



PARK BOARD AGENDA

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Tuesday, January 23, 2024 @ 4:00 PM

The public is invited to attend these meetings in person

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

1. **Call To Order**

2. **Roll Call**

___J. Miller ___T. Rushmeyer ___K. Schaefer ___Vacant ___A. Shipe

3. **Pledge of Allegiance**

4. **Election of Officers**

5. **Approval Of Agenda - Voice Vote**

6. **Consent Calendar**

NOTICE TO PUBLIC - all matters listed are considered routine by the Board 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 Board votes on the motion to be ADOPTED BY ROLL CALL

A. **Approval of Minutes**

B. **Approval of Disbursements**

C. **Financial Reports**

D. **Department Activity Reports**

E. **Approve Rental/Event Application - Lakes Area Music Festival**

F. **Approve Rental/Event Application - Mississippi River 150 Canoe and Kayak Race**

7. **Presentations**

8. **Unfinished Business**

9. **New Business**

A. **Authorize Bidding for 2024 ARPA Projects**

- B. **Approve Quote for Lum Park Office Building Demolition**
- C. **Discuss Ski Loons Work Group Update**
- D. **Information on Skatepark Grant Program**
- E. **Update on Memorial Park Disc Golf Course**
- 10. **Public Forum**
Time allocated for citizens to bring matters not on the agenda to the attention of the Board - Time limits may be imposed
- 11. **Staff Reports**
(Verbal: Any Updates since Packet)
- 12. **Board Member Reports**
- 13. **Adjourn**

Visit the Parks and Recreation Website at www.ci.brainerd.mn.us/parks

MISSION

"To serve Brainerd residents and visitors by offering high-quality, affordable recreational opportunities and by providing a clean, well-maintained park system"

Pursuant to due call and notice thereof, the meeting of the Brainerd Park Board was called to order at 4:00 p.m. by Board President Shipe.

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

Also noted as present, Mayor Badeaux and Public Works Director/City Engineer Dehn.

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

Approval of Agenda

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

Approval of Consent Calendar

MOVED AND SECONDED BY MEMBERS YEAGER AND RUSHMEYER TO APPROVE THE CONSENT CALENDAR

Upon roll call, Members Miller, Rushmeyer, Schaefer, Yeager and Shipe voted “aye”. No Member voted “nay”. The Chair declared the motion carried.

Presentations

A. Presentation by Lakes Area Skatepark

Jake Rennaker from the Lakes Area Skatepark Association reported on the current fundraising efforts with having raised \$88,000 to date with future events planned to increase fundraising goals. The State of MN Matching Grant Program was presented noting dollar for dollar matching funds for totals \$500,000 up to \$1 Million. The city land contribution at Memorial Park valued at \$343,000 would also be matched by the State of MN.

Board members briefly discussed what the appropriate process would involve in having land dedicated to the skate park.

MOVED AND SECONDED BY MEMBERS YEAGER AND SCHAEFER, DULY CARRIED, TO DIRECT STAFF TO TAKE THE NEXT STEPS OF DISCOVERY TO SPREAD OUT THE LEGAL SIDE OF WHAT IS NEEDED AND WHAT THAT PROCESS MIGHT LOOK LIKE TO MEET THE TERMS AND CONDITIONS OF THE UPCOMING GRANT.

New Business

Approve 2024 Community Education Requested Budget

Public Works Director, Dehn, stated that Community Education is requesting an increase to \$15,000 for the 2024 budget. This is an increase of \$2,000 over 2023.

Mayor Badeaux requested that Public Works Director, Dehn, check with Baxter as they are required to get basic numbers to Baxter earlier in the year, possibly March or May. Having the initial number would be beneficial for the Park Board to have that information to make changes prior to the final meeting of the year.

December 19, 2023

MOVED AND SECONDED BY MEMBERS RUSHMEYER AND YEAGER, DULY CARRIED, TO ACCEPT THE \$2,000 BUDGET INCREASE.

Discuss 95% APRA Project Plans

Public Works Director, Dehn, referenced the 95% plans for the three park projects involving the Jaycees, Lum Park Beach, and Lum Park Campground. The Park Board is being requested to comment on the 95% plan as presented, and if no further comments, authorization is requested to advertise the plans for bids.

Parks Chair, Shipe, recommended plans for each park be reviewed individually. Plans for Jaycees Park were deemed acceptable by members. Public Works Director, Dehn, fielded several questions regarding Lum Park plans.

MOVED AND SECONDED BY MEMBERS YEAGER AND RUSHMEYER, DULY CARRIED, TO APPROVE THE PLANS TO 100% COMPLETION IN ANTICIPATION OF BIDDING ON WHAT HAS BEEN PRESENTED TO BOARD.

Public Forum

Parks Chair, Shipe opened the Public Forum at 4:40 PM.

Public Forum was closed at 4:40 PM by Chair Shipe.

Staff Reports

Recreation Specialist job offer has been accepted. Background check and onboarding process have been started. The new Recreation Specialist may start shortly following the new year.

Update given by Public Works Director, Dehn, on flooding the rinks, but unfortunately, weather not cooperating with cold enough temperatures to freeze the water.

Board Reports

Member Rushmeyer reported on a meeting with the County Sheriff regarding the contract between the Ski Loons and the residents. Member Rushmeyer reiterated that what it comes down to is the safety of the children using the lake property. Member Rushmeyer thinks that at some point a revisit to Rice Lake being the best option for the Ski Loons would be in order due to the size of the Ski Loons group becoming larger.

Member Yeager announced he will no longer be involved with the Park Board, but expressed his appreciation for his time of involvement and shared his sincere gratitude for the opportunity to serve on the board.

Mayor Badeaux thanked the board for allowing him to share his thoughts for the year on park projects and commended the board for their efforts.

MOVED AND SECONDED BY YEAGER AND SCHAEFER, DULY CARRIED, TO ADJOURN THE MEETING AT 5:01 P.M.

Respectfully Submitted,

Kathy Johansen, Administrative Specialist

December 19, 2023

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
Vendor 0011 - ACE HARDWARE:							
320767/1 80680	ACE HARDWARE TRIMMER AND BLADES 230-5200-42240 230-5200-42220	12/19/2023 pziemer SMALL TOOLS REPAIR & MAINT	12/28/2023	467.97 404.99 62.98	0.00	Paid	Y 12/28/2023
320802/1 80708	ACE HARDWARE CREDIT - EXCHANGE BRUSH BLADE 230-5200-42220	12/20/2023 pziemer REPAIR & MAINT	12/28/2023	(3.00) (3.00)	0.00	Paid	Y 12/28/2023
320897/1 80735	ACE HARDWARE HOLE SAW 230-5200-42220	12/26/2023 pziemer REPAIR & MAINT	12/28/2023	17.99 17.99	0.00	Paid	Y 12/28/2023
320864/1 80736	ACE HARDWARE FILE CHAINSAW 230-5200-42220	12/22/2023 pziemer REPAIR & MAINT	12/28/2023	10.79 10.79	0.00	Paid	Y 12/28/2023
320988/1 80916	ACE HARDWARE MISC WATER FOUNTAIN REPAIRS 230-5200-42220	12/29/2023 pziemer REPAIR & MAINT	01/17/2024	13.47 13.47	0.00	Paid	Y 12/31/2023
321095/1 80964	ACE HARDWARE ANCHORS - PARKS MAINT 230-5200-42220	01/04/2024 pziemer REPAIR & MAINT	01/17/2024	8.99 8.99	0.00	Paid	Y 01/17/2024
321190/1 81009	ACE HARDWARE KEYS - WARMING HOUSE 230-5200-42220	01/09/2024 pziemer REPAIR & MAINT	01/17/2024	28.62 28.62	0.00	Paid	Y 01/17/2024
321205/1 81010	ACE HARDWARE PARKS KEYS - CREDIT 230-5200-42220	01/09/2024 pziemer REPAIR & MAINT	01/17/2024	(17.94) (17.94)	0.00	Paid	Y 01/17/2024
321219/1 81022	ACE HARDWARE WASTEBASKET 230-5200-42220	01/10/2024 pziemer REPAIR & MAINT	01/17/2024	8.99 8.99	0.00	Paid	Y 01/17/2024
Total for vendor 0011 - ACE HARDWARE:				535.88	0.00		

Vendor 2683 - ASCAP:

01/18/2024 03:52 PM
User: kjohansen
DB: Brainerd

INVOICE REGISTER REPORT FOR CITY OF BRAINERD
EXP CHECK RUN DATES 12/19/2023 - 01/18/2024
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	Jrnlized Post Date
500821295/2024 80989	ASCAP 2024 ANNUAL LICENSE FEE 230-5200-43433	12/20/2023 pziemer	01/17/2024	434.00	0.00	Paid	Y 01/17/2024
	DUES & SUBSCRIPTIONS			434.00			
	Total for vendor 2683 - ASCAP:			434.00	0.00		

Vendor 2740 - AT&T MOBILITY:

X01032024/PARKS 80899	AT&T MOBILITY ACCT 287292136423 PARKS 11/26-12/25 230-5200-43321	12/25/2023 pziemer	01/11/2024	183.96	0.00	Paid	Y 12/31/2023
	TELEPHONE			183.96			
	Total for vendor 2740 - AT&T MOBILITY:			183.96	0.00		

Vendor 3906 - BRAINERD FAMILY YMCA:

000000137 80906	BRAINERD FAMILY YMCA 2ND HALF 2023 PROGRAMMING 230-5200-43300	12/01/2023 pziemer	01/17/2024	7,500.00	0.00	Paid	Y 12/31/2023
	PROFESSIONAL SERVICES			7,500.00			
	Total for vendor 3906 - BRAINERD FAMILY YMCA:			7,500.00	0.00		

Vendor 0296 - BRAINERD PUBLIC UTILITIES:

NOV 23/PARKS 80880	BRAINERD PUBLIC UTILITIES 10/24/23-11/24/23 PARKS UTILITIES 230-5200-43381	12/01/2023 pziemer	01/11/2024	3,415.36	0.00	Paid	Y 12/31/2023
	BPU UTILITIES			3,195.17			
	UTILITIES			40.11			
	BPU UTILITIES			180.08			
DEC 23/PARKS 81031	BRAINERD PUBLIC UTILITIES 11/24/23-12/24/23 PARKS UTILITIES 230-5200-43381	12/24/2023 pziemer	01/17/2024	3,557.12	0.00	Paid	Y 12/31/2023
	BPU UTILITIES			3,557.12			
	Total for vendor 0296 - BRAINERD PUBLIC UTILITIES:			6,972.48	0.00		

Vendor 0307 - CENTERPOINT ENERGY:

92166-0/DEC23/PARKS 80930	CENTERPOINT ENERGY 11/15/23-12/13/23 PARKS UTILITIES 230-5200-43380	12/21/2023 pziemer	01/11/2024	26.00	0.00	Paid	Y 12/31/2023
	UTILITIES			26.00			
	Total for vendor 0307 - CENTERPOINT ENERGY:			26.00	0.00		

Vendor 0125 - CONSOLIDATED TELEPHONE CO:

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User: kjohansen
DB: Brainerd

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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
21303392 80658	CONSOLIDATED TELEPHONE CO CREDIT FOR CAMPGROUND PHONE/INTERNET pziemer 230-5280-43321 TELEPHONE	12/12/2023	12/28/2023	(201.22) (201.22)	0.00	Paid	Y 12/28/2023
21315667/PARKS 80665	CONSOLIDATED TELEPHONE CO 12/12/23-1/11/23 PARKS pziemer 230-5200-43321 TELEPHONE	12/12/2023	12/28/2023	49.57 49.57	0.00	Paid	Y 12/28/2023
Total for vendor 0125 - CONSOLIDATED TELEPHONE CO:				(151.65)	0.00		
Vendor 1859 - ENTERPRISE FM TRUST:							
FBN4902033/PARKS 80652	ENTERPRISE FM TRUST DEC 23 PARKS DEPT VEHICLE LEASES pziemer 230-5200-43331 LEASE PAYMENTS	12/06/2023	12/28/2023	2,498.32 2,498.32	0.00	Paid	Y 12/28/2023
Total for vendor 1859 - ENTERPRISE FM TRUST:				2,498.32	0.00		
Vendor 0170 - FASTENAL COMPANY:							
MNBAX265469 81005	FASTENAL COMPANY CBL TIES/SAFETY GLASS pziemer 230-5200-42220 REPAIR & MAINT	12/28/2023	01/17/2024	78.22 78.22	0.00	Paid	Y 12/31/2023
MNBAX265489 81006	FASTENAL COMPANY CABLE TIES/ANCHORS pziemer 230-5200-42220 REPAIR & MAINT	12/29/2023	01/17/2024	141.80 141.80	0.00	Paid	Y 12/31/2023
Total for vendor 0170 - FASTENAL COMPANY:				220.02	0.00		
Vendor 3647 - KNIFE LAKE CONCRETE INC:							
992305.2 80923	KNIFE LAKE CONCRETE INC MISC CONCRETE - PARKS ADA pziemer 400-9050-45530 CAPITAL - OTHER	12/01/2023	01/17/2024	9,590.00 9,590.00	0.00	Paid	Y 12/31/2023
Total for vendor 3647 - KNIFE LAKE CONCRETE INC:				9,590.00	0.00		
Vendor 0889 - MENARDS - BAXTER:							
10945 80734	MENARDS - BAXTER BANE/BHP REPAIRS pziemer 230-5200-42220 REPAIR & MAINT	12/14/2023	12/28/2023	199.26 199.26	0.00	Paid	Y 12/28/2023

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11613 80747	MENARDS - BAXTER FASTENERS - PARKS REPAIRS 230-5200-42220	12/26/2023 pziemer REPAIR & MAINT	12/28/2023	55.83 55.83	0.00	Paid	Y 12/28/2023
11803 80917	MENARDS - BAXTER REPAIRS - FASTENERS 230-5200-42220	12/29/2023 pziemer REPAIR & MAINT	01/17/2024	139.38 139.38	0.00	Paid	Y 12/31/2023
11992 80996	MENARDS - BAXTER CASTERS X12 230-5200-42220	01/02/2024 pziemer REPAIR & MAINT	01/17/2024	141.00 141.00	0.00	Paid	Y 01/17/2024
11974 80997	MENARDS - BAXTER SHELVING UNIT 230-5200-42220	01/02/2024 pziemer REPAIR & MAINT	01/17/2024	22.27 22.27	0.00	Paid	Y 01/17/2024
Total for vendor 0889 - MENARDS - BAXTER:				557.74	0.00		

Vendor 2137 - O'REILLY AUTOMOTIVE STORES INC.:

1647-242257 80918	O'REILLY AUTOMOTIVE STORES INC. EQUIPMENT MAINTENANCE 230-5200-42220	12/15/2023 pziemer REPAIR & MAINT	01/17/2024	15.98 15.98	0.00	Paid	Y 12/31/2023
Total for vendor 2137 - O'REILLY AUTOMOTIVE STORES INC.:				15.98	0.00		

Vendor 4261 - RENT FUN LLC:

INV-0187 81025	RENT FUN LLC ACTIVATION FEE - LUM PARK KAYAK SELF 400-9050-45530	01/11/2024 pziemer CAPITAL - OTHER	01/17/2024	18,000.00 18,000.00	0.00	Paid	Y 01/17/2024
Total for vendor 4261 - RENT FUN LLC:				18,000.00	0.00		

Vendor 1095 - VIKING ELECTRIC SUPPLY:

S007648785.001 80905	VIKING ELECTRIC SUPPLY PARKS - BAP REPAIRS 230-5200-42220	12/29/2023 pziemer REPAIR & MAINT	01/17/2024	123.00 123.00	0.00	Paid	Y 12/31/2023
Total for vendor 1095 - VIKING ELECTRIC SUPPLY:				123.00	0.00		

Vendor 0344 - WASTE PARTNERS INC:

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User: kjohansen

DB: Brainerd

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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
3CX38885 80892	WASTE PARTNERS INC DEC 23 PARKS WASTE REMOVAL 230-5200-43380	12/31/2023 pziemer	01/17/2024	462.15	0.00	Paid	Y 12/31/2023
	UTILITIES			462.15			
	Total for vendor 0344 - WASTE PARTNERS INC:			462.15	0.00		

Vendor 3199 - WEX BANK:

94166320/PARKS 80950	WEX BANK DEC 2023 PARKS DEPT FUEL 230-5200-42212	12/31/2023 pziemer	01/17/2024	657.42	0.00	Paid	Y 12/31/2023
	MOTOR FUELS			657.42			
	Total for vendor 3199 - WEX BANK:			657.42	0.00		

# of Invoices:	28	# Due:	0	Totals:	47,847.46	0.00
# of Credit Memos:	3	# Due:	0	Totals:	(222.16)	0.00
Net of Invoices and Credit Memos:					47,625.30	0.00

--- TOTALS BY GL DISTRIBUTION ---

230-5200-42212	MOTOR FUELS	657.42
230-5200-42220	REPAIR & MAINT	1,047.63
230-5200-42240	SMALL TOOLS	404.99
230-5200-43300	PROFESSIONAL SERVICES	7,500.00
230-5200-43321	TELEPHONE	233.53
230-5200-43331	LEASE PAYMENTS	2,498.32
230-5200-43380	UTILITIES	488.15
230-5200-43381	BPU UTILITIES	6,932.37
230-5200-43433	DUES & SUBSCRIPTIONS	434.00
230-5280-43321	TELEPHONE	(201.22)
230-5280-43380	UTILITIES	40.11
400-9050-45530	CAPITAL - OTHER	27,590.00

--- TOTALS BY FUND ---

230 - PARK & RECREATION FUND	20,035.30	0.00
400 - CAPITAL PROJECTS FUND	27,590.00	0.00

--- TOTALS BY DEPT/ACTIVITY ---

5200 - PARK MAIN/ADMINISTRATION	20,196.41	0.00
5280 - CAMPGROUND	(161.11)	0.00
9050 - CAPITAL PROJECTS-MISC	27,590.00	0.00

	Park Maintenance		Pond Hockey		Outdoor Rinks		Concessions		Tournaments		Special Events	
	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual
Total Taxes and Penalties	35,000	34,913	-	-	-	-	-	-	-	-	-	-
Total Rev fr Other Gov'ts	-	1,000	-	-	-	-	-	-	-	-	-	-
Charges for Services - User Fees	11,000	11,090	1,500	304	-	-	45,000	18,625	2,000	2,197	1,000	1,265
Other Revenue												
Interest Income	-	-	-	-	-	-	-	-	-	-	-	-
Public Utility Electric Sales	70,000	98,994	-	-	-	-	-	-	-	-	-	-
Contributions & Donations	-	307	-	-	-	-	-	-	-	-	-	-
Misc. Program Revenue	1,000	-	-	-	-	-	-	-	-	-	-	-
Misc. Revenue	1,000	3,609	-	-	-	-	-	-	-	-	-	-
Total Charges for Services	72,000	102,911	-	-	-	-	-	-	-	-	-	-
TOTAL REVENUES	118,000	149,914	1,500	304	-	-	45,000	18,625	2,000	2,197	1,000	1,265
Total Personal Services	768,161	739,301	451	423	9,398	13,621	16,571	10,955	-	3,250	-	1,396
Supplies												
Office and Operating Supplies	5,750	2,181	5,500	5,650	250	1,053	29,915	17,446	2,000	1,762	2,000	3,395
Motor Fuels	23,000	17,817	-	-	-	-	-	-	-	-	-	-
Repairs & Maintenance	75,000	47,937	-	-	-	-	-	2,004	-	-	-	-
Repairs & Maintenance - Mills Field	7,500	10,659	-	-	-	-	-	-	-	-	-	-
Small Tools	800	1,801	-	-	-	-	-	-	-	-	-	-
Total Supplies	112,050	80,395	5,500	5,650	250	1,053	29,915	19,450	2,000	1,762	2,000	3,395
Services												
Professional Services	28,000	21,255	-	-	-	-	-	-	-	-	-	-
Computer Technical Support	6,300	9,026	-	-	-	-	-	-	-	-	-	-
Telephone	2,580	3,208	-	-	-	-	-	-	-	-	-	-
Postage	200	27	-	-	-	-	-	-	-	-	-	-
Professional Development	2,100	2,084	-	-	-	-	-	-	-	-	-	-
Lease Payments	29,125	31,827	-	-	-	-	-	-	-	-	-	-
Printing/Legal Publications	1,000	626	-	-	-	-	-	-	-	-	-	-
Insurance	25,289	27,325	-	-	-	-	-	-	-	-	-	-
Utilities	79,300	105,370	-	-	-	-	-	-	-	-	-	-
Rent Expense	1,500	1,720	-	-	-	-	-	-	-	-	-	-
Miscellaneous	2,000	4,276	-	-	-	-	-	-	-	-	-	-
Dues and Subscriptions	1,100	839	-	-	-	-	-	-	-	-	-	-
Total Services	178,493	207,583	-	-	-	-	-	-	-	-	-	-
TOTAL OPERATING EXPENSES	1,058,704	1,027,280	5,951	6,073	9,648	14,674	46,486	30,404	2,000	5,012	2,000	4,791
Other Revenue (Expenses)												
Sale of Assets	-	34,179	-	-	-	-	-	-	-	-	-	-
Transfers In	-	-	-	-	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-	-	-	-	-
Capital	-	-	-	-	-	-	-	-	-	-	-	-
Total Other Revenue (Expenses)	-	34,179	-	-	-	-	-	-	-	-	-	-
TOTAL REVENUE OVER/(UNDER)	(940,704)	(843,187)	(4,451)	(5,769)	(9,648)	(14,674)	(1,486)	(11,779)	-	(2,815)	(1,000)	(3,526)

	Kickball		Adult Softball		Campground		GRAND TOTAL	
	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual
Total Taxes and Penalties	-	-	-	-	-	-	35,000	34,913
Total Rev fr Other Gov'ts	-	-	-	-	-	-	-	1,000
Charges for Services - User Fees	3,000	2,596	50,000	45,043	40,000	52,086	153,500	133,207
Other Revenue								
Interest Income	-	-	-	-	-	-	-	-
Public Utility Electric Sales	-	-	-	-	-	-	70,000	98,994
Contributions & Donations	-	-	-	-	-	-	-	307
Misc. Program Revenue	-	-	-	-	-	-	1,000	-
Misc. Revenue	-	-	-	-	-	50	1,000	3,659
Total Charges for Services	-	-	-	-	-	50	72,000	102,961
TOTAL REVENUES	3,000	2,596	50,000	45,043	40,000	52,136	260,500	272,081
Total Personal Services	3,019	1,963	28,913	23,940	-	-	826,512	794,849
Supplies								
Office and Operating Supplies	600	-	14,000	11,530	500	324	60,515	43,342
Motor Fuels	-	-	-	-	-	-	23,000	17,817
Repairs & Maintenance	-	-	3,500	690	1,500	1,102	80,000	51,733
Repairs & Maintenance - Mills Field	-	-	-	-	-	-	7,500	10,659
Small Tools	-	-	-	-	-	-	800	1,801
Total Supplies	600	-	17,500	12,220	2,000	1,426	171,815	125,351
Services								
Professional Services	-	-	-	-	-	-	28,000	21,255
Computer Technical Support	-	-	-	-	-	-	6,300	9,026
Telephone	-	-	-	-	800	1,159	3,380	4,367
Postage	-	-	-	-	-	-	200	27
Professional Development	-	-	-	-	-	-	2,100	2,084
Lease Payments	-	-	-	-	-	-	29,125	31,827
Printing/Legal Publications	-	-	-	-	100	-	1,100	626
Insurance	-	-	-	-	-	-	25,289	27,325
Utilities	-	-	-	-	3,300	4,173	82,600	109,544
Rent Expense	-	-	-	-	-	-	1,500	1,720
Miscellaneous	-	-	-	-	-	-	2,000	4,276
Dues and Subscriptions	-	-	-	-	-	-	1,100	839
Total Services	-	-	-	-	4,200	5,333	182,693	212,916
TOTAL OPERATING EXPENSES	3,619	1,963	46,413	36,160	6,200	6,758	1,181,021	1,133,115
Other Revenue (Expenses)								
Sale of Assets	-	-	-	-	-	-	-	34,179
Transfers In	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Capital	-	-	-	-	-	-	-	-
Total Other Revenue (Expenses)	-	-	-	-	-	-	-	34,179
TOTAL REVENUE OVER/(UNDER)	(619)	632	3,587	8,884	33,800	45,378	(920,521)	(826,856)



Brainerd Parks & Recreation, MN
501 Laurel Street
Brainerd, MN 56401
218-828-2320
parks@ci.brainerd.mn.us
<https://www.ci.brainerd.mn.us/201/parks>

PERMIT #2791

Authorized On: 01/02/2024 02:22 PM

NOTE: Rental

Location

Lyman P. White Park
512 East River Road
Brainerd, MN 56401

Permit Holder

Brainerd Restoration
7804 Industrial Park Road
Baxter, MN 56425

Authorized Agent

Kathy Johansen
218-828-2320
parks@ci.brainerd.mn.us
<https://www.ci.brainerd.mn.us/201/Parks-Recreation>

RESERVATIONS

Location	Facility	Date	Time	Hours	Fee
Lyman P. White Park	Amphitheater	Wed, Aug 7th 2024	08:00 AM-10:00 PM	14.00	\$150.00
				TOTAL:	\$150.00

CHARGES

LOCATION	FACILITY	DESCRIPTION	TOTAL	PAID	BALANCE DUE
Lyman P. White Park	Amphitheater	Aug 7, 2024 8:00 AM-10:00 PM	\$150.00	\$0.00	\$150.00
			TOTAL:	\$150.00	\$0.00
					\$150.00

PROMPT RESPONSES

Location	Facilities	Date	Days
Lyman P. White Park	Amphitheater	08/07/2024	Wed

#1 - Does your event have any other special considerations? If so, please describe.

Response: no

Lyman P. White Park	Amphitheater	08/07/2024	Wed
#2 - Does your event require additional restrooms? If so, what company is contracted for restrooms and where will they be located?			
Response: Possibly-review PW			

Lyman P. White Park	Amphitheater	08/07/2024	Wed
#3 - Will you require additional Trash Disposal? If so, what company is contracted for Trash Disposal?			
Response: Possibly-Review PW			

Lyman P. White Park	Amphitheater	08/07/2024	Wed
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#4 - Times you will be in/out of the Amphitheater. Please include setup and cleanup in the times.

Response: 4 pm -9:30 pm

Lyman P. White Park Amphitheater 08/07/2024 Wed

#5 - Will your event have amplified sound? Describe the sound amplification equipment to be used in your event and the times. The park will follow the City Code requirements with no exceptions on all amplified sound, making sure all noise concludes by 10:00 P.M.

Response: yes guest will provide

Lyman P. White Park Amphitheater 08/07/2024 Wed

#6 - Will your event include concessions and/or a Food truck or other Vendors? If so, Concession company name and what products are served? What vendors?

Response: yes Jaycees--Beer trailer

Lyman P. White Park Amphitheater 08/07/2024 Wed

#7 - Do you have equipment requiring electrical usage? If so, describe the type of equipment to be used.

Response: yes sound equip

Lyman P. White Park Amphitheater 08/07/2024 Wed

#8 - Does your event require a layout and street site map? Please note you will need to contact the Parks Department and provide a layout of the event showing booths, staging, amusements, food, etc. and also provide a street map or park map showing the borders of the event.

Response: yes

Lyman P. White Park Amphitheater 08/07/2024 Wed

#9 - Type of Event Description of Activities

Response: Lakes Area Music Festival Block Part

Lyman P. White Park Amphitheater 08/07/2024 Wed

#10 - Number of people attending the event.

Response: 300

Lyman P. White Park Amphitheater 08/07/2024 Wed

#11 - Will you require overnight storage? If set up is needed for an event the day before, it is required you pay for the additional day. Overnight storage is at your own risk. No overnight camping is allowed.

Response: no

Lyman P. White Park Amphitheater 08/07/2024 Wed

#12 - What type of Organization is this? Profit or Non Profit?

Response: Non Profit

Lyman P. White Park Amphitheater 08/07/2024 Wed

#13 - How often will this event be held?

Response: One Time

Lyman P. White Park Amphitheater 08/07/2024 Wed

#14 - Sales Tax Exempt?

Response: Yes

Lyman P. White Park Amphitheater 08/07/2024 Wed

#15 - Do you plan to use signs or banners? Locations and descriptions? A-frame (sandwich) boards may be rented from the City for use. No signs/banners may be mounted to facilities and no posts are allowed in the ground due to irrigation lines. Any supplemental signage or banners must be placed on temporary hangers.

Response: no

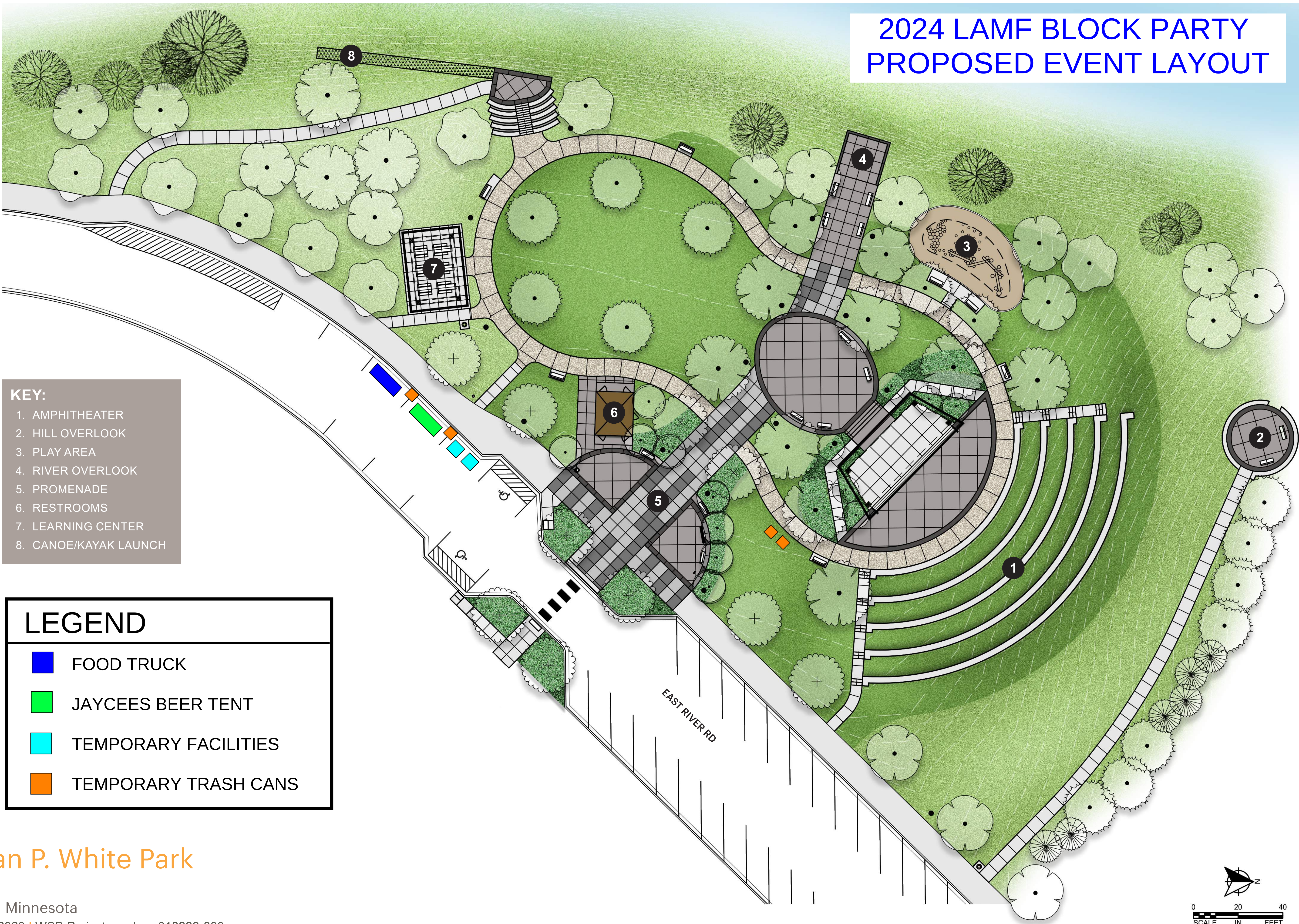
Lyman P. White Park Amphitheater 08/07/2024 Wed

#16 - Are you requesting to have a street closed for your event? An additional Event/Street closure request application will be required to be submitted and approved by City Council.

Response: Possibly-Review PW

Cancel within 30 days

2024 LAMF BLOCK PARTY PROPOSED EVENT LAYOUT



KEY:

- 1. AMPHITHEATER
- 2. HILL OVERLOOK
- 3. PLAY AREA
- 4. RIVER OVERLOOK
- 5. PROMENADE
- 6. RESTROOMS
- 7. LEARNING CENTER
- 8. CANOE/KAYAK LAUNCH

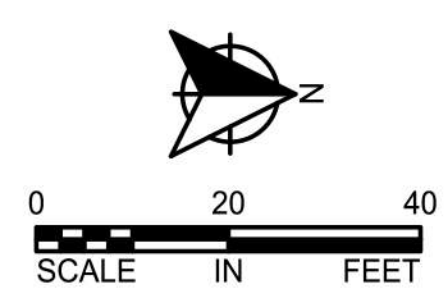
LEGEND

- FOOD TRUCK
- JAYCEES BEER TENT
- TEMPORARY FACILITIES
- TEMPORARY TRASH CANS

Lyman P. White Park

Brainard, Minnesota

March 21, 2023 | WSB Project number: 018999-000





Brainerd Parks & Recreation, MN
501 Laurel Street
Brainerd, MN 56401
218-828-2320
parks@ci.brainerd.mn.us
<https://www.ci.brainerd.mn.us/201/parks>

PERMIT #2803

Authorized On: 01/07/2024 11:54 PM

NOTE: Rental

Location

Lum Park
1619 Washington Street NE
Brainerd, MN 56401

Permit Holder

Scott Miller (he/him)
4138 40th Ave. S.
Minneapolis, MN 55406

RESERVATIONS

Location	Facility	Date	Time	Hours	Fee
Lum Park	Lum Park Pavilion 1	Fri, Jun 7th 2024	08:00 AM-06:00 PM	10.00	\$65.00
				TOTAL:	\$65.00

CHARGES

LOCATION	FACILITY	DESCRIPTION	TOTAL	PAID	BALANCE DUE
Lum Park	Lum Park Pavilion 1	Jun 7, 2024 8:00 AM-6:00 PM	\$65.00	\$65.00	\$0.00
TOTAL:			\$65.00	\$65.00	\$0.00

PAYMENTS

RECEIPT #	DATE/TIME	DESCRIPTION	AMOUNT
64147453	01/07/2024 11:54 PM	Credit/Debit	\$70.13
			TOTAL: \$70.13

PROMPT RESPONSES

Location	Facilities	Date	Days
Lum Park	Lum Park Pavilion 1	06/07/2024	Fri

#1 - Does your event have any other special considerations? If so, please describe.

Response: We would like permission to use the area around the pavilion for racers to temporarily store their canoes and kayaks beginning at 8am the morning of June 7th, and we would like permission to use the beach for boat preparation and for the boats to launch from the beach at the race start at 3pm

Lum Park	Lum Park Pavilion 1	06/07/2024	Fri
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#2 - Will your event have amplified sound? Describe the sound amplification equipment to be used in your event and the times. The park will follow the City Code requirements with no exceptions on all amplified sound, making sure all noise concludes by 10:00 P.M.

Response: Microphone with portable speaker for 30 min safety meeting at 2pm

Lum Park	Lum Park Pavilion 1	06/07/2024	Fri
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#3 - Will your event include concessions and/or a Food truck or other Vendors? If so, Concession company name and what products are served? What vendors?

Response: N/A

Lum Park	Lum Park Pavilion 1	06/07/2024	Fri
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#4 - Do you have equipment requiring electrical usage? If so, describe the type of equipment to be used.

Response: Microphone, laptops

Lum Park	Lum Park Pavilion 1	06/07/2024	Fri
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#5 - Type of Event Description of Activities

Response: 3rd Annual Mississippi River 150 Canoe and Kayak Race

Lum Park	Lum Park Pavilion 1	06/07/2024	Fri
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#6 - Number of people attending the event.

Response: 150

Lum Park	Lum Park Pavilion 1	06/07/2024	Fri
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#7 - Times you will be in/out of the pavilion. Please include setup and cleanup in the times.

Response: set up beginning at 9am, cleanup from 3 to 5pm

Lum Park	Lum Park Pavilion 1	06/07/2024	Fri
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#8 - Sales Tax Exempt?

Response: No

The pavilion has 12 picnic tables to accommodate 100-120 comfortably. Outlets are located in the upper SW corner and renters will need to bring extension cords. Water is available on the outside of the restroom building. For after-hours emergency maintenance issues call 218-851-8455.

Waiver

Rental fees must be paid and this permit signed and returned no later than 14 days from the permit issue date. If the reservation is made less than 30 days in advance, payment and signature are due immediately. The City of Brainerd reserves the right to cancel any reservation if payment and the signed permit are not received in a timely manner. Cancellation of this reservation less than 30 days in advance of the event date will result in forfeiture of the rental fee. Cancellation of this reservation 30 or more days in advance will be refunded less a \$10.00 administration fee. Rental fees are not refundable due to inclement weather.

All trash generated by my group must be picked up and disposed of properly in the receptacles provided. No glass containers are allowed at City of Brainerd parks and the sale and/or consumption of liquor or strong beer is prohibited. An application to serve 3.2 keg beer may be completed with the Parks and Recreation office and must be approved by the City Engineer/Public Works Director as required by City Ordinance #815. Beer permits will not be issued where youth activities are scheduled. Amplified entertainment equipment is prohibited. Small canopies up to 12' X 12' are allowed; large tent canopies are not.

This park facility permit means you have exclusive use of the facility(s) for the date/time shown on the permit. Please have your permit with you the day of your event.

I hereby for myself or any representatives of my organization or group waive and release any and all rights and claims for damages I or representatives of my organization or group have against the City of Brainerd and its representatives for any and all injuries suffered at any City of Brainerd facility. I also assume full responsibility for any damages to equipment or to the facility during my use.



Brainerd Parks & Recreation, MN
501 Laurel Street
Brainerd, MN 56401
218-828-2320
parks@ci.brainerd.mn.us
<https://www.ci.brainerd.mn.us/201/parks>

PERMIT #2804

Authorized On: 01/11/2024 01:17 PM

NOTE: Rental

Location

Lyman P. White Park
512 East River Road
Brainerd, MN 56401

Permit Holder

Bethlehem Lutheran Church
418 8th Ave NE
Brainerd, MN 56401

Authorized Agent

Kathy Johansen
218-828-2320
parks@ci.brainerd.mn.us
<https://www.ci.brainerd.mn.us/201/Parks-Recreation>

RESERVATIONS

Location	Facility	Date	Time	Hours	Fee
Lyman P. White Park	Amphitheater	Wed, Aug 14th 2024	08:00 AM-10:00 PM	14.00	\$150.00
Lyman P. White Park	Education Center	Wed, Aug 14th 2024	08:00 AM-10:00 PM	14.00	\$50.00
				TOTAL:	\$200.00

CHARGES

LOCATION	FACILITY	DESCRIPTION	TOTAL	PAID	BALANCE DUE
Lyman P. White Park	Amphitheater	Aug 14, 2024 8:00 AM-10:00 PM	\$150.00	\$0.00	\$150.00
Lyman P. White Park	Education Center	Aug 14, 2024 8:00 AM-10:00 PM	\$50.00	\$0.00	\$50.00
			TOTAL:	\$200.00	\$200.00

PROMPT RESPONSES

Location	Facilities	Date	Days
Lyman P. White Park	Amphitheater Education Center	08/14/2024	Wed

#1 - Does your event have any other special considerations? If so, please describe.

Response: Extra garbage cans

Lyman P. White Park	Amphitheater	08/14/2024	Wed
#2 - Does your event require additional restrooms? If so, what company is contracted for restrooms and where will they be located?			
Response: No			
Lyman P. White Park	Amphitheater	08/14/2024	Wed

#3 - Will you require additional Trash Disposal? If so, what company is contracted for Trash Disposal?

Response: No

Lyman P. White Park	Amphitheater	08/14/2024	Wed
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#4 - Times you will be in/out of the Amphitheater. Please include setup and cleanup in the times.

Response: 3 pm - 8:30 pm

Lyman P. White Park	Amphitheater Education Center	08/14/2024	Wed
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#5 - Will your event have amplified sound? Describe the sound amplification equipment to be used in your event and the times. The park will follow the City Code requirements with no exceptions on all amplified sound, making sure all noise concludes by 10:00 P.M.

Response: Yes

Lyman P. White Park	Amphitheater Education Center	08/14/2024	Wed
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#6 - Will your event include concessions and/or a Food truck or other Vendors? If so, Concession company name and what products are served? What vendors?

Response: No

Lyman P. White Park	Amphitheater Education Center	08/14/2024	Wed
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#7 - Do you have equipment requiring electrical usage? If so, describe the type of equipment to be used.

Response: Yes--Speakers, portable keyboard, guitars

Lyman P. White Park	Amphitheater	08/14/2024	Wed
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#8 - Does your event require a layout and street site map? Please note you will need to contact the Parks Department and provide a layout of the event showing booths, staging, amusements, food, etc. and also provide a street map or park map showing the borders of the event.

Response: No

Lyman P. White Park	Amphitheater Education Center	08/14/2024	Wed
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#9 - Type of Event Description of Activities

Response: Picnic/Outdoor worship service

Lyman P. White Park	Amphitheater Education Center	08/14/2024	Wed
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#10 - Number of people attending the event.

Response: 200

Lyman P. White Park	Amphitheater	08/14/2024	Wed
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#11 - Will you require overnight storage? If set up is needed for an event the day before, it is required you pay for the additional day. Overnight storage is at your own risk. No overnight camping is allowed.

Response: No

Lyman P. White Park	Education Center	08/14/2024	Wed
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#12 - Times you will be in/out of the pavilion. Please include setup and cleanup in the times.

Response: 3 PM - 8:30 pM

Lyman P. White Park	Amphitheater	08/14/2024	Wed
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#13 - What type of Organization is this? Profit or Non Profit?

Response: Non Profit

Lyman P. White Park	Amphitheater	08/14/2024	Wed
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#14 - How often will this event be held?

Response: One Time

Lyman P. White Park	Amphitheater Education Center	08/14/2024	Wed
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#15 - Sales Tax Exempt?

Response: Yes

Lyman P. White Park

Amphitheater
Education Center

08/14/2024

Wed

#16 - Do you plan to use signs or banners? Locations and descriptions? A-frame (sandwich) boards may be rented from the City for use. No signs/banners may be mounted to facilities and no posts are allowed in the ground due to irrigation lines. Any supplemental signage or banners must be placed on temporary hangers.

Response: No

Lyman P. White Park

Amphitheater

08/14/2024

Wed

#17 - Are you requesting to have a street closed for your event? An additional Event/Street closure request application will be required to be submitted and approved by City Council.

Response: No

Cancel within 30 days



Park Board Agenda Request

MEETING DATE: January 23, 2024

TITLE OF ITEM: Authorize Bidding for 2024 ARPA Projects

AGENDA: Approve

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Jessie Dehn, Public Works Director **DEPARTMENT:** Public Works

PRESENTER: Jessie Dehn, Public Works Director **ESTIMATED TIME (MIN):** 5 Minutes

SUMMARY OF ISSUE: At the December meeting, the Park Board approved the plans for the 3 park projects funded by ARPA. Those projects include the Jaycees Park improvements, Lum Park Beach Expansion, and Lum Park Campground Expansion. Staff has been able to put together an estimate of costs for each project. Those estimates are attached. As a reminder, a total of \$575,000 of ARPA was allocated to 4 projects, the 4th being the tree clearing at Kiwanis that has been completed. The Council authorized the funding under the understanding that the projects would be prioritized as follows:

1. Jaycees Park improvements
2. Lum Park Beach Expansion
3. Kiwanis Tree Clearing
4. Lum Park Campground Expansion

As a reminder, a total of \$53,800 was approved for Widseth to complete design of the 3 projects. The Kiwanis Tree Clearing was completed for \$15,900. This leaves \$505,300 in available funds for the construction of the projects. Including 10% contingency, staff is estimating the 3 projects to cost a total of \$529,719.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: With consideration of the estimate and the available budget remaining, staff is requesting Park Board direction on how to proceed with bidding. Options include:

1. Bid the projects as currently designed and approved. Work with the contractor to discuss cost-saving measures should bids result in costs over available budget.
2. Bid the projects as currently designed and approved. Request the City Council allow for staff to use savings from other 2024 capital items should bids result in costs over available budget.
3. Remove portions of the plans to bring the estimate within budget and then advertise for bids. For example, on the beach expansion project, remove one of the shade structures or remove the sidewalk from the foot washing station to the restrooms (this could be completed with annual ADA improvements capital).

4. Remove the Campground Expansion as the lowest priority project (as Kiwanis Tree Clearing was completed in 2022).

RECOMMENDED ACTION/MOTION: Staff would recommend Option 2 as the preferred option. Bidding the projects as-is, determining exact costs of construction, and requesting that Council authorize staff to utilize capital fund savings elsewhere to cover any potential cost overruns. If the Council is not amenable to the use of capital funds, work with the contractor to determine cost-saving measures to ensure the project remains within budget.

FINANCIAL IMPACT: N/A

Lum Park Beach					
Item No.	Description	Unit	Quantity	Est. Unit Price	Est. Ext. Price
1	MOBILIZATION	LS	1	\$15,000	\$15,000
2	CLEARING & GRUBBING	EACH	1	\$1,500	\$1,500
3	REMOVE EXISTING RESTROOM FACILITY	SQ FT	1034	\$14.00	\$14,476
4	REMOVE CONCRETE SIDEWALK	SQ FT	738	\$2.00	\$1,476
5	REMOVE CONCRETE CURB & GUTTER	LIN FT	383	\$3.50	\$1,341
6	REMOVE BITUMINOUS PAVEMENT	SQ YD	882	\$2.50	\$2,205
7	MILL BITUMINOUS SURFACE (1.5")	SQ YD	369	\$3.00	\$1,107
8	COMMON EXCAVATION (EV) (P)	CU YD	69	\$25.00	\$1,725
9	SAWING BIT PAVEMENT (FULL DEPTH)	LIN FT	21	\$2.50	\$53
10	GEOTEXTILE FABRIC TYPE V	SQ YD	125.2	\$4.00	\$501
11	AGGREGATE BASE CLASS 5	TON	231	\$35.00	\$8,085
12	MASON SAND	TON	1203	\$35.00	\$42,105
13	TYPE SP 9.5 WEARING COURSE MIX (3,C)	TON	41.6	\$100.00	\$4,160
14	TYPE SP 12.5 NON WEARING COURSE MIX (3,B)	TON	69	\$110.00	\$7,590
15	TYP. WHITE PAVEMENT STRIPING	LIN FT	100	\$0.50	\$50
16	TYP. BLUE PAVEMENT STRIPING	LIN FT	327	\$0.50	\$164
17	TYP. HANDICAP SYMBOL PAVEMENT STRIPING (BLUE)	EACH	4	\$500.00	\$2,000
18	CURB AND GUTTER DESIGN B618	LIN FT	163	\$25.00	\$4,075
19	4" CONCRETE WALK	SQ FT	4175	\$7.50	\$31,313
20	6" CONCRETE WALK	SQ FT	4022	\$7.50	\$30,165
21	FOOT WASHING STATION	EACH	1	\$7,500	\$7,500
22	SHADE STRUCTURE	EACH	3	\$20,000	\$60,000
23	INSTALL HANDICAP SIGN (INCLUDE SIGN POST)	EACH	4	\$500.00	\$2,000
24	STORM DRAIN INLET PROTECTION	EACH	1	\$250.00	\$250
25	SILT FENCE, TYPE MS	LIN FT	234	\$5.00	\$1,170
26	PIPE AND TUBE ALUMINUM RAILING	LIN FT	27	\$50.00	\$1,350
27	INSTALL 2" CALIPER TREE	EACH	2	\$1,250	\$2,500
28	SEEDING	ACRE	0.26	\$15,000	\$3,900
Subtotal					\$247,759
10% Contingency					\$24,776
Total					\$272,535

Lum Park Campground

Item No.	Description	Unit	Quantity	Est. Unit Price	Est. Ext. Price
1	MOBILIZATION	LS	1	\$10,000	\$10,000
2	CLEARING & GRUBBING	EACH	1	\$1,500	\$1,500
3	COMMON EXCAVATION (EV) (P)	CU YD	250	\$25.00	\$6,250
5	REMOVE TREES	EACH	3	\$1,000	\$3,000
6	REMOVE & RELOCATE WATER SPIGOT	EACH	1	\$1,000	\$1,000
7	REMOVE & RELOCATE 50,30,20 AMP RV PEDESTAL	EACH	1	\$1,500	\$1,500
8	GEOTEXTILE FABRIC TYPE V	SQ YD	1326.12	\$4.00	\$5,304
9	AGGREGATE BASE CLASS 5 MODIFIED	TON	8	\$20.00	\$160
10	AGGREGATE BASE CLASS 2	TON	970	\$17.50	\$16,975
11	B618 CONCRETE CURB AND GUTTER	LIN FT	44.5	\$25.00	\$1,113
12	5" CONCRETE PEDESTAL PAD	SQ FT	24	\$12.50	\$300
13	WATER MAIN	LIN FT	390	\$10	\$3,900
14	FLEXIBLE COPPER PIPE	LIN FT	369	\$10	\$3,690
15	WATER MAIN CLEANOUT	EACH	1	\$100	\$100
16	WATER SPIGOT RV FIXTURE	EACH	11	\$500	\$5,500
17	50,30,20 AMP RV PEDESTAL WITH PAD MOUNT	EACH	11	\$1,000	\$11,000
18	STORM DRAIN INLET PROTECTION	EACH	1	\$250.00	\$250
19	SILT FENCE, TYPE MS	LIN FT	542	\$5.00	\$2,710
21	SEEDING	ACRE	0.3	\$15,000	\$4,500
Subtotal					\$78,752
10% Contingency					\$7,875
Total					\$86,627

Jaycees Park

Item No.	Description	Unit	Quantity	Est. Unit Price	Est. Ext. Price
1	MOBILIZATION	LS	1	\$10,000	\$10,000
2	CLEARING & GRUBBING	EACH	1	\$1,500	\$1,500
3	REMOVE GRAVEL DRIVEWAY	SQ YD	2742	\$2.00	\$5,484
4	COMMON EXCAVATION (EV) (P)	CU YD	1163	\$25.00	\$29,075
6	REMOVE TREES	EACH	6	\$1,000	\$6,000
7	GEOTEXTILE FABRIC TYPE V	SQ YD	1570	\$4.00	\$6,280
8	AGGREGATE BASE CLASS 5 MODIFIED	TON	178	\$20.00	\$3,560
9	AGGREGATE BASE CLASS 2	TON	1195	\$17.50	\$20,913
10	TYPE SP 9.5 WEARING COURSE MIX (3,C)	TON	54	\$100.00	\$5,400
11	TYPE SP 12.5 WEARING COURSE MIX (3,C)	TON	54	\$110.00	\$5,940
13	INSTALL HANDICAP SIGN (INCLUDE SIGN POST)	EACH	3	\$500	\$1,500
15	SILT FENCE, TYPE MS	LIN FT	542	\$5.00	\$2,710
16	COMMON TOPSOIL BORROW (LV)	CU YD	1573	\$30.00	\$47,190
17	SEEDING	ACRE	1.9	\$5,000	\$9,500
Subtotal					\$155,052
10% Contingency					\$15,505
Total					\$170,557



Park Board Agenda Request

MEETING DATE: January 23, 2024

TITLE OF ITEM: Approve Quote for Lum Park Office Building Demolition

AGENDA: Approve

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Jessie Dehn, Public Works Director **DEPARTMENT:** Public Works

PRESENTER: Jessie Dehn, Public Works Director **ESTIMATED TIME (MIN):** 2 Minutes

SUMMARY OF ISSUE: The Lum Park Office/Maintenance Building is planned for demolition in 2024. \$20,000 was budgeted for this expense. Staff reached out to several companies requesting quotes for the demolition and received 3 responses. The quotes are attached. Staff requested quotes for the demolition and removal of the foundations only. Typically, topsoil and seeding are part of the process as well. As these tasks can be completed with maintenance staff and available materials, we asked that the quotes not include this work.

As part of the requirements before a commercial-type building is demolished, staff had an asbestos evaluation completed. The evaluation was returned with a report that there was no asbestos present. The report is attached.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Staff received 3 quotes for the building demolition. The low quote was from DeChantal Excavating in the amount of \$11,736. It is planned that the work would be completed in 2024 once utilities can be fully disconnected.

RECOMMENDED ACTION/MOTION: Staff recommends approval of the building demolition quote from DeChantal Excavating in the amount of \$11,736.

FINANCIAL IMPACT: \$11,736



**P.O. Box 315
Brainerd, MN 56401**

Quote

Date	Quote #
1/14/2024	1643

Name / Address

Brainerd
501 Laurel Street
Brainerd, MN 56401

Description	Quantity	Unit Cost	Unit	Total
* Lum Park Building Demo 1. Demolition: Demo and Remove building and foundation, Grade site for black dirt. * Exclusions: a. No Black Dirt or Seeding Included. b. No Permits Included. c. No Hazourdous Material Inspection or Abatement Included. d. No Utility Disconnects Included	1	11,736.00	LS	11,736.00
Total				\$11,736.00

Office: 218-828-4636
Cell: 218-839-1318
Fax: 218-824-1510
Email: adechantal@gmail.com

Tom's Backhoe Service, Inc.

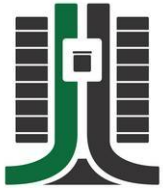
323 Woodland Hills Ln
Brainerd, MN 56401

Estimate

Date	Estimate #
1/10/2024	710

Name / Address
City of Brainerd 501 Laurel St. Brainerd, MN 56401

Project			
Description	Qty	Rate	Total
City of Brainerd Demo Bid -Quote for old Parks maintenance shop at Lum Park Demo Building, no Asbestos inspection or removal and no permit included.		24,945.00	24,945.00
Subtotal			\$24,945.00
Total			\$24,945.00



Jacobson Excavating & Landscaping

PO Box 303 | Brainerd, Minnesota 56401
218-851-9078 | joel@jacobson.services | <https://www.jacobson.services/>

RECIPIENT:

City Of Brainerd

501 Laurel Street
Brainerd, MN 56401
Phone: (218) 454-3411

SERVICE ADDRESS:

Lum Park, Washington Street
Brainerd, Minnesota 56401

Estimate #1123

Sent on Jan 09, 2024

Total \$27,650.00

Product/Service	Description	Qty.	Unit Price	Total
Demolition	Complete demo of the old Parks maintenance shop building at Lum Park. All building debris hauled off site and disposed of. Includes concrete floor and any footings. The site will be smoothed out with existing soil. **Does not include the removal of any asphalt areas. **Does not include hauling in any fill or topsoil.	1	\$27,650.00	\$27,650.00*

Total \$27,650.00

* Non-taxable

This quote is valid for the next 30 days, after which values may be subject to change.

Signature: _____ Date: _____



**Demolition
INSPECTION AND ASSESSMENT
AT**

**1619 Washington St
Brainerd, MN**

Prepared by:
A-1 Asbestos Testing
5970 N Sluetter Rd
Pequot Lakes, MN 56472

January 11, 2024

SUMMARY

A-1 Asbestos Testing performed a Demolition asbestos inspection at 1619 Washington St, Brainerd, MN on January 11, 2024. metal frame building with metal roofing and no basement. 13 bulk samples were taken and sent to EMC labs. The results are attached. No asbestos was found....the building is ready for demolition

Suspect ACM	amount	location	results	catagory
-------------	--------	----------	---------	----------

insulation	Ceiling 1800 Sq ft	Main work area	Non detected	Non friable
Popcorn ceiling	1350 sq ft	Office	None detected	Non friable
Floor tile	500 sq ft	Hall, bathrooms Break room	None detected	Non friable
Ceiling tile	200 sq ft	Hall and Bath	None detected	Non friable
drywall	3000 sq ft	office	None detected	Non friable

We recommend the abatement of all asbestos containing material prior to renovation or demolition that will disturb any asbestos containing material. The EPA does not regulate material less than one percent asbestos. However, OSHA regulates asbestos exposure to employees working with asbestos regardless of the percentage of asbestos contained in the material. OSHA requires that any employee who may disturb any asbestos must have proper training and use appropriate OSHA work practices. The Demolition contractor must keep all ACM During renovation all inaccessible areas not sampled must be treated with care to ensure unidentified regulated asbestos is not present. If any suspected material is discovered it will need to be sampled to determine if ACM is present. If found to be regulated asbestos material,It must be removed by a state licensed abatement company before renovation can continue.

Inspector:

Jeff Silker

Jeffsilker@gmail.com

385-272-2460

MN inspector AI14575 expires 06/26/2024

EMC LABS, INC.

9830 S. 51st Street, Suite B109, Phoenix, AZ 85044
Phone: 800-362-3373 or 480-940-5294 - Fax: (480) 893-1726

Laboratory Report

0304210

Bulk Asbestos Analysis by Polarized Light Microscopy

NVLAP#101926-0

Client: A-1 ASBESTOS TESTING Job# / P.O. #:
Address: 5970 N. SLUETTER RD Date Received: 01/15/2024
PEQUOT LAKES MN 56472 Date Analyzed: 01/16/2024
Collected: 01/10/2024 Date Reported: 01/16/2024
Project Name: 1619 N.E WASHINGTON ST., 56401 Submitted By: JEFF SILKER
Address: Collected By:
EPA Method: App.E to Sub.E of 40 CFR Part 763 and EPA/600/R-93

Lab ID Client ID	Sample Location	Layer Name / Sample Description	Asbestos Detected	Asbestos Type (%)	Non-Asbestos Constituents
0304210-001 C-1	LARGE OFFICE	Texture/ Paint, White/ Gray Note: Layer is mainly Paint	No	None Detected	Carbonates Mica Quartz Perlite Binder/Filler 100%
0304210-002 C-2	SMALL OFFICE	LAYER 1 Drywall, White/ Brown	No	None Detected	Cellulose Fiber Fibrous Glass 2% Gypsum Carbonates Quartz Mica 88%
		LAYER 2 Texture/ Paint, Off White Note: Layer is mainly Paint	No	None Detected	Carbonates Mica Quartz Perlite Binder/Filler 100%
0304210-003 C-3	NORTH OFFICE	Texture/ Paint, Off White Note: Layer is mainly Paint	No	None Detected	Carbonates Perlite Quartz Binder/Filler 100%
0304210-004 FT-4	HALL	LAYER 1 Floor Tile, Gray	No	None Detected	Carbonates Quartz Binder/Filler 100%
		LAYER 2 Mastic, Yellow	No	None Detected	Carbonates Quartz Binder/Filler 100%

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Address: Collected By:
EPA Method: App.E to Sub.E of 40 CFR Part 763 and EPA/600/R-93

Lab ID Client ID	Sample Location	Layer Name / Sample Description	Asbestos Detected	Asbestos Type (%)	Non-Asbestos Constituents
0304210-005 FT-5	BATH	LAYER 1 Floor Tile, Gray	No	None Detected	Carbonates Quartz Binder/Filler 100%
		LAYER 2 Mastic, Yellow	No	None Detected	Carbonates Quartz Binder/Filler 100%
		LAYER 1 Floor Tile, Gray	No	None Detected	Carbonates Quartz Binder/Filler 100%
		LAYER 2 Mastic, Yellow	No	None Detected	Carbonates Quartz Binder/Filler 100%
0304210-006 FT-6	BREAKROOM	LAYER 1 Floor Tile, Gray	No	None Detected	Carbonates Quartz Binder/Filler 100%
		LAYER 2 Mastic, Yellow	No	None Detected	Carbonates Quartz Binder/Filler 100%
		LAYER 1 Drywall, White/ Brown	No	None Detected	Cellulose Fiber Gypsum Quartz Carbonates Mica 90%
		LAYER 2 Joint Compound, White	No	None Detected	Carbonates Perlite Quartz Binder/Filler 100%
0304210-007 DW-7	LARGE OFFICE	LAYER 3 Texture/ Paint, Off White	No	None Detected	Carbonates Perlite Quartz Binder/Filler 100%
		LAYER 1 Drywall, White/ Brown	No	None Detected	Cellulose Fiber Gypsum Quartz Carbonates Mica 90%
		LAYER 2 Joint Compound, White	No	None Detected	Carbonates Perlite Quartz Binder/Filler 100%

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Address: Collected By:
EPA Method: App.E to Sub.E of 40 CFR Part 763 and EPA/600/R-93

Lab ID Client ID	Sample Location	Layer Name / Sample Description	Asbestos Detected	Asbestos Type (%)	Non-Asbestos Constituents
0304210-008 DW-8	SMALL OFFICE	LAYER 1 Drywall, White/ Brown	No	None Detected	Cellulose Fiber 10% Gypsum Quartz Carbonates Mica 90%
		LAYER 2 Joint Compound, White	No	None Detected	Carbonates Perlite Quartz Binder/Filler 100%
		LAYER 3 Texture/ Paint, Off White	No	None Detected	Carbonates Perlite Quartz Binder/Filler 100%
0304210-009 DW-9	NORTH OFFICE	LAYER 1 Drywall, White/ Brown	No	None Detected	Cellulose Fiber 10% Gypsum Quartz Carbonates Mica 90%
		LAYER 2 Joint Compound, White	No	None Detected	Carbonates Perlite Quartz Binder/Filler 100%
		LAYER 3 Texture/ Paint, Off White	No	None Detected	Carbonates Perlite Quartz Binder/Filler 100%

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Job# / P.O. #:
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Date Reported: 01/16/2024
Submitted By: JEFF SILKER
Collected By:
EPA Method: App.E to Sub.E of 40 CFR Part 763 and EPA/600/R-93

Lab ID Client ID	Sample Location	Layer Name / Sample Description	Asbestos Detected	Asbestos Type (%)	Non-Asbestos Constituents
0304210-010 CT-10		Ceiling Tile, White/ Gray	No	None Detected	Cellulose Fiber 70% Mineral Wool 10% Carbonates Quartz Perlite Binder/Filler 20%
0304210-011 CT-11		Foam Insulation, Yellow	No	None Detected	Foam 100%
0304210-012 CT-12		Foam Insulation, Yellow	No	None Detected	Foam 100%
0304210-013 CT-13		Foam Insulation, Yellow	No	None Detected	Foam 100%



Analyst - Matt Kettler



Signatory - Lab Director - Kurt Kettler

Distinctly stratified, easily separable layers of samples are analyzed as subsamples of the whole and are reported separately for each discernible layer. All analyses are derived from calibrated visual estimate and measured in area percent unless otherwise noted. The report applies to the standards or procedures identified and to the sample(s) tested. The test results are not necessarily indicative or representative of the qualities of the lot from which the sample was taken or of apparently identical or similar products, nor do they represent an ongoing quality assurance program unless so noted. This report is for the exclusive use of the addressed client and will not be reproduced wholly or in part for advertising or other purposes over our signature or in connection with our name without special written permission. The report shall not be reproduced except in full, without written approval by our laboratory. The samples not destroyed in testing are retained a maximum of sixty days. The laboratory measurement of uncertainty for the test method is approximately less than 1 by area percent. Accredited by the National Institute of Standards and Technology, Voluntary Laboratory Accreditation Program for selected test method(s) for asbestos. The accreditation or any reports generated by this laboratory in no way constitutes or implies product certification, approval, or endorsement by the National Institute of Standards and Technology. The report must not be used by the client to claim product certification, approval, or endorsement by NVLAP, NIST, or any agency of the Federal Government.



Park Board Agenda Request

MEETING DATE: January 23, 2024

TITLE OF ITEM: Discuss Ski Loons Work Group Update

AGENDA:

ACTION REQUESTED: Direction Requested

SUBMITTED BY: Jessie Dehn, Public Works Director **DEPARTMENT:** Public Works

PRESENTER: Jessie Dehn, Public Works Director **ESTIMATED TIME (MIN):** 10 Minutes

SUMMARY OF ISSUE: The Park Board established a Ski Loons work group to gather information that could be later presented to the Park Board at a meeting. A memo containing the information collected from the work group is attached to this item.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Staff would request direction from the Park Board on how to proceed further based on the information collected and presented. Options include but not limited to:

- Work Group aim to meet with other individuals to collect more information.
- Hold a Public Hearing to hear resident testimony on the concerns of the Ski Loons operations.
- Request discussion or presentation by the Ski Loons on a request for considerations for a possible future agreement.
- No further action.

RECOMMENDED ACTION/MOTION: Discussion Item

FINANCIAL IMPACT: N/A



MEMO

TO: BRAINERD PARK BOARD

FROM: CITY ENGINEER/PUBLIC WORKS DIRECTOR JESSIE DEHN

DATE: JANUARY 23, 2024

SUBJECT: UPDATE ON INFORMATION GATHERED BY SKI LOONS WORK GROUP

At the October 24th, 2023 Park Board meeting, the Park Board established a Ski Loons work group. The work group consisted of Park Board Members Rushmeyer and Miller. The intent of the work group was to meet with Sergeant Thesing of the Crow Wing County Sheriff's Office and Brainerd City Attorney Joseph Langel. The purpose of meeting with those individuals was to gather information on the Park Board's responsibilities, options, liabilities, and other considerations in regard to operations on Rice Lake and allowing use of the park for lake use through an agreement. The creation was in response to concerns raised during practices and shows related to the Brainerd Ski Loons.

A summary of the information gathered by the work group is as follows:

Meeting with Sergeant Thesing

- The agreement with the Ski Loons could be looked at similarly to one of a lease between a landlord and tenant.
- The agreement would be able to limit when they practice, perform, the manner in which they conduct themselves, etc.
- The City could specify Rice Lake as the location or other specifics.
- The City can limit how and when through the lease agreement and include provisions to amend the agreement as needed.
- The Sheriff's Office would consider not granting an event permit if there were poor conduct by the organizer.
- The Sheriff's Office can't regulate if temporary docks/floats/ramps/jumps are brought into the open water area (outside of riparian areas) as long as they are removed daily. Again, the Sheriff's Office could deny an event permit if conduct is an issue while on the lake.
- The Sheriff's Office could advise the Park Board regarding conduct or complaints received. They would also be able to conduct courtesy visits on the lake.

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

Meeting with City Attorney Langel

- With the broad language included in the Indemnification clause, the City's exposure to litigation or liability is likely very limited unless the damages exceed the \$1 million included in the required insurance coverage.
 - In the case where the City is a part to a suit, the City would have to be shown as negligent or liable for the actions of the Ski Loons. This may be difficult to do.
 - The City does not have supervision rights over the Ski Loons as they are not employees of the City. Thus, the City's liability does not extend to actions by the Ski Loons, as it would for actions by employees of the City.
 - In the event that potentially dangerous or unsuitable actions by the Ski Loons were reported to the City, the City is also likely not to be held liable should those actions result in causing injury or issue.
- There is possibility of City liability for issues that would be related to the Ski Loons dock.
 - As the dock is used by the public when the Ski Loons are not using the dock, there is the possibility that someone getting hurt on the dock or using the steps going down to the dock would be a liability issue for the City. (Not per the attorney but re-looking at the Indemnification clause, it does state the use and maintenance of the dock are not our liability but does not cover the steps.)
- With the expansion of the beach/campground and the installation of a self-service kayak rental, the City is increasing (or intending to) the intensity of the use of the beach and shoreline area by Lum Park. As the Ski Loons operations have typically been focused nearby the Lum Park area, this may be contradictory to what the Park Board is focused on with increasing use of the beach area.



Park Board Agenda Request

MEETING DATE: January 23, 2024

TITLE OF ITEM: Information on Skatepark Grant Program

AGENDA:

ACTION REQUESTED: Information Only

SUBMITTED BY: Jessie Dehn, Public Works Director **DEPARTMENT:** Public Works

PRESENTER: Jessie Dehn, Public Works Director **ESTIMATED TIME (MIN):** 5 Minutes

SUMMARY OF ISSUE: At the December 19th Park Board meeting, Jake from Lakes Area Skatepark presented to the Park Board regarding a grant funding opportunity from the State for construction of a new skate park at Memorial Park. A copy of the presentation materials is included in this packet. At the conclusion of the presentation, Park Board requested that staff collect more information on the grant program.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Staff did research into the grant program and funding. Below are some of the key facets of the funding opportunity to consider:

- \$4,000,000 in appropriated funds
- 1-to-1 matching requirements, may be in-kind contributions such as land, roadways, utility services, landscaping, and parking.
- Must be accessible to the public without charge for personal use.
- Must be constructed of concrete.
- Maximum grant is \$500,000 unless regional or statewide draw.
- Maximum grant is \$1,000,000 with regional impact.
- Must commit to engage youth in the planning, design, and programming for the skate park.

There was no deadline for applications listed but, like many appropriations, funds are typically available during the 2-year budget period until the appropriation has been expended. With the Lakes Area Skatepark's goal of a \$1 million skate park facility, there are several funds that would need to be combined to achieve the goal.

Part of the match for the grant program can be the \$343,000 that the City has expended on the parcel purchase and the restroom/storage facilities that were recently constructed. This would potentially result in \$343,000 in grant funding towards the project, leaving \$657,000 necessary to reach the \$1 million mark. Using only City funds and the grant (at a 1-to-1 match), this would require the City to fund \$328,500 in cash. As referenced in the presentation, the Lakes Area Skatepark group has fundraised \$88,000. If they are willing to contribute some of these funds, that could reduce some of the City's contribution needed.

Another potential option would be to elect to fund a smaller skatepark project, such as a total of \$750,000. In this instance, this would require \$203,500 of City contributions. Again, the Lakes Area Skatepark group can potentially assist with the local funding, reducing the City's contribution.

Staff also spoke with Attorney Langel to confirm some of the assumptions following the meeting. As the City would be the entity responsible for the funding and providing the land, the proposed skatepark would be owned and maintained by the City. While the request to the State is strengthened by the Lakes Area Skatepark group, they would have no ownership of the skatepark. A good comparison would be the LCCMR grant for Lyman P. White Park. While the Riverfront Committee was a vital part of the planning and development process, they have no ownership of the park or lands following construction.

RECOMMENDED ACTION/MOTION: Information Only.

FINANCIAL IMPACT: N/A





Since Last Park Board Meeting

- Fundraising consistently
- Impacting community
 - Events
 - Service Work
 - Promoting extreme sports & lessons
- Growing support



Since Last Park Board Meeting

- Raised over \$88,000
 - \$4,000 - March 2022
- Fundraising plan
 - Future events
 - Grants
 - Donors
- Community skatepark design sessions



State of MN Skatepark Matching Grant Program

- Passed Spring 2023
 - \$4 Million available
 - Match local government funds
 - Dollar for dollar
 - \$500,000 - up to \$1 Million
 - Includes
 - Pledged dollars
 - Land, parking lot & utilities
 - No timeline to spend State matched funds
- Accepting applications 2024

State of MN Skatepark Matching Grant Program

- City land contribution
 - Memorial Park - Mill Ave parking lot area
 - South side - Q Street
- Land, parking lot, utilities
 - \$343,000 valuation
 - Matched by State of MN



Skatepark Funding - MN Matching

- Extra pledged skatepark funds
 - 2026 timeline
 - Continue fundraising
- Our skatepark top of list - MN Grant
 - Furthest along
 - Most support
 - Great chance of getting funds matched

Skatepark Funding - MN Matching

- HUGE Return on Investment
- \$300,000 City pledge
 - Funds \$1 Million skatepark
 - LESS THAN 3 to 1 match
- Create amazing facility for youth
 - Generational impact
 - Little to NO maintenance
 - Endowment fund for maintenance costs



Lakes Area Skatepark Support

- Memorial Park land contribution?
- Willing to pledge City funds?
 - Any dollars available?
- Ideas to capitalize on matching grant?
 - County funds, District #181 funds?
- Asking for your support
 - City Council funding



Park Board Agenda Request

MEETING DATE: January 23, 2024

TITLE OF ITEM: Update on Memorial Park Disc Golf Course

AGENDA:

ACTION REQUESTED: Discussion Item

SUBMITTED BY: Jessie Dehn, Public Works Director **DEPARTMENT:** Public Works

PRESENTER: Jessie Dehn, Public Works Director **ESTIMATED TIME (MIN):** 5 Minutes

SUMMARY OF ISSUE: The Park Board reviewed and approved a sketch layout of the new disc golf course planned for Memorial Park. The disc golf association has assisted staff in performing brush clearing through the new course with volunteer hours and renting some equipment. Their group is requesting an alteration to what was presented to the Park Board prior. Instead of 18 holes consisting of 18 tee boxes and 9 shared baskets, they are planning to do multiple basket locations that would be rotated throughout the year. The rotation would allow for slight changes in hole experience and difficulty. This would be accomplished by upgrading the baskets to have a locking collar that could be moved from location to location. Locations that are not in use would be covered using a sprinkler valve box.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The additional items needed for the new arrangement would include locking collars (basket upgrade), locks, sprinkler valve boxes, and additional concrete for 9 more basket locations. Should the costs extend beyond the budgeted amount of \$10,000, the disc golf association would assist with providing funds to cover the difference, so no additional funds from the City would be needed. In addition, the disc golf association would commit to moving the baskets throughout the year. City staff would not be responsible for completing this task.

RECOMMENDED ACTION/MOTION: Discussion item.

FINANCIAL IMPACT: Not to exceed \$10,000.



I would like the Parks board or City Engineer to write a letter stating:

1. The ski Loons contract was terminated by unanimous vote due to safety concerns and them not following the contract in 2023. (8/22/23 meeting)
2. That Kara Schafer while acting president & the parks board took no action to approve the Ski Loons request the park on August 19th for training –at a June’s Parks board meeting.
3. On July 25th while Andrew Shipe was President the board again confirmed they had not given approval to the Ski Loons for Aug 19, 2023, and Deputy Thiesing was in attendance at this meeting.
4. I would like Jessie Dehn to put in writing what was said to Chris Dens before and after the Aug 19th incident (timeline of events). Want to know what role he played in use of the park on Aug 19th and what was said after the 19th – it appears the Ski loons still claim to of had permission to be there.
5. I would like written confirmation that no approval or assumed approval has been given by any member of the City Staff or Parks board for a new contract in 2024 with the Ski Loons as of 1/23/24. They appear confident they have or will secure a 2024 contract.

Wayne Harting

Wayne Harting

From: Jessie Dehn <jdehn@ci.brainerd.mn.us>
Sent: Monday, August 28, 2023 7:57 AM
To: Wayne Harting
Cc: staceyh0428@icloud.com; Brittney Tollefson; Andrew Shipe; Rushmeyer, Katy; brad.thesing@crowwing.us; eric.klang@crowwing.us
Subject: RE: Ski Loons August 19th

Wayne,

Good morning. Following up on your request in your e-mail. After conferring with the City Attorney, the City has sent notice this morning of the Park Board's decision to terminate the agreement, effective immediately. It is expected that no practices occur through the remainder of the calendar year and that dock/materials be removed from park property. If you have further questions, please let us know. Thank you and have a good morning!

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

From: Wayne Harting <WayneHarting@wastepartnersinc.com>
Sent: Wednesday, August 23, 2023 9:37 AM
To: Jessie Dehn <jdehn@ci.brainerd.mn.us>; Rushmeyer, Katy <rushtk@nisswa.net>; eric.klang@crowwing.us; brad.thesing@crowwing.us
Cc: Brittney Tollefson <btollefson@ci.brainerd.mn.us>
Subject: RE: Ski Loons August 19th

*** **Warning:** External sender, use extreme caution with attachments and links ***

Jessie,
Good morning. While you may not have informed Chris (Ski Loons) about the July Parks Board meeting, I did inform him about the outcome of meeting and that the board had taken "no action" about his request to change days and that I was opposed to the day change.

I also confirmed with Brad Thesing yesterday that He had also talked to Chris after the July meeting and informed him what was said at the meeting. I have attached Brad to this email in case I don't have details exactly right but from our conversation yesterday, Brad had also instructed them to get back ahold of Park Board about their plan to ski Saturday because it was his understanding the parks board was not ok with day change, but Brad wasn't sure if they had followed his instructions and gone back to Parks Board after He had talked to them. Today is very clear they chose not to follow his instruction and were dis honest about having approval to be on the water Saturday to the officers on site.

I would appreciate a update on what the City Attorney decides on the termination of this years contract.

Thank you
Wayne Harting

From: Jessie Dehn <jdehn@ci.brainerd.mn.us>
Sent: Wednesday, August 23, 2023 8:46 AM
To: Wayne Harting <WayneHarting@wastepartnersinc.com>; rushtk@nisswa.net; eric.klang@crowwing.us; brad.thesing@crowwing.us
Cc: negotiator11@yahoo.com; Brittney Tollefson <btollefson@ci.brainerd.mn.us>
Subject: RE: Ski Loons August 19th

Wayne,

Good morning. I owe you and your neighbors an apology on the matter. After the discussion in July at the Park Board, I lapsed on sending the follow up message to the Ski Loons about the decision to deny the request to change dates. I did inform the Park Board of this when the item came up for discussion at last night's regular meeting. At this time, the Park Board has requested staff to confer with the City Attorney about terminating the agreement as soon as possible, pending the advisement of the attorney. Once we receive clarification from him, we will inform the Ski Loons that they are no longer allowed to practice under the terms of the agreement for the remainder of this year. Again, apologies on missing the notification. However, we do appreciate you sending the photos and know that assisted the Park Board with understanding of the continued issues with the Ski Loons behaviors. If you have any further questions on the matter, please feel free to reach out. Thank you and have a great morning!



Jessie Dehn, P.E.

City Engineer/Public Works Director
City of Brainerd
501 Laurel Street, Brainerd, MN 56401

Phone (218) 454-3411 | **Mobile** (218) 513-0172

Web www.ci.brainerd.mn.us | **Email** JDehn@ci.brainerd.mn.us

[f](#) [in](#) [t](#) [v](#)

From: Brittney Tollefson <btollefson@ci.brainerd.mn.us>

Sent: Monday, August 21, 2023 3:14 PM

To: WayneHarting@wastepartnersinc.com; rushtk@nisswa.net; eric.klang@crowwing.us; brad.thesing@crowwing.us;

Jessie Dehn <jdehn@ci.brainerd.mn.us>

Cc: negotiator11@yahoo.com

Subject: RE: Ski Loons August 19th

Good afternoon Wayne,

Cari is no longer employed with the City of Brainerd and this email was brought to my attention this afternoon as I was not originally included. I have taken the place of Cari LaRose, so **please be sure you are including me in further correspondence**, as well as our Public Works Director, Jessie Dehn who I was able to also include in your email so everyone is in the loop and aware.

Thank you so much,



Brittney Tollefson | Administrative Specialist
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Email

correspondence to and from the City of Brainerd government offices is subject to the Minnesota Government Data Practices Act and may be disclosed to third parties.

From: Katie Kaufman <kkaufman@ci.brainerd.mn.us>

Sent: Monday, August 21, 2023 3:08 PM

Saturday training had crashed and burned. Thesing advised Mr. Harding that Harding was not to contact Dr. Dens any further.

On August 19, 2023, the Brainerd Ski Loons held a safety training as they had received email confirmation that they were permitted to do so by the Brainerd Park and Recreation Board. Despite multiple warnings by Deputy Thesing, Mr. Harding again moved his boat into the area and interfered with the safety training. Mr. Harding then contacted law enforcement to falsely report that the Brainerd Ski Loons were being unsafe by operating too closely to other boats.

Based upon the extended history of Mr. Harding's conduct, his disregard for the advisements of Deputy Thesing, and his documented and demonstrated intention to continue to interfere with the Brainerd Ski Loon's practice, it is anticipated that Mr. Harding conduct will continue in the upcoming 2024 season.

7. Describe the effect the harassment has upon the victim's safety, security or privacy:

Mr. Harding's conduct not only interferes with the practice sessions of the Brainerd Ski Loons, but is also tantamount to a safety hazard to himself, the members of the Brainerd Ski Loons, and others. Mr. Harding has insisted on placing his boat in locations that interfere with practices and are hazardous to himself and the members of the Brainerd Ski Loons.

10. Do you believe the harassment will continue? ☒ Yes ☐ No Why?

Mr. Harding has made clear that he will continue to engage in behavior that interferes with the Brainerd Ski Loons and their mission to teach children and adults how to waterski. Mr. Harding has made written threats and followed through with his threats to interfere with the Brainerd Ski Loon practices, even after being advised by Deputy Sheriff Thesing not to take matters into his own hands and to utilize the process of the Brainerd Parks and Recreation Board to address any concerns.

11. I ask the Court to issue a HRO as follows:

- ☒ a. Respondent shall not harass the Brainerd Ski Loons members by interfering with their practices or events.
- ☒ b. Respondent shall have no contact with the Brainerd Ski Loons members by interfering with their practices or events.
- ☐ c. Respondent shall stay away from where I/we live (when the Respondent knows or becomes aware of the address):
 - i. ☐ My address is confidential [the Court cannot order Respondent to stay away from a specific address when the Respondent doesn't know that address]

This is false Reporting



a location that would intentionally interfere with Brainerd Ski Loon Practice; Mr. Harding also indicates in his May 26, 2021 email, "I could choose to fish in front of the Ski Loon dock as close as you did to my dock last night and nobody can say anything. This will end the Ski Loons using the dock and take care of the problem once and for all." Later in that same email, Mr. Harding threatens to, "call the water patrol [and] wage a complaint every night somebody passes to [sic] close". Mr. Harding closed this same email by saying, "I will now have a fishing pattern that keeps me between the Ski Loons dock and my dock between 5:30-9pm Monday thru [sic] Thursday." The Brainerd Ski Loons practice Monday through Thursday from 6:00 p.m. to dusk.

Mr. Harding made good on his promises. Throughout the summers of 2021, 2022, and 2023, Mr. Harding would launch his boat and "fish" near the Brainerd Ski Loon's dock and/or waterski jump. Indeed, in July 2021, the Crow Wing County Sherriff's Office received a complaint involving Mr. Harding blocking the Ski Loons jump during their practice times. Deputy Thesing spoke with Mr. Harding and advised him against interfering with the Brainerd Ski Loon's practices. Mr. Harding lodged multiple complaints against the Brainerd Ski Loons with the City of Brainerd Park and Recreation Board and the Crow Wing County Sheriff's Office.

In 2023, Mr. Harding again complained to the Crow Wing County Sheriff's office about the Brainerd Ski Loons. Deputy Thesing placed buoys arching 150 feet from the end of the first dock next to Mr. Harding's residence to establish a visual marker for all parties to use as an indicator. Deputy Thesing did observe later in the summer of 2023, that one of the bouys was moved from its original location farther out into the lake increasing the 150 foot line that was established by the Crow Wing County Sheriff's Office.

Throughout July and August 2023, the Brainerd Ski Loons and Mr. Harding attempted to work through the Brainerd Park and Recreation Board. On July 25, 2023, after an open meeting with the Brainerd Park Board on the issue of allowing the Brainerd Ski Loons to conduct a safety certification on August 19, 2023 (which the Brainerd Parks and Recreation Board had previously sanctioned), Deputy Thesing met Mr. Harding and reminded Mr. Harding that Mr. Harding should allow the Brainerd Parks and Recreation Board address any concerns with the Brainerd Ski Loons and not to interfere with the Brainerd Ski Loons practices as it could be perceived as harassment.

On July 25, 2023, sometime shortly after the Brainerd Parks and Recreation Board meeting ended, Mr. Harding sent Dr. Christopher Dens a text message of a plane crashing and burning. The video was also posted on social media where several comments were made that hinted to taking physical actions against the Brainerd Ski Loons members while they were practicing. When Deputy Thesing contacted Mr. Harding about the video, Mr. Harding admitted he sent the video to Dr. Christopher Dens to indicate that the plans to have the

State of Minnesota

Jan 22 2024 1:39 PM

District Court

County of

Crow Wing

Judicial District:

9th

Court File Number:

18-CV-24-254

Case Type:

Harassment

In the Matter of:

Brainerd Ski Loons Water Ski Show Team, Inc.

Petitioner (first, middle, last)

☐ On behalf of:

Other persons needing protection (first, middle, last)

**Order Denying Petition for
Ex Parte Harassment
Restraining Order**

Minn. Stat. § 609.748

☐ and for self

vs.

Wayne Robert Harding

Respondent (first, middle, last)

Based upon the *Petition for a Harassment Restraining Order* and other information provided to the Court, THE COURT FINDS:

1. ☒ There is not an immediate and present danger of harassment to justify temporary relief; and
 - a. ☒ Petitioner requested a court hearing if the court denies the petition for a harassment restraining order; or
 - b. ☐ Petitioner requested that a court hearing NOT be scheduled if the court denies the petition for a harassment restraining order.

OR

2. ☐ The affidavit and petition lack merit, the matter should be **dismissed, and no hearing will be held.**

IT IS ORDERED:

1. ☒ **The request for temporary relief is denied because the petition fails to allege an immediate and present danger of harassment.**

- ☐ Divorced
- ☐ Currently living together
- ☐ Lived together in the past
- ☐ Have a child together
- ☐ Have an unborn child together
- ☐ Parent/Child

☒ Other/None of the above. Please explain: Petitioner, known locally as the Brainerd Ski Loons, is a non-profit waterski club that teaches kids and adults how to waterski. The members of the Brainerd Ski Loons also perform several waterski shows on various Brainerd-area lakes, throughout the summer. Most Brainerd Ski Loon practices, and their biggest shows, take place on Rice Lake in Brainerd, Minnesota. Importantly, the Brainerd Ski Loons have a ski jump, a starting dock and a landing zone for skiers on Rice Lake, which they use for practice and performances. Respondent Wayne Harding lives on Rice Lake and, for the past several years, has intentionally interfered with Brainerd Ski Loon practices by placing his boat near the ski jump and pathways to and from the starting dock and landing zone on Rice Lake making it impossible for members of the Brainerd Ski Loons to safely practice. Despite multiple attempts to mediate and/or amicably resolve the dispute, Mr. Harding's conduct has persisted for several years. It is expected that Mr. Harding will continue his efforts in the upcoming 2024 season.

OTHER COURT CASES

5. a) How many restraining orders have been in effect, ordering Respondent to stay away from each person you included at #3 above? ☒ none ☐ one ☐ two or more.

ACTS OF HARASSMENT

6. As indicated above, the Brainerd Ski Loons is a non-profit organization that teaches kids and adults to waterski. For over eight (8) years, the Brainerd Ski Loons have practiced and performed waterski shows at Rice Lake in Brainerd, Minnesota. For many of the eight (8) years, Mr. Harding has intentionally interfered with Brainerd Ski Loon practice in myriad ways, including, but not limited to parking his boat in close proximity to the Brainerd Ski Loon waterski jump and/or dock. On May 26, 2021, Mr. Harding sent Brainerd Ski Loon president, Dr. Christopher Dens, an email explaining that the Brainerd Ski Loons were "going to have to deal with the neighbors [sic] trampoline" and later threatened to "go after the \$\$\$\$\$\$", by talking to the Brainerd Ski Loon's sponsors. Mr. Harding then identifies his other planned courses of action for the summer of 2021, including placing a swim raft in



PARKS DEPARTMENT MAINTENANCE AND RECREATION REPORT

January 23, 2024; PARK BOARD MEETING

Recreation Report

Recreation Specialist Hiring Update

- Haley Blank began on January 17th!
 - Haley grew up in Sauk Centre.
 - Was previously employed at an assisted living facility working as a Life Enrichment Director!
 - Haley has a husky named Kai and two cats named Loki and Kat!
 - Haley enjoys doing anything artsy and her favorites are drawing with pens and painting.
 - She enjoys many outside activities such as camping, hiking, swimming, traveling, paddle boarding, hammocking, geocaching, and road trips!

Winter Activities/Sports

- Youth Pond Hockey
 - Registration for youth pond hockey is up from 2023.
 - Penguins = 20 Registrants, up 4 from 2023.
 - Polar Bears = 22 Registrants, up 6 from 2023.
 - Planning for two teams each
 - Equipment pick-up was on January 10th from 4 p.m. to 6 p.m.
- Adult Pond Hockey
 - Registration for adult pond hockey is 7 teams, down 1 from 2023.
- Warming House Attendants
 - We have hired 8 attendants for the warming houses this winter.
 - Warming houses were opened on Saturday, January 13th. This was considerably later than normal due to weather.

Special Events

- Skating Party
 - Sunday, February 11th from 1 p.m. to 4 p.m.
 - Determine Gregory or alternative park
 - Vendors
 - Salvation Army: Hot chocolate
 - Wendys: Chili (TBD In contact with)
 - Last Turn Saloon: Hotdogs (TBD In contact with)
 - Music: Bluetooth Speaker
 - Events:
 - 1:00 - 4:00 Music, Hot Chocolate
 - 1:30 Red Light Green Light Game
 - 2:30 Freeze Skate
 - 3:30 Reverse Frozen Tag (TBD)
 - TBD: Curling Activity
 - Bringing to the board to discuss 1/18

Parks Maintenance Report

- Clear branches at Kiwanis Park
- Repaired Buffalo Hills Park sign
- Prep for the hayrides at Buffalo Hills Park
- Getting garage door fixed at new edition
- Trimming along the river between Kiwanis and Buster Parks
- Ice rink flooding daily
- Repaired ice edger
- Picked up after the hayride event
- Shaved bumps off the Gregory Park rink and blew off
- Chipping brush
- Finished updating screw rack
- Garbage runs at Buster Park
- Replacing burned security bulbs at Bane and Lum Parks
- Removed pavilion light fixtures due to Kiwanis Park vandalism
- Built power tool organizer
- Removed downtown wreaths and swags
- Plowing trails, sidewalks, and parking
- Received estimates for plumbing work
- Built shelves for shop
- Welded casters on racks for mobility
- Repaired and mounted bench grinder
- Prepping for rinks to open, getting nets and boards on
- Filled Big Sev sled shed with sleds (dozen)
- Distributed skate helpers to all rinks
- Hung OSHA signage in shop at all power equipment locations
- Assisted in asbestos testing in the old shop
- Toilets cleaned and stocked, paper and soap
- Heaters hung up and benches moved out (arranged)
- Lights set up at Gregory Park rink
- Cameras repositioned at Gregory and Memorial Parks
- Picked up equipment
- Dressing wheel for grinder

Projects Report

Parks ARPA Projects

Staff is presenting the estimates to the Park Board. Once approved, staff will be advertising the projects for bid. It is expected that work will take place through spring and summer 2024.

Buster Park Pavilion

The pavilion is now in fabrication. It will take several weeks to fabricate before it can be installed. Staff will be waiting until spring for installation.

Memorial Park Disc Golf Course

The disc golf group has completed staking out locations for tees and baskets. They are proposing variable basket locations that they would rotate throughout the season. There would be some additional costs to this beyond what was originally expected. They are also looking for better sign options than what is provided by Innova (disc golf vendor). With the additional costs for their request, they are committing to cover costs beyond the budget that the City has provided.

Building Demolitions

Staff received quotes for the Lum Park Maintenance Office/Shop building demolition. It is likely that this demo work will be completed after utilities can be disconnected. Staff is reviewing if maintenance staff can self-perform the demolitions of the sheds at Gustafson and Memorial. This would provide some capital fund savings. The demo at Jaycees needs to be quoted yet.

Self-Service Kayak Rental

Staff had a kick-off meeting with Rent.Fun on Friday, January 19th. Staff will be bringing an item to the next Park Board meeting to determine details such as rates, memberships, etc. This is planned to be in place for the 2024 summer season.