signature
Dale E Holmquist Jr
(Please print name)

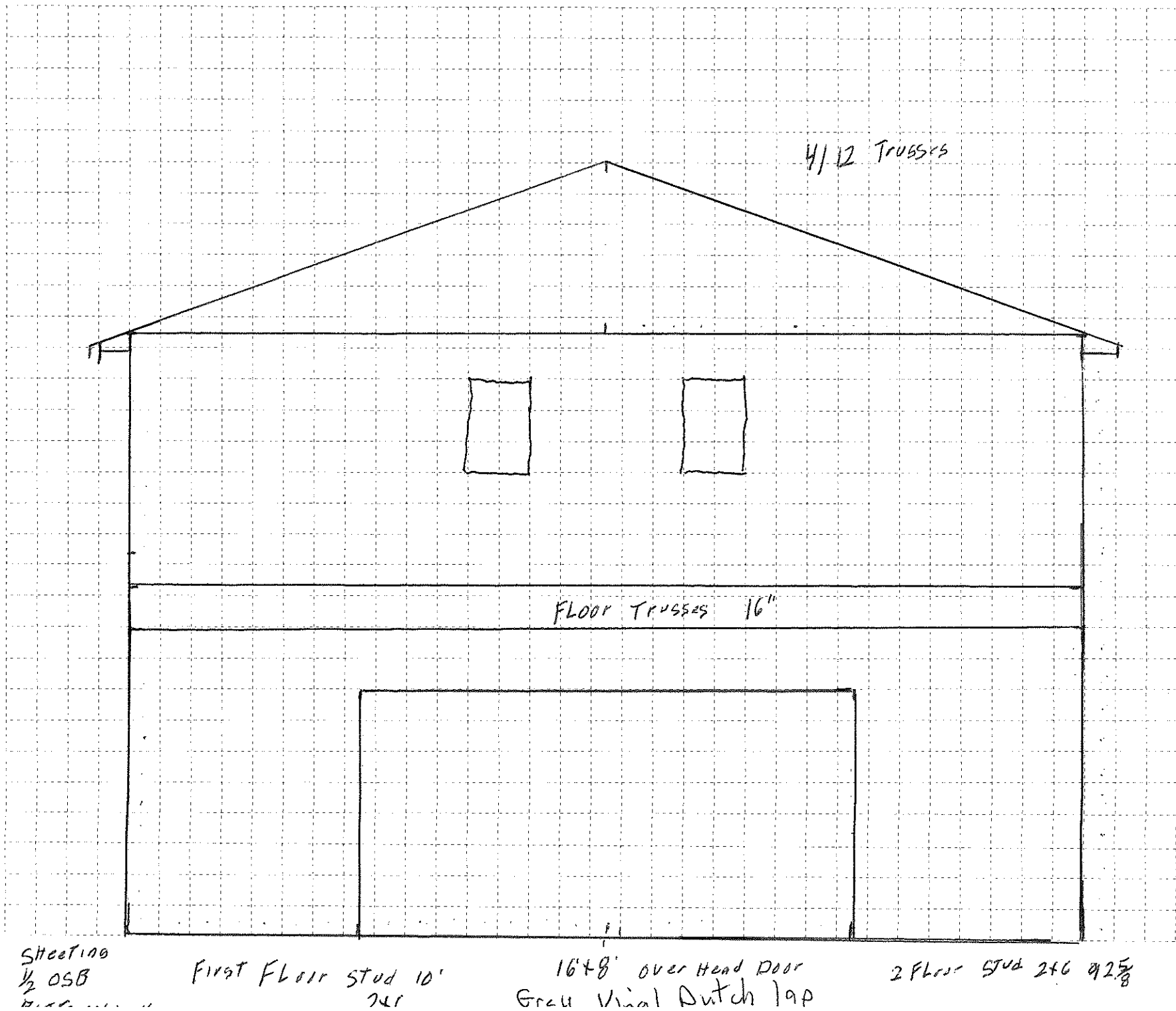
5-3-2023
Date

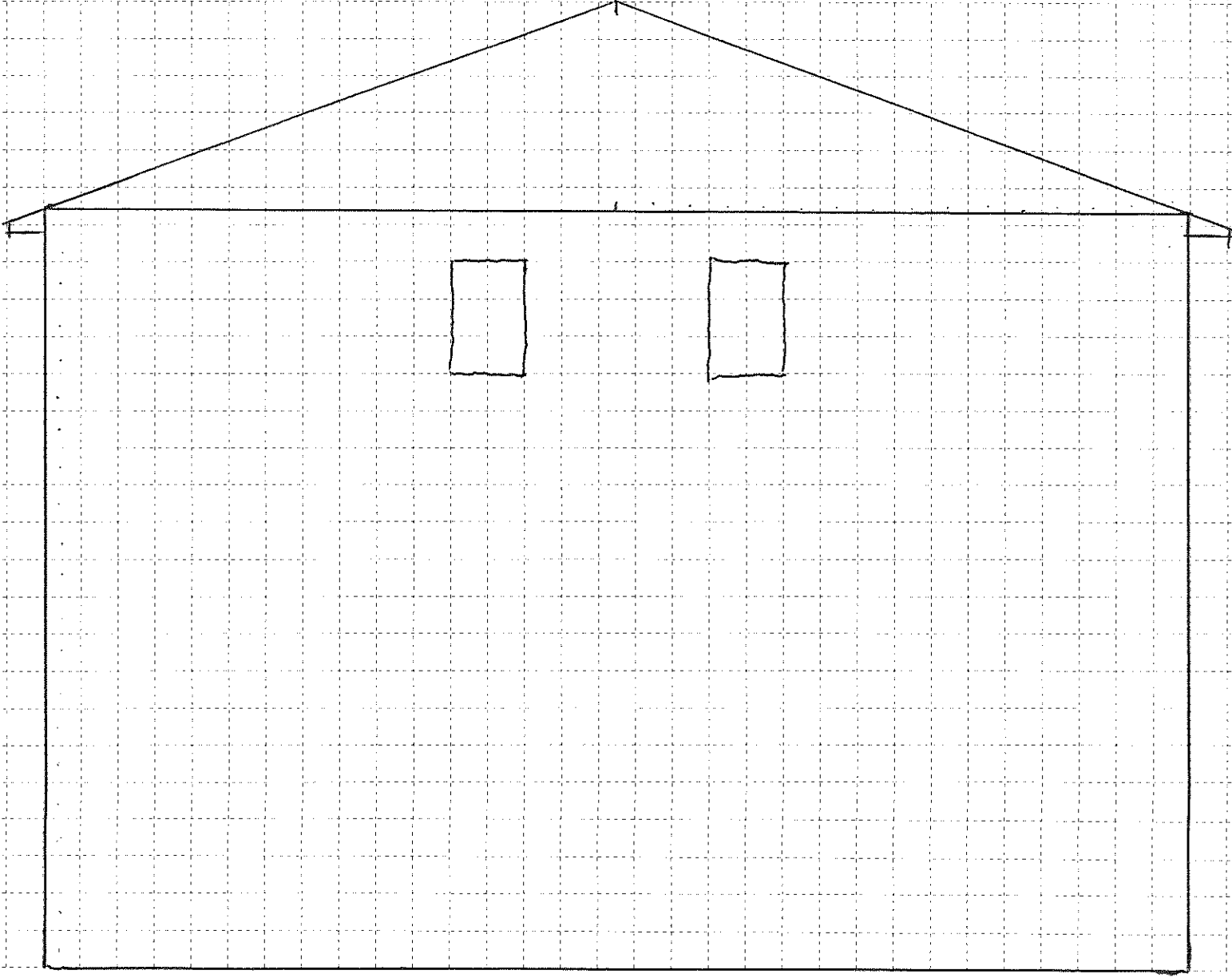
Applicant Signature

(Please print name)

Date

One square = 1/4"
Scale: 1/4" = 1' Feet





One square = $\frac{1}{4}$ "
Scale: $\frac{1}{4}$ " = 1' Feet

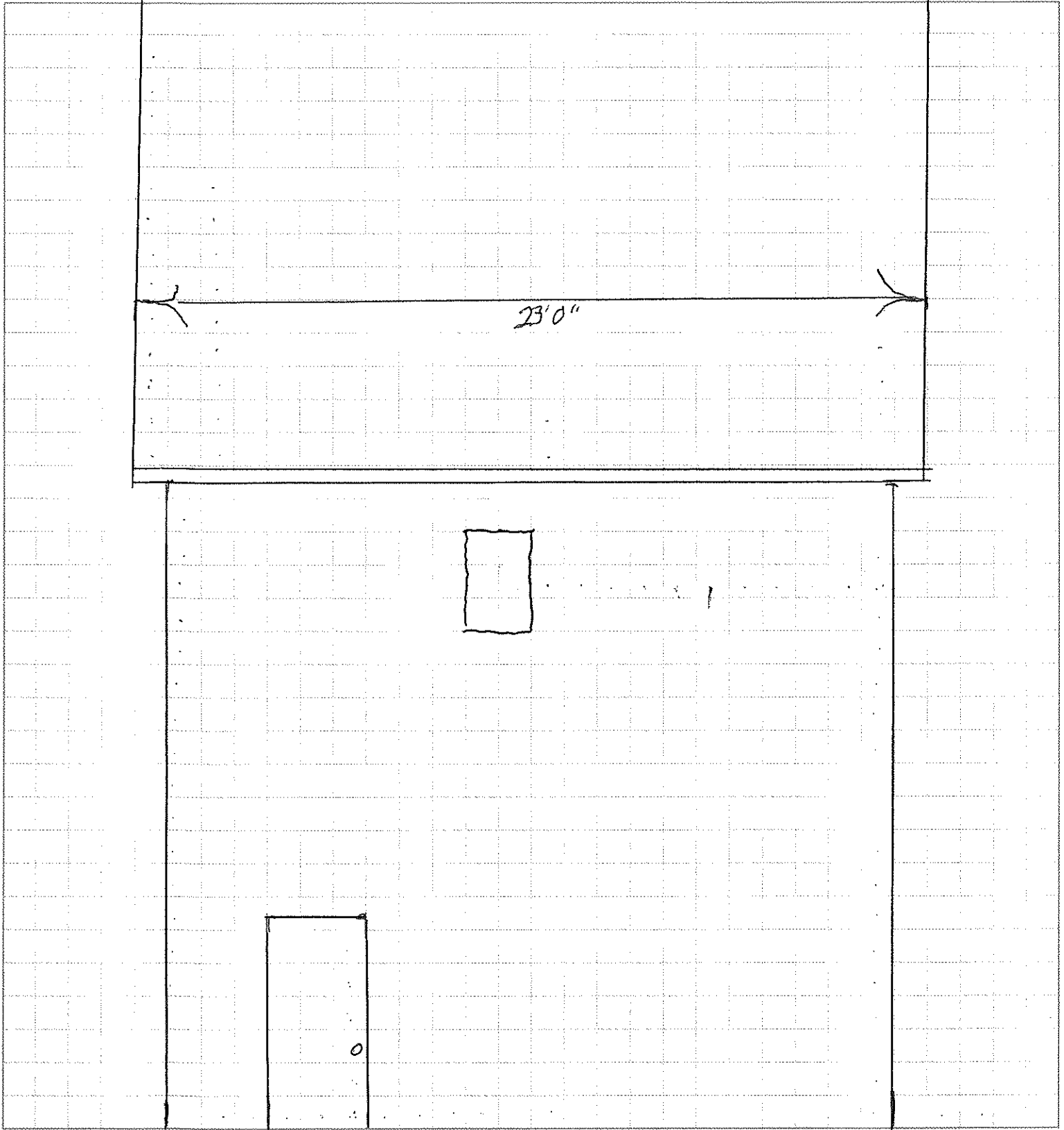


Refrigeration - Heating, Inc.

- ☐ 345 - 19th St. N.
- ☐ 1322 S. 22nd St.
- ☐ 825 Burdick Expwy W.
- ☒ 8175 Industrial Park Rd.
- ☐ 2525 Demers Ave.

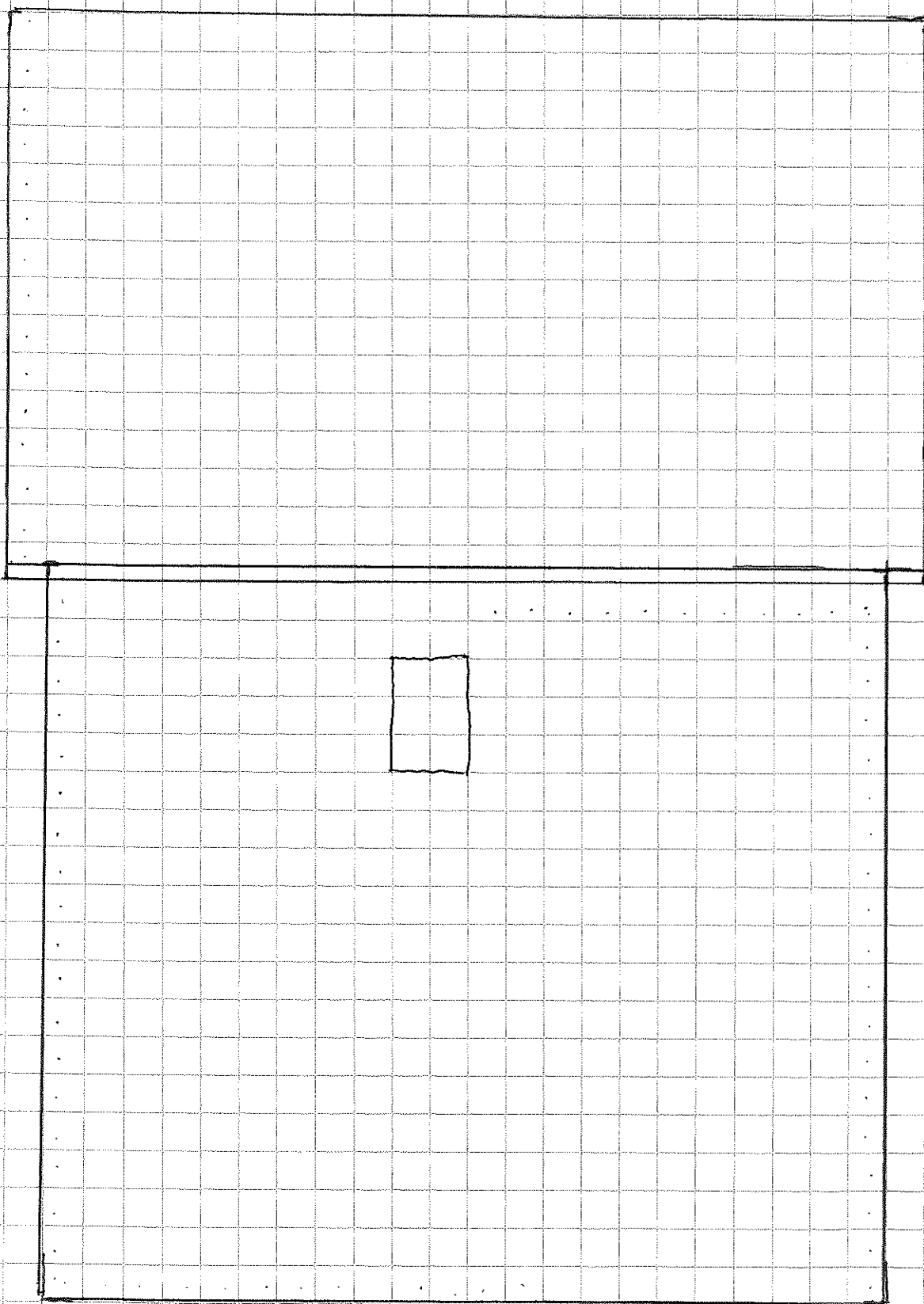
Fargo, ND 58102
Bismarck, ND 58504
Minot, ND 58701
Baxter, MN 56425
Grand Forks, ND 58201

(701) 232-7070
(701) 224-1515
(701) 838-0702
(218) 828-7016
(701) 757-2323

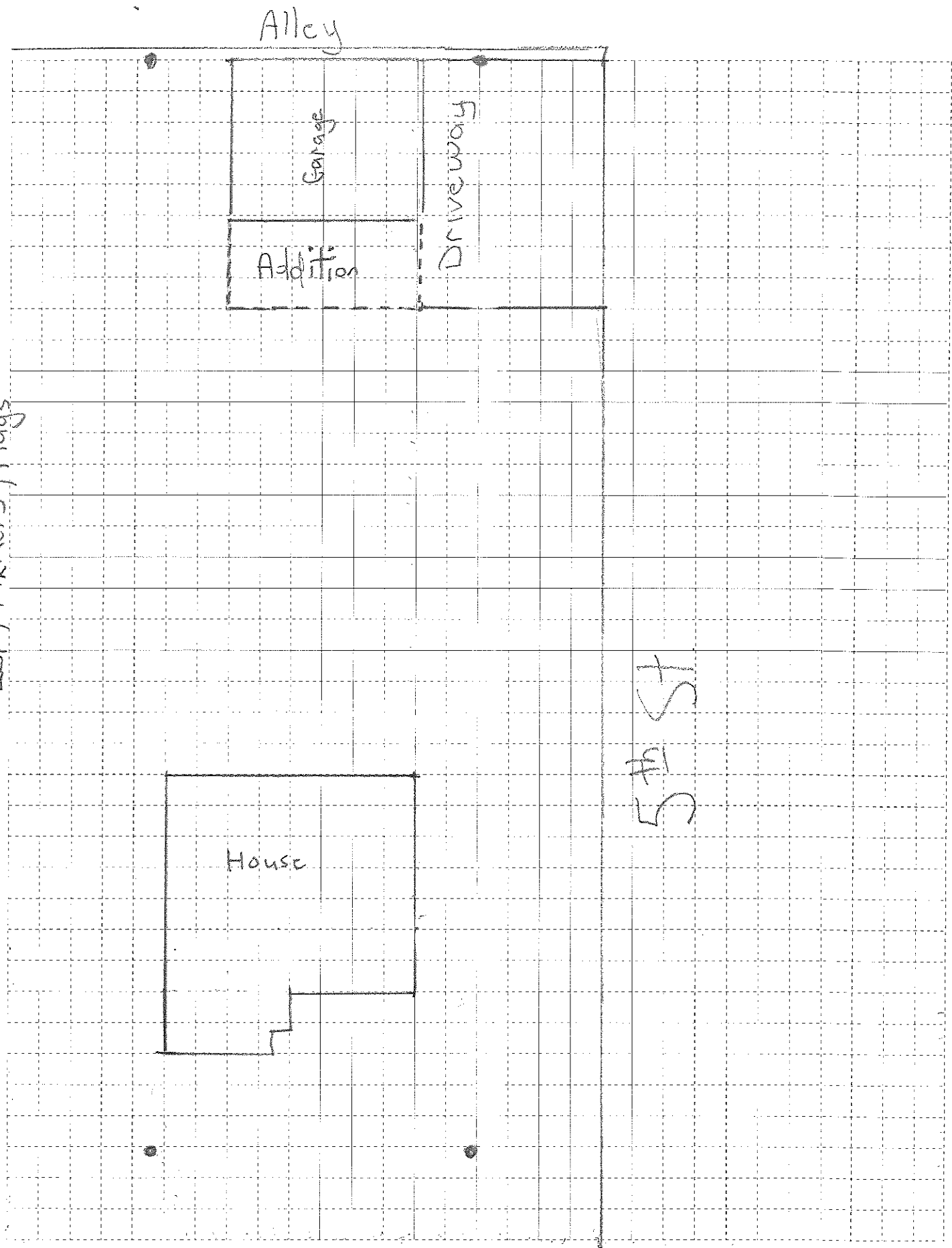


Refrigeration - Heating, Inc.

8175 Industrial Park Rd, STE 1 • Baxter, MN 56425
Phone: (218) 828-7016
After Hours Emergency: (218) 232-2521



• Lot Markers / flags



431 B St

One square = 1/4"
Scale: 1/4" = 4 Feet

D.J. Holmquist

Google Maps 200 5th Ave NE



Brainerd, Minnesota
Google Street View
Oct 2018 See more dates

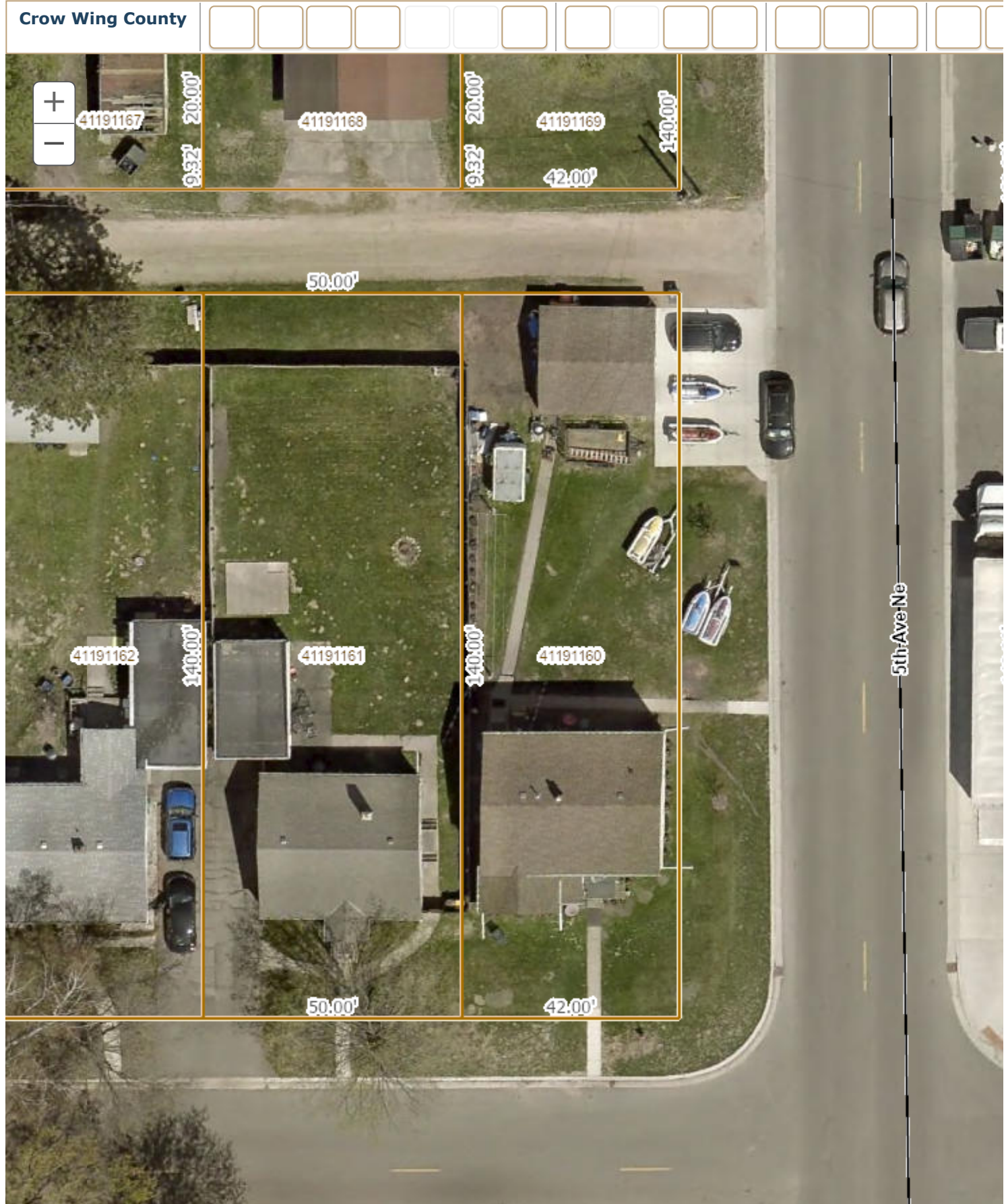
Image capture: Oct 2018 © 2023 Google



431 B St NE

All

Street View & 360°



Scale 1: 300

X: 571921.5196

Y: 174831.9643

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Dale E. Holmquist Jr. has submitted a variance request at 431 B St. NE Brainerd, MN 56401 from the detached accessory structure setback requirements in the Traditional Neighborhood 1 (TN-1) Zoning District. Section 515-2-8.2.C requires a 10 foot side yard corner setback for detached accessory structures. The applicant has requested a 7' setback on the side yard corner for an accessory structure addition. The property included in this application is described as:

*LOT 10 BLOCK 3
SCHMELZS THIRD ADDITION TO THE CITY OF
P.I.N. 41191160
Section 19, Township 45, Range 30*

A copy of the proposed site plan is on file for review at the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, May 17th, 2023, in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the variance request.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2309.

Dated this 2nd day of May 2023



James Kramvik
Community Development Director

Publication Date: May 6th 2023



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Consider Variance Request for 3 Washington Street NE for Dunkin' Donuts

AGENDA: Main Agenda

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: James Kramvik

DEPARTMENT: Community Development

PRESENTER: James Kramvik, CDD

ESTIMATED TIME (MIN): 5 minutes

SUMMARY OF ISSUE:

Emily Kettinger has applied on behalf of Dairyland Operations LLC (Dunkin' Donuts) for two variance requests at 3 Washington St. NE Brainerd, MN 56401. The first request is to allow their main entrance to face the rear yard of the property. Section 515-2-14.C requires the principal façade to front onto an avenue/street for properties in the CC District. The second variance request is to allow a 27'1" principal building front yard setback, a 24' side yard corner setback, and a 66'7" rear yard setback. Section 515-2-14.C requires principal facades to have a 0-foot to 10-foot build-to-range from the street/avenue.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Planning Commission considered this request at their May 17th meeting and unanimously recommended approval of the two variances with the three conditions presented by staff.

RECOMMENDED ACTION/MOTION:

Staff recommends the approval of both variance requests 3 Washington St. NE to allow the main entrance to face the rear yard of the property and to allow a 27'1" principal building front yard setback, a 24' side yard corner setback, and a 66'7" rear yard setback with the following conditions:

- 1) Landscape parking lot standards must be applied to the parking lot and drive through lanes along Washington Street and Gillis Avenue and must be approved by staff prior to issuance of the building permit.
- 2) A 65% glazing requirement along Washington Street must be depicted on the construction drawings prior to issuance of the building permit.
- 3) Walk-in cooler must either be screened or consistent with the architecture of the building.

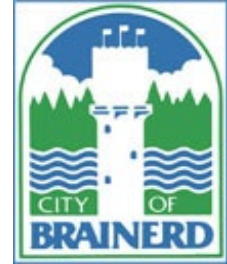
FINANCIAL IMPACT:

Is there a cost associated with this request: no

What is the total cost, with tax and shipping: \$0.00

Is this budgeted? (Please Explain) no

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director
Dylan Edwards, Assistant Planner

DATE: May 17, 2023

RE: Consider Variance Request for 3 Washington St. NE

Emily Kettinger has applied on behalf of Dairyland Operations LLC (Dunkin' Donuts) for two variance requests at 3 Washington St. NE Brainerd, MN 56401. The first request is to allow their main entrance to face the rear yard of the property. Section 515-2-14.C requires the principal façade to front onto an avenue/street for properties in the CC District. The second variance request is to allow a 27'1" principal building front yard setback, a 24' side yard corner setback, and a 66'7" rear yard setback. Section 515-2-14.C requires principal facades to have a 0-foot to 10-foot build-to-range from the street/avenue.

Property Area: 0.28 Acres

Adjacent Uses: North: Residential Living
East: Restaurant
South: Auto Dealership
West: Auto Mechanic

Adjacent Zoning: North: TN-1(Traditional Neighborhood) Zoning District
East: CC (Commercial Corridor) Zoning District
South: GI (General Industrial) Zoning District
West: CC (Commercial Corridor) Zoning District

Findings of Fact:

1. 3 Washington St. NE is in a CC (Commercial Corridor) Zoning District. Drive-through businesses are permitted in the CC District.
2. Section 515-2-14.C states: "Lot Dimension, Frontage - Principal Façade must front onto Avenue/Street." and "Principal Building Setbacks, Principal Façade Build-to Range (Avenue) - 0-10'."
 - a. *The applicant is requesting a variance from the Zoning District Dimensional Standards to allow for the installation of a drive-thru around the building that accommodates a turning*

radius for most vehicles and to orient the building appropriately for a drive-thru only restaurant layout that the developer proposes.

- b. The applicant is proposing a 27'1" front yard setback and 24' side yard corner setback with a rear entrance/ pickup window to the building.*

3. [Section 515-5-4.B.3](#), General Provisions and Evaluation Criteria. – Variances shall only be permitted:

- a. When they are in harmony with the general purposes and intent of the ordinance and
 - i. *The purpose of the 0–10-foot build-to-range in the CC District is to place buildings closer to Washington Street and facilitate rear parking. The proposed design achieves a closer build-to-range than the existing building and places all off-street parking spaces to the rear of the property. The drive through lane and turning radius require building placement to exceed the 10' front façade setback standard.*
- b. When the variances are consistent with the Comprehensive Plan
 - i. *Land Use Goal 2, Through thoughtful planning, maintain the unique identity of the city and all the appropriate land uses that support it.*
 - 1. *Policy 3 states, "Promote reinvestment in the city's main highway corridors and downtown."*
 - a. *The lot on which this proposed development will occur has been vacant for a significant amount of time, leaving one of the more visible lots on Washington St. blighted. By granting these variances, which reduce the existing nonconformities of the parcel, the city will gain a new building and an established franchise.*
 - ii. *Economic Development Goal 3, Help local businesses grow and attract new businesses in our neighborhoods, along our main corridors, and in our downtown.*
 - 1. *Policy 2 states, "Attract new businesses best suited for the community's assets, increasing local employment options and building the city's tax base."*
- c. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance.
 - i. *Based on the size of the property the applicant does have a challenge complying with the Zoning Ordinance. Drive through facilities require circulation around the property and an appropriately sized stacking lane to accommodate vehicles. This particular property is challenging because of its size. There may be other larger properties in the CC District that could accommodate a rear drive through which would allow for a reduced front yard setback along Washington Street.*
 - ii. *The proposed building is a drive through and pickup only establishment which makes multiple entrances to the building impossible. The proposed rear of the building provides enough space for staff only.*

4. [Section 515-5-4.B.4](#), Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance.;

- a. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and

- i. *Alternative designs have been proposed to staff. An earlier design placed the building closer to Washington Street but required pedestrians to walk through the drive through lane.*
 - ii. *The City Engineer also had concerns with the proposed location of the entrance to the property because of the lighted intersection with Gillis Ave. The current design allows for enhanced pedestrian movement, an ideal entrance off Gillis Ave, and rear parking.*
 - b. The variance, if granted, will not alter the essential character of the locality.
 - i. *The Zoning Code requires the principal façade to be orientated with the Washington St. or an avenue and requires sixty five percent glazing. The glazing requirement is not depicted in the submitted drawings but has been discussed with the developer and will be a requirement of the final building permit submittal. Jimmy John's, a nearby and recently established restaurant, has a significant glass façade facing Washington St. with a side entrance to the building. The architectural style of the building is very similar to the proposed & required design for Dunkin' Donuts.*
 - ii. *Based on the current state of the property in question the granting of this proposed variance will bring this parcel into greater conformity with surrounding buildings regarding the front yard setback standard. The rear entrance will be unique to the locality, but the glazing requirement will help offset the visual appearance along Washington St.*
 - iii. *Most drive through businesses in the CC District are setback further than 10' from Washington St to accommodate a drive through lane and off-street parking in the front yard.*
 - c. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
5. Section 515-5-4. B.5, The Board may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

At the time of this writing, two parties have contacted the Community Development Department with questions regarding the proposed project and did not have any concerns.

Staff Opinion:

Staff recommends the approval of both variance requests 3 Washington St. NE to allow the main entrance to face the rear yard of the property and to allow a 27'1" principal building front yard setback, a 24' side yard corner setback, and a 66'7" rear yard setback with the following conditions:

- 1) Landscape parking lot standards must be applied to the parking lot and drive through lanes along Washington Street and Gillis Avenue and must be approved by staff prior to issuance of the building permit.
- 2) A 65% glazing requirement along Washington Street must be depicted on the construction drawings prior to issuance of the building permit.
- 3) Walk-in cooler must either be screened or consistent with the architecture of the building.



Community Development Department

City Hall – 501 Laurel Street Brainerd, MN 56401

218-828-2307

www.ci.brainerd.mn.us

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

RESIDENTIAL

COMMERCIAL

CONDITIONAL USE PERMIT

☐

(\$250.00)

☐

(\$400.00 + \$500.00 escrow deposit)

REZONING

☐

(\$300.00)

☐

(\$500.00)

VARIANCE

☐

(\$250.00)

☒

(\$400.00 + \$500.00 escrow deposit)

PROPERTY ADDRESS: 3 Washington St NE, Brainerd, MN 56401

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

Property Owner Name: Dairyland Operations, LLC.

Street Address: P.O Box 120 City: Wisconsin Dells State: WI Zip Code 53965

Phone Number: 608.698.6165 Fax: _____ E-mail: ekettinger.dunkin@gmail.com

Applicant Name: (If different than Property Owner) _____

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

Phone Number: _____ Fax: _____ E-mail: _____

Description of Request: Demolition of existing structure. Site to be redeveloped with a new structure, vehicular circulation, trash enclosure, site lighting, and other site improvements.

Emily Kettinger

Property Owner Signature

Emily Kettinger, Real Estate Development Manager

(Please print name)

4-27-2023

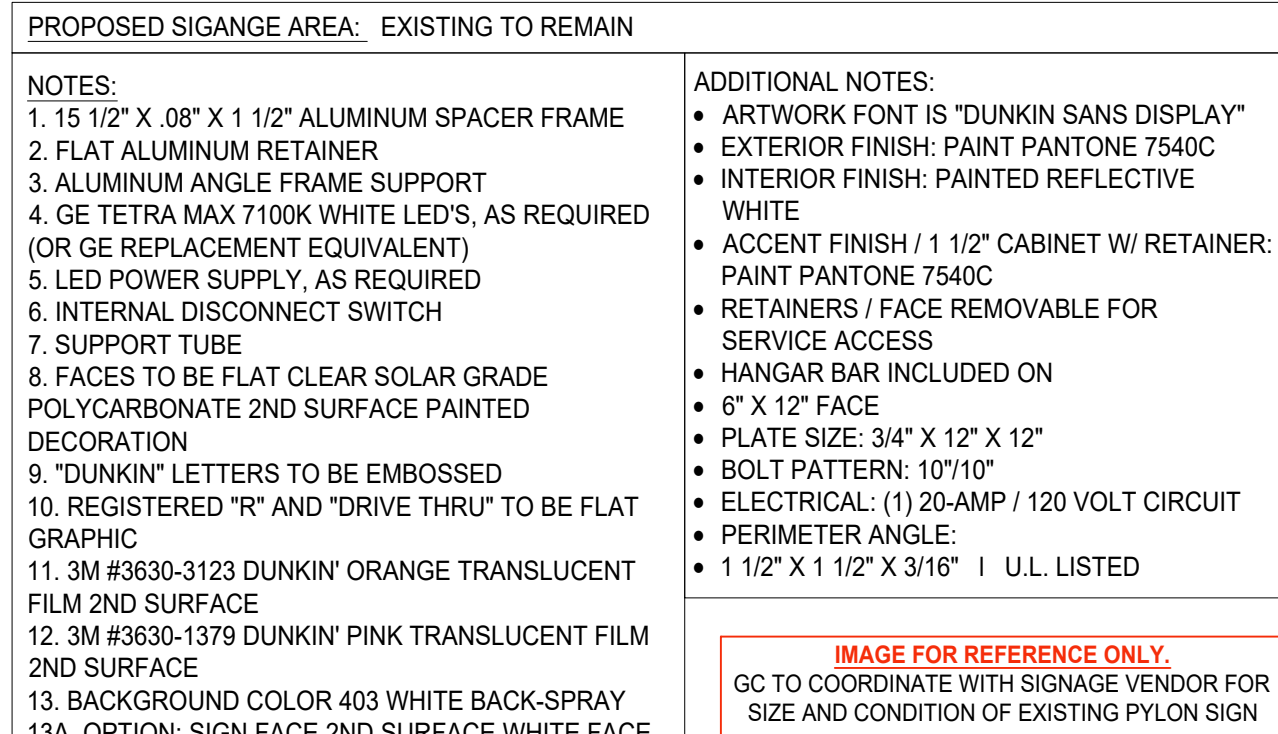
Date

Applicant Signature

Date

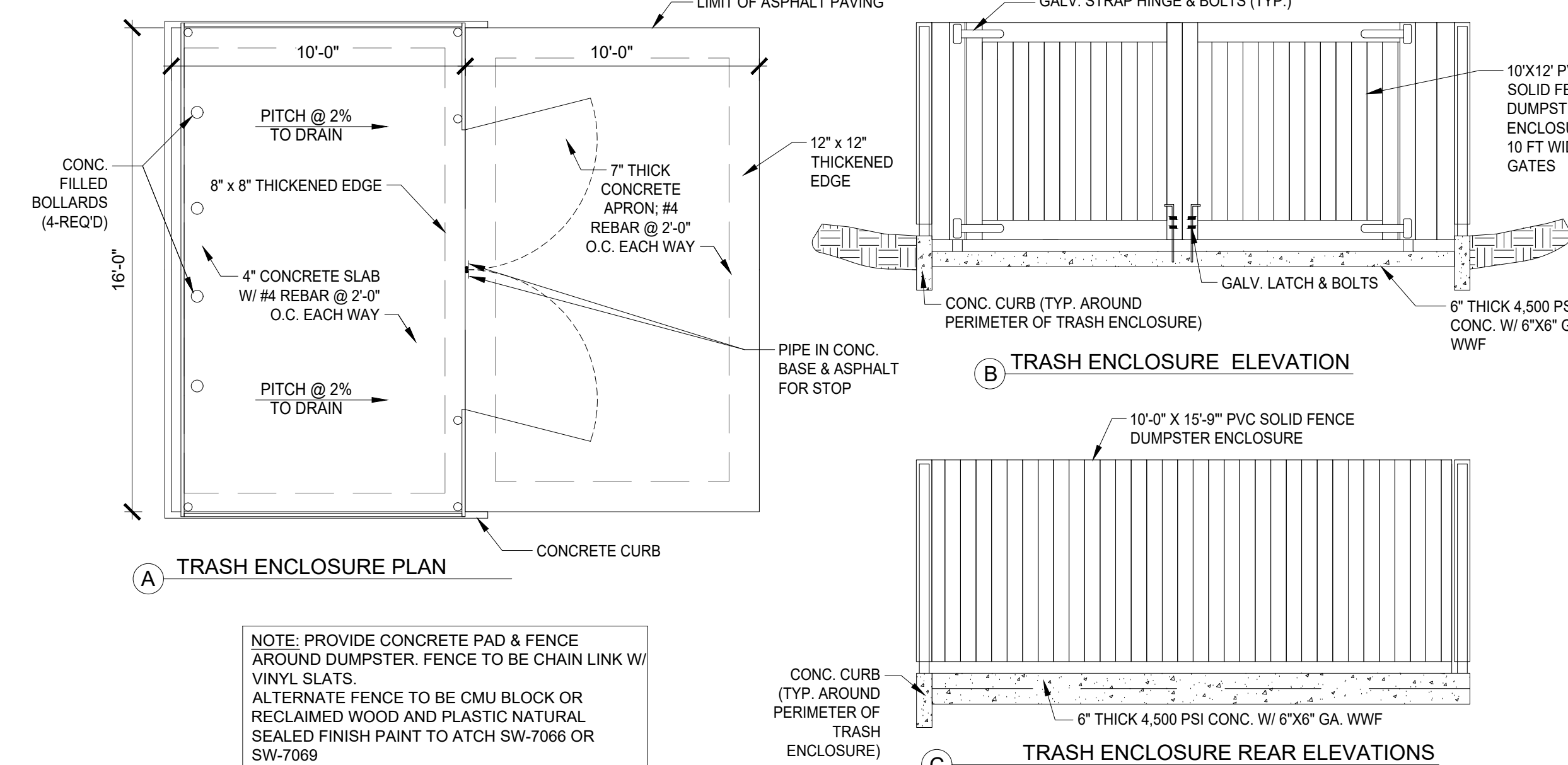
(Please print name)

(OVER)



- ## GENERAL NOTES
1. LOT SIZE = 20,000 SF, BUILDING FOOTPRINT = 1,072 SF, 5.24% OF LOT SIZE
 2. REFER TO ELECTRICAL DRAWINGS FOR FURTHER INFORMATION ON CONDUIT LOCATIONS AND QUANTITY CORRESPONDING TO EACH DRIVE THRU SET UP OPTION. G.C. TO PROVIDE PVC CONDUIT FOR ALL NEW LOCATIONS. REFER TO ELECTRICAL DRAWING FOR ADDITIONAL INFORMATION ON LOOP REQUIREMENTS
 3. REFERENCE TO MASTER SCHEDULE FOR TRAFFIC STRIPING PAINT.
 4. 8-YARD TRASH DUMPSTER TO FIT INSIDE 12'-0" X 10'-0" FENCED ENCLOSURE.
 5. REFER TO CONSTRUCTION SPECIFICATIONS SHEETS AND DUNKIN' WEBSITE FOR FURTHER INFORMATION; <http://extranet.dunkinbrands.com>

- 6" THICK CONC. PAD W/ 18"x54" GROUND LOOPS; TOP OF SLAB SHALL BE FLUSH WITH PAVEMENT SURFACE SHOULD MATCH THE ADJACENT LOT SURFACE MATERIAL AS MUCH AS POSSIBLE-PROVIDE BLACK STAINED CONCRETE WHEN USED ADJACENT TO ASPHALT MATERIAL.
2. GROUND LOOPS INSTALLED FOR:
 - 2A. ORDER CANOPY LOOP
 - 2B. D/T WINDOW LOOP
 - 2C. FAST FORWARD D/T WINDOW LOOP
3. REFER TO DETAIL #1 /SP-1.1 LOCATION OF DIGITAL MENU BOARD. TO BE INSTALLED SO THAT MENU BOARD IS AT 30° ANGLE TO ON COMING TRAFFIC.
4. PYLON SIGN, SEE DETAIL #2 /SP-1.0.
5. DIRECTIONAL SIGNAGE INSTALLED PERPENDICULAR TO CURB; REFER TO DETAIL #4 /SP-1.0.
6. "ARROW" PAINTED TP-01 WHITE (TYP.)
7. DRIVE THRU WINDOW; REFER TO SHEET A-1.0
8. HEIGHT LIMITATION BAR, SEE DETAIL #2 /SP-1.1.
9. DRIVE THRU GRAPHIC (SEE NATL. ACCOUNTS), PAINT TP-05 PINK
10. 6" LINE STRIPING PAINT TP-05 PINK
11. TRASH ENCLOSURE AND HEAVY DUTY CONCRETE PAD. REFER DEVELOPER'S CONSTRUCTION SET FOR FURTHER INFORMATION.
12. REFER TO DETAIL #1/ SP-1.1 LOCATION OF ORDER CANOPY/ SPEAKER POST.
13. HOME RUN CONDUIT TO DRIVE THRU TIMER MONITOR ADJACENT TO DRIVE THRU WINDOW.
14. CONCRETE FILLED BOLLARD TO PROTECT EQUIPMENT/ STRUCTURE - REFER TO DETAIL #3/ SP-1.1
15. CONCRETE OUTDOOR PATIO; REFER TO CIVIL DRAWINGS.
16. WALK-UP WINDOW; REFER TO SHEET A-1.0



1/4" = 1'-0" | NOTE:



N.T.S.	NOTE:
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INSPIRE
Brands

MRV
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5105 TOLLVIEW DR., SUITE 201
ROLLING MEADOWS, IL 60008

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REVISION	DESCRIPTION	ISSUE DATES	DRAWN	BY
1			CHECKED	MM
2			DATE	04-27-23
3			PROJECT No	23059
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DUNKIN'
3 WASHINGTON ST NE,
BRainerd, MN 56401

SHEET

SP-1.0

- 1.1. **UNDERSIDE OF BANDING** - WHEN USING THE NATIONAL ACCOUNTS PREFABRICATED ORANGE BANDING LED-13 SHALL BE PROVIDED BY THE VENDOR FOR THE UNDERSIDE OF THE BANDING
- 1.2. **TOP OF BANDING** - WHEN USING THE NATIONAL ACCOUNTS PREFABRICATED ORANGE BANDING LED-13 SHALL BE PROVIDED BY THE VENDOR FOR THE TOP OF THE BANDING



1/4" = 1'-0"	NOTE:
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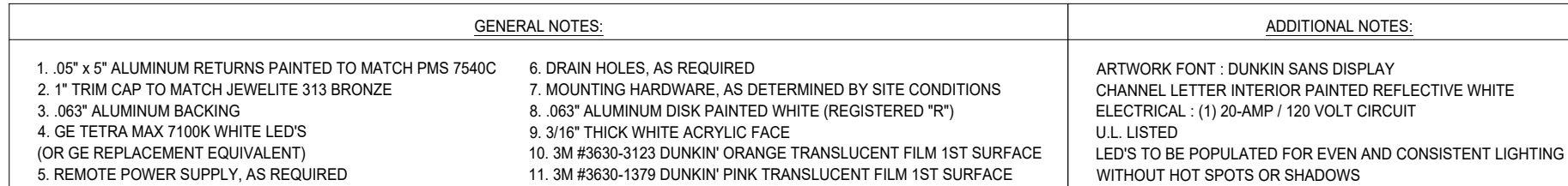
1/4" = 1'-0"	NOTE:
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1/4" = 1'-0"	NOT
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1/4" = 1'-0"	NOT
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7	SOUTH / EAST BUILDING SIGNAGE
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1/2" = 1'-0"	NOTE:
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$1/2'' = 1'-0''$	NOTE
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1/2" = 1'-0"	NOTE
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5	WALK UP WINDOW DIGITAL MENU BOARD DTL
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1/2" = 1'-0"	NOT
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EXTERIOR ELEVATIONS, BUILDING
SIGNAGE, & DETAILS

DUNKIN'
3 WASHINGTON ST NE.
BRAINERD, MN 56401

PC #

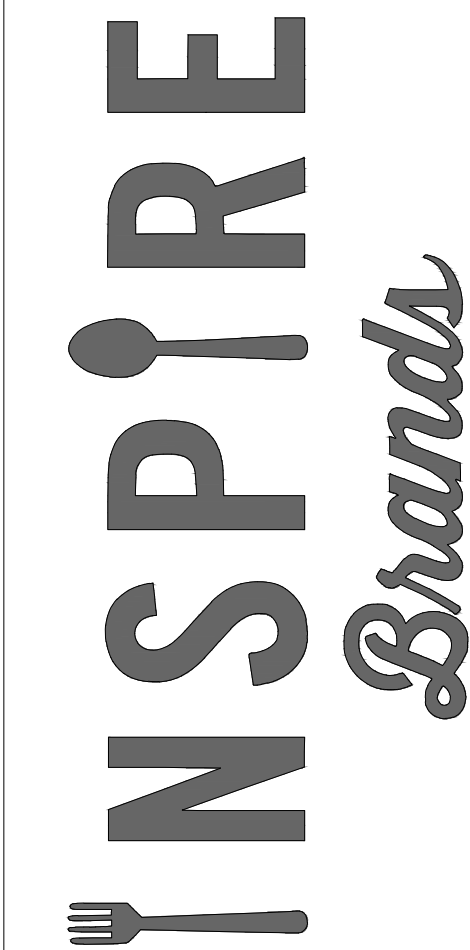
SHEET

A-2.0

GENERAL NOTES:

1. NEW & REMODEL STORES HAVE THE OPTION OF A COOL OR WARM PALETTE FOR INTERIOR FINISHES
2. CODE SUFFIX (C) = COOL PALETTE FINISHES
3. CODE SUFFIX (W) = WARM PALETTE OR REMODEL FINISHES WHEN KEEPING 2015 IMAGE FLOOR TILE
4. CODE SUFFIX (E) = EXISTING
5. FINISHES WITHOUT SUFFIX ARE UNIVERSAL TO THE COOL & WARM PALETTE
6. REMODEL STORES KEEPING EXISTING 2015 IMAGE FLOOR TILE (TAN COLOR) SHALL ONLY USE THE WARM PALETTE

	TRAFFIC STRIPING PAINT					
	CODE	MATERIAL	MANUFACTURER	PRODUCT #	DESCRIPTION	VENDOR CONTACTS
TRAFFIC STRIPING PAINT	TP-01	PAINT	SHERWIN WILLIAMS	PRO PARK	"WHITE": B97WD2434	PLACE ORDER WITH LOCAL SHERWIN WILLIAMS STORE FOR A STORE NEAR YOU CALL: 800-474-3794 MARK T. WEINER NATIONAL ACCOUNT EXECUTIVE 93 CHURCH ST BARRINGTON RI 02806 M: 617-438-1408 O: 401-245-5176 EMAIL: MARK.T.WEINER@SHERWIN.COM
	TP-02	PAINT	SHERWIN WILLIAMS	PRO PARK	"BLUE": B97LD2022	
	TP-03	PAINT	SHERWIN WILLIAMS	PRO PARK	"YELLOW": B97YD2467	
	TP-04	PAINT	SHERWIN WILLIAMS	PRO PARK	"ORANGE": CUSTOM MIX B97YD2467 CCE* COLORANT 02 32 64 128 W1-WHITE - 6 1 -- R4-NEW RED 4 53 1 -- Y3-DEEP GOLD - 06 - 1	
	TP-05	PAINT	SHERWIN WILLIAMS	PRO PARK	"PINK": CUSTOM MIX B97RD2012 CEE* COLORANT 02 32 64 128 W1-WHITE 6 -- -- L1-BLUE - 6 -- --	
EXTERIOR FIBER CEMENT LAP SIDING	EXTERIOR FIBER-CEMENT EXTERIOR SIDINGAND PANELS					
	CODE	MATERIAL	MANUFACTURER	PRODUCT #	DESCRIPTION / REMARKS	VENDOR CONTACTS
	PS-01	FIBER CEMENT PANEL	JAMES HARDIE	GRAY FINISH	COLOR:"AGED PEWTER " SURFACE: HARDIE SIDING OR COLOR: "PRIMED FINISH" FIELD PAINT TO MATCH PTE-01 DIMENSION: 8 1/4" X 12" X 5/16" THK WITH 6" SIDING EXPOSURE	JEFF HARVEY 774-287-6278 JEFFERY.HARVEY@JAMESHARDIE.COM
PS-02	FIBER CEMENT SIDING	JAMES HARDIE	CHARCOAL FINISH	COLOR:"IRON GRAY - VOLCANO GRAY " SURFACE: HARDIE SIDING OR COLOR: "PRIMED FINISH" FIELD PAINT TO MATCH PTE-02 DIMENSION: 8 1/4" X 12" X 5/16" THK WITH 6" SIDING EXPOSURE		
EXTERIOR METAL PAINTED COATINGS	EXTERIOR METAL PAINTED COATINGS					
	CODE	MATERIAL	MANUFACTURER	PRODUCT #	DESCRIPTION / REMARKS	VENDOR CONTACTS
	PC-02	PAINTED COATING	MATTHEWS PAINT	CHARCOAL FINISH	COLOR: MP10269 DARK SLATE FINISH LV5 SATIN V2.0	
		PAINTED COATING	SHERWIN WILLIAMS	CHARCOAL FINISH	SW 7069 "IRON ORE"	
		PAINTED COATING	POWDER COAT	CHARCOAL FINISH	SW 7069 "IRON ORE"	
	PC-09	PAINTED COATING	SHERWIN WILLIAMS	WALK-IN	SW 7069 "IRON ORE"	
		PAINTED COATING	POWDER COAT	WALK-IN	SW 7069 "IRON ORE"	
PC-13	PAINTED COATING	MATTHEWS PAINT	DD ORANGE FINISH	COLOR MATCH PMS 165C COLOR: MP797700 R1614266 FINISH: LV5 SATIN V1.0 OVER MP55898 WHITE BASECOAT		
	PAINTED COATING	SHERWIN WILLIAMS	DD ORANGE FINISH COLOR # 5059990	Blended At: Sherwin Williams Product Finishes, Lowell MA Product: LV3 - Genesis Low VOC Satin GT1039 Orange Toner 785.97g / .19gal GT1511 Low VOC Gloss Clear 529.21g / .12gal GT1043 Autumn Orange 194.04g / .05gal GT1011 Arctic White 137.20g / .02gal GR1088 Reducer 442.38g / .13gal GT1510 Low VOC Flat Clear 2157.21g / .49gal		
	PAINTED COATING	POWDER COAT	DD ORANGE FINISH	COLOR MATCH PMS 165C		



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ROLLING MEADOWS, IL 60008

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MASTER FINISH SCHEDULE	DUNKIN' 3 WASHINGTON ST NE. BRAINERD, MN 56401 PC #
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SHEET

GN-2.0

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REVISION	DESCRIPTION	ISSUE DATES	EV	DATE	PROJECT No
1			EV	04-27-23	23059
2			MV		
3			CHECKED		
4			DRAWN		

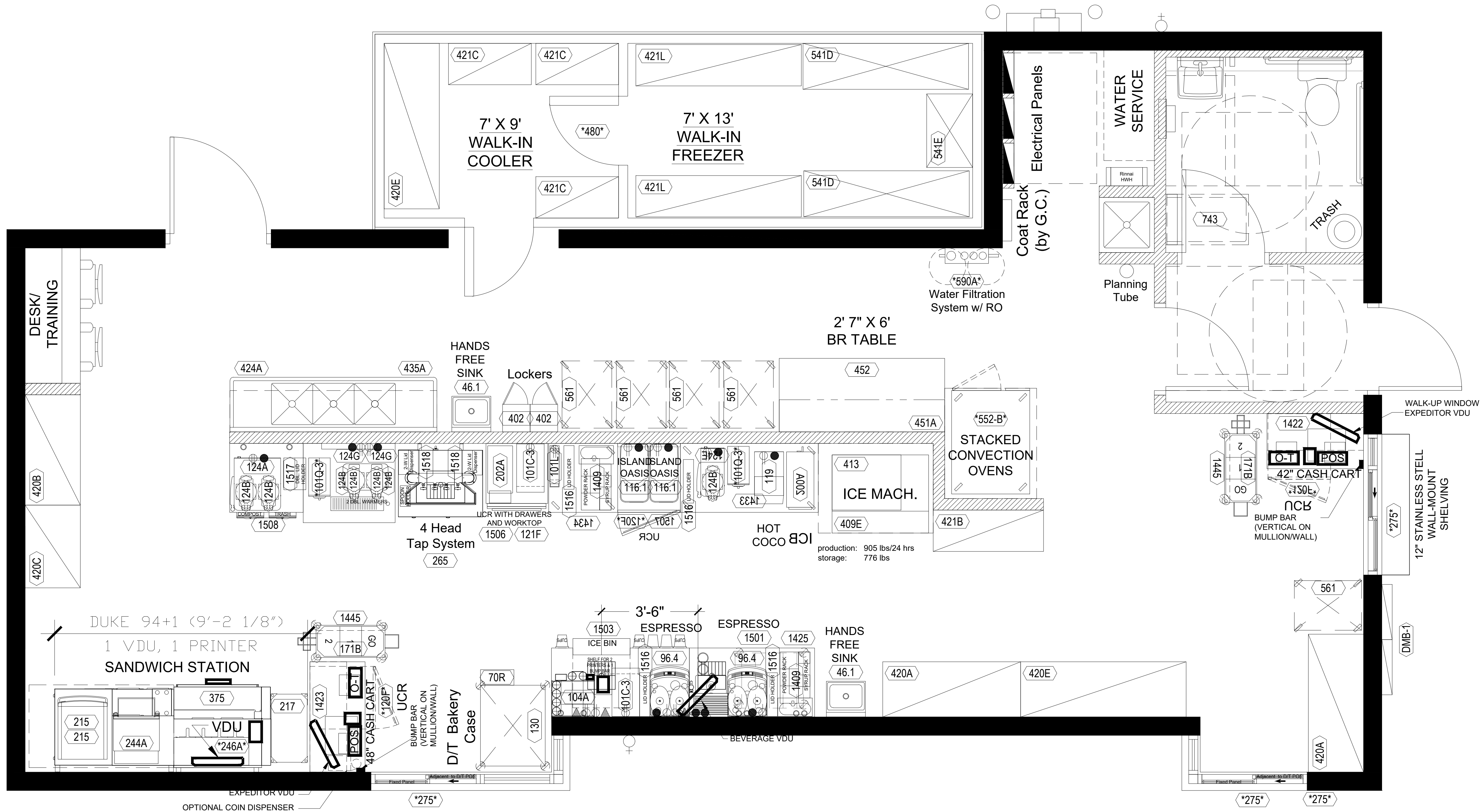
FLOOR PLAN

DUNKIN'
3 WASHINGTON ST NE,
BRainerd, MN 56401

PC #

SHEET

A-1.0



NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Dairyland Operation, LLC. has submitted two variance requests at 3 Washington St. NE Brainerd, MN 56401. This property is located in the Commercial Corridor (CC) Zoning District. The first variance request is to allow their main entrance to face the rear yard of the property. Section 515-2-14.C requires the principal façade to front onto an avenue/street for properties in the CC District. The second variance request is to allow a 27'1" principal building front yard setback, a 24' side yard corner setback, and a 66'7" rear yard setback. Section 515-2-14.C requires principal facades to have a 0-foot to 10-foot build-to-range from the street/avenue. The property included in this application is described as:

*LOTS 8 THRU 10 BLK 1 INCLUSIVE
FAIRVIEW ADDITION TO THE CITY OF BRAINERD
P.I.N. 41241672
Section 24, Township 45, Range 31*

A copy of the proposed site plan is on file for review at the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, May 17th, 2023, in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the variance request.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2309.

Dated this 2nd day of May 2023



James Kramvik
Community Development Director

Publication Date: May 6th 2023



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Reschedule Joint City Council BPU Commission Meeting

AGENDA: Main Agenda

ACTION REQUESTED: Discussion Item

SUBMITTED BY: Jennifer Bergman

DEPARTMENT: Administration

PRESENTER: Jennifer Bergman

ESTIMATED TIME (MIN): 2 Minutes

SUMMARY OF ISSUE:

Staff is requesting to postpone the joint BPU/City Council meeting to July. Staff would like to discuss the potential restructuring options with the BPU Commission prior to the joint meeting. Staff will be presenting that information to the Commission at their June meeting.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Click to enter text

RECOMMENDED ACTION/MOTION:

Reschedule Joint Meeting between the City Council and BPU Commission to Monday, July 31st at 6:00 p.m. in City Council Chambers.

FINANCIAL IMPACT:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping: Click to enter text

Is this budgeted? (Please Explain) Click to enter text



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Discussion on Council Procedures

AGENDA: Main Agenda

ACTION REQUESTED: Direction Requested

SUBMITTED BY: Jennifer Bergman

DEPARTMENT: Admin

PRESENTER: Council Member Czczok

ESTIMATED TIME (MIN): 2 minutes

SUMMARY OF ISSUE:

Council Member Czczok requested to have an item on the Council agenda to discuss city council and city staff procedures related to city council meeting rules and city staff expectations by individual council members both during city council meetings and outside of city council meetings. He has requested to have the Rules of Decorum included.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Council Member Czczok has requested that this be done in a work session setting. BPU has asked to postpone the joint meeting to July; therefore, staff would recommend holding this work session on June 26th at 6:00 p.m.

RECOMMENDED ACTION/MOTION:

Schedule Work Session for June 26th at 6:00 p.m. in City Council Chambers.

FINANCIAL IMPACT:

Is there a cost associated with this request: No

What is the total cost, with tax and shipping: [Click to enter text](#)

Is this budgeted? (Please Explain) [Click to enter text](#)

**RULES OF PROCEDURE AND DECORUM
CITY COUNCIL AND COMMITTEE MEETINGS
BRAINERD, MINNESOTA**

**Adopted April 4, 1994
Reaffirmed and Amended December 1, 2003; November 2, 2020**

SECTION 1. PURPOSE

- Subd. 1. General. It is recognized that in order to enhance the concept of effective and democratic government, it is essential that a legislative body establish formal rules of procedure and decorum so that a true deliberative process will be observed and not disturbed.

SECTION 2. GENERAL

- Subd. 1. Law. The City Charter, Ordinances and State Statutes governing the City Council shall be followed and supplemented by these Rules of Procedure and Decorum.
- Subd. 2. General Rules. In all matters of parliamentary procedures, the Council shall be governed by the latest printed edition of the Sturgis Standard Code of Parliamentary Procedure as published from time to time except as modified by these rules.
- Subd. 3. Applicability. These Rules also apply to committees of the Council as well as City boards and commissions, whether created by Charter or City Code. The term "Council" shall be substituted with "Committee," "Commission" or "Board," and terms "President" and "Vice President" shall be substituted with "Chair" and "Vice Chair", as appropriate.

SECTION 3. PRESIDING OFFICER

- Subd. 1. Who Presides. The Council President shall preside at all meetings of the Council. In the absence of the Council President, the Council Vice-President shall preside. The presiding officer shall have the power to preserve strict order and decorum at meetings, enforce the rules of procedure and determine without debate, subject to the final decision of the Council on appeal, all questions of procedure and order.
- Subd. 2. Appeal of the Ruling of the Presiding Officer. Any member of the Council may appeal from a ruling of the presiding officer. If the appeal is seconded, the member may speak once solely on the question involved and the presiding officer may explain the ruling, but no other Council member shall participate in the discussion. The appeal shall be sustained if it is approved by a majority vote.
- Subd. 3. Rights of the Presiding Officer. The presiding officer may speak on any question. The presiding officer may only make motions and second motions after stepping down as presiding officer.

SECTION 4. AGENDA

- Subd. 1. Matters for Consideration. Matters for Council action shall be submitted by members of the Council and residents to the City Administrator or to city staff representatives in the case of Committee business.
- Subd. 2. Preparation. An agenda of business for each regular and special meeting shall be prepared in the Office of the City Administrator or by City Staff in the case of Committees and copies thereof delivered to each Council member as far in advance of the meeting as time for preparation will permit.
- Subd. 3. Order of Business at Regular Meetings. At the hour appointed for the regular meeting of the City Council, the meeting shall be called to order by the presiding officer. If a quorum is present, the City Council shall then proceed with its business in the following order as applicable:
- * Call to Order
 - * Roll Call
 - * Pledge of Allegiance
 - * Approval of Agenda
 - * Consent Calendar, including approval of minutes, licenses, reports, bills, fund transfers and other routine, non-controversial items needing little or no deliberation
 - * Presentations (if any)
 - * Council Committee Reports (Personnel & Finance; Safety & Public Works)
 - * Unfinished Business - action items including public hearings, ordinance readings and various other items requiring Council action
 - * New Business - action items including public hearings, ordinance readings and various other items requiring Council action
 - * Public Forum
 - * Staff Reports (Verbal: Any updates since the packet)
 - * Mayor's Report
 - * Council Member Reports
 - * Adjournment
- Subd. 4. Varying Order of Business. The order of business may be varied by the presiding officer.
- Subd. 5. Consent Calendar. Matters for the Council of a routine or non-controversial nature which need minimal Council deliberation shall be placed on the Consent Calendar. A motion to approve the Consent Calendar shall not be debated. At the request of any individual Council member, an item shall be removed from the Consent Calendar and placed upon the regular agenda for debate immediately following the Consent Calendar. The Consent Calendar shall only be adopted by a roll call vote of those Council members present at the meeting.

- Subd. 6. Items Not on the Agenda. The Council may consider items not appearing on the agenda as normal business if an objection is not raised by the Mayor or a Council member. If an objection is raised by the Mayor or a Council member to consider an item not appearing on the agenda, a vote shall be taken by the Council to determine the appropriateness of further consideration of the matter at that time.
- Subd. 7. Public Participation. Members of the public may address the City Council during:
- A: Public Hearings.
- B: Public Forum. This portion of the meeting shall be limited to fifteen minutes and individuals shall be requested to limit their comments to four minutes or less. If the majority of the Council determines that additional time on a specific issue is warranted, then discussion on that issue may be continued under New Business at the end of the agenda.
- C: Specific issues scheduled on the agenda but in accordance with Section 6, Subd. 6, of these rules entitled, Addressing the Council.
- Subd. 8. Written Communications on All Matters. All interested parties or their authorized representatives may address the Council by written communication regarding all matters under the Council's consideration. The City Administrator shall copy these communications to the Council and forward said communications with the Council meeting packet if possible. If written communications are received after meeting packets are delivered to the Mayor and Council, such communications will be handed out at the meeting.

SECTION 5. VOTING

- Subd. 1. Procedure. The votes of the members on any ordinance or resolution pending before the Council shall be by roll call vote. The votes of the members on any motion shall be by voice vote unless the Mayor or any member of the Council requests that a roll call vote be taken. The presiding officer shall call for a roll call vote whenever a voice vote of the Council is not clear as to the disposition of the action before the Council.
- Subd. 2. Abstention. If a Council member does not vote, the abstention shall be recorded as Abstain - name.
- Subd. 3. Voting Order for Roll Call (applicable to City Council only). The City Administrator shall call for the vote in consecutive order of Wards, with Ward One voting first rotating one position every two months. The presiding officer shall always vote last.

SECTION 6. RULES OF DECORUM

- Subd. 1. Members of Council. While the meeting is in session, the members must preserve order and decorum. A member shall neither, by conversation or otherwise, delay or

interrupt the proceedings or the peace of the meeting nor disturb any member while speaking or refuse to obey the orders of the presiding officer.

- Subd. 2. Recognition. No person or member shall address the other members without being recognized by the presiding officer.
- Subd. 3. Discussion. No member of the Council shall speak more than twice on any question, nor more than five minutes each time without consent of the Council.
- Subd. 4. Staff. Members of the City staff shall observe the same rules of order and decorum as are applicable to the City Council.
- Subd. 5. Pertinent to Matter Under Debate. Members, staff and public shall confine remarks to the matter under debate.
- Subd. 6. Addressing the Council. Each member of the public addressing the Council shall step up to a microphone provided for the use of the public after being recognized by the presiding officer and give his/her name and address in an audible tone of voice for the records, state the subject to be discussed and state who the speaker is representing if representing an organization or other persons. Unless further time is granted by a majority vote of the Council, remarks from the public shall be limited to four (4) minutes. All remarks shall be addressed to the Council as a whole and not to any member thereof. No person other than members of the Council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Council, without permission of the presiding officer. No question may be asked of a member or a member of the staff without the permission of the presiding officer.
- Subd. 7. Spokesperson for Group of Persons. In order to expedite matters and to avoid repetitious presentations, whenever any group of persons wishes to address the Council on the same subject, it shall be proper for the presiding officer to request that a spokesperson be chosen by the group to address the Council and, in case additional matters are to be presented by any other member of said group, to limit the number of such persons addressing the Council.
- Subd. 8. After Motion. After a motion has been made or a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so by a majority vote of the City Council.
- Subd. 9. Conduct. Any member of the Council, staff or person indulging in personalities or making impertinent, slanderous or profane remarks or who willfully utters loud, threatening or abusive language, or engages in any disorderly conduct which would impede, disrupt or disturb the orderly conduct of any meeting, hearing or other proceeding, shall be called to order by the presiding officer and, if such conduct continues, may at the discretion of the presiding officer, be ordered barred from further audience before the Council during that meeting.

- Subd. 10. Members of the Audience. No person in the audience shall engage in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling and similar demonstrations, which conduct disturbs the peace and good order of the meeting.

SECTION 7. ENFORCEMENT OF DECORUM

- Subd. 1. Warning. All persons shall, at the request of the presiding officer, be silent. If, after receiving a warning from the presiding officer, a person persists in disturbing the meeting, said officer may order this person removed from the meeting. If this person does not leave willingly, the presiding officer may call a recess and order that the person be removed by the Sergeant-at-Arms.
- Subd. 2. Sergeant-at-Arms. The Chief of Police, or such member or members of the Police Department, shall be Sergeant-at-Arms of the Council meetings or as asked to be present at a Committee meeting. The Chief or other Police Department representative shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Council meeting. Upon instruction of the presiding officer, it shall be the duty of the Sergeant-at-Arms to remove from the meeting any person who intentionally disturbs the proceedings of the Council.
- Subd. 3. Resisting Removal. Any person who resists removal by the Sergeant-at-Arms may be charged with violating City Ordinance.
- Subd. 4. Motions to Enforce. Any Council member may move to require the presiding officer to enforce these rules and the affirmative vote of a majority of the Council shall require the presiding officer to do so.
- Subd. 5. Adjournment. In the event that any meeting is willfully disturbed by a group or group of persons so as to render the orderly conduct of such meeting unfeasible and when order cannot be restored by the removal of individuals who are creating the disturbance, the meeting may be adjourned with the remaining business considered at the next regular meeting.
- Subd. 6. Special Meetings. If the matter being addressed prior to adjournment is of such a nature as to demand immediate attention, the presiding officer may adjourn the meeting to another date.

SECTION 8. CAMERAS AND RECORDING DEVICES

- Subd. 1. Use of Cameras and Recording Devices Limited. Cameras, including television and motion picture cameras, electronic sound recording devices and any other mechanical, electrical or electronic recording devices may be used in the Council Chamber, but only in such a manner as will cause a minimum of interference with or disturbance of the proceedings of the Council and at the discretion of the presiding officer.

SECTION 9. SEVERABILITY

- Subd. 1. General. If any section, subsection, sentence, clause, phrase or portion of these Rules of Procedure and Decorum is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

CITY MEETINGS

CITIZEN PARTICIPATION GUIDELINES

The City Council is meeting as a legislative body to conduct the business of the City. Unless so ordered by the Council President, citizen participation is limited to the following times and always within the prescribed rules of conduct for public input at meetings.

A) Public Hearings. Public hearings are conducted so that the public affected by a proposal may have input into the decision. During hearings, all affected residents will be given an opportunity to speak.

B) Public Forum. Any member of the public may speak at this time on any item NOT on the agenda. In consideration for the public attending the meeting for specific items on the agenda, this portion of the meeting will be limited to fifteen (15) minutes. Individuals are requested to limit their comments to four (4) minutes or less. If the majority of the Council determines that additional time on a specific issue is warranted, then discussion on that issue may be continued under New Business at the end of the agenda.

Before addressing the City Council, members of the public are asked to step up to the microphone, give their name, address and state the subject to be discussed. All remarks shall be addressed to the Council as a whole and not to any member thereof. No person other than members of the Council and the person having the floor shall be permitted to enter into any discussion without permission of the presiding officer. No question may be asked of a member or a member of the staff without permission of the presiding officer.

Your participation, as prescribed by these rules, is welcomed and your cooperation is greatly appreciated.