



PARK BOARD AGENDA

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Tuesday, February 27, 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**

___ T. Rushmeyer ___ K. Schaefer ___ A Shipe ___ J. Miller ___ Vacant

3. **Pledge of Allegiance**

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

5. **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. **Approve Event Application - BLADE Recovery Walk**

6. **Presentations**

7. **Unfinished Business**

8. **New Business**

A. **Ski Loons Discussion and Public Hearing**

B. **Approve Event Application - Arts in the Park**

C. **Approve Events - The Center 2024 Performances in the Park**

D. **Approve Easter Egg Hunt Event at Gregory Park**

E. **Approve Food Delivery at Memorial Park**

- F. **Approve Letter of Support - TH 210/Lum Park Pedestrian Bridge**
- G. **Approve 2024 Tree Plantings**
- H. **Approve Mills Field Fencing Quote**
- I. **Approve Self-Service Kayak Rental Details**
- J. **Request Forming Work Group to Develop a 30-Year Parks Capital Plan**
- 9. **Public Forum**
Time allocated for citizens to bring matters not on the agenda to the attention of the Board - Time limits may be imposed
- 10. **Staff Reports**
(Verbal: Any Updates since Packet)
 - A. **Recreation and Maintenance Report**
- 11. **Board Member Reports**
- 12. **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, and Shipe.

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

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

Election of Officers

Member Shipe nominated Member Miller for Board Chair.

MOVED AND SECONDED BY MEMBERS SHIPE AND RUSHMEYER, DULY CARRIED, TO ELECT MEMBER JOHNATHAN MILLER TO BOARD CHAIR.

Member Rushmeyer nominated Member Shipe for Board Vice-President.

MOVED AND SECONDED BY MEMBERS RUSHMEYER AND MILLER, DULY CARRIED, TO ELECT MEMBER ANDREW SHIPE TO BOARD VICE-PRESIDENT.

Approval of Agenda

MOVED AND SECONDED BY MEMBERS RUSHMEYER AND SHIPE, DULY CARRIED, TO APPROVE THE AGENDA.

Approval of Consent Calendar

Chair Miller read the "Notice to Public" for the Consent Calendar.

Upon roll call, members Rushmeyer, Schaefer, Shipe and Miller voted "aye". No member voted "nay" in approval of the consent calendar.

New Business

Authorize Bidding for 2024 ARPA Projects

Public Works Director, Dehn, presented estimates for ARPA projects. Dehn is requesting direction from the Park Board on whether to authorize bidding with current estimates that are \$25,000 over budget with the possibility of additional expenses of \$10-\$15,000 to be added in. If bidding commences as drawn in the plans with current estimates, we will then need to go back to the City Council and either ask for additional capital budget dollars or ask them to allow us to reallocate some savings in other capital items. Examples of savings would include in-house demo and reducing the project scopes after we know the bid numbers.

Chair Miller stated concern regarding keeping the vision of the park board with respect to the projects if after receiving bids, items need to be removed from the projects to create cost adjustments.

MOVED AND SECONDED BY MEMBERS RUSHMEYER AND SCHAEFER, DULY CARRIED, TO AUTHORIZE BIDDING FOR 2024 ARPA PROJECTS.

Approve Quote for Lum Park Office Building Demolition

Public Works Director, Dehn, reviewed plans for demolition stating costs involved.

MOVED AND SECONDED BY MEMBERS SCHAEFER AND SHIPE, DULY CARRIED, TO APPROVE THE BID FROM DECHANTAL EXCAVATING TO PERFORM THE LUM PARK BUILDING DEMOLITION WITH LEFT OVER FUNDS BEING ALLOCATED TO THE FOUR PARK ARPA PROJECTS, IF NEEDED.

Discuss Ski Loons Work Group Update

Public Works Director Dehn referenced the work group meeting with Sargeant Thesing and City Attorney Langel to gather information on the Park Board's responsibilities, options, liabilities, and other considerations regarding operations on Rice Lake.

Chair Miller recommended having a further work group to have discussions with more people to try to unite both sides of the issue of a potential Ski Loon contract. Chair Miller also reiterated the city does not have any liability once the dock is removed.

Member Rushmeyer referenced what a lengthy, ongoing "battle" it has been on the inside within the Park Board, while also mentioning the "battle" going on the outside between the Ski Loons and the residents of Rice Lake. He reinforced the importance of safety and with the beach being expanded and the kayak rentals added to Lum Park, these additions will be attracting more people to the area. Member Rushmeyer also mentioned that the Park Board has the legal right to shut the Ski Loons operation down.

Chair Miller recommended both sides bring proposals of reasonable expectations and successions to the next Park Board meeting and then the Park Board would try to craft something in a separate work session and then provide a public hearing.

Public Works Director Dehn summarized the direction of the Park Board discussion to be that there is general support from the Park Board to establish a public hearing and public input session at the next regular meeting. Proposals from both groups would be included in the meeting packet.

Information on Skatepark Grant Program

Public Works Director, Dehn pointed out that there is no grant deadline for applications, and the funds are available during the 2-year budget period until the appropriation has been expended. It's basically a first come, first served situation. A rough cash estimate for the City contribution would be \$330,000 on a \$1,000,000 grant. The proposed skatepark would be owned and maintained by the City.

Mayor Dave Badeaux indicated he has been in contact with an individual at the state level working with this grant and Mayor Badeaux was informed the state is very interested in this project and considers it to be one of the higher ranked projects in the state in terms of work that has been accomplished to this point. There is a possibility in the grant language shifting as to what is and isn't allowed and this could cause potential for some additional dollars becoming available.

Update on Memorial Park Disc Golf Course

Public Works Director Dehn mentioned progress on the disc golf course stating the site is being prepped and locations are being tested. Rotation of the baskets would create some additional costs.

Public Forum

Chair Miller opened the Public Forum at 4:55 PM.

Wayne Harting, 14813 Wonderland Park Rd, Brainerd, MN, came forward and handed out paperwork to the Board members. Mr. Harting began to speak about the information in the paperwork. Chair Miller reminded Mr. Harting the public forum was for items not on the agenda. Public Works Director, Dehn informed Mr. Harting the City has a process for information requests that would help Mr. Harting and we will reach out to Mr. Harting to have him fill out this request.

Deanne Barry, Director of The Center, 803 Kingwood Street came forward. Barry was asking to be on the agenda next month to request approval to do performances in the Gregory Park Bandstand from June through August. Public Works Director Dehn informed Barry that he would coordinate with her to get the item set up on the next Park Board agenda.

Public Forum was closed at 5:01 PM by Chair Miller.

Staff Reports

Public Works Director Dehn introduced new staff, Kathy Johansen, Administrative Specialist and Haley Blank, Recreation Specialist.

Update given by Public Works Director, Dehn regarding pond hockey kicking off, but rink conditions have been deteriorating with weather conditions. The February Skating party is still scheduled, but weather could possibly affect being able to host the party. Director Dehn asked the Board for permission to move the skating party to Bane Park, rather than Gregory, to use the larger rink which will allow for more games and activities. The Board gave approval for the relocation of the skating party.

Public Works Director Dehn recommended Haley Blank assist in starting to market the Community Garden as HR Director Schubert is retiring this spring. She has been the partner between the City and the FFA. Director Dehn wanted to verify the Board had no apprehension in making this change. The Board was in favor of the recommendation.

Public Works Director Dehn advised that a meeting with Rent.Fun for kayak rentals was recently held and some decisions will need to be made regarding rates, memberships, and options and this will be shared at the next Park Board meeting.

Chair Miller recommended that fees/prices presented for the kayak rentals be explored with other similar entities that have used this type of service for cost comparisons. Member Rushmeyer also mentioned the possibility of having the public involved in what options we choose in using the kayak service.

Member Rushmeyer referenced a conversation held during a prior Board meeting regarding the job description for the Recreation Specialist position. Member Rushmeyer recommended a revisit of the conversation to determine what tasks are necessary in this position that will best serve the City. Chair Miller and Member Shipe encouraged Recreation Specialist, Blank to bring fresh ideas to the board along with thoughts on how to incorporate resident involvement in event decision making.

January 23, 2024

Board Reports

Chair Miller welcomed Johansen and Blank in their new positions with the City of Brainerd.

Mayor Badeaux requested that event applications that involve alcohol not be included in the consent calendar. Board members were in favor of the request.

MOVED AND SECONDED BY RUSHMEYER AND SHIPE, DULY CARRIED, TO
ADJOURN THE MEETING AT 5:14 P.M.

Respectfully Submitted,

Kathy Johansen, Administrative Specialist

02/22/2024 09:32 AM

User: kjohansen

DB: Brainerd

INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 01/19/2024 - 02/22/2024

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	Jrnalized Post Date
Vendor 4263 - A-1 TESTING - JEFF SILKER:							
3238 81107	A-1 TESTING - JEFF SILKER TESTING -LUM PARK BLDG DEMO 400-9050-45530	01/18/2024 pziemer	02/07/2024	585.00	0.00	Paid	Y 02/07/2024
	CAPITAL - OTHER			585.00			
3240 81450	A-1 TESTING - JEFF SILKER TESTING BEACH HOUSE FOR DEMO 229-0000-43300-23:08	02/01/2024 pziemer	02/21/2024	410.00	0.00	Paid	Y 02/21/2024
	PROFESSIONAL SERVICES			410.00			
	Total for vendor 4263 - A-1 TESTING - JEFF SILKER:			995.00	0.00		
Vendor 0011 - ACE HARDWARE:							
321666/1 81319	ACE HARDWARE RECYCLE FIELD LIGHTS 230-5215-42220	01/30/2024 pziemer	02/07/2024	7.50	0.00	Paid	Y 02/07/2024
	REPAIR & MAINT			7.50			
321678/1 81320	ACE HARDWARE LIGHT SWITCH 230-5200-42220	01/30/2024 pziemer	02/07/2024	13.48	0.00	Paid	Y 02/07/2024
	REPAIR & MAINT			13.48			
321977/1 81472	ACE HARDWARE SANDING SPONGE 230-5200-42220	02/12/2024 pziemer	02/21/2024	7.19	0.00	Paid	Y 02/21/2024
	REPAIR & MAINT			7.19			
321984/1 81493	ACE HARDWARE VACUUM FILTERS 230-5200-42220	02/12/2024 pziemer	02/21/2024	14.99	0.00	Paid	Y 02/21/2024
	REPAIR & MAINT			14.99			
	Total for vendor 0011 - ACE HARDWARE:			43.16	0.00		
Vendor 2670 - AMERICAN STEEL SUPPLY INC:							
118734 81403	AMERICAN STEEL SUPPLY INC PLATE/LASER 230-5200-42220	12/29/2023 pziemer	02/21/2024	51.75	0.00	Paid	Y 12/31/2023
	REPAIR & MAINT			51.75			
	Total for vendor 2670 - AMERICAN STEEL SUPPLY INC:			51.75	0.00		
Vendor 2740 - AT&T MOBILITY:							
X02032024/PARKS 81358	AT&T MOBILITY ACCT 287292136423 PARKS DEPT 12/26- 230-5200-43321	01/25/2024 pziemer	02/09/2024	183.99	0.00	Paid	Y 02/09/2024
	TELEPHONE			183.99			

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User: kjohansen
DB: Brainerd

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Total for vendor 2740 - AT&T MOBILITY:				183.99	0.00		
Vendor 3906 - BRAINERD FAMILY YMCA:							
164 81156	BRAINERD FAMILY YMCA WARMING HOUSE SET UP FOR SEASON 230-5220-42210	01/24/2024 pziemer	02/07/2024	800.00	0.00	Paid	Y 02/07/2024
	OPERATING SUPPLIES			800.00			
167 81370	BRAINERD FAMILY YMCA POND HOCKEY PROGRAMMING 230-5200-43300	02/06/2024 pziemer	02/21/2024	1,000.00	0.00	Paid	Y 02/21/2024
	PROFESSIONAL SERVICES			1,000.00			
Total for vendor 3906 - BRAINERD FAMILY YMCA:				1,800.00	0.00		
Vendor 0079 - BRAINERD LICENSE OFFICE:							
2024 TABS - PARKS							
81271	BRAINERD LICENSE OFFICE 2024 TAB RENEWALS X8 230-5200-43430	01/25/2024 pziemer	02/07/2024	170.00	0.00	Paid	Y 02/07/2024
	MISCELLANEOUS			170.00			
Total for vendor 0079 - BRAINERD LICENSE OFFICE:				170.00	0.00		
Vendor 0307 - CENTERPOINT ENERGY:							
92166-0/JAN24/PARKS							
81258	CENTERPOINT ENERGY 12/14/23-1/12/24 PARKS UTILITIES 230-5200-43380	01/23/2024 pziemer	02/07/2024	29.64	0.00	Paid	Y 02/07/2024
	UTILITIES			29.64			
Total for vendor 0307 - CENTERPOINT ENERGY:				29.64	0.00		
Vendor 0125 - CONSOLIDATED TELEPHONE CO:							
21321070/PARKS							
81095	CONSOLIDATED TELEPHONE CO 1/12/24-2/11/24 PARKS 230-5200-43321	01/12/2024 pziemer	01/25/2024	49.57	0.00	Paid	Y 01/25/2024
	TELEPHONE			49.57			
21343268/PARKS							
81469	CONSOLIDATED TELEPHONE CO 2/12/24-3/11/24 PARKS CREDIT 230-5200-43321	02/12/2024 pziemer	02/16/2024	(20.49)	0.00	Paid	Y 02/16/2024
	TELEPHONE			(20.49)			
Total for vendor 0125 - CONSOLIDATED TELEPHONE CO:				29.08	0.00		
Vendor 0134 - CWC SANITARY LANDFILL:							
196267 81331	CWC SANITARY LANDFILL BUSTER PARK SHELTER DEBRIS	01/29/2024 pziemer	02/07/2024	48.00	0.00	Paid	Y 02/07/2024

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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						
	400-9050-45530	CAPITAL - OTHER		48.00			
196254							
81332	CWC SANITARY LANDFILL	01/29/2024	02/07/2024	48.00	0.00	Paid	Y
	BUSTER SHELTER DEBRIS	pziemer					02/07/2024
	400-9050-45530	CAPITAL - OTHER		48.00			
	Total for vendor 0134 - CWC SANITARY LANDFILL:			96.00	0.00		

Vendor 3438 - DAHLHEIMER BEVERAGE:

2111667							
81496	DAHLHEIMER BEVERAGE	02/08/2024	02/21/2024	406.80	0.00	Paid	Y
	PARKS RESTROOMS - JANITORIAL	pziemer					02/21/2024
	230-5200-42220	REPAIR & MAINT		406.80			
	Total for vendor 3438 - DAHLHEIMER BEVERAGE:			406.80	0.00		

Vendor 0356 - HIRSHFIELD'S DECORATING:

09322074							
81483	HIRSHFIELD'S DECORATING	02/02/2024	02/21/2024	413.88	0.00	Paid	Y
	GREEN PAINT - PARKS R&M	pziemer					02/21/2024
	230-5200-42220	REPAIR & MAINT		413.88			
	Total for vendor 0356 - HIRSHFIELD'S DECORATING:			413.88	0.00		

Vendor 0889 - MENARDS - BAXTER:

12558							
81096	MENARDS - BAXTER	01/11/2024	02/07/2024	68.76	0.00	Paid	Y
	PENCILS, HOOKS, TAPE, SUPPLIES	pziemer					02/07/2024
	230-5200-42200	OFFICE SUPPLIES		68.76			
12473							
81141	MENARDS - BAXTER	01/10/2024	02/07/2024	95.88	0.00	Paid	Y
	QTY 12 BOGGAN 48" - MAYOR SLEDDING	pziemer					02/07/2024
	245-1310-43430	MISCELLANEOUS		95.88			
13256							
81154	MENARDS - BAXTER	01/22/2024	02/07/2024	337.06	0.00	Paid	Y
	SHELVING - SHOP	pziemer					02/07/2024
	230-5200-42220	REPAIR & MAINT		337.06			
13775							
81333	MENARDS - BAXTER	01/30/2024	02/07/2024	195.27	0.00	Paid	Y
	LED LIGHTS/SUPPLIES - PARKS SHOP	pziemer					02/07/2024
	230-5200-42220	REPAIR & MAINT		195.27			
13993							
81428	MENARDS - BAXTER	02/02/2024	02/21/2024	61.08	0.00	Paid	Y
	ROOF EDGE/BOARD	pziemer					02/21/2024
	230-5200-42220	REPAIR & MAINT		61.08			

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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
14177 81494	MENARDS - BAXTER LUMBER -PARKS 230-5200-42220	02/05/2024 pziemer REPAIR & MAINT	02/21/2024	213.61 213.61	0.00	Paid	Y 02/21/2024
14415 81502	MENARDS - BAXTER LUMBER, BRUSHES 230-5200-42220	02/08/2024 pziemer REPAIR & MAINT	02/21/2024	89.86 89.86	0.00	Paid	Y 02/21/2024
Total for vendor 0889 - MENARDS - BAXTER:				1,061.52	0.00		

Vendor 0798 - MR TIRE:

36120 81495	MR TIRE 18 CHEVY REPAIRS 230-5200-42220	01/31/2024 pziemer REPAIR & MAINT	02/21/2024	261.08 261.08	0.00	Paid	Y 02/21/2024
Total for vendor 0798 - MR TIRE:				261.08	0.00		

Vendor 2137 - O'REILLY AUTOMOTIVE STORES INC.:

1647-248220 81137	O'REILLY AUTOMOTIVE STORES INC. SHOP - ANTIGEL 230-5200-42220	01/16/2024 pziemer REPAIR & MAINT	02/07/2024	29.98 29.98	0.00	Paid	Y 02/07/2024
Total for vendor 2137 - O'REILLY AUTOMOTIVE STORES INC.:				29.98	0.00		

Vendor 4169 - PERFECTION DOCK AND LIFT:

606 81321	PERFECTION DOCK AND LIFT 2023 DOCK INSTALL/REMOVAL 230-5200-43300	12/19/2023 pziemer PROFESSIONAL SERVICES	02/07/2024	1,150.00 1,150.00	0.00	Paid	Y 12/31/2023
Total for vendor 4169 - PERFECTION DOCK AND LIFT:				1,150.00	0.00		

Vendor 0344 - WASTE PARTNERS INC:

41X01009 81376	WASTE PARTNERS INC JAN 24 PARKS DEPT WASTE REMOVAL 230-5200-43380	01/31/2024 pziemer UTILITIES	02/21/2024	462.15 462.15	0.00	Paid	Y 02/21/2024
Total for vendor 0344 - WASTE PARTNERS INC:				462.15	0.00		

Vendor 3199 - WEX BANK:

94812851/PARKS 81486	WEX BANK JAN 2024 PARKS FUEL	01/31/2024 pziemer	02/21/2024	1,045.11	0.00	Paid	Y 02/21/2024
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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						
	230-5200-42212	MOTOR FUELS		1,045.11			
		Total for vendor 3199 - WEX BANK:		1,045.11	0.00		
Vendor 1159 - WINNERS TROPHY:							
13128/PARKS							
81482	WINNERS TROPHY	02/07/2024	02/21/2024	30.00	0.00	Paid	Y
	QTY 1 PARKS NAME SIGN	pziemer					02/21/2024
	230-5200-43430	MISCELLANEOUS		30.00			
		Total for vendor 1159 - WINNERS TROPHY:		30.00	0.00		
PCard: 2257 U.S. BANK Card Holder: CITY HALL							
Vendor 3698 - AMAZON:							
1/9/24							
81210	AMAZON	01/09/2024	02/07/2024	26.46	0.00	Paid	Y
	PLASTIC KEY TAGS	pziemer					02/07/2024
	230-5200-42220	REPAIR & MAINT		26.46			
1/3/24 - 2							
81211	AMAZON	01/03/2024	02/07/2024	305.45	0.00	Paid	Y
	SNOW SHOVELS - PARKS	pziemer					02/07/2024
	230-5200-42240	SMALL TOOLS		305.45			
		Total for vendor 3698 - AMAZON:		331.91	0.00		
Vendor 2011 - MRPA:							
01/24/24							
81209	MRPA	01/24/2024	02/07/2024	310.00	0.00	Paid	Y
	2024 MRPA MEMBERSHIP T.HARRIS	pziemer					02/07/2024
	230-5200-43433	DUES & SUBSCRIPTIONS		310.00			
		Total for vendor 2011 - MRPA:		310.00	0.00		
Total PCard: 2257 U.S. BANK Card Holder: CITY HALL				641.91	0.00		

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

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

Vendor 4266 - DK HARDWARE:							
1/11/23							
81244	DK HARDWARE	01/11/2024	02/07/2024	52.20	0.00	Paid	Y
	KEY BLANKS	pziemer					02/07/2024
	230-5200-42220	REPAIR & MAINT		52.20			
Total for vendor 4266 - DK HARDWARE:				52.20	0.00		

Vendor 3719 - FLEET FARM:							
1/5/24 - 2							
81242	FLEET FARM	01/05/2024	02/07/2024	69.99	0.00	Paid	Y
	SAFETY GEAR - PARKS	pziemer					02/07/2024
	230-5200-42210	OPERATING SUPPLIES		69.99			
Total for vendor 3719 - FLEET FARM:				69.99	0.00		

Vendor 3879 - HARBOR FREIGHT TOOLS:							
12/26/23							
81243	HARBOR FREIGHT TOOLS	12/26/2023	02/07/2024	159.99	0.00	Paid	Y
	STORAGE RACK	pziemer					12/31/2023
	230-5200-42220	REPAIR & MAINT		159.99			
Total for vendor 3879 - HARBOR FREIGHT TOOLS:				159.99	0.00		

Vendor 2011 - MRPA:							
1/24/24 - 2							
81245	MRPA	01/24/2024	02/07/2024	310.00	0.00	Paid	Y
	2024 MRPA MEMBERSHIP - H.BLANK	pziemer					02/07/2024
	230-5200-43433	DUES & SUBSCRIPTIONS		310.00			
Total for vendor 2011 - MRPA:				310.00	0.00		

Total PCard: 2257 U.S. BANK Card Holder: PARKS				592.18	0.00		
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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						
# of Invoices:	37	# Due:	0	Totals:	9,513.72	0.00	
# of Credit Memos:	1	# Due:	0	Totals:	(20.49)	0.00	
Net of Invoices and Credit Memos:				9,493.23	0.00		

--- TOTALS BY GL DISTRIBUTION ---

229-0000-43300-23:08	PROFESSIONAL SERVICES	410.00	
230-5200-42200	OFFICE SUPPLIES	68.76	
230-5200-42210	OPERATING SUPPLIES	69.99	
230-5200-42212	MOTOR FUELS	1,045.11	
230-5200-42220	REPAIR & MAINT	2,334.68	
230-5200-42240	SMALL TOOLS	305.45	
230-5200-43300	PROFESSIONAL SERVICES	2,150.00	
230-5200-43321	TELEPHONE	213.07	
230-5200-43380	UTILITIES	491.79	
230-5200-43430	MISCELLANEOUS	200.00	
230-5200-43433	DUES & SUBSCRIPTIONS	620.00	
230-5215-42220	REPAIR & MAINT	7.50	
230-5220-42210	OPERATING SUPPLIES	800.00	
245-1310-43430	MISCELLANEOUS	95.88	
400-9050-45530	CAPITAL - OTHER	681.00	

--- TOTALS BY FUND ---

229 - PANDEMIC GRANTS	410.00	0.00
230 - PARK & RECREATION FUND	8,306.35	0.00
245 - CONTINGENCY FUND	95.88	0.00
400 - CAPITAL PROJECTS FUND	681.00	0.00

--- TOTALS BY DEPT/ACTIVITY ---

0000 -	410.00	0.00
1310 - CONTINGENCY FUND	95.88	0.00
5200 - PARK MAIN/ADMINISTRATION	7,498.85	0.00
5215 - ADULT SOFTBALL	7.50	0.00
5220 - OUTDOOR RINKS	800.00	0.00
9050 - CAPITAL PROJECTS-MISC	681.00	0.00



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 #2812

Authorized On: 01/23/2024 03:26 PM

NOTE: Rental

Location

Kiwanis Park
1101 East River Road
Brainerd, MN 56401

Permit Holder

Talia Brodhead
204 Laurel St #31
Brainerd, MN 56401

RESERVATIONS

Location	Facility	Date	Time	Hours	Fee
Kiwanis Park	Kiwanis Park Pavilion 2	Thu, Sep 19th 2024	08:00 AM-10:00 PM	14.00	\$50.00
Kiwanis Park	Kiwanis Park Pavilion 1	Thu, Sep 19th 2024	09:00 AM-09:00 PM	12.00	\$50.00
				TOTAL:	\$100.00

CHARGES

LOCATION	FACILITY	DESCRIPTION	TOTAL	PAID	BALANCE DUE
Kiwanis Park	Kiwanis Park Pavilion 1	Sep 19, 2024 9:00 AM-9:00 PM	\$50.00	\$50.00	\$0.00
Kiwanis Park	Kiwanis Park Pavilion 2	Sep 19, 2024 8:00 AM-10:00 PM	\$50.00	\$50.00	\$0.00
			TOTAL:	\$100.00	\$100.00

PAYMENTS

RECEIPT #	DATE/TIME	DESCRIPTION	AMOUNT
64666975	01/23/2024 03:26 PM	Credit/Debit	\$100.00
			TOTAL: \$100.00

PROMPT RESPONSES

Location	Facilities	Date	Days
Kiwanis Park	Kiwanis Park Pavilion 1 Kiwanis Park Pavilion 2	09/19/2024	Thu

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

Response: NO

Kiwanis Park	Kiwanis Park Pavilion 1 Kiwanis Park Pavilion 2	09/19/2024	Thu
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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: DJ speakers.

Kiwanis Park	Kiwanis Park Pavilion 1 Kiwanis Park Pavilion 2	09/19/2024	Thu
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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: We hope to supply the community with pizza and soda like last year.

Kiwanis Park	Kiwanis Park Pavilion 1 Kiwanis Park Pavilion 2	09/19/2024	Thu
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#4 - Do you have equipment requiring electrical usage? If so, describe the type of equipment to be used.

Response: Yes, a D.J. for music and announcements.

Kiwanis Park	Kiwanis Park Pavilion 1 Kiwanis Park Pavilion 2	09/19/2024	Thu
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#5 - Type of Event Description of Activities

Response: 2024 BLADE Coalition Recovery Walk

Kiwanis Park	Kiwanis Park Pavilion 1 Kiwanis Park Pavilion 2	09/19/2024	Thu
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#6 - Number of people attending the event.

Response: 250

Kiwanis Park	Kiwanis Park Pavilion 1 Kiwanis Park Pavilion 2	09/19/2024	Thu
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#7 - Times you will be in/out of the pavilion. Please include setup and cleanup in the times.

Response: 10:00am to 8:00pm

Kiwanis Park	Kiwanis Park Pavilion 1 Kiwanis Park Pavilion 2	09/19/2024	Thu
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#8 - Sales Tax Exempt?

Response: Yes

The pavilion has six picnic tables to accommodate 30-50 comfortably. Electrical outlets are located on the building exterior and on an outside post. Water is available only if the restrooms are open. 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.



Park Board Agenda Request

MEETING DATE: February 27, 2024

TITLE OF ITEM: Ski Loons Discussion and Public Hearing

AGENDA:

ACTION REQUESTED: Discussion Item

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

PRESENTER: Jessie Dehn, Public Works Director **ESTIMATED TIME (MIN):** 40 Minutes

SUMMARY OF ISSUE: The Park Board was provided a summary of the information collected from the work group after meeting with Deputy Thesing of the Crow Wing County Sheriff's Office and Brainerd City Attorney Joseph Langel. That information was presented at the January 23rd meeting. At that meeting, the Park Board requested the Brainerd Ski Loons provide ideas and considerations for a potential agreement. They also requested to hold a Public Hearing and invite residents adjacent to Rice Lake to provide feedback on items they would like to see considered if the Ski Loons were to continue to operate out of Lum Park. Attached to this item is a draft agreement provided by the Brainerd Ski Loons. They are at the meeting to present to the Park Board. Following the presentation, the public would be invited to speak at the meeting. Attached is a letter from the Park Board Chair Miller regarding the goals of the public hearing. In the interest of time, it is requested that speakers limit comments to 3-5 minutes.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Following the presentation and public hearing, staff would request direction from the Park Board regarding a potential Ski Loons agreement. Direction may include specific items to include in the agreement or change from the one provided by the Ski Loons. Another option would be to schedule a Special Park Board meeting to discuss this matter specifically. Following direction from the Park Board, it would be staff's intention to have an agreement reviewed by the City Attorney before presentation to the Park Board for action.

RECOMMENDED ACTION/MOTION: Discussion item only. Staff recommends including direction from the Park Board on next steps.

FINANCIAL IMPACT: N/A

To any and all attendees of the public forum,

In preparation for the forum regarding the Ski Loons potential contract talks I wanted to reach out and give further context to what we're looking for and what we're trying to accomplish.

As we've mentioned the public hearing is not to decide whether or not the board is going to have a contract with the organization, but with the input of the public to figure out if a contract is feasible. The board will not be making a decision on the information provided that evening, but will take the information and IF a contract can be built it will be brought before the public for feedback before a vote.

What we're hoping to see from residents and the organization is constructive feedback on the promotion of safe use of the lake and also restrictions on operation to ensure a sustainable relationship for the future. With that we'd like to keep blanket verbal statements about the general issues to a minimum to allow the allotted time to be constructive, however all of those discussions are welcome to be provided in writing for the board prior to the meeting.

I put together a few examples of things we can include that may be of interest, but please feel free to bring other ideas like these with you:

- # of days per week (What days?)
- Hours of operation
- Distance away from shore for activities
- Reasonable penalties assessed for breach of contract outside of termination (Monetary, etc)
- Requirement of boating safety courses from 3rd party vendors

At the end of the day, the organization is eligible to operate on the lake without the city of Brainerd's facilities, under the jurisdiction of the county.

It's my belief that if we can craft a reasonable contract, it's in the best interest of the residents to help preserve their spot on the lake and to give the organization a long lasting home that can have a large impact on activities in the Brainerd park system. The benefits this can provide are not just for the children and members of the organization, but are also benefits we can provide for the rest of our community.

Thank you so much for your involvement in this process,

John

AGREEMENT

BRAINERD SKI LOONS WATER SKI SHOW TEAM, INC. and CITY OF BRAINERD
Practices, Ski Jump, Dock Placement, and Show Events at Lum Park

THIS AGREEMENT is made by and between the Brainerd Ski Loons Water Ski Show Team, Inc., a Minnesota non-profit, hereafter referred to as "Ski Loons," and the City of Brainerd, hereafter referred to as "the City." WHEREAS, Ski Loons understand it may be necessary for Ski Loons to obtain appropriate approvals, if any, from Crow Wing County for said jump placement on Rice Lake; and WHEREAS, the City's approval of the placement of said dock and ski jump is conditioned upon the execution of this Agreement. NOW, THEREFORE, in exchange for the execution of this Agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Ski Loons and the City agree as follows:

1. Term of Agreement

A. The term of this Agreement shall commence on the date on which both parties sign the agreement. The term of this Agreement shall terminate on the 31st day of December 2028.

2. Ownership and Placement of Dock

- A. At all times during the term of this Agreement Ski Loons shall be the sole owner of the dock located at Lum Park.
- B. The Ski Loons will lease the docks and stairs to the City during the term of this agreement for \$1.
- C. Ski Loons shall be responsible for the physical placing and removal of the dock and stairs from Lum Park and Rice Lake. The floating dock may be stored in the back bay over the winters and tied off to trees on Lum Park property.
- D. The Ski Loons will have sole use of the dock during their approved practice and show times. The dock and stairs will be available to the public for use during their installed times when not in use by the Ski Loons.
- E. Ski Loons shall be solely responsible for and shall promptly perform all maintenance and upkeep required for maintaining safe working condition of the dock and stairs. In the event Ski Loons fail at any time to perform any maintenance or upkeep reasonably deemed necessary by the City, upon written notice to Ski Loons, they shall have 30 (thirty) days to complete the work.

3. Ownership and Placement of Ski Jump

- A. At all times during the term of this Agreement, Ski Loons shall be the sole owner of the ski jump located Rice Lake
- B. Ski Loons shall be responsible for the physical placing and removal of the ski jump on and from the bed of Rice Lake.
- C. The Ski Loons shall maintain all appropriate permits, registrations and markings required by the Minnesota Department of Natural Resources and the Crow Wing County Sheriff's department.
- D. Ski Loons shall be solely responsible for and shall promptly perform all maintenance and upkeep required for the ski jump to stay in safe working condition. In the event Ski Loons fail, at any time, to perform any maintenance or upkeep reasonably deemed necessary by the City, upon written notice to Ski Loons, they shall have 30 (thirty) days to complete the work

4. Usage for Practices and Shows

- A. The Ski Loons will be allowed to hold practices not to exceed three days per week on Mondays through Thursdays from 5:45 - legal skiing hours as defined by the State of Minnesota during the term of this contract. The practice times may be adjusted if mutually agreeable by the City and the Ski Loons. The Ski Loons shall have 4 (four) additional flex practice dates per year that can be used May - September on days other than Monday-Wednesday. These flex dates must be emailed to the appropriate City of Brainerd contact at least seven

days in advance. Practice dates may be taken away based on infractions against Ski Loons following the process defined in part 8 (eight).

B. Usage for Shows

The Ski Loons will be allowed to have up to four shows per summer at Lum Park. Any additional shows will need approval by the Brainerd Park Board. Show dates need to be emailed to the City representative no later than May 1 of each year. The Ski Loons will have reserved use of the East side small pavilion by the lake on their show dates from 3 hours before the show until 2 hours after the show concludes. The City shall bring down additional garbage cans to the show site at least the day before the scheduled show. The Ski Loons shall be responsible for making reasonable efforts to ensure that all trash generated during their shows are placed in the garbage cans provided. If the city would like more shows, the dates will need to be mutually agreed upon by the City and the Ski Loons

5. Storage of Equipment

A. The ski loons will be allowed to keep a non permanent equipment storage at Lum Park in mutually agreeable location with the City representative. The City will not be liable for the safety, loss, theft or damage of any of the equipment that is stored at Lum Park. The Ski Loons will be solely responsible for the procurement, maintenance and costs associated with the storage unit.

6. Contact Persons

A. Contact person from Ski Loons will be the President of Ski Loons or designated alternate. Ski Loons will also be responsible for listing an alternate contact. Ski Loons will designate their contact person and alternate who will be Ski Loons' representatives and who will receive any correspondence. These names will be submitted to the Brainerd Park Board and updated as changes arise.

B. Contact person from the Brainerd Park Board will be the City Engineer or designated alternate. If circumstances arise that are not covered by the provisions contained within this Agreement, the city contact person is authorized to work with the Ski Loons and to resolve any such situation.

7. Inclement Weather

A. If weather conditions result in a cancellation of a scheduled show, a makeup date may be considered. The make-up date must be confirmed in writing by the City Engineer.

8. Mediation of Complaints

A. If a substantiated non-frivolous complaint, as determined by the Brainerd Police Department or Crow Wing County Sheriff, is received by the Brainerd Park Board then; 2) The City Engineer will contact Ski Loons contact person concerning consequences by phone with a follow-up in writing. The date of the phone call will serve as the notification of denial of park use as follows; a. First Offense: Permission to use Lum Park will be denied for the next two scheduled dates (practice and/or show dates). b. Second Offense: Permission to use Lum Park will be denied for the next four scheduled dates (practice and/or show dates). c. Third Offense: Third party binding mediation with mutually agreed upon mediator with the City and the Ski Loons.

9. Insurance and Indemnification

A. Ski Loons shall indemnify the City and hold the City harmless against and from any and all liabilities, fines, suits, claims, demands, and actions, including costs and expenses of any kind or nature.

B. During the term of this Agreement, Ski Loons, at its expense, shall maintain comprehensive general liability coverage, bodily injury coverage, and property damage coverage, insuring Ski Loons and the City against liability for injury to persons or property occurring on or about the ski jump, pier, and/or signs or arising out of the ownership, maintenance, or use of the ski jump, pier, and/or signs. The insurance shall have a limit of not less than \$1,000,000.00 per occurrence with an aggregate limit of not less than \$2,000,000.00. Ski Loons shall cause the City to be named as an Additional Insured for the types and limits of coverage stated above in respect to this Agreement, and shall, upon request by the City, provide the City a Certificate of Insurance.

C. Ski Loons shall provide to the City separate written Endorsements to its insurance policies that provide for the following: Naming the City as an Additional Insured.

D. Failure to provide the herein named insurance with written Endorsements as stated shall result in termination of this Agreement.

10. Miscellaneous Provisions

A. Other Governmental Regulations. This Agreement is subject to any and all governmental regulations as they may be amended from time to time over the term of this Agreement. If the Agreement is in conflict with said regulations, the regulations must be followed.

B. Assignment. Neither Ski Loons nor the City may assign its interest under this Agreement without the other party's prior written consent, which may be granted or withheld in such party's sole reasonable discretion.

C. Notices. All notices required or permitted by this Agreement shall be given in writing and shall be considered given upon receipt if a) hand delivered to the party or person intended, or (b) email transmission at the address stated below with verification of receipt requested.

D. Governing Law.

This Agreement shall be interpreted and construed according to the laws of the State of Minnesota.

E. Severability of Provisions. If any of the terms or conditions contained herein shall be declared to be invalid or unenforceable by a court of competent jurisdiction, then the remaining provisions and conditions of this Agreement, or the application of such to persons or circumstances other than those to which it is declared invalid or unenforceable, shall not be affected thereby and shall remain in full force and effect and shall be valid and enforceable to the full extent permitted by law.

F. Captions. The captions in this Agreement are inserted only as matters of convenience and for reference and in no way define or limit the scope or intent of the various provisions, terms, or conditions hereof.

G. Binding Effect. The terms and conditions of this Agreement shall be binding upon and benefit the parties hereto and their respective successors and permitted assigns.

H. Entire Agreement. This writing constitutes the entire agreement between the parties hereto, and all prior statements, letters of intent, representations and offers, if any, are hereby terminated. This Agreement may be modified or amended only by a written instrument signed by both parties.

I. Counterparts. This Agreement may be executed in one or more counterparts, each of which will be deemed an original.

J. Representations as to Authority. Each party to this Agreement represents and warrants that: a) it has the power and authority to consummate the transactions contemplated by this Agreement; b) all proceedings necessary for it to consummate the transactions contemplated by this Agreement have been duly taken in accordance with law; and c) the persons executing this Agreement on behalf of it have been duly authorized to execute this Agreement.

K. Dispute Resolution. In the event of a dispute between the Ski Loons and the City arising out of this Agreement and prior to formal litigation in a court of law, the Ski Loons and the City agree to attempt to resolve such dispute through mediation. In the event that the Ski Loons and the City cannot agree upon a mediator, they shall each propose a qualified mediator, and such qualified mediators shall choose a qualified third-party who will mediate the dispute.

L. The parties agree that signatures scanned and sent via email attachment shall be binding on the parties hereto.

The numbers and letters correspond to the parts of the Contract for comment referencing.

1. We would like a long term partnership and felt 5 years would allow this topic not to be rehashed out every year so that it will be more respectful of everyone's time.

4A. We wanted to compromise from our 4 days per week and go down to 3 days per week.

4A. We put in 5:45 as the start time as we officially start practice at 6 and plan to continue to do so, but we usually start staging and setting up around 5:45. Sometimes the boats will be parked at the dock and equipment will be getting set up. We are fine leaving it at 6:00 as long as there is the understanding that reasonable setup time is included so practice can start on time at 6:00.

4A. We put in the four flex days to allow for flexibility. We have sessions like our driver safety certification and special guest skier clinic trainings that may not be able to happen on regular practices because of time constraints for the outside people coming to town. We want to be respectful of the board's time and not have to burden them with approvals every time this comes up. We still want transparency and will work with the appointed representative to ensure everyone is on the same page for the schedules.

4A. We currently plan to practice on Monday-Wednesday. Our practice is all run by volunteers and particularly our trained and certified boat drivers. If there is a scheduling conflict in future years this schedule may change and Thursday could also be utilized in place of another day. This flexibility could also help us plan around weather changes to provide the best recreational opportunities.

5. We need equipment to practice and want to help maintain Lum Park to the best of our ability. It is our understanding that the old bathrooms and past Ski Loons storage buildings are being torn down. We try to minimize the amount of driving vehicles across the grass and feel that having a transient storage could be the best way to do that. We would work with the city representative to make a plan for equipment that works for the City.

6. We want to make sure we have good communication with the Park Board and have a clear expectation for designated contact points.

8. We modeled this language after another ski team's contract with their city. We want to make sure that the Ski Loons are accountable for their actions while at the same time validating complaints before they come to the Park Board. Bringing a clearly defined process for handling complaints, should they arise, is important for all parties.

9 and 10. Please have the City Attorney review these. We want to make sure the City is appropriately protected for liability.

Jessie Dehn

From: [REDACTED]
Sent: Tuesday, February 20, 2024 10:00 AM
To: Jessie Dehn
Subject: Loons

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

We have lived on Rice Lake since 2002. I chaired the Rice Lake Association for several years, and those were during the inception and resulting confrontations with lakeshore owners. Here are some items for consideration. The original mission of the Loons was that it should be an open group and would provide some recreation for northeast Brainerd kids who otherwise would not have had that kind of opportunity. The Loons fairly quickly became a closed group and remain so.

No question the Loons made the lake facing yards of the homes along Wonderland Park all but unusable during their practice times, and those times expanded to from about 4 pm to sunset nearly every week day. The houses and yards closest to the park were most affected. Wayne Harding owns the second home from the park.

Wayne attempted to negotiate with Chris. The mix of personalities was to say the least unfortunate. My take on it is that Wayne was very forceful and direct, and Christopher was arrogant. But that's just an opinion.

Any reinstatement of the Loons from the park is going to open old wounds. Whether that can be tempered is anyone's guess.

The concept of the Loons is positive. The question is if that outweighs previous abuses.

The Rice Lake Association is now under new leadership, and most of those in leadership positions are friends of Wayne Harding. While the association really has no legal status, it would still be counterproductive to antagonize the group. Training for the boat drivers? The people who drive boats for the Loons are the best, most experienced drivers one could find. They could teach courses on driving for skiers.

We live across the lake from the park, so, other than being peripherally involved with the clash of Loons and lakeshore owners, we are not affected by the Loons or their practices.

Lawrence Severt
[REDACTED]
[REDACTED]

Sent from my iPad

Jessie Dehn

From: Ronald Kowalczyk <[REDACTED]>
Sent: Wednesday, February 21, 2024 11:51 PM
To: Jessie Dehn
Subject: Ski Loons

You don't often get email from rakowal50@gmail.com. [Learn why this is important](#)

Ron & Sue Kowalczyk
[REDACTED]

We have lived at this location on Rice lake for over 40 years and would like to share our thoughts on whether or not the Ski Loons should return to Rice Lake. We recognize that the Ski Loons are a fun activity and learning experience for the participants and may be an asset on some lakes. However we strongly believe that Rice Lake is not the appropriate place for them. Our lots have suffered severe erosion damage from the endless practice sessions of the high powered boats. We are near their turn around location and the boats create even larger wakes as they turn at full speed. We have lost 3 to 4 feet of shoreline in one area and some large trees are at risk of falling into the lake if this continues. Rice lake is simply too small to support the drastically increased high speed boat traffic. These boats are also a hazard to the many canoers, kayakers, paddle boarders and swimmers that frequent this area. In past years we have also experienced careless and rude behavior from some of the participants. Passing too close to fishing boats and others and even telling people they could not fish in the area because they were practicing. Again I agree that there are many positives of this ski club but they belong on a larger lake and fortunately there are many in the area.

Sincerely Ron and Sue Kowalczyk.

Jessie Dehn

From: Wayne Harting <[REDACTED]>
Sent: Thursday, February 22, 2024 9:06 AM
To: Jessie Dehn
Subject: RE: Public Hearing - Ski Loons
Attachments: #24 Law firms ad - What do you really own.pdf; #22 FW Mayor talking about approval Aug 19th (1).msg; #21 7.8-7.18 Chris & Jessie Aug 19th (1).pdf; #15 Kevin - talking about breach of contract - termination of contract (2).msg; President Andrew misleading - Aug 19th ; #12 FW_ not recreational deputy Thesing (7).msg; 2023.0605 - Pontoon - Kayak.mp4

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

Good morning,

Please distribute this to the members of Park Board:

The Ski Loons have a history of not following the existing contract:

1. The Ski Loons shall be considerate of the neighbors and be respectful of their riparian rights at all times. (now to the extent of filing a harassment order to limit my riparian rights for any day you allow the use of dock for practice) – attached “what do you really own” explains riparian rights.
2. The Ski Loons use of Lum Park and leased docks are limited to four nights per week during the term of this Agreement. (notified by Deputy Thesing and myself July 25th – still did training day Aug 19th after being told Parks board did not approve change)
3. The Ski Loons shall endeavor to pull skiers from the dock perpendicular to the shoreline and away from private properties (this happen every practice – 53 days a year- pull toward private property.
4. The Ski Loons shall endeavor to maintain a safe distance from private docks and other users of public waters. (this also happens most practices and have created safety issues)
5. They are having serious impact on shoreline
6. They have 80 members (to big for lake for small lake)
7. Rice lake is not a softball field you can schedule practices on – it is public water for all to enjoy. You are contributing to this issue by allowing the use of dock and jump.

Why would the Parks board enter into another contract knowing they didn't follow the rules of the last contact? (definition of insanity – doing the same thing and expecting different out come since 2015) more rules will not fix the problem. They are a nuisance just based on intensity of boat traffic in a small area because they refuse to ski away from property owners toward the middle of lake.

They have mislead you into believing they have the same rights and Land owners & other recreation skiers, boaters, fisherman. They do not as made clear the Deputy Thesing meeting with you July 25th. They do not practice on any of the other lake they do shows on (Bay Lake, Gull Lake).

I have now spent thousands of dollars to repair shoreline (picture attached) 2023 and soon it maybe court cost on top of that.

The video Labeled Pontoon Kayak was taken by a ski loon – So the pontoon/kayaks directly in front of my house is what they are complaining about?

Because of space limitations on the email I will be sending separate email on safety and conduct on the water video's.

Wayne Harting

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

Sent: Tuesday, February 20, 2024 9:34 AM

To: Wayne Harting <[REDACTED]>; JR & Cindy Cooper <[REDACTED]>;
[REDACTED] Block, Rick & Ann <[REDACTED]>; [REDACTED] Aspros, Greg & Julie
<[REDACTED]>; [REDACTED]

Subject: Public Hearing - Ski Loons

Good morning all,

Since the termination of the Ski Loons agreement last fall, the Brainerd Park Board has been collecting information regarding the City's responsibilities in regard to Rice Lake. The Park Board established a work group that met with Deputy Thesing of the Crow Wing County Sheriff's Office and Brainerd City Attorney Joseph Langel. The results of the information collected during those discussions were presented to the Park Board at their meeting on January 23rd.

At this time, the Park Board is looking to gather feedback from property owners adjacent to Rice Lake as well as the Ski Loons. They have scheduled a Public Hearing at their upcoming meeting on Tuesday, February 27th at 4 p.m. The meeting will be at City Hall, 501 Laurel Street, Brainerd, MN. Attached is a letter from Park Board Chair Miller regarding the Public Hearing. Please take time to prepare feedback and ideas to present to the Park Board at that meeting.

As indicated in the letter, the Park Board is not intending to make any decisions regarding an agreement with the Ski Loons at this meeting. Specifically looking for feedback and information at this time for the board to continue to consider. Please forward this e-mail to anyone on Rice Lake that you are aware of. Thank you and have a great day!



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



Severson Porter Law

Real Estate, Business, & Estate Planning Law Firm

RIPARIAN RIGHTS: WHAT DO YOU REALLY OWN?



“There are certain interests and rights vested in the shore owner which grow out of his special connection with such waters as an owner. These rights are common to all riparian owners on the same body of water, and they rest entirely upon the fact of title in the fee to the shore land.”

– Justice Leroy E. Matson –
Minnesota Supreme Court

Every person who purchases a lake lot does so with the expectation of exercising the “riparian rights” that come with owning lakeshore property. But what are these “riparian rights”? They are not spelled out in the purchase agreement or in the deed

for the property. Riparian rights are those rights inherent to the ownership of shoreline that permit the owner to use and enjoy the water. The right to “use and enjoy water” means the right to make use of a lake over its entire surface. But that use must be reasonable. It cannot interfere with the exercise of similar rights on the part of the other abutting owners who share riparian rights.

Of course a lake lot owner’s riparian rights, no matter how seemingly reasonable, are not limitless. A landowner’s riparian rights are still subject to state regulation, which is promulgated by the Minnesota Department of Natural Resources, which, in turn, often defers at least some authority to the local branches of government.

It is difficult, if not impossible, to identify every use of the water that could be deemed “reasonable.” We know it is reasonable, for example, to boat, hunt, and fish. Important to many lake owners, it is also reasonable to install a dock and watercraft lift long enough to reach navigable water depths, so long as the dock and/or watercraft lift do not constitute a hazard to navigation or public health, safety, and welfare. It is likely to be considered an “unreasonable” use if the design and location of your dock extends in front of your neighbor’s beach. To state the obvious, the best practice is to install docks and boat lifts so that mooring and maneuvering of watercraft can normally be confined within the property lines as if they were extended into the water.

Like many land-related rights, it is possible to separate the riparian rights and sell or assign them independently of the land to which those rights are attached. But even the right to sell riparian rights is limited; many counties (including Crow Wing County) restrict the right to provide access to public waters for non-riparian owners through a riparian lot. It is possible, but difficult. Normally, the public’s only access to a lake is if the public owns land adjacent to the lake.

If the public owns land that abuts a lake, such as a beach, a mutual right of enjoyment is shared by riparian owners and the public generally. On a public lake, therefore, the private owner has no more right to the recreational benefits such as boating, hunting, and fishing on that lake than does the general public. A common mistaken belief is that the State of Minnesota owns a strip of land around all Minnesota lakes for public use, making all lakes accessible to the public. Much to the

relief of all lakeshore owners, this is absolutely false. Like all property, lakeshore is either privately or publicly owned and the general public can access water bodies or watercourses only through public property, not through private property. And, like all property, those unaware individuals who enter private property without permission from the landowner are trespassing and may be prosecuted under the state trespass laws.

 sveradmin52 / October 10, 2016 / Uncategorized
Severson Porter Law / Proudly powered by WordPress

From: Christopher Dens <[REDACTED]>
Sent: Saturday, July 8, 2023 3:40 PM
To: Cari LaRose <[REDACTED]>; Jessie Dehn <jdehn@ci.brainerd.mn.us>
Subject: Brainerd Ski Loons request

You don't often get email from [REDACTED] [Learn why this is important](#)

Cari and Jessie,

Every 2-4 years we have a special clinic where we do a driver training and certification that is required by USA water ski (our governing organization) for us to be in compliance for their insurance requirements. There are only two instructors for the Midwest Region and one is available to come on Saturday, August 19. As our contract currently does not allow us access to the dock on this day, we would like to cancel our Thursday practice that week and move it to Saturday so that we can do our driver training and certification. Could you let me know what we need to do to get approval for this change?

Thanks,

Chris Dens

7/10

On Mon, Jul 10, 2023 at 7:21 AM Jessie Dehn <jdehn@ci.brainerd.mn.us> wrote:

Chris,

*

Good morning. We should be able to accommodate that adjustment for that day on our end. If you could also continue to keep communication with the adjacent residents and inform them of this adjustment as well. 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

July 11th Special Parks Board mtg

7/14

From: Christopher Dens <[REDACTED]>
Sent: Friday, July 14, 2023 6:08 PM
To: Jessie Dehn <jdehn@ci.brainerd.mn.us>
Cc: Brittney Tollefson <[REDACTED]>
Subject: Re: Brainerd Ski Loons request

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

I will inform ^{Diane Trotter} [REDACTED] who has been our liaison and representative for the neighbors.

To clarify, is this official approval that we can move forward with planning for the event on August 19? We have to get some forms submitted to get our insurance sanctioned on that day.

Thanks,

Chris

7/17

1:40pm

On Mon, Jul 17, 2023 at 1:40 PM Jessie Dehn <jdehn@ci.brainerd.mn.us> wrote:

Chris,

When I discussed this with Park Board, they had no issues with your changes as long as you worked with the neighbors. Likely something they'll want to discuss moving forward when the agreement comes up. Just making sure there is good planning for these changes ahead of time. Thanks again and have a great day!

Jessie Dehn, P.E.

City Engineer/Public Works Director

7/17
404

On Mon, Jul 17, 2023 at 4:04 PM Christopher Dens <[REDACTED]> wrote:

I notified [REDACTED] (the neighbor representative) and she said she will disseminate the information.

Thanks,

Chris

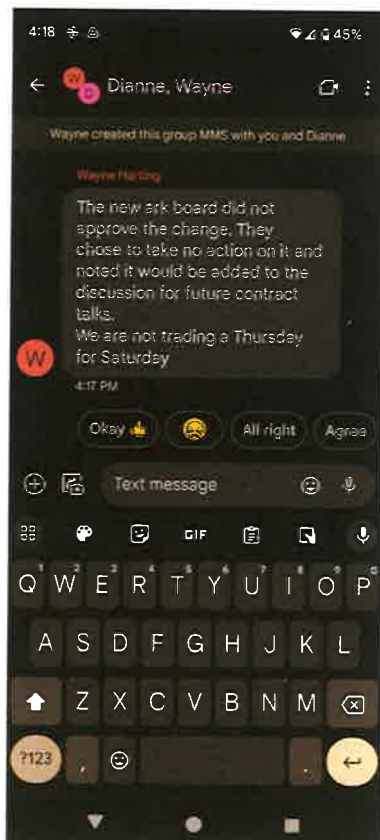
7/17
4/20

From: Christopher Dens <[REDACTED]>
Sent: Monday, July 17, 2023 4:20 PM
To: Jessie Dehn <jdehn@ci.brainerd.mn.us>
Cc: Brittney Tollefson <[REDACTED]>
Subject: Re: Brainerd Ski Loons request

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

I received this text message from Wayne Harting:

16 min later



Please advise how to proceed.

Thanks,

Chris

On Tue, Jul 18, 2023 at 8:38 AM Jessie Dehn <jdehn@ci.brainerd.mn.us> wrote:

7/18
8:38 AM

Chris,

Good morning. I understand your concern on this. In speaking with the Park Board, they were ok with the change in this instance and, as mentioned, will likely be a point of discussion next time the agreement comes before the Park Board.

*

I cannot provide you with a response to that message as this is between you and that group. In regard to the use of the lake, this would be a separate issue that the City is not party to. On our end, if there are concerns from staff or the Park Board regarding the use of the park, those will be passed along to you directly.

Jessie Dehn, P.E.

City Engineer/Public Works Director

From: Christopher Dens <[REDACTED]>
Sent: Tuesday, July 18, 2023 12:03 PM
To: Jessie Dehn <jdehn@ci.brainerd.mn.us>
Cc: Brittney Tollefson <[REDACTED]>
Subject: Re: Brainerd Ski Loons request

7/18 12:03 pm

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

We are in agreement that the city does not regulate the lake. We have worked extensively with the Sheriff's department to clarify the water use and we are allowed to be on the water and use the jump any day and time of the week within legal sunlight hours. The use of the dock and Ski Loons being at Lum Park is the part we are looking for clarification on.

Our contract with the Park Board states that Ski Loons are only allowed to use the dock and be in the park Monday-Thursday. We have requested permission to access to the Park and Dock on Saturday, August 19. We ran into a conflict in the past a few years ago when a few of our members were putting on a Learn to Ski program on a Saturday that was not an official Ski Loons practice and the neighbors brought it up to the Park Board as a breach of contract.

For the sake of clarity and because we have been under an immense amount of scrutiny from said neighbors, I want to make sure I am understanding and interpreting your communication correctly.

I was not at the meeting and I am hearing a yes from you, but a "no action" ambiguity from the neighbors.

Could you please reply with a Yes or a No to this question :

Do we have permission from the City of Brainerd to have Ski Loons in Lum Park and on the dock on August 19?

Thanks,

Chris

P.S. We would love to revisit the contract again next year and remove the date restrictions so that we can just work things out between us and the neighbors (with the Sheriff as needed as the appropriate regulatory body over use of the water) without needing the city as an intermediary. This was proposed this year but not adopted. I appreciate your time and help in this matter to ensure we are doing right by the Park Board and the community.

Toni Gage

From: Christopher Dens <[REDACTED]>
Sent: Tuesday, July 18, 2023 3:34 PM
To: Jessie Dehn
Cc: Brittney Tollefson; Andrew Shipe
Subject: Re: Brainerd Ski Loons request

7/18
3:34 PM

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

Sounds good. We will move forward with the scheduled clinic on August 19 with the Park Boards granted approval for us to be at Lum Park and utilize the dock. We will work out any water related issues with the Sheriff as we do our best to allow everyone access to the public waters.

Thanks,
Chris



On Tue, Jul 18, 2023 at 3:29 PM Jessie Dehn <jdehn@ci.brainerd.mn.us> wrote:

7/18
3:29 PM

Chris,

I am not sure to what they are referring to with the change as noted in the text message. After your request for the date change, I discussed the matter with the Park Board at their special meeting and requested direction on whether they wished to issue a public notice of the change. They were ok with the change and not issuing a public notice for the reasons mentioned below that operations on the lake are not under our purview. That will be reflected at next week's Park Board meeting in the minutes portion of the meeting. The Park Board had some concerns about Saturday lake traffic vs. a Thursday, but ultimately has no reservations for the change.

Jessie Dehn, P.E.

City Engineer/Public Works Director

Jessie Dehn

From: Wayne Harting <[REDACTED]>
Sent: Monday, February 5, 2024 6:34 AM
To: Wayne Harting
Subject: President Andrew misleading - Aug 19th

-----Original Message-----

From: Wayne Harting <[REDACTED]>
Sent: Sunday, February 4, 2024 5:53 PM
To: Wayne Harting <[REDACTED]>
Subject: Wayne Videos - Dropbox sat practice - President of park board

https://www.dropbox.com/scl/fo/i0mrft7gtrpmq1nnxfm0/h?dl=0&preview=IMG_5806.MOV&rlkey=1dnw88bstk78pzzz0plx1giyy

Sent from my iPhone

Jessie Dehn

From: Wayne Harting
Sent: Tuesday, February 6, 2024 12:59 PM
To: Wayne Harting
Subject: FW: Mayor talking about approval Aug 19th

-----Original Message-----

From: Wayne Harting <[REDACTED]>
Sent: Tuesday, February 6, 2024 12:56 PM
To: Wayne Harting <[REDACTED]>
Subject: Video Feb 06 2024, 6 54 23 AM.mov

<https://www.dropbox.com/scl/fo/i0mrft7gtrpmq1nnxfm0/h?dl=0&preview=Video+Feb+06+2024%2C+6+54+23+AM.mov&rlkey=1dnw88bstk78pzzz0plx1giiy>

Sent from my iPhone

Jessie Dehn

From: Wayne Harting
Sent: Monday, February 5, 2024 6:30 AM
To: Wayne Harting
Subject: Kevin - talking about breach of contract - termination of contract

https://www.dropbox.com/scl/fo/i0mrfht7gtrpmq1nnxfm0/h?dl=0&preview=IMG_5815.MOV&rlkey=1dnw88bstk78pzzz0plx1giiy

Sent from my iPhone

Jessie Dehn

From: Wayne Harting
Sent: Monday, February 5, 2024 6:41 AM
To: Wayne Harting
Subject: FW: not recreational deputy Thesing

https://www.dropbox.com/scl/fo/i0mrfht7gtrpmq1nnxfm0/h?dl=0&preview=IMG_5810.MOV&rlkey=1dnw88bstk78pzzz0plx1giyy

Sent from my iPhone

Jessie Dehn

From: Wayne Harting <[REDACTED]>
Sent: Thursday, February 22, 2024 10:02 AM
To: Jessie Dehn
Subject: Ski Loon Contract
Attachments: Brad & Chris Email exchange.pdf

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

Jessie,

Here is a email exchange between Chris and Brad Thesing (some of it's hard to read but this is how they presented it to me) Please take the time to read through it and you will see the Ski Loons are only worried about the Ski Loons and not the concerns of neighbors.

Thanks

Wayne Harting

Kurt W. Porter

From: Kurt Porter <[REDACTED]>
Sent: Monday, February 19, 2024 2:58 PM
To: Kurt W. Porter
Subject: Fwd: Proposed Concessions

----- Forwarded message -----

From: Christopher Dens <[REDACTED]>
Date: Tue, Sep 12, 2023 at 9:29 PM
Subject: Fwd: Proposed Concessions
To: Gabriel Johnson <[REDACTED]>

Here is the full history of what we have had going on with the neighbors and my communication with the Sherriff. It is a long read, but this will give you some facts to go on.

Thanks,
Chris

----- Forwarded message -----

From: Christopher Dens <[REDACTED]>
Date: Thu, Jul 27, 2023 at 1:24 PM
Subject: Re: Proposed Concessions
To: Brad Thesing <[REDACTED]>

Please let me know once you get a date set so I can make sure to arrange my schedule to be able to attend.

Thanks,
Chris

J

On Thu, Jul 71, 2023 at 11:03 AM Brad Thesing <[REDACTED]> wrote:

Chris,

You have made some good points to be taken into consideration as we work together in an attempt to find common ground.

It was mentioned the potential complexity that could add challenges to the process with multiple entities imposing regulations/restrictions. With the Brainerd Park Board already being involved and having a direct interest in the outcome, the Sheriff's Office intends on ensuring the Parks Board is directly involved in the process. I met with the Parks Board on Tuesday and offered to work with them in this process and to clarify some misconceptions as to their role as things move forward. We have not got a date on the books yet, but will be meeting again to work on a plan.

Thanks

Brad Thesing

Recreation Sergeant

Crow Wing County Sheriff's Office

304 Laurel Street

Brainerd, MN 56401

[REDACTED]
[REDACTED]
crowwing.us/sheriff



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From: Christopher Dens <[REDACTED]>
Sent: Tuesday, July 25, 2023 3:20 PM
To: Brad Thesing <[REDACTED]>
Subject: Re: Proposed Concessions

I do believe we are on the same general page and I apologize for the length of the letter. As the saying goes, "If I had more time, I would have written you a shorter letter".

What? Perhaps? Of 110? sheep was just intended to share the side of the story is that is the one I could best tell, and it would be that it is only part of the story. And as a parable, it was meant to illustrate a point and not to be extrapolated to: an analogy of the situation as a whole. It just sounded terrible to simply say "No, we do not want to 'compromise' without expressing that we have already significantly done so. As that would have not conveyed our sincere intent and efforts from the past to find the best win-win situations for all parties concerned.

A few other bullet points for clarity:

We are in agreement that the Parks Board regulates the access to the park and their dock they rent from us for the summer. We work with them on the dates when Ski Loons can be on the park and our dock.

We are in agreement that the shows require permits and are going to apply for them with your oversight for all the exhibitions shows and permits for the jump. For explaining why I was laying out rules pertaining to standard recreational skier distances - The largest complaint/concern was that we were going an "unsafe" distance to the neighbors docks. In all the years we have been there, I have not been afraid for safety of the skiers or neighbors property in any of the passes we have made in the vicinity of their docks or trampolines. Safety is our foremost concern over what we do and the distances were meant to clarify that.

With MN Statute 86B.12 - we are in agreement of the power and authority you have to issue the permits for jumps and shows. "If you can't be responsible, you lose your privileges." We hope that in telling our side of the story you can see how we have made our best efforts to be responsible stewards of the lake and how we impact others in what we do.

For the erosion, I was too brief and meant to say that the complaints was that the "Ski Loons were the PRIMARY driving forces causing the erosion". There was not much acknowledgement that we are likely a relatively smaller factor in the erosion (but a factor nonetheless in which we are in agreement). A typical storm with winds across the lake at moderate strength will send more waves in a few hours than we would in a whole year. The issue is indeed the extent of "to what degree" and I apologize for not stating that more clearly in my original email.

We appreciate your help in placing the bouys to aid in the reduction of unfounded complaints and giving a visual barrier. We would like to see them moved closer to the neighbors based on the unnecessary length on the end of the dock that is not supposed to be allowed per the DNR, but we respect your decision and discretion to place them where you see fit.

We know that we have been the initiator of several complaints about the neighbors when they have unreasonably disrupted our practices over the years and appreciate you intervening as well as an intermediary during those times.

We wanted to make sure our side of the story was able to be told and appreciate you taking the time to listen. Your initial proposal did not seem to be a reasonable compromise of "meeting in the middle", which I know is what you were

striving for. It would be reasonable without knowing how far the Ski Loons have been pushed further and further over the years so I wished to clarify how far we have already come and how far the neighbors have encroached more and more every year closer to where we practice. This seems like just the latest step to come even further.

My biggest point I would leave you with is that the neighbors are able to be on their dock, boat and trampolines and access the water at any time. There is room for both of us at the same time. Just because many kids and adults who are Ski Loons are having fun, does not mean the neighbors can't have fun as well. The Ski Loons are not prohibiting anything for them. A little more noise and a few more waves, but that is happening almost everywhere to some extent as the lakes are just getting busier as populations grow. There is a balance with everything, but the good of the many should not be outweighed by the unreasonable immense demands of a few.

We strongly feel that, objectively, the true compromise should, for once, shift back towards the neighbors and give us an adequate amount of space to run reasonable practices for the overall good of the community.

As always, the final decisions and the process moving forward rests with you and the Sherriff's office.

Sincerely,

Chris

On Fri, Jul 21, 2023 at 7:15 AM Brad Thesing <[REDACTED]> wrote:

Dr. Christopher Dens

Brainerd Ski Loons president

I've read through the attached parable. Like most things, perspective can play a big part in how things are interpreted. The story appears to be told by the sheep farmer. The cattle farmer would have included additional information and the impact it had on him. The sheep farmer only started out with a handful of sheep. He volunteered to have the neighbors bring their sheep over while he watched them. It was not take long before the sheep had grazed off their 50% of the pasture and were now routinely getting out and grazing the cattle farmer's 50%. A concession was made for the cattle farmer to have 10% more land to grow grain in a garden to supplement the pasture the sheep had consumed. The story goes on and the sheep continue to have an impact on the cattle farmers pasture. 10% more land is conceded to the cattle farmer for him to build a barn to store the grain from the garden. A living area was added to the barn for the cattle farmer's hired hand to stay at the farm to protect the stored grain. The story can go on and on.

"What are some of the good things?" ... and what ... said that ... mark ... m: jpH it sm.m. ... parti-s involved is ger. ... apat:

There is a lot of information per ... your email and I want to touch b?<n on a couple of >0 ... ta ensue we get started on the ... page

It's my understanding you hav| ... related to why the Ski Loons should be held to a differen. u standard than any other person out recreationally ... spinning.

- The Ski Loom ... riparian access from the City of Bramerd/Parks. The rem.ng party can impose restrictions on ... conduct, and/or limitations relateu io rhe rental agree mmu It sounds like there have bee" m ... nsions and agreements in the past on what is agreed upon between the Parks Board and the Ski ... ons I'm under the impression that a platform is already in place to address concerns and coiljtlaits including a method for establishing what is acceptable use/conduct.

- To clarify, the Ski Loons are not recreational water skiers. The Ski Loons orgamzation/club/group hosts exhibitions subjecting them to restrictions. MN Statute 86B.121. Any potential Sheriff's Office permit approval/reslrictions/denials are based on multiple things including activities, complaints, and public impact.

- The Ski Jump is a unique water structure that the Sheriff's Office issues a pei mit for allowing its placement. MN Statute 6110.1800. The Sheriff's Office again takes into consideration multiple factors including those listed above when determining whether to issue/deny/voke a permit for a structure.

You had made the comment, "He has filed complaints with us with the DNR and Sherriff about erosion (which the science does not substantiate at this time)." I believe the science does substantiate the fact that wave action contributes to erosion. I think what is being disputed is, how significant is the impact of waves created by boats and what is considered reasonably acceptable.

You pointed out narrow gaps between the shoreline on Lake Ossawinnamakee. I have already addressed multiple calls requesting areas be designated Slow No Wake, one of which was on Ossawinnamakee in the narrows. The DNR is currently recommending staying at least 200ft from shore when making a wake.

The University of Minnesota has conducted a wake study focused more on wake boats, which indicated wakes still have an impact on the shore after 500ft.

The DNR has processes in place for property owners to restore shoreline lost due to erosion. Depending on the extent of the restoration project, this can be a fairly expensive and potentially a yearly expense. The cost of restoration projects typically falls on the property owners. It is known that high boat traffic generating wakes in areas increases the need for restoration projects. It is acknowledged that there is other boat traffic in this area and arguably, it does not have the frequency, intensity, and/or impact generated by the skiing activities.

The buoys placed by the Sheriff's Office were intended to create a temporary reasonable physical and visual buffer to establish a safe standoff distance in addition to aiding the Ski Loons and property owners helping to alleviate unfounded complaints based solely on a person's perception of distance out on a lake with no fixed landmarks. The state grants the Sheriff the authority to place buoys. Not all of the buoys are in the same location originally placed by the Sheriff's Office. I currently intend to address this.

You mentioned the Ski Loons are working with the Park Board and members of the public to address complaints. It was not my original intention for the Sheriff's Office to come in and impose additional restrictions and limitations in addition to agreements reached with the Park Board. We are aware there have been over-the-top complaints and inappropriate conduct that make it difficult to negotiate in good faith. The Sheriff's office has received several complaints and believes there is room for improvement/compromise hence our current involvement.

To sum things up, the Ski Loons are not just recreational water skiers. The intense use of the lake near the park is having an unintended negative impact on the residences in close proximity. Yes, the Ski Loons are subject to restrictions and limitations. Yes, there have been concessions in the past and things will have to be adjusted and reassessed when evaluating the impact and results as things continue to move forward.

Page 1 of 1

Subject: [REDACTED]

From: [REDACTED] Sheriff's Office

Address: [REDACTED] Street

City: [REDACTED], MN 56401

[REDACTED]

[REDACTED]

Website: www.wing.us/sheriff



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From: Christopher Dens <[REDACTED]>

Sent: Wednesday, July 5, 2023 2:24 PM

To: Brad Thesing <[REDACTED]>

Cc: Danny Loch <[REDACTED]>; Gemma Boeckmann <[REDACTED]>; Susan Moen

[REDACTED]; Mandy Dens <[REDACTED]>
Subject: Re: Proposed Concessions

Brad,

I would like to first establish our good will and true desire to responsibly share the public water with all parties that enjoy Rice Lake, especially the neighbors closest to Lum Park. You stated the goal well with "mutually agreed upon practice routine that has a reduction on the impact to the immediate residences with minimal constraints on the Ski Loons ability to practice." We all want to get along and be able to get along and do the things we enjoy doing without interfering with someone else's ability to enjoy their activity.

Second, I would like to tell you a story. There were two farmers that were next to an empty field. One had cows and one had sheep. The farmers both realized they wanted their animals to graze there so they met in the middle and put a fence in the field splitting it 50/50. Life was good. The next year, the cow farmer extended his garden into the field and removed 10 percent of the pasture land. The cow farmer met back up with the sheep farmer to ask for a compromise with the shared field now that the cow farmer had less pasture land for grazing his cows. The sheep farmer was nice and they decided to meet in the new middle and the total grazing area was split 50/50. Life was good. The next year, the cow farmer had his son come back home and they built a house for him on the field removing 10 percent more of the pasturing land. He went to explain to the sheep farmer that he didn't have enough left to graze his cows and the sheep farmer now had more grazing land than he did. The sheep farmer was nice and they split the total remaining pasture land 50/50. Life was good. The next year the cow farmers wife decided that she didn't like the smell of their own cows so they fenced off 10 percent of the pastureland to give themselves a buffer. The cow farmer went to the sheep farmer asking to split the remaining grazing land 50/50 as they always had. Now, at this point there was only 70% of the total starting field left as pasture land so the sheep farmer was being asked to only have 35% of the field, while the cow farmer was utilizing 65% (almost DOUBLE) what he was using! All the while the cow farmer demanded that they meet in the middle and split the remaining pasture land 50-50.

Funny Chris doesn't talk about using his own field (the lake he lives on) but he can sure divide the lake we live on as %50 his?????

Analogies are a useful tool when trying to communicate a larger overall picture that can not be fully understood without the proper context. Our good stewardship of Rice Lake and Lum Park goes back 9 years to when we first started sharing this public resource with all the other people that are on the lake enjoying it. Our story of sharing the lake and making compromises with the neighbors (in particular Mr. Harting) can best be understood through the story that I just shared of the farmers. We have always been open to finding the win-win situations and making sure that our team and community that benefit from the Ski Loons have not inhibited others from being able to enjoy the lake as well. In the process of good faith negotiations, both parties would work to find a solution and make concessions where they could do something slightly different that would allow for both activities to take place without interfering.

Third, I want to establish that I reference a lot of laws and regulations in the later part of this email as trying to show my logical train of thought and reasoning. You are the Sheriff. We are not. I know your goal is to uphold the rule of law and apply it to everyone fairly. That is all we are asking for. Laws are often broad and have room for interpretation when applied to a specific unique situation such as ours. My commentary is not meant to be viewed as legal assertions of fact, but our best interpretation of the information we have available. Ultimately and respectfully, we reserve the final interpretation to the appropriate legal authorities such as yourself.

Right now, my unders'.,,i".(!lvg tloru 'diking with mm"y of the neig1
are lile a needs to enjoy lile lake activities that they do:

1. To have a dock that goes out far enough to get their boats on thi w,,:
2. Have a trampoline for their kids to enjoy that can be placed in a depth safe enough to jump oh from
3. Be able to get their boats off from their lifts and out into the lake

Our practices most closely affect the neighbors that are closest to the park based on proximity. In finding the best compromise, the ideal goal is to have as much space between our activities and theirs. I feel we all agree that this would be best. If both parties would meet in the middle, the Ski Loons would move their docks and Ski Patterns out as far as they could within reason based on the physical limitations of lake depth, shoreline contours, property boundaries and within what the Brained Park Board will allow for use of their property on land. The neighbors would move their docks, lifts and trampolines as far away from Lum Park within reason based on their property lines, lake depths and shoreline contours. There would be lots of space between all the lake activities that would be happening and life would be good.

This is the exact opposite of what the neighbors of Lum Park have been doing. Every time we have made a "compromise" to try to be more accomodating, they have pushed closer to the park and tried to box us in from being able to utilize a public resource that we have a right to. As referenced in all the aerial photos of Rice Lake over different years they have:

1. Extended their dock beyond a reasonable length to encroach further into common space
2. Consecutively pushed their trampolines farther and farther out from shore and closer and closer to Lum Park rather than away like people working in good faith would do

There is very clear proof of these two things and they are both objective facts.

I will reference Mr. Harting multiple times in the next part of the email, but I want to clarify that our goal is focused on keeping all neighbors happy and EVERYONE that shares the lake. I will reference Mr. Harting as he seems to be the one driving most of the aggressive tactics against the Ski Loons. Here is the email of when we sat down for our first 50/50 negotiation:

Good morning to all,

Dr. Dens called me Sunday night and stated he didn't like how the meeting went on Tuesday. He wants to meet with me Monday night in person to address my concerns and see if we could find some common ground.

We came to the understanding I would agree to a trial period until after the 4th of July at which point we will meet in person again to describe concerns with this period of time.

It was agreed upon, that on Tuesday and Thursday the only runs that will be near my dock are for the Ski jump runs – all learn to ski and open dock will run straight out from the end of the dock and not travel down our shore line at all. They will be utilizing other lakes/options for any small group of learn to ski when they can and/or move out to the middle of lake when possible.

Mondays and Wednesday they will change their travel to as far out as possible (might mean moving ramp again and angle of dock) and try to be done as early of possible with travel near my dock by 7:30-8PM on these nights.

We talked about other basic “neighborly acts” of giving time to allow lake owners to leave their docks and more important give them time to get their boat back in lift before making a pass causing waves. Also they will try to limit any runs (all 4 Days) they can from our shoreline that is already ready getting a majority of the boat traffic from practice and shows.

The show days will be unchanged with the travel of boats to best allow people at the park to see the event.

I did tell him I was a little skeptical that 4 days, even with the different travel will work but I was willing to try it for a short time to at least give it a chance.

I'm sure he will be contact with Tony on what we discussed and feel free to share this email and make sure both parties are under the same understanding.

I still believe a contract between the Parks & Ski Loons with some stated day/times and rules should be part of the solution also. That way if personnel change with either the parks board or Ski Loons there is a precedent and expectation to be followed and not starting over each time. And it gives something to be reviewed if there becomes an future issue.

Thanks for everyone's time on this matter. I believe I'm doing more than what is fair on my part by giving them a chance to make it better after three years of putting up with it to close to my dock.

Wayne <Stacey.3ta>itiny



Christopher Dens [REDACTED]

to Wayne, Tony, [REDACTED] Kevin

Hello Everyone,

Wayne and I met last night and he summarized our discussion points well. I will also add a few other things we discussed.

After explaining how having practice at Lum Park Monday-Thursday will best help us provide the opportunities to our community, and how we can change where we travel on the lake to minimize the impact on the neighbors, we are both open to trying 4 days per week for a month and revisiting things afterwards. In the end of May or early July, I would meet with Wayne and get his feedback on how things are going and discuss if there are any changes that we need to consider in our use of the Lum Park or Rice Lake.

Wayne also recommended not over utilizing the Rice Lake bay that North Star Camp is located in. He said some of the neighbors there do not like North Star Camp giving their campers the opportunity to go tubing around their bay every day. We recognize their right to go on the water where they want and when they want, but since they mainly go along their shore by their camp, the Ski Loons will try to be in a different location to spread out the use on the lake. **Even though where we go on the water is not a Park Board issue to control**, I wanted to have it noted that we are doing our best to keep other lake shore owners happy as well on the whole lake.

Wayne had brought up at the Board Meeting moving the floating dock to a different location for practices and we discussed this Monday night as well. Wayne was not aware that the dock is driven into the sand with a water jet to get the poles to stay. After learning this, he agreed that moving the floating dock is not an easy task and not a practical solution.

We looked at staging the starting dock closer to the east end of the park and running our patterns in reverse by taking off towards Lum Park, and after discussion, agreed that this would not gain the benefits we are looking for as the boats and staging would be closer to the neighbors

We looked at moving the starting dock to the west and agreed that due to the shallow depth that this was not an option as well. Where the dock is currently at, is an acceptable location for having one at Lum Park.

We appreciate Wayne and Stacey Harting bringing their concerns to our attention so we can work to make improvements for all parties.

And thank you Wayne for agreeing to meet with me to discuss things last night.

I agree that a written agreement with Brainerd Parks and Recreation would be good to establish our relationship with the city so that we can continue to utilize the public parks.

We look forward to implementing the changes we have discussed to accommodate everyone to best of our ability and still provide great opportunities to our residents of the area.

Thank you for letting the Ski Loons use Lum Park to continue to make a positive impact in the Brainerd Lakes Area.

Sincerely,

Christopher Dens

Brainerd Ski Loons President

The mission of the Ski Loons – a 501(c)(3) educational entity - is to provide opportunities for personal development, teamwork, and community involvement through water sports. Our goals are to instruct members in the disciplines of show skiing while building character, confidence, and self-esteem. Show skiing provides a way for people to have fun and perform, while also gaining valuable life experience through teamwork and challenging activities.

Id

Wayne Harting

to me, Tony, Kevin

★

Our original Park Board agreement was negotiated in good faith by both sides and is our 50/50 compromise that we feel is reasonable and mutually agreeable. You can view that in the attachments. We are happy with this compromise and would like to keep this arrangement with the City of Brainerd and residents of Rice Lake. As is stated in the email, "a contract between the Parks & Ski Loons with some stated day/times and rules should be part of the solution also. That way if personnel change with either the parks board or Ski Loons there is a precedent and expectation to be followed and not starting over each time. And it gives something to be reviewed if there becomes an future issue." We are not wanting to start negotiations and a new "compromise" because now there is another governing agency that is being the intermediary. This contract and negotiating already happened and a mutually agreeable solution was reached.

In 2021 there was ONE instance where one of our drivers running our Learn to Ski program passed at a safe distance between Mr. Harting's trampoline and his dock. He was not supposed to and recognized his mistake after the fact, but it stirred up Mr. Harting again and this is when things ceased to be negotiating in good faith. I received this email and I believe it was at this point that yourself with the Sheriff's office got involved. The other neighbors I have met personally with and spoken to have been very open to discussions and we have all left happy after talking with each

other. Even multiple Rice Lake residents have told me that they wanted to talk "but they won't be unreasonable like Wayne". Here is an excerpt from an email I received from Mr. Harting a few years ago:

IK*****

Wed, May 26, 2021 at 2:39 PM

The l1time people practice this year you came within 10-15 yards of my dock and even closer to the neighbors dock
? Unacceptable and it is not ever a option - common courtesy and safety

So here is the issue as I see it – You are going to have to deal with the neighbors trampoline – He has every right to be there (He could move it to the lot line nearest the park next to the ramp if He wanted too) He chose to push it toward my property and give you as much room as He could and yet close enough for kids to swim out to trampoline, out of the weeds and deep enough to jump off). Monday night I had a 20' water matt and a 22' pontoon beside that trampoline and the grandkids and neighbors had a blast playing on it – So you might need to make plans to stay 300' from the outside of that trampoline with a boat and water matt also. You will be putting your ramp out and it's even going to make that shoreline more congested.

Here is the bigger issue - We just had a season without the ski boats and I can't tell you how much more we used the paddle boards, kayaks, jet ski or just played in the water. It was just nice to sit at the end of the dock and it was very peaceful as it should be if you have a lake/rive home. I'm not going to be turning down my grandkids to come play at the lake – They are of the age as well as the neighbors kids to want to ski and tube themselves (a boat going by 15 yards from dock isn't safe for anybody) - Your practice schedule is not going to dictate what days I can utilize the lake.

Needless to say your l=> impression to the new neighbor was not good.

Here are my options as I see it:

I can go after the \$\$\$\$\$\$ I can talk to your sponsors (Brainerd Legion, Sertoma, Rotary, T Hive, Advantage Seamless, Crow Wing Recycling etc...) who I myself am a member or past member and have plenty of friends and family apart of these businesses and organizations that I do business with. I tell Cory Jay he is sponsoring a event that is a nuisance to the home owners around the lake – his potential customers might change how He thinks about donating. I'm a active member of the Brainerd Legion and pretty close friends with the new commander Keven Stunik (happens to be Brainerd City Council) and really close friends with the Past commander Dewayne Collins.

I have also obtained a swim raft permit from the County – I could choose to put anther rafter out

... after I came to fish in the lake... I was told... do you... anything. This will end the... using the dock and take care of problem once and for all.

I can call the water patrol a wage a complaint eveiy night somebody passes to close – They where on the lake last night and watched what happen.

I wanted to give it a day to cool down is why I didn't talk to you last night. Since you seem to think ski patterns are the answer to being on the lake --I will now have a fishing pattern that keeps me between the Ski Loons dock and my dock between 5:30-9pm Monday thru Thursday. i guarantee you it would easiei to stay away from dock

Wayne Harting

*5|-*3|; + *!|<|: *1|: + **#**\$+*)|c)|r|: ***)t*****^**^i;)k*>f*****\$*****i->'>|!\$*****>|: ^>i<'|: *

After this encounter, we met with the Park Board again and cleared the air trying to keep everyone happy and explaining the mistake for what it was. We are all human after all. The Ski Loons after 2021 pushed our patterns even further out and moved our jump further to the West to make even more room between us and their docks and trampolines. And yet, here we are again with the neighbors pushing even further into common water and **unreasonably so**. He has followed through on many of his threats to disrupt our practices. He has obtained a second raft and moved it directly into our path (that we moved out further specifically at his request). **He has filed complaints with us with the DNR and Sherriff about erosion** (which the science does not substantiate at this time). He has intentionally organized two boats to park in the narrow openings we have to go to and from shore to block our access to the lake for about an hour.

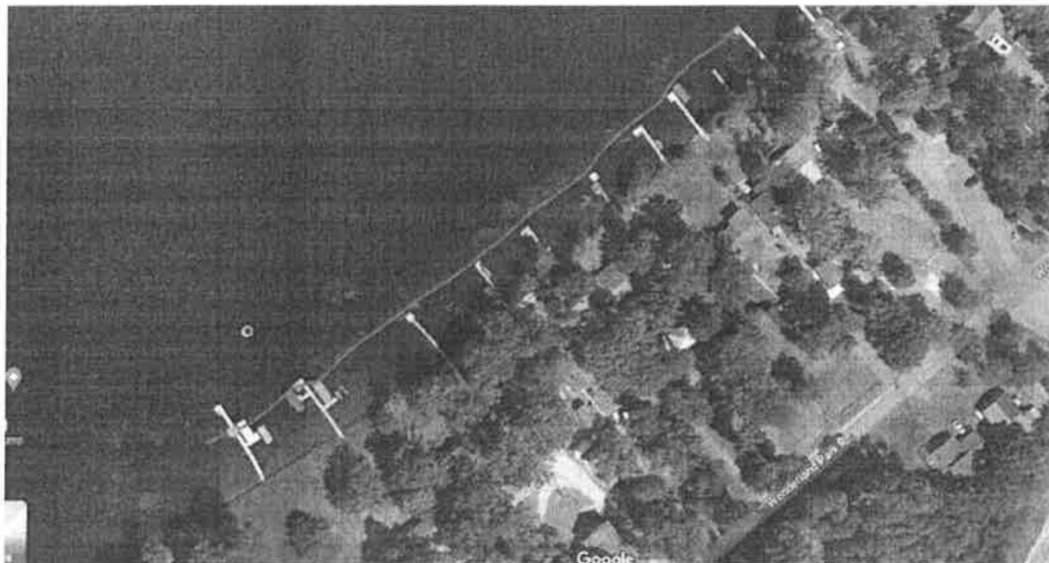
Thankfully there are **Laws and Regulations** that are put in place that are above any one person or organization. We live in the United States and are governed by the Rule of Law. These are in place to help with circumstances like ours where one person can't seem to be happy with just meeting in the middle but needs to have the whole thing. I was directed by the MN DNR to these two documents that help shed light on sharing common water areas and docks:

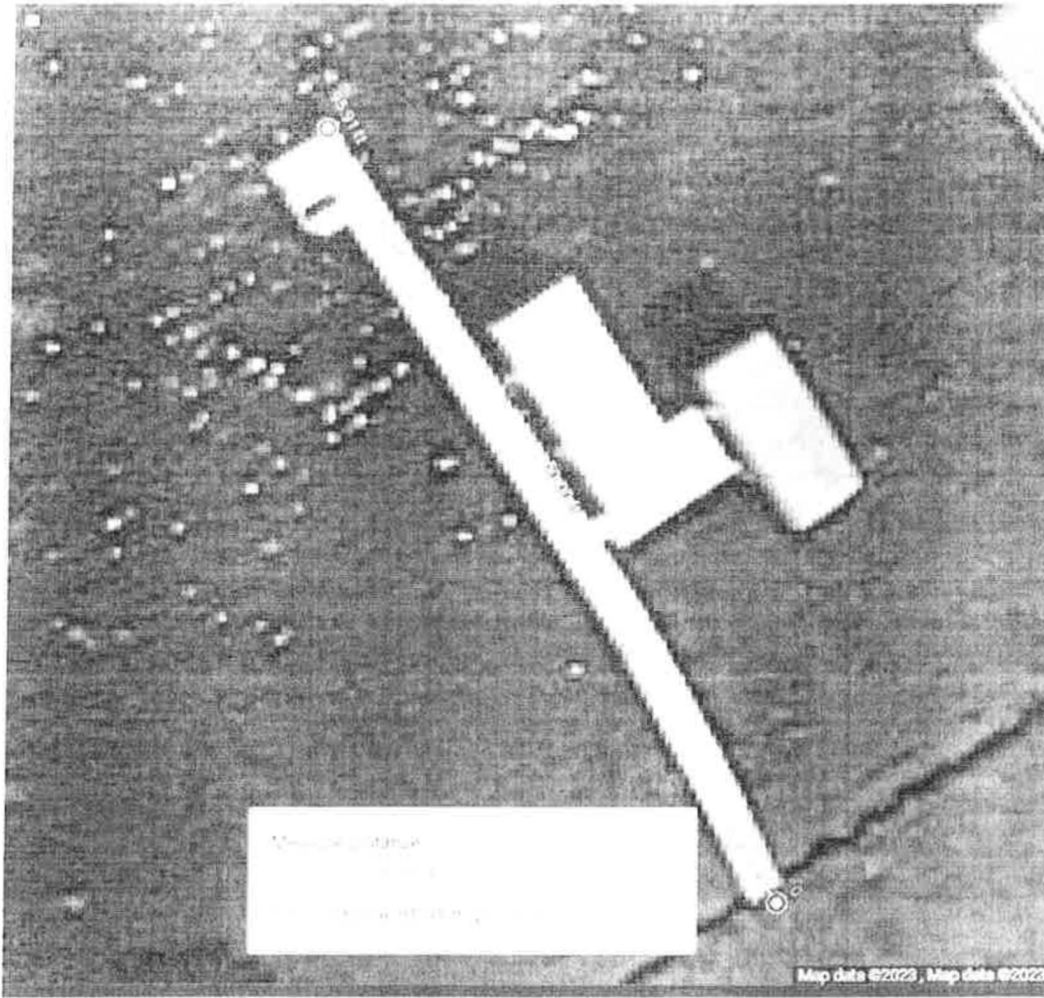
https://www.crowwing.gov/DocumentCenter/View/649/shoreline_alterations_water_access?bidId=#:~:text=~conditions%20exist%3A%20the%20access%20dock,General%20Development%20or%20Recreational%20Development.

<https://www.crowwing.gov/DocumentCenter/View/1209/Water-Surface-Use-No-83-for-Citations?bidId=>

Along with these documents, discussion with the DNR and looking at Minnesota boating laws, I will establish the basis for our compromise proposal that I think is fair. It will be much closer to a 50/50 sharing of the water and good faith negotiations than what you have currently proposed.

The first document establishes that the neighbor's dock closest to Lum Park **is not legal without a permit.** It states that "The dock is no longer than needed to achieve its intended use, including reaching navigable water depth." They have a dock that is extended past where it needs to be for the sole purpose of trying to block more water from the Ski Loons. Again, this can be seen in the aerial photos and noted that their boat lifts are never put out to the end of the dock. You can also see that it is longer than all the other neighbors along that south shoreline. The green dot in the picture below shows the appropriate length without a permit.

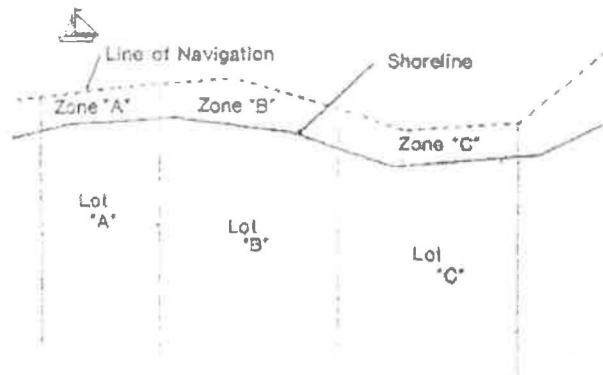




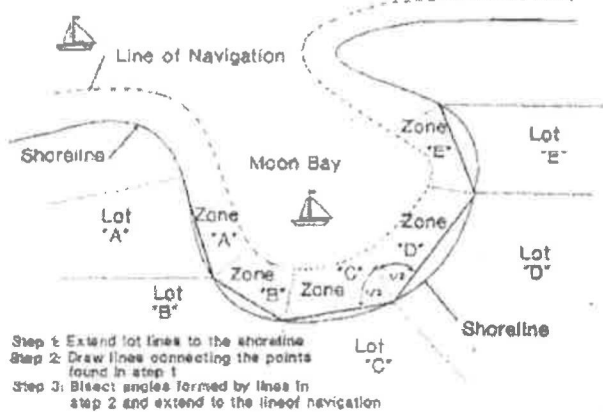
The second document helps establish the concept of Riparian Zones for what reasonable use would allow a property owner access in front of their land. You can see the photo below:

Figure 1

RIPARIAN ZONES ... BY EXTENSION OF LOT LINES

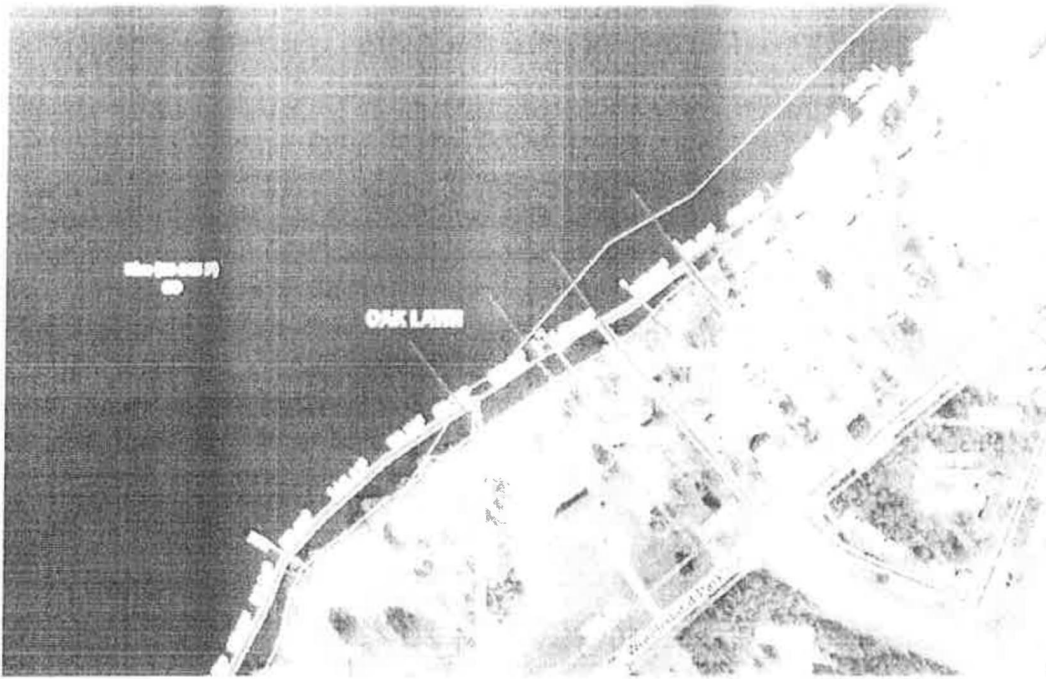


... BY COTERMINOUS RIPARIAN RIGHTS LINES



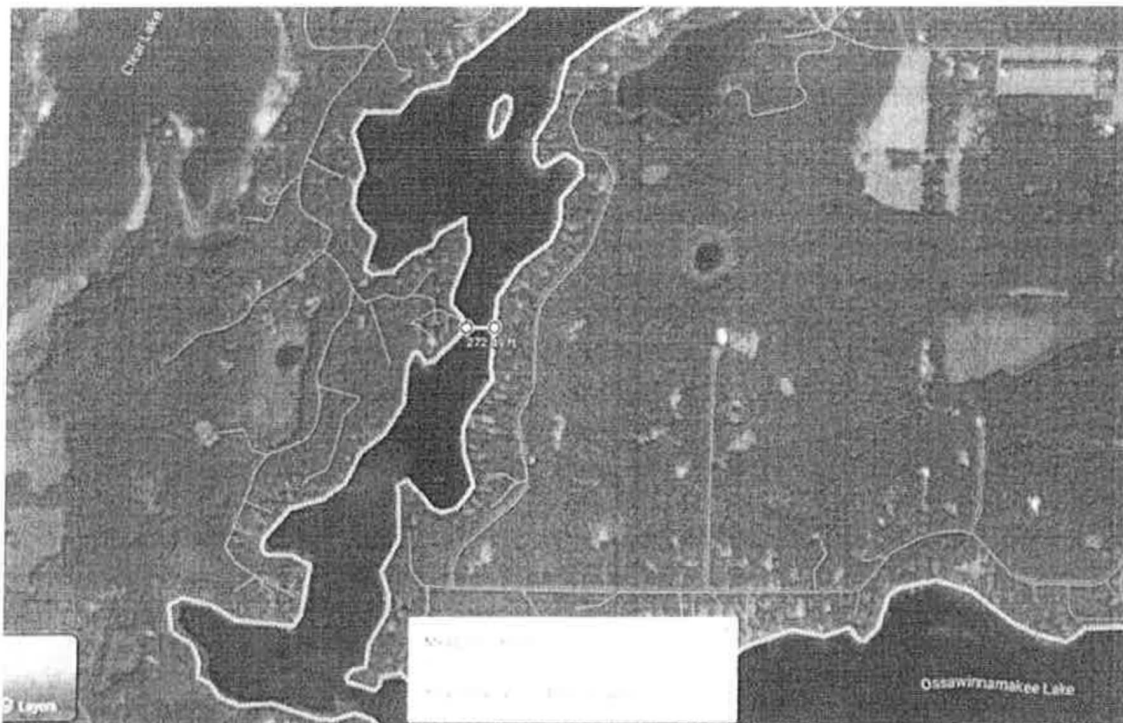
It is not reasonable to have something blocked off in front of another person's property.

Here is a drawing of what those zones would look like on Rice Lake:



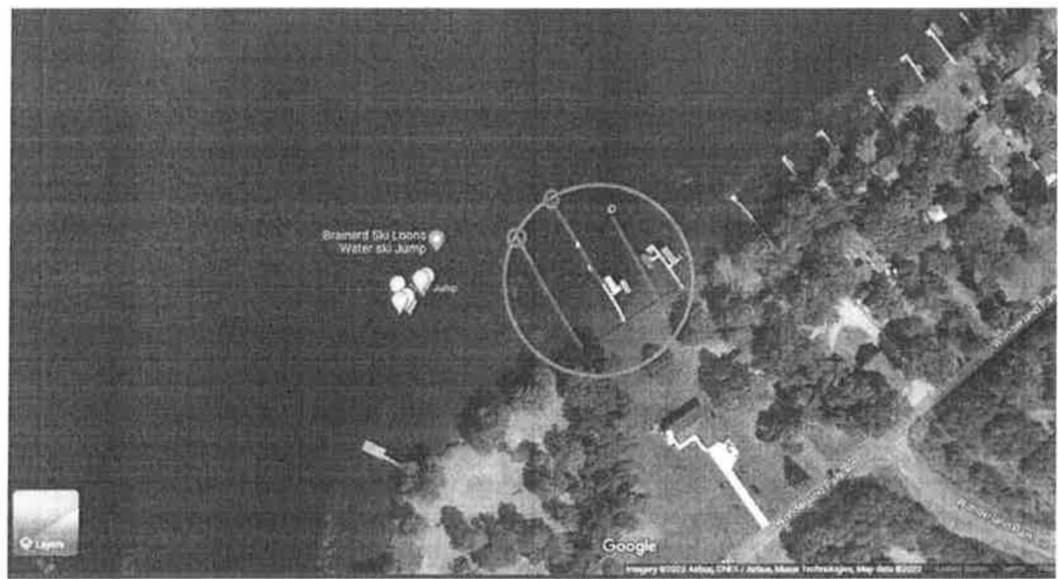
The current placement of the bouy's are at 150', but they should not extend over the riparian zones. It would establish a poor precedent that would not allow the Brainerd Parks department full use of their water front with having a 150' setback from their neighbors. We feel that 100' setback is a more reasonable distance and is the most common setback nationwide for distances for skiers staying away from docks. See references here:
[https://www.uscgbuating.org/regulatiG;late boatingjaws details.php?id=18&title=](https://www.uscgbuating.org/regulatiG;late%20boatingjaws%20details.php?id=18&title=)

There are many lakes on Minnnesota where the whole lake is less than 300' wide at some points and yet skiers routinely pass through those sections (Such as Ossawinnamakee that we were skiing on this Summer). See picture below:

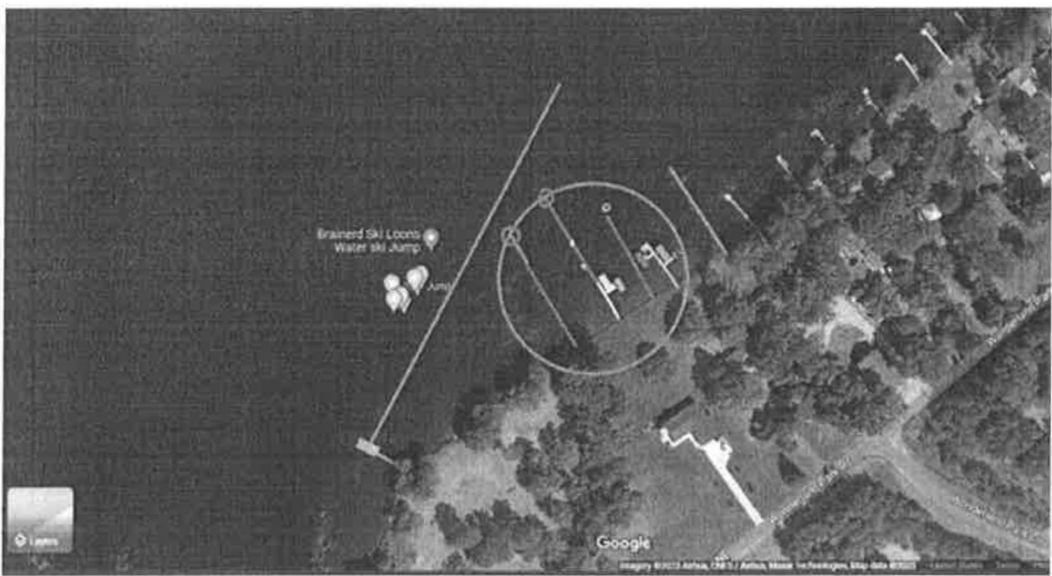


There were boats, skiers, tubers, kneeboarders passing through those sections at full speed all weekend. If there was a 150' from shore restrictions (let alone from the end of a dock on each side), it would effectively be blocked off and people would not be able to use the lake. The takeaway point is that people routinely pass within 50-100 feet from docks and it is considered a safe and normal distance. 100' is a generous buffer distance and ensures safety for both skiers and property.

The distance buffer on Rice Lake should be measured 100' from where the first neighbors dock length should appropriately be, not with the extended sections. Please see the photo below:



The two outside red lines are the Riparian zone extensions from shore. The green circle is 100' centered around the end of the dock of where it is to achieve its purpose per the DNR. The two purple circles are where we feel the appropriate Sheriff buoy placements would need to be. This would accommodate all the changes and comprises the Ski Loons have already made to allow as much room between us and the neighbors. See the suggested ski path below:



This drawing is our recommended compromise. It balances many different aspects and I have worked hard to make sure I am taking into consideration information from many different governing and legal entities, the concerns and wishes of the neighbors, the viewing and enjoyment of thousands of people that come and enjoy the park during our shows, and the interests of our members that practice and grow their skills and confidence with the Ski Loons. This setup and compromise allows more than adequate distance between our boats and their docks. It allows the neighbors to achieve their three uses of the lake that I am aware of as previously listed: docks, boat and trampoline.

You can also see on this photo the original placement of their trampoline. In the interest of being able to make reasonable changes that do not inhibit the use or enjoyment of said activity, we feel that the neighbors should move their trampolines to the far east of their riparian zones to allow as much space as possible between us. There is no downside to them making this change and would be a show of good faith compromise on their end, rather than the aggressive encroachment year after year of pushing their trampolines farther and farther out to the point that they became a navigational hazard for no better purpose than to impinge on the Ski Loons ability to use the lake.

The other thing this ideal compromise does is it removes the third inside buoy from the water. This buoy is unnecessary and restricts the landing patterns of the Ski Loons. It is also infringing upon the Riparian zone of the City of Brainerd. They used to have a dock pier coming out from the far end of their property on the East end (you can still see the cement foundations) and the city could choose to put a fishing pier out at that end again if they so choose. As the city is a public entity, the public should have full use of their riparian zone.

Landing and launching skiers is also routinely granted exceptions from distance requirements in most state laws. This acknowledges the fact that Skiers need to get to and from the shore or docks on a regular basis and is a well established normal protocol. Again, we are not asking for exceptions or special treatment, but to have the laws and regulations fairly applied to us.

I will leave you with this picture as this was our original and ideal set up in 2015 and our starting point for negotiations and compromise:

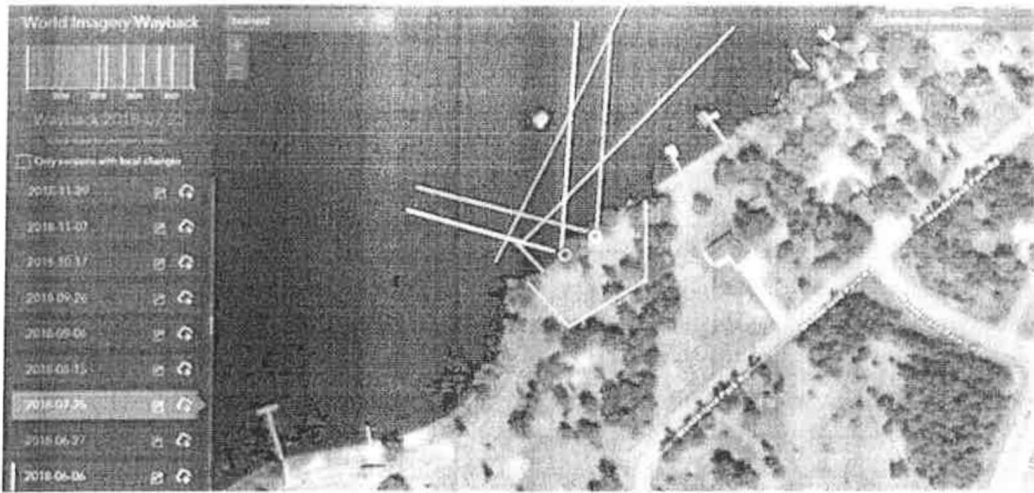


You can see our original patterns here:



The orange is the viewing area for the shows. The jump is centered in the show site and the landing area (yellow circle) are centered in the show site and a good distance from the dock. The blue line comes out from the dock and keeps the ski acts close to shore for the best viewing. The "V" pattern is our approach and exit from the steps for landing the skiers. This allows a safe distance from the ends of the docks and was our preferred setup based on our needs and wants alone.

Here is how far we have come from our ideal setup (which I fully acknowledge and am aware that our 2015 setup was not ideal for the neighbors and we have therefore come a long ways with the changes we have made. I was not aware in 2015 when we made our setup as we thought we were had a safe and appropriate layout at that time) :



We moved our starting dock as far as reasonably possible to the west. We have tripled the safe original distance from the dock that we go on a regular basis. We shifted our landing steps closer to the dock and made it really tight coming in to keep it farther from the neighbors (green circle is the new landing steps to the west). The jump has been moved west as well to increase the distance there and angled in towards shore to keep the approaches farther out. We have cut down the number of passes down the south shore in at least a third by going off the end of the dock when the practices allow.

Thank you for your time to read all of this and I hope it sheds light on our goal to reach a 50/50 compromise. I needed to make sure to give you the whole picture to help understand that when I say on behalf of the Ski Loons, our members and all the show spectators that **I can not accept your compromise plan as originally proposed that I do not do it lightly.** If I were to accept that, I would be as bad as the Sheep Farmer and not be representing all the people that have entrusted me with their care.

Sincerely,

Dr. Christopher Dens

Brainerd Ski Loons president

On Tue, Jun 27, 2023 at 10:35 PM Christopher Dens <[REDACTED]> wrote:

Brad,

I have received your email and took a look Monday to evaluate your proposals. Please give me a few more days to put together my thoughts on what we feel would work best for us and the neighbors.

Thanks,

Chris

On Thu, Jun 22, 2023 at 12:19 PM Brad Thesing <[REDACTED]> wrote:

Chris,

There are many positive things that can be said about the Ski Loons, the opportunities, and public impact that there is.

With the intense use of Rice Lake, Turn Walk dock, there is an impact to the immediate residences and the dock and practice route arguably more significant than general recreational use.

From the Sheriff's Office perspective, it is our goal to mediate a mutually agreed upon practice routine that has a reduction on the impact to the immediate residences with minimal constraints on the Ski Loons ability to practice.

After having spoken with some of the residents it is my understanding that their complaints are as follows:
Frequency of Practices, Distance from docks/shore, Waves created from ski boat activities.

Proposed Concessions

- Frequencies of Practice
 - o Ski Loons will practice Monday through Thursday and will make reasonable attempts to use different lakes when reasonably possible.
 - Currently Ski Loons are actively doing this when possible.
 - Beginner Skiers practicing/learning on other lakes.
 - Events scheduled on other lakes during the M-T timeframe.
- Distance from Docks/Shore
 - o Buoys have been placed creating a visual distance reference.
 - o **Proposed** practice routine direction change (see blue in attached sketch)
- Waves created from ski boat activities
 - o **Proposed** when dropping off skiers that ski boats refrain from doing a power 360 degree turn.
 - When dropping off, boats have been observed doing a 180 and then a slower turn coming back to dock. This appeared to create a significantly less wake from the boat while near the shore as opposed to the power 360 turn.
 - o **Proposed** practice routine direction change (see blue in attached sketch)
 - * Dock platform turned and practice routine directed from dock along east side of jump toward more open water and returning on far/west side of jump. Skiers still dropped off in same area.
 - Dock platform returned to current configuration for shows/events.

- o It is acknowledged that a significant amount of effort is needed to change the direction of the dock platform.

- If dock is turned this may impede on the ability to launch from the short side and all use may have to come off the long side.

- o **Proposed** Ski Jump Route (see green on sketch)

- Ski jump and angle of route used to remain the same. (Angle on Green in sketch is estimated)

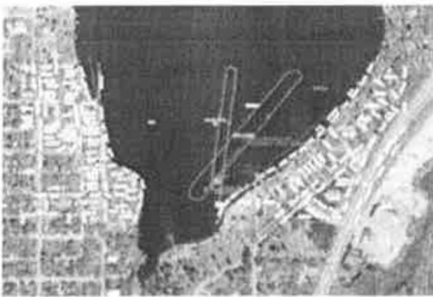
- * **Proposed** when jumping, boat travels down far/west side of jump.

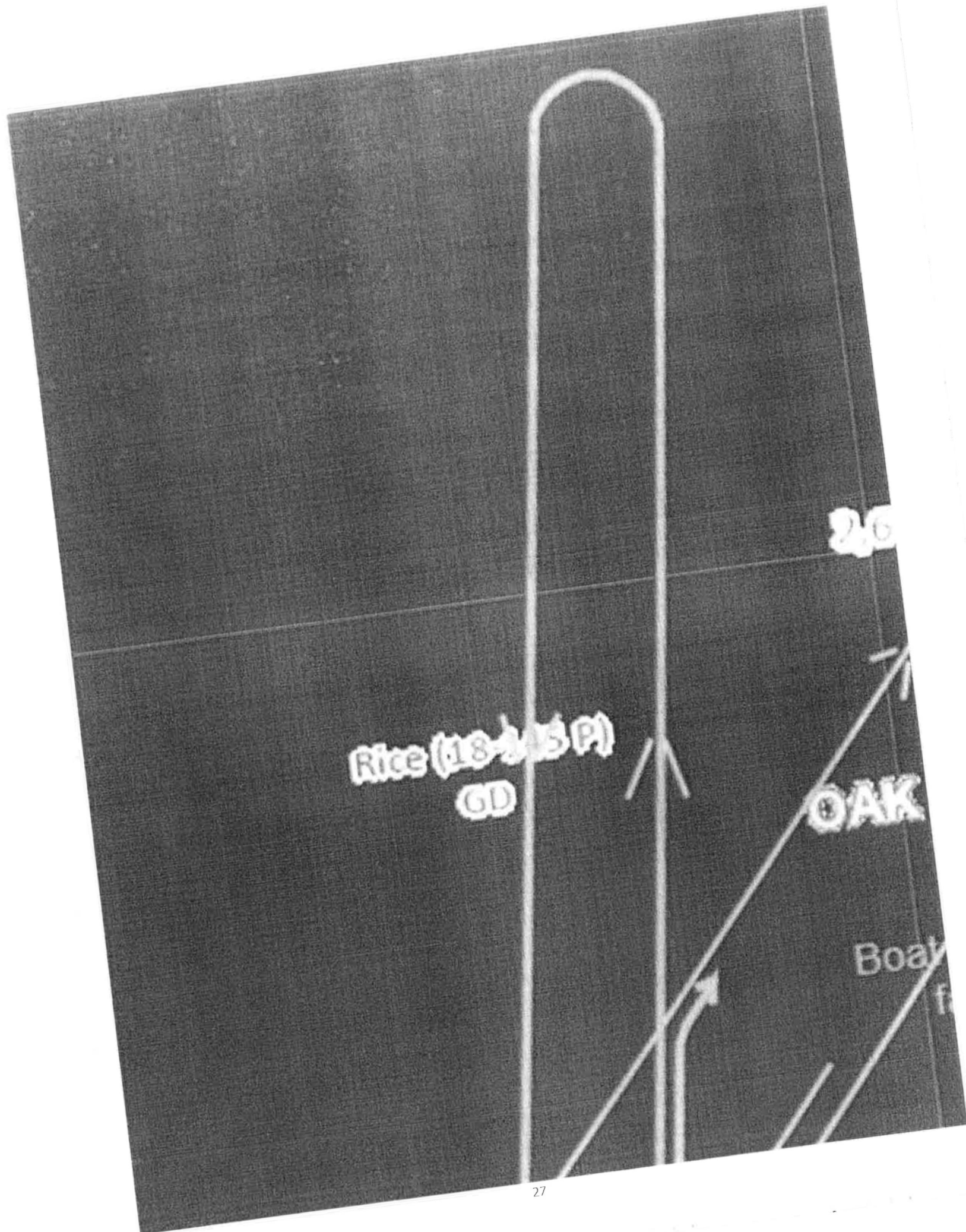
- **Proposed** after jump, boat turns to right/west.

The Sheriff's Office supports the proposed concessions and feels it reasonably addresses the concerns of the immediate residents while also taking into consideration the desire for the Ski Loons to be able to practice.

These concession are not binding and would not supersede any agreement made with the City of Brainerd.

Is this something that the Ski Loons could reasonably accommodate?





Brad Thesing

Recreation Sergeant

Crow Wing County Sheriff's Office

304 Laurel Street

Brainerd, MN 56401

[REDACTED]

[REDACTED]

crowwjng.us/sheriff



Leadership • Visibility • Preparation

The information contained in this email is intended only for the use of the individual or entity named above. If the reader of this email is not the intended recipient, you are requested to refrain from reading any of the attachments to the email. Please notify the person sending the message of the mistaken delivery immediately.

From: **Kurt Porter** <[REDACTED]>

Date: Thu, Oct 5, 2023 at 8:44 AM

To: Kurt W. Porter <[REDACTED]>, [REDACTED]

Jessie Dehn

From: Ann Block <[REDACTED]>
Sent: Friday, February 23, 2024 3:37 PM
To: Jessie Dehn; Wayne Harting
Subject: Re: Public Hearing - Ski Loons

You don't often get email from [REDACTED] [Learn why this is important](#)

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

Please forward our comments on to the park board for consideration concerning the Ski Loons.

We would like to let our opinion be known and taken into consideration concerning the Ski Loons locating on Rice Lake. We have lived on Rice Lake for 15 years. We purchased this location due to the lake life, but on a quieter scale where we could enjoy peaceful "lake time". It was always a joy to be on/in the lake swimming, kayaking, canoeing, fishing, or just relaxing on the dock watching the beautiful sunsets. Over the past years, that has come to an end as the Ski Loons began using Rice Lake more and more for their shows and practices. Their boats come within 15 to 20 feet of our dock for 2 to 3 hours per evening that they practice. They have actually run over our bobbers as we are fishing from the dock. Due to safety concerns, we no longer allow our grandchildren to swim while the Ski Loons are on the lake. While we believe that the organization is a great activity for those involved, we believe Rice Lake is not the place for them. They need a larger lake where they have more room to operate without causing safety concerns to the homeowners on the lake.

We also use Lum Park with our grandchildren. This has become a huge safety concern as the Ski Loon participants drive through the grounds to park along the edge of the lake. Is this an exception for only the Ski Loons? And if so, why? Can others drive to their picnic or swimming spot causing even further safety concerns?

Lum Park is a great resource for the city of Brainerd. Let's build it up for all users (campers, swimmers, those fishing, kayaker and canoers, bikers, frisbee golfers, and picnicians), not just one organization that takes over the entire park and lake.

Rick and Ann Block

On Tue, Feb 20, 2024 at 9:34 AM Jessie Dehn <jdehn@ci.brainerd.mn.us> wrote:

Good morning all,

Since the termination of the Ski Loons agreement last fall, the Brainerd Park Board has been collecting information regarding the City's responsibilities in regard to Rice Lake. The Park Board established a work group that met with Deputy Thesing of the Crow Wing County Sheriff's Office and Brainerd City Attorney Joseph Langel. The results of the information collected during those discussions were presented to the Park Board at their meeting on January 23rd.

At this time, the Park Board is looking to gather feedback from property owners adjacent to Rice Lake as well as the Ski Loons. They have scheduled a Public Hearing at their upcoming meeting on Tuesday, February 27th at 4 p.m. The meeting will be at City Hall, 501 Laurel Street, Brainerd, MN. Attached is a letter from Park Board Chair Miller regarding the Public Hearing. Please take time to prepare feedback and ideas to present to the Park Board at that meeting.

As indicated in the letter, the Park Board is not intending to make any decisions regarding an agreement with the Ski Loons at this meeting. Specifically looking for feedback and information at this time for the board to continue to consider. Please forward this e-mail to anyone on Rice Lake that you are aware of. Thank you and have a great day!

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



To the members of the Brainerd Park Board.

I have been a resident on Rice Lake for 19 years, this is 10 years before the ski loon's organization began the use of rice lake.

Christopher Dens, CEO, or any other members of the ski loon's organization have **never** spoken to me in regard to their plan or desire to mutually agree on the practice routines, months, number of days or hours of operations. Including their intentions “to get along without interfering with my or anyone else's ability to enjoy their actives”

I am located on the west shore (south southwest shore. technically.)

A **few** of the constraints that have been imposed upon me and family members during the **9 years, Monday -Thursday, 5:00pm-8:00pm, May- August (53 +days)** by the ski loon's organization are as follows. Please keep in mind and try to imagine you are a property owner and you work daily, with evening plans of expectations to sit outside on your deck and enjoy the view and **occasional** activity of recreational boats. (which is expected by lake shore property owners)

1. I have experienced not just a little **loud screaming, blaring** of music from the ski loon's staging dock area. (Which is approximately **1342.40 ft** from my home.) [[see att.#1](#)]
2. My shoreline has eroded up to **2.5 ft** in the last 9 years, which is a direct result of the large waves of the **five** ski loons' boats that pass by my property not just Mondays and Wednesday evening, as I had been told by other residents, on Rice Lake, was the agreement per the contract with the park board. Something I have never had the pleasure to view. For a reference of fact, the theory that erosion was caused by the ice blowing into the shoreline when the ice has gone out is **100% false**. In the 19 years I have lived in my home on rice lake the ice has **never** pushed against the shoreline when going out.
3. On numerous times, hours before the ski loon's start their evening routines, my family and I have been on our dock enjoying catching fish. As soon as the first two

boats and skiers go past the dock, the water becomes so dirty from the turbulence of the **large waves**, it makes it impossible to continue to fish, confusing for the kids who look forward to fishing. This is very hurtful as they look forward to fishing.

4. During the many days of the routines the ski loon's direct the boats and skiers directly toward our shoreline, (**so.southwest**) where the ski loon's boats turn **in toward** my dock coming within **less than 50 ft** and even less for the **skiers being towed**. Continuing to make **very sharp** turns to the east making **extensive (large-scale)** waves. Many times at this point causing the wood dock sections of my dock to be pushed up and **off** my dock. In order to keep this from happening, I had to raise my dock up **2ft** above the water. At this point I am **not** able to enjoy sitting on the dock with my feet in the water.
5. On weekdays in the evening, we try to enjoy pontoon rides around the lake. This is next to impossible to do so because we are not "allowed" to go in the direction of the Lum Park area due to the excessive boat and ski traffic by the ski loon's organization and their failure to yield for us to pass. Not to mention the verbal abusive being shouted by members.
6. In past assurances we have been in our fishing boat for at least the "given" hour before the ski loon's scheduled routines. (not the shows) We were fishing on the east shore past 4 houses where the ski loon's dock is placed. The white boat with the twin motors came to us and told us we will need to move; they were going to be using the area. We continued and trolled further down the shore. And yet once they asked us to move. Feeling bullied we moved wondering how they have more rights to be there then us?

I believe the ski loons have imposed enough turmoil on my family for the last **9** years. With **3** hours a day, **4** days a week and just shy of **4** months of the year.

I believe it truly is time for the ski loons' organization to find a different lake to conduct all the practices on.

Thank you, please feel free to contact me

Cynthia L Gibbs

[REDACTED]

[REDACTED]

Please look at attachments included.

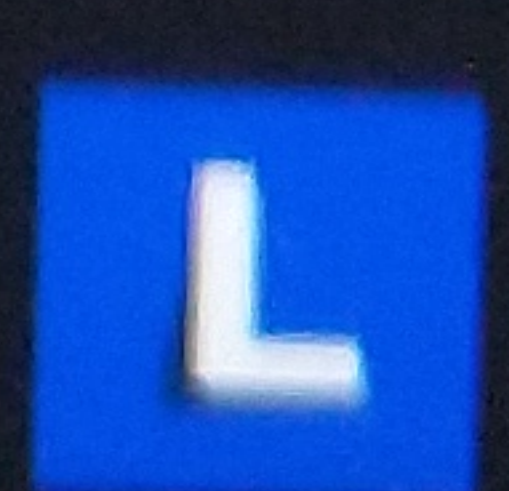


CYNTHIA LEE
1 of 2



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Jessie Dehn

From: [REDACTED]
Sent: Sunday, February 25, 2024 2:26 PM
To: Jessie Dehn
Subject: RE: Ski Loons

You don't often get email from [REDACTED] [Learn why this is important](#)

To Whom It May Concern:

This letter is to serve as reasons why we are asking that the Ski Loons are no longer allowed to practice or have shows on Rice Lake:

1: Our house is located on the west side of the lake. The boats that tow the skiers more times than not come within 25-30 feet from our dock. Our dock is 32 feet long. These high powered boats turn around almost directly in front of our dock. The wake that these boats create make it impossible for us to enjoy either fishing or swimming from our dock. These wakes come violently crashing on our shoreline which has caused much of our shore to be damaged. There are water lilies that 5 years ago were growing 1-1/2 feet from the water's edge, these same lilies are now at the water's edge. Our rip-rap that was not visible 5 years ago is now completely visible.

We were told by either the DNR or the Sheriff's office that if we wanted to take our pontoon out on the Ski Loons practice nights, which are Mon-Thursday, we had to do so no later than 1 hour before their start time, which is 5pm. If we were to take our pontoon out at anytime after they started their practice it would be considered harassment.

2: We pay incredible property taxes for the privilege of living on the lake. Can there seriously be a law that dictates to us that our enjoyment of the lake comes second to those who don't live on it? A law that gives a direct time that we must utilize our privilege or risk being sued for harassment? We have 2 young girls (7yrs & 8yrs old) that we do our absolute best to keep on a dinner schedule. We eat our dinner at 5:30pm every night at our dinner table as a family. If there is a reason why that schedule is interrupted, it is because we chose it, not because a 3rd party has told us that we either eat our dinner on our pontoon or not go out and enjoy the lake after we have had our family dinner. This seems quite ludicrous to us.

3: We have personally witnessed the Ski Loon boats run over an adult Loon with a chick on its back. As we're sure you are aware, chicks can not dive to avoid danger from boats. There is a mating pair of Loons on the lake that have claimed the south end of the lake as theirs. This includes the entire area of the Lum Park beach area.

With there being so many larger lakes in the Brainerd Lakes area that they could use, we question why they continue to use a lake that is just too small.

In closing we would like to applaud the Ski Loons organization for giving the area youth an incredible opportunity to learn how to ski and how to work closely with others to create incredible water aerobatics.

Respectfully;

Jessie Dehn

From: Stacey Harting <[REDACTED]>
Sent: Sunday, February 25, 2024 6:43 PM
To: Dave Badeaux; Jessie Dehn; [REDACTED]
Subject: Rice Lake and the Ski Loons

You don't often get email from staceyh0428@icloud.com. [Learn why this is important](#)

Dear Brainerd Park Board,

This past spring, our shoreline along with the Parks shoreline, suffered due to the high water. We spent time and effort to repair our shore and it needs time to recover. The amount of boat traffic on Rice Lake during a normal season is nothing compared to what happens 4 nights a weeks from June until the end of August. Rice Lake is too small for a CLUB of 80 members and 3 boats.

The Board is planning on spending \$200,000 on the park. Make the park what it used to be when I was a kid, where everyone came to swim, play and enjoy the outdoors. I personally don't use my kayaks or paddle board 4 nights a week due to the wake that is constant on my shore.

I prefer the Park Board not enter into a contract with the Ski Loons. However, worse case scenario would be only the 4 shows, with 1 practice before the show, with no Saturdays, they have to remove the jump after each show, and they have to be off the lake by 5pm. If they violate any rule of the contract, I would ask for 5 days suspension for the 1st infraction, 10 days for the second infraction, and lifetime ban for the third infraction.

Sincerely,

Stacey Harting
[REDACTED]
[REDACTED]

Jessie Dehn

From: Parks Dept
Sent: Monday, February 26, 2024 9:10 AM
To: Jessie Dehn
Subject: FW: Brainerd Ski Loons Show Skiing

Bryan wants this email to be reviewed by the board members before the meeting tomorrow per Chair Miller's invitation to present written comments prior to the meeting.

I'm sending it to you for your review and decision to forward to the board members. I replied to Bryan that his email has been forwarded for review.

-Kathy

From: Bryan Pike <[REDACTED]@ci.brainerd.mn.us>
Sent: Monday, February 26, 2024 8:52 AM
To: Parks Dept <parks@ci.brainerd.mn.us>
Subject: Brainerd Ski Loons Show Skiing

You don't often get email from [REDACTED] [Learn why this is important](#)

Brainerd Park Board,

I thank you for the opportunity to share information with you about the Brainerd Ski Loons.

After listening to the discussions during your January Park Board meeting related to the future of the Ski Loons at Lum Park and reading the letter from Chairman Johnathan Miller addressed to **Any and All Attendees of the Public Forum** suggesting written comments are welcome prior to the meeting, I'd like to provide the following information.

First, a little bit of history of the ski shows from USA Water Ski Show Sports. The link below identifies the rich history of ski shows and the value many communities find.

USA Water Ski & Wake Sports | About Show Skiing
<https://www.usawaterski.org/about-show-skiing>

The following is taken from the link: **Wisconsin** has led the water ski show sport expansion. Today, many of the Wisconsin, Michigan and Minnesota clubs perform shows for the benefit of their towns and cities. The entertainment is a way for tourist-conscious communities to attract visitors who crowd the shorelines of city lakes and rivers to watch the fun.

I have been involved with the Brainerd Ski Loons as the Pick-up Boat driver since 2015 when the Ski Loons started. My son participated as a skier during the same time.

Everyone within the Ski Loons organization has boater, skier and the public's safety as the number one priority. During late August of last summer the Ski Loons requested a Saturday to provide certified boater safety training. A certified boating instructor from the Twin Cities and sanctioned through the USA Water

Ski Show & Wake Sports program was there to conduct the training. Pulling skiers off the dock and ski jumping were part of the boater certification training. This is a required safety training for all boat drivers to ensure safety for all while on the water. A show-skiing club from Park Rapids brought their team of drivers and their club boats to partake in the training and boater certification requirements. Chris Dens had no notification from the city that the requested activity was not to take place and it is unfortunate how the events of that day unfolded.

Again, safety is the top priority for the boat drivers and the drivers recognize potential hazards and the boater certifications attest to that priority. Being polite, courteous and respectful on and off the water are virtues all Ski Loon members value and entrust. Hearing comments to the contrary about safety and the Ski Loons conduct is very disheartening to me as a proud member of the Ski Loons and the USA Water Ski Show Teams.

I am hopeful common ground can be achieved and the community can be proud of the Brainerd Ski Loons.

Thank you.

Bryan Pike

[REDACTED]
[REDACTED]



Virus-free. www.avg.com

Jessie Dehn

From: h coleman [REDACTED]
Sent: Monday, February 26, 2024 10:56 AM
To: Jessie Dehn
Subject: Brainerd Ski Loons

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

June 26th, 2023 was a day that our family won't forget. We took the 2 hour drive north for our 17 year old daughter's first day with the Loons. Coming from a family that has been in show skiing with the same team for over 12 years, we made the decision to change teams. We were greeted in the parking lot by a mom and 2 teen boys, offering to carry my daughters stuff and were more than kind and welcoming. Immediately that evening, my daughter was on the water, skiing with the team, not a norm within show skiing. She had friends right away, littles, teens and adults, and so did I, as the mom. When my daughter and I talked about the potential devastating park mtg, my daughter was beyond heartbroken. Within 2 short months of being a member of the Loons, we found a new ski family. And not just a family, a kind, welcoming, talented, caring and understanding family. We drive 248 miles twice a week just to be a part of the Loons. My daughter wrote, "they have changed my view, that there is hope and kind people and that you can be welcomed."

The Brainerd Ski Loons are an amazing group of people! They take pride in their team, they take pride in Lum Park and they take pride in their community overall. Not once did I see anything questionable, disrespectful, unkind, or anything! I myself have helped with cleaning up the park, I have ridden in the boats, the Loons are amazing!

Thank you,
Heather and Jaycie Coleman
[REDACTED]

Sent from my iPhone

Jessie Dehn

From: Julie Reis <[REDACTED]>
Sent: Monday, February 26, 2024 11:17 AM
To: Jessie Dehn
Subject: Ski Loons water show

You don't often get email from [REDACTED] [Learn why this is important](#)

John, I am not able to attend the meeting but would to share my input on the Brainerd Ski Loons practice and waterski show. We live on the lake and look forward to the shows and watching them practice. I believe having the Ski Loons on our lake is very good for the community. We need to have activities to keep our young and old people busy in the summer. Every year they encourage others to be part of the team as skiers or helpers which is good for our community. We have treated many out of town guests to the show after dinner at local restaurants. Please to not take away this unique show that Brainerd has to offer.

Thank you
Julie Reis

Jessie Dehn

From: Team Taschwer Team Taschwer <[REDACTED]>
Sent: Monday, February 26, 2024 12:01 PM
To: Jessie Dehn
Subject: Public hearing - please read aloud - support for the value the Brainerd Ski Loons bring to Brainerd

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Mr. Jessie Dehn -- City Engineer/Public Works Director:

I am writing in support of the Brainerd Ski Loons continuing, please do not cancel allowing them to practice and have ski shows.

I am a life-long member of the Mad-City Ski Team in Madison, WI, that has existed for 60 years, and know the **value** a ski team brings to a community and its members.

In Madison we have a diverse population that loves the parks and lake in different ways, and there have been times that different circumstances challenged the use of a public park for practices and shows, so understandably it is hard, but it is possible for everyone to work it out.

In fact, over the long term of 60 years, the Mad-City Ski Team has improved the park's **value**, by the community embracing the free, family-friendly entertainment and enjoying the park more often.

Also, the Brainerd Ski Loons are a positive, family-centered organization. The **value** is that the young and the old in families can contribute and participate, there is something for everyone.

Thank you for your consideration to support the Brainerd Ski Loons, who in turn bring much **value** to Brainerd.

All the best,

Lori Taschwer
Mad-City Ski Team
Madison WI
[REDACTED]

Jessie Dehn

From: Colette Fitterer <[REDACTED]>
Sent: Monday, February 26, 2024 12:29 PM
To: Jessie Dehn
Subject: Brainerd Ski Loons

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Jessie,

I cannot be at the meeting on the 27th but would like my comments read during the public hearing.

I have attended several of the Brainerd Ski Loons performances & have brought my children to watch them perform. It would be a shame to lose such a great organization. The free performances attract many individuals & families to our area, who might otherwise not visit our great community. It's rare to find family friendly entertainment that doesn't charge a fee to attend. I have neighbors & friends who have been a part of the Ski Loons team since the beginning. They have worked hard to fundraise in order to keep this entertainment free for everyone!

The Brainerd Ski Loons is a great asset to our community. Please allow them to continue doing what they love.

Sincerely,

Colette Fitterer

(Brainerd area resident)

Jessie Dehn

From: William Wroolie <[REDACTED]>
Sent: Monday, February 26, 2024 1:03 PM
To: Jessie Dehn
Subject: Ski Loons

You don't often get email from [REDACTED] [Learn why this is important](#)

In support of the Ski Loons I wanted to pass on a post from my FB page that our friends from Longville posted.

Why would the park board not want the ski loons??? What an awesome draw to the community and such talent and dedication from its members. It's something Brainerd can be proud of to have!!! We have enjoyed bring out of town guests to this, traveling an hour to come to it!!! You can't find good old ski shows anywhere anymore!! It would be SO sad to lose this!!!

Beth and Mark Novotny

Sent from my iPhone

Jessie Dehn

From: Jake Larson <[REDACTED]>
Sent: Monday, February 26, 2024 1:45 PM
To: Jessie Dehn
Subject: Brainerd Ski Loons public hearing - MUST READ OUT LOUD
Importance: High

You don't often get email from [REDACTED] [Learn why this is important](#)

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

To whom it may concern,

My name is Jake Larson, and I request that my comments be read at today's meeting. I grew up waterskiing and in Brainerd MN. I have competed with many teams both at the regional and national level, including a Wisconsin state title and national runner up shows for Mad City Ski team in 2012. The addition of a waterski show team is arguably one of the greatest additions to the BLA community. Not only does it provide great family friendly entertainment, and comradery for the surrounding communities, but it also provides access to and enjoyment of arguably one of the most valuable resources Minnesota has to offer, WATER.

The Ski Loon's organization has allowed hundreds of people, dozens of families to enjoy the sport of waterskiing, enjoy spending time on the water, and has brought a new life to Lum Park. I remember going to Lum Park for a field trip when I was in 2nd grade, back in 1999, and even as a child you could see the park was full of degeneracy and drug use. I skied for the loons for only a short two summers, but in that short time you could immediately see the improvement in the park's atmosphere. The Loons organization cares about the park and treats it with respect; and I feel you would have to really search to find a time, if ever, that one event has ever brought hundreds, if not thousands of people together to Lum Park to enjoy the park, and the great Mississippi River.

To remove the Ski Loon's access to the park as a water ski practice and show site, not only hurts a great local and community based organization, but also hurts the entire BLA community, and removes access to the one thing that sets BLA apart from the rest of the state and county, access to use and entertainment of the lakes and water ways. To even consider removing the Ski Loon's organization from Lum Park really shows where the City of Brainerd's Parks and Recreation's priorities lie, and it makes me ashamed. I am here in support of the Brainerd Ski Loons.

Roll Tide

Jake Larson | Assistant Coach

Swimming & Diving
[The University of Alabama](#)

Phone [REDACTED]
[REDACTED] | <https://rolltide.com/>





Jessie Dehn

From: dgangelhof [REDACTED]
Sent: Monday, February 26, 2024 1:58 PM
To: Jessie Dehn
Subject: Ski loons

You don't often get email from [REDACTED] [Learn why this is important](#)

Hello Jessie,

I am writing to voice my support of the Brainerd Ski Loons. We have attended multiple times. We feel it is one of the best things to come to Brainerd. The show is wholesome, everyone in attendance has always been respectful and the crowd always looks like they are enjoying it so much.

Kids who would maybe never have learned to ski, get the opportunity of a lifetime because of this group. From what I've seen safety is number one priority with these guys. All around I think this is a great summertime activity for participants and spectators! Please keep the Brainerd ski loons around!

Thanks and sincerely,

Jill Gangelhoff

Please read this at the meeting Tues night as I am out of town and unable to attend. I would be there in a heartbeat if I could.

Jessie Dehn

From: Dave Tombers [REDACTED]
Sent: Monday, February 26, 2024 2:19 PM
To: Jessie Dehn
Cc: [REDACTED]
Subject: Brainerd Ski Loons Public Comment

You don't often get email from [REDACTED] [Learn why this is important](#)

Good afternoon,

I understand there is a public meeting regarding the possibility that the City of Brainerd may in effect ban the brained Ski Loons from practicing or performing at their current location. As a member of the show skiing community and long-time ambassador of the sport, I respectfully request that you read my comments during the public meeting, as I cannot attend in person. I gather from the reading I've done online that this potential for not renewing the lease for the Ski Loons is being driven by a few vocal waterfront shore owners. As a lakeshore owner myself I discovered during our very first winter on the lake that there was a professional snowmobile racer living on our block. He needed to practice on his improvised race track out on the frozen lake in front of the shore, a lot. It was very loud and annoying. None of us tried to get the city to step in, however. Instead, we embraced even the annoying noise of his racing machine as part of the whole lake living experience. When the lake we live on has Bass fishing tournaments, it can get a little annoying. I've even had damage to my boat covers and docks from a wayward cast of a fishing line or two. I've never tried to get fishermen banned from the lake though. I hope you don't give in to a few complaining neighbors.

Please read:

As someone who literally wrote a book about the great sport of show skiing, and even included information for communities and cities with local show ski teams to consider, I can't imagine discouraging rather than encouraging a show ski team. It is my understanding that the Park Board has been very supportive of the Ski Loons over the years, and I sympathize that so much of your time is spent dealing with an unhappy homeowner or two. Homeowners who are opposed to the increase in boats and skiers a team creates often don't remember what made them want to live on a body of water in the first place.

From Chapter 17 of my book, "Ripples of Excellence: The Art and Spectacle of Show Skiing,"

"Waterski show teams create a ripple effect of positivity in their communities. They inspire individuals, particularly young people, to pursue their passions and embrace healthy, active lifestyles."

"Their performances and events foster a sense of community by uniting people for shared experiences. These shows leave a lasting legacy of inspiration and togetherness that continue to influence individuals and communities for years to come."

"The laughter, the fun, and the excitement generated by these teams are forces that bring communities together - performers and fans alike."

In a nutshell, our communities are better for having free, family entertainment available for all to share in. I've also written this article on the topic. <https://www.showskibook.com/post/the-community-impact-of-waterski-show-teams-a-vital-thread-in-the-fabric-of-local-culture>

Thank you,

David Tombers

Author, *Ripples of Excellence: The Art and Spectacle of Show Skiing*

Jessie Dehn

From: Warner, Robert S [REDACTED]
Sent: Monday, February 26, 2024 2:46 PM
To: Jessie Dehn
Subject: Ski Loons

You don't often get email from [REDACTED] [Learn why this is important](#)

Jessie,

Would you please present the following letter to the public hearing tomorrow 2-27-24 concerning the Ski Loons and Lum Park. Thank you.

Robb Warner

Members of the Park Board,

I write this not as a resident of Brainerd, but as a resident of the greater lakes area. I reside in Aitkin County; however, I have enjoyed the Ski Loons shows with my family over the last several years.

I write also as an avid water skier who enjoys skiing and watching skiing with my family. Were I to have found the Ski Loons at another point in my family's life I would be writing this as a member whose kids and wife also participated.

I would like to speak on behalf of the Ski Loons and the good that they provide not only to Brainerd, but to future generations of people. Waterskiing is a sport that requires hard work, dedication, tenacity, and commitment. In short, each kid who joins the Ski Loons is learning valuable life lessons, skills and mindsets that will make them better people. It is not a sport that you can develop even a modicum of competence in without extreme dedication of time and repeated failures. Kids who learn to ski and continue simply put, learn how to apply themselves to a problem/challenge and keep going until they succeed.

Kids who join ski teams are also learning other lessons. I cannot think of any sport where you will spend literal hours stuck in small spaces with people ranging from toddlers through 70 plus year old people who you have never met until you reach the dock. The socialization skills are taught in a huge way without anyone realizing it at the moment. Kids are learning the value of community, and that each person/age group has something to provide, while at the same time older people are seeing that there are good kids who share the same values and forms of recreation. Water skiing and show skiing form bonds between community members who may have never met were it not for skiing. I think we all can agree in the current world this is something we all need to be reminded of.

Waterskiing and show skiing also teach participants how to be good stewards of lakes or any body of water. In a time when tow sports are viewed in a dim light by some, those who ski understand the importance of controlling your wakes, of sharing the water with multiple users and being good neighbors. They know and value lake health and the importance of time spent on the water. It creates a passion and desire for water time that young people will carry their entire lives and pass along to future generations.

A good location for show skiing is hard to find. A good practice site is hard to find. I sincerely hope that you choose to allow the Ski Loons to continue utilizing Lum Park to carry on the uniquely Minnesotan activity of skiing on water. To lose a ski site could very well lead to the loss of the Ski Loons and all the positive impacts they provide to the Brainerd Lakes Area.

Thank you for your time,

Robb Warner

Waterskier



Jessie Dehn

From: Harting, Stacey <[REDACTED]>
Sent: Monday, February 26, 2024 2:53 PM
To: Jessie Dehn; [REDACTED]
Cc: [REDACTED]
Subject: Rice Lake resident email

You don't often get email from [REDACTED] [Learn why this is important](#)

Forwarded from my email...

From: Barbara Vesely <[REDACTED]>
Sent: Monday, February 26, 2024 2:48 PM
To: Harting, Stacey <[REDACTED]>
Subject: Fwd: This Sunday Meeting 5 PM

[External email – use care when clicking on links or attachments]

To Members of the Parks Committee and interested parties,

I am a resident on Rice Lake and have concerns regarding the Ski Loons use of the lake, which is based on their past behavior. I support the use of Lum Park for the shows, which I think benefit our community. My concern primarily is based on the amount of practice and the disregard for the shoreline. The practices, both in frequency and duration, seem to keep increasing each year and cause damage to the shoreline.

In the past, the boats were used in a very small targeted area- which increases the damage to the shoreline. I have seen the boats being ran when there are no skiers with the boats- seems to be just used to run as fast in circles as possible. Furthermore, I do not see why other lakes or the river couldn't be used for some practices and teaching students how to ski. This doesn't have to occur all in the same restricted space which compounds shoreline erosion. I am also concerned about the ramp being out- I don't see how it could be moved often, but in public waters it is used by unsupervised kids. I would think liability is an issue.

Please consider alternatives for which seems to be unrestricted use by the Ski Loons for practices and perhaps shows. Perhaps one of the resorts would sponsor some shows to decrease the cost on our shoreline. I appreciate your attention and if you have questions for me, please contact me though the Rice Lake Association.

Barb Vesely
[REDACTED]
[REDACTED]

Jessie Dehn

From: Parks Dept
Sent: Monday, February 26, 2024 3:19 PM
To: Jessie Dehn
Subject: FW: Ski Loons

I saved this email to the Ski Loons folder. 😊

-----Original Message-----

From [REDACTED] [REDACTED]
Sent: Monday, February 26, 2024 12:06 PM
To: Parks Dept <parks@ci.brainerd.mn.us>
Subject: Ski Loons

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

I so hope you will keep the Ski Loons program in the Brainerd Lakes. It's such a unique addition to family events in the area, and an incredible tradition!

Respectfully,
Sharon Wetteland

Jessie Dehn

From: Carol Friesen <[REDACTED]>
Sent: Monday, February 26, 2024 4:18 PM
To: Jessie Dehn
Subject: Ski Loons

You don't often get email from [REDACTED] [Learn why this is important](#)

I am writing in support of the ski loons and to keep them as a part of the Brainerd area. Our entire family looks forward to seeing them perform at least once every summer. We were not even aware of Lum Park and what a lovely facility it is until they started there. To see the attendance is proof of how much people love them! Please share this with the Brainerd Park Board. Carol and Bruce Friesen and family of 15.

Jessie Dehn

From: Naomi Stensrud [REDACTED] >
Sent: Monday, February 26, 2024 5:27 PM
To: Jessie Dehn
Subject: Please Don't Cancel the Ski Loons

You don't often get email from [REDACTED] [Learn why this is important](#)

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

We drive over 5 hours from southwest MN to see the Loons perform. We are a family of 10 and my parents come along as well. It's an excellent family activity! That's 12 people getting lodging.. eating.. and shopping in your community. Again.. the only reason for the trip is to catch the Ski Loons. It would be a shame to see these shows canceled for many reasons.. but financially it really doesn't make sense.

With concern.. the Jason & Naomi Stensrud Family

Please read my letter at the public netting. Thank you.

I've included a photo of our children.. and our new grandbaby. This summer will be his first Loons Show!!



Jessie Dehn

From: Michelle Singh <[REDACTED]>
Sent: Monday, February 26, 2024 5:39 PM
To: Jessie Dehn
Subject: Fwd: Ski Loon Support

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Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Michelle Singh <[REDACTED]>
Sent: Monday, February 26, 2024 2:12:55 PM
To: Matthew Singh <[REDACTED]>
Subject: Ski Loon Support

My family and I would like to show support from Lakeview Lane located on Rice Lake.

My husband Matt and daughter Annika have been part of the Ski Loons since 2020. Matt is a baser for the pyramids and Annika climbs to the top. As a wife and mother I can't begin to explain how I enjoy my daughter spending time with her dad.

Ski Loons isn't just about water skiing. It is bringing families together in our community.

I understand some of the neighbors dislike the practices. Those same neighbors put out their lawn chairs and watch the shows with their family. We can't have a show without practices. I think there should be some compromise.

I would like to close with a list of people on Rice Lake whom support the Ski Loons to stay on their lake.

Diane and Jim Runberg
[REDACTED]

MaryBeth and Bill Wroolie
[REDACTED]

Jack and Wendy Antolak
[REDACTED]

Bob and Bonnie Gillespie
[REDACTED]

Cheryl Matis
[REDACTED]

Julie and Dan Kletscher
[REDACTED]

Joanne and Jim Sarkilahti

[REDACTED]
Peggy and Dennis Opitz
[REDACTED]

Thank you for your time and consideration.

Matthew Singh and Michelle Singh
[REDACTED]

Sent from my Verizon, Samsung Galaxy smartphone
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Jessie Dehn

From: Linda Nelson <[REDACTED]>
Sent: Monday, February 26, 2024 7:50 PM
To: Jessie Dehn
Subject: Brainerd Ski Loons

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Jessie Dehn,

I have been informed that the Brainerd Ski Loons are endanger of not being able to engage in practice and events this summer. I ask that you consider to allow as previously planned.

I have planned to travel to the events this summer and know that there's others interested in seeing this event continue. It's a great event for the youth Respectfully yours Linda Nelson

Sent from my iPhone

Jessie Dehn

From: Joe Klein <[REDACTED]>
Sent: Monday, February 26, 2024 8:46 PM
To: Jessie Dehn
Subject: Ski loons

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Good evening:

This is regarding the Ski Loons. As a 26 year parks maintenance worker I've have first hand seen the benefit of all kinds of activities for are youth. These activities are not about softball ,baseball, soccer, pickleball, arts in the park and many more youth activities. They are about keeping youth active, engaged in the community. Having goals and the need to practice hard to reach those goals. I have first hand witnessed the benefit of this program in building self confidence in youth. I'm not aware of the conflict that has arisen, but there are ways to find common ground. I hope that this is found.

Sent from my iPhone

Jessie Dehn

From: WYATT BINSFELD <[REDACTED]>
Sent: Tuesday, February 27, 2024 7:10 AM
To: Jessie Dehn
Subject: Ski Loons

You don't often get email from [REDACTED] [Learn why this is important](#)

I am reaching out to you regarding the Ski Loons. As a proud member of this incredible community, I want to express my unwavering support for this amazing team. The Ski Loons is more than just a group of individuals who love skiing - it's a tight-knit community that fosters a positive, drama-free environment based on mutual respect and camaraderie.

I have had the pleasure of being part of this team for a while now, and I have seen firsthand how much it means to everyone involved. It's a sport that brings people together, regardless of their backgrounds or skill levels. Taking the Ski Loons away from us would be a devastating blow to all the members of this community, and I know we are not alone in feeling this way.

Therefore, I urge you to reconsider your decision and support the Ski Loons by allowing us to continue to thrive and grow as a team. Not only for the team but also for the Brainerd Lakes Community Area it also supports with bringing in utilization to the beautiful public parks and businesses. Thank you for your consideration.

Sincerely, Wyatt Binsfeld

--
[REDACTED]

Jessie Dehn

From: Parks Dept
Sent: Tuesday, February 27, 2024 7:46 AM
To: Jessie Dehn
Subject: FW: Request letter be read 2-27-2024
Attachments: Brainerd Park Board.pdf

Ski Loons letter.

From: [REDACTED]
Sent: Monday, February 26, 2024 6:20 PM
To: Parks Dept <parks@ci.brainerd.mn.us>
Subject: Request letter be read 2-27-2024

You don't often get email from [REDACTED] [Learn why this is important](#)

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

Dear Park Board Members:

Attached is a letter (PDF) I request be read in public to the Brainerd Park Board meeting scheduled on Feb. 27, 2024. I fully support the continuation of events and training for the Brainerd Ski Loons at Lum Park.

Terry Sluss
Former Crow Wing Board of Commissioners
1997-2007 District #3
Representing portions of the Cities of Brainerd and Baxter

Terry L Sluss

Brainerd Park Board

parks@ci.brainerd.mn.us

City of Brainerd, Minnesota

February 25, 2024

Request this letter be read to the Brainerd Park Board on Tuesday, Feb. 27, 2024.

I write to you in support of the annual Brainerd Ski Loons presentations of their community supported Lum Park activities. I have personally attended the events annually and see that the organization is strongly supported both by the citizens of Brainerd as well as the tourist visitors who seek entertainment during the summer hours. As you know, the waters of the State of Minnesota manage the lakes and waterways of the state through the Department of Natural Resources. The City of Brainerd does a great job of monitoring the Parks within its jurisdictional boundaries.

The guidelines of the waterways from the DNR are:

The Minnesota Department of Natural Resources (DNR) works with citizens to conserve and manage the state's natural resources, to provide outdoor recreation opportunities, and to provide for commercial uses of natural resources in a way that creates a sustainable quality of life.

I realize from my three terms as a past Crow Wing County Board member, representing the Cities of Brainerd and Baxter District 3, that some property owners who are blessed with lakeshore access desire to control lake access for their personal use. As part of current MN laws, Lakes are regulated by the DNR and that access to the lakes is guaranteed to the public.

In the case of Lum Park, that area of the city has been set aside for the recreational use of the public. Each performance not only provides recreational shows for the public, but also is a great training opportunity for the community youth to participate at a performance level.

I urge the Brainerd Park Board to continue to allow the Brainerd Ski Loons ongoing access both for practices and performance shows.

Terry Sluss

Former Crow Wing County Commissioner (1997-2007), District 3

Jessie Dehn

From: Alan and Lori Petersen <[REDACTED]>
Sent: Tuesday, February 27, 2024 9:30 AM
To: Jessie Dehn
Subject: Ski Loons

You don't often get email from [REDACTED] [Learn why this is important](#)

I am shocked and deeply saddened to learn that the Brainerd Park Board is even considering the thought of cancelling all practices and performances of the Brainerd Ski Loons.

Last summer we traveled from Woodbury to take in one of the Ski Loons performances. We had heard about the Ski Club and the amazing performances they were providing and we wanted to experience it for ourselves. We were NOT disappointed.

Not only were we able to experience a great show, but we watched young people work together in the set up and tear down of the performance. The group provides a place for young people to learn responsibility and to work together for the common good. It was refreshing to witness these young people working together and people of all ages in the audience, grateful for their efforts.

Our day trip to Brainerd also brought business to your community as we enjoyed a meal there and purchased gas in your community.

There are a lot of communities who would give anything to have a group like this to participate in – nor would they question if they should be supportive of a group like this. For this reason, I am shocked to even hear that the park board is considering this thought.

I hope that you reconsider this crazy idea – and instead, give full support to the Ski Loons – supporting the fine young men and women you are helping them to become.

Sincerely,
Lori Petersen

[REDACTED]
[REDACTED]

Jessie Dehn

From: Kristin Binsfeld <[REDACTED]>
Sent: Tuesday, February 27, 2024 9:40 AM
To: Jessie Dehn
Subject: Please read and forward for Ski Loons Meeting today!

You don't often get email from [REDACTED] [Learn why this is important](#)

To Whom it May Concern,

I would like to express my concerns to the Brainerd Park Board. Canceling the Ski Loons Practices and Performances in the Brainerd Lakes Area would be a very poor decision to be made. There is a lot of good that comes out of the Brainerd Ski Loons. It promotes health and wellness, mental health, leadership, friendship, community activities, utilization of the public parks and public waters, promotes tourism to the community and much more. Brainerd Ski Loons is not just a Ski group. The Ski Loons volunteer in the community by picking up the parks, allowing people to try new skills, encourage fun and entertainment not just for the members of the group, but for the whole community whether there is an event at the park and they watch a practice or people catch a show. We moved up here several years ago and happened to see a banner, Free Water Ski Show. Having grown up by some water shows I brought my family to a show. It was shortly after that show that my oldest son said, "I want to do that." I personally had always wanted to water ski, never learned how, never grew up around the water. I grew up in south west rural MN., nor never having the skills to know how to ski or a boat. The ski loons provide a learn to ski program in which I enrolled my oldest son. He worked hard and was ecstatic about being able to be in the very last show the next summer in the learn to ski line because he was so proud of the skills he had learned and the type of encouragement and support this group gave him. Not only to the members but to anyone who has an interest. The next year it got the rest of our family involved in the Ski Loons. There are not many activities that I'm aware of that allow the entire family to be able to participate in many ways to be physically active all together. This group has allowed me to try the learn to ski program at age 40. (Yes- scary believe me- but it was so cool having younger kids and younger adults encourage me and support me to keep trying because it didn't come naturally.) But with the encouragement I kept trying and I can ski now. I may not be in the shows but I do help in many ways and I enjoy staying active with my kids and others in the group. My entire family is involved in the Ski Loons and we have family and friends that travel hours away to come to the Brainerd Lakes area during the summer to come and watch performances. Being a part of this group has helped us in our physically, mentally, and overall wellbeing which is also what the community tries so much to promote. I feel it would be such a detriment not only to me but also to the Ski Loons themselves (which what does that say to the kids on this team that have worked so hard and that are proud of who they are and what they have become.) as well as the community. The Ski Loons is one group that we have been a part of that has so much to offer to anyone that wants to be a part of. The Ski Loons are never trying to wrong anyone, hurt anyone, put anyone in any sort of harm. We as parents and skiers take trainings and code of ethics to promote healthy lifestyles in all aspects of life.

If the Ski Loons have are such a big problem to the Brainerd Lakes Area- Waters, what about the Fishing Groups that use the waters as well. Should they not be able to use the Park and waters either? As well as other groups that use the parks and waters?

I hope that the Brainerd Parks Board really reconsiders how not allowing the Ski Loons to practice or perform this summer, how it will affect the lives of the kids and what it is going to say to them. Please help me understand what you want us to do as parents to help promote by discontinuing something that has been nothing but positive in the community.

Respectfully,
Kristin Binsfeld

Sent from [Outlook](#)

Jessie Dehn

From: Christy Ramler <[REDACTED]>
Sent: Tuesday, February 27, 2024 10:28 AM
To: Jessie Dehn
Subject: Ski Loons Support

You don't often get email from [REDACTED] [Learn why this is important](#)

Jessie,

I am not able to attend the Brainerd Parks meeting tonight so I am submitting my support of the Brainerd Ski Loons via this email.

I have lived and owned a business in the Brainerd Lakes area for 15 years - it is our home because it is full of amazing people doing amazing things, just like the Ski Loons. The Ski Loons have been a summer tradition of our family for years and it is something we look forward to. I would say that the mass of people that we see at Lum Park every performance represents the same sentiment. This draws people to Brainerd - visitors and locals alike.

But what is even more important than the spectators, is the Ski Loons organization. They are an amazing group of community members who pour their passion into something incredible - something that gives back to our community. This group promotes joy, teaches kids and adults they can do hard things, and brings people together all summer long. Why would you block such a beautiful thing from being part of our community?

Please do not take away access for the Ski Loons to practice and perform at Lum Park. This would be a huge loss to Brainerd.

Sincerely,
Christy Ramler



Park Board Agenda Request

MEETING DATE: February 27, 2024

TITLE OF ITEM: Approve Event Application - Arts in the Park

AGENDA: Approve

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Jessie Dehn, Public Works Director, **DEPARTMENT:** Public Works
Dave Badeaux, Mayor

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

SUMMARY OF ISSUE: Attached to this item is the Facility Rental application for the Gregory Park Pavilion for the annual Arts in the Park event. The event is planned for Saturday, June 29th, 2024. Included in the item is the map of how the event will be planned to be laid out throughout the park. There are several curb cut access locations around the park that can be used for vendor and classic car access to the park. Vendors have been historically instructed to enter, drop off their booths, and return their vehicle to the street. Classic cars would enter nearby the showing location.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Staff is requesting direction and approval from the Park Board on the event, layout, and use of the park for this event.

RECOMMENDED ACTION/MOTION: Staff recommends approval of the application for 2024 Arts in the Park at Gregory Park.

FINANCIAL IMPACT: N/A



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 #2826

Authorized On: 02/07/2024 03:04 PM

NOTE: Rental

Location

Gregory Park
424 5th Street N
Brainerd, MN 56401

Permit Holder

Brainerd Community Action
321 S. 7th St Suite 105
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
Gregory Park	Gregory Park Pavilion with optional Kitchenette	Sat, Jun 29th 2024	08:00 AM-09:00 PM	13.00	\$70.00
Addons		Pavilion Kitchenette			\$15.00
		Addons Total			\$15.00
Gregory Park	Gregory Park Pavilion with optional Kitchenette	Sun, Jun 30th 2024	08:00 AM-10:00 PM	14.00	\$70.00
Addons		Pavilion Kitchenette			\$15.00
		Addons Total			\$15.00
TOTAL:					\$170.00

CHARGES

LOCATION	FACILITY	DESCRIPTION	TOTAL	PAID	BALANCE DUE
Gregory Park	Gregory Park Pavilion with optional Kitchenette	Jun 29, 2024 8:00 AM-9:00 PM	\$70.00	\$70.00	\$0.00
Gregory Park	Gregory Park Pavilion with optional Kitchenette	Pavilion Kitchenette	\$15.00	\$15.00	\$0.00
Gregory Park	Gregory Park Pavilion with optional Kitchenette	Jun 30, 2024 8:00 AM-10:00 PM	\$70.00	\$70.00	\$0.00
Gregory Park	Gregory Park Pavilion with optional Kitchenette	Pavilion Kitchenette	\$15.00	\$15.00	\$0.00
TOTAL:			\$170.00	\$170.00	\$0.00

PAYMENTS

RECEIPT #	DATE/TIME	DESCRIPTION	AMOUNT
65248466	02/07/2024 03:04 PM	Check (#15018)	\$170.00
			TOTAL: \$170.00

PROMPT RESPONSES

Location	Facilities	Date	Days
Gregory Park	Gregory Park Pavilion with optional Kitchenette	06/29/2024	Sat

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

Response: No

Gregory Park	Gregory Park Pavilion with optional Kitchenette	06/30/2024	Sun
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#2 - Does your event have any other special considerations? If so, please describe.

Response: No

Gregory Park Gregory Park Pavilion with optional Kitchenette 06/29/2024 Sat
 #3 - 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 10-4

Gregory Park	Gregory Park Pavilion with optional Kitchenette	06/30/2024	Sun
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#4 - 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 10-4

Gregory Park Gregory Park Pavilion with optional Kitchenette 06/29/2024 Sat
 #5 - 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 will work with staff

Gregory Park	Gregory Park Pavilion with optional Kitchenette	06/30/2024	Sun
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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: Yes will work with staff

Gregory Park	Gregory Park Pavilion with optional Kitchenette	06/29/2024	Sat
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#7 - Do you have equipment requiring electrical usage? If so, describe the type of equipment to be used.

Response: Yes, sound

Gregory Park	Gregory Park Pavilion with optional Kitchenette	06/30/2024	Sun
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#8 - Do you have equipment requiring electrical usage? If so, describe the type of equipment to be used.

Response: Yes, sound

Gregory Park	Gregory Park Pavilion with optional Kitchenette	06/29/2024	Sat
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#9 - Type of Event Description of Activities

Response: Arts Festival

Gregory Park	Gregory Park Pavilion with optional Kitchenette	06/30/2024	Sun
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#10 - Type of Event Description of Activities

Response: Arts Festival

Gregory Park	Gregory Park Pavilion with optional Kitchenette	06/29/2024	Sat
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#11 - Number of people attending the event.

Response: 5000

Gregory Park #12 - Number of people attending the event.	Gregory Park Pavilion with optional Kitchenette	06/30/2024	Sun
Response: 5000			
Gregory Park #13 - Times you will be in/out of the pavilion. Please include setup and cleanup in the times.	Gregory Park Pavilion with optional Kitchenette	06/29/2024	Sat
Response: 2pm Sat-7pm Sun			
Gregory Park #14 - Times you will be in/out of the pavilion. Please include setup and cleanup in the times.	Gregory Park Pavilion with optional Kitchenette	06/30/2024	Sun
Response: 2pm Sat-7pm Sun			
Gregory Park #15 - Sales Tax Exempt?	Gregory Park Pavilion with optional Kitchenette	06/29/2024	Sat
Response: Yes			
Gregory Park #16 - Sales Tax Exempt?	Gregory Park Pavilion with optional Kitchenette	06/30/2024	Sun
Response: Yes			

The pavilion has four permanent picnic tables to accommodate up to 32 comfortably. Electrical outlets are located on the building exterior and water is available only if the restrooms are open. The Center Court area will accommodate up to 150 chairs. Gregory Park has on-street parking ONLY - parking is NOT ALLOWED in the park. 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.

ARTS IN THE PARK





Park Board Agenda Request

MEETING DATE: February 27, 2024

TITLE OF ITEM: Approve Events - The Center 2024 Performances in the Park

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: Attached is a letter from The Center requesting approval from the Park Board to utilize the Gregory Park bandstand for The Center's Performances in the Park events that take place throughout the summer. Previously, there were concerns about vehicles entering and exiting the park to drop off instruments and people. With the improvements made to the park and providing of carts, The Center will be having the bands utilizing the provided carts to move equipment in and out of the bandstand.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The attached letter includes last years' performance dates and attendance. The performances in 2024 would propose to begin on June 6th and continue each Thursday throughout August.

RECOMMENDED ACTION/MOTION: Staff recommends approval for The Center's Performances in the Park at the Gregory Park bandstand for the events in 2024.

FINANCIAL IMPACT: N/A

Performances in the Park History:

In 2009, The Center's Board of Directors was researching ways to give back to the residents of Brainerd. The idea that received the most votes was restoration of the bandstand in Gregory Park, northside of Brainerd. The Center worked with Brainerd City Council members, the project was approved to move forward. Fundraising began and The Center coordinated the process at no cost to the City of Brainerd. The Center requested bids from area contractors. A contractor was selected, restoration was completed and performances began in 2010!! The Center has continued to fundraise and schedule Performances in the Park every summer from the first Thursday in June through the last Thursday in August.

The following is a wrap up of the Performances in the Park, Gregory Park, Brainerd, for 2023.

Performances in the Park began Thursday, June 1, 2023. Fourteen weekly concerts were held. The following is a list of the performances and the attendance at each concert:

June 1, Kingery Family	95
June 8, Diane Saumer & Friends	111
June 15, Norman's Bait & Tackle Choir	211
June 22, Churchyard Band	97
June 29, The District	227
July 6, Jack Franzen & Muddy Water Band	205
July 13, Arnie Anderson & the Stoney Brook Strings	125
July 20, Rock'in Hill Band	187
July 27, The Center's Band	57
August 3, Michael Hoover	87
August 10, MN Adult & Teen Challenge Choir	195
August 17, Daybreak Band	97
August 24, PCR Band	108
August 31, One Night Stand Band	<u>116</u>
Total	1,918

How did 2023 attendance compare with previous years? Attendance in 2021 was 1,382; 2022 was 1,472, and 2023 was 1,918!!! Attendance was fantastic!

A couple notes worth sharing about the Performances in the Park 2023; PCR Band was new for this year. We had one performance moved indoors due to weather issues. No bands parked inside of Gregory Park. Bands used the cart provided in the bandstand and carts of their own. Carting of equipment is not easy, some the bands have extensive equipment, but all made it work.

The Center would like to express our thanks to the Brainerd Park & Rec employees for their great work making Gregory Park a wonderful location for the performances.

The Center is requesting approval to coordinate Performances in the Park for 2024.

It takes a few months to fundraise and schedule bands to perform beginning June 6, 2024

Any questions, please reach out to DeAnn Barry, director of The Center, 218-454-5056.

Thank you.



Park Board Agenda Request

MEETING DATE: February 27, 2024

TITLE OF ITEM: Approve Easter Egg Hunt Event at Gregory Park

AGENDA: Approve

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Jessie Dehn, Public Works Director, **DEPARTMENT:** Public Works
Haley Blank, Recreation Specialist

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

SUMMARY OF ISSUE: Attached to this item is information regarding the upcoming 2024 Easter Egg Hunt. This event has typically been held at Gregory Park the weekend of Easter. This year, it is proposed to take place on Saturday, March 30th at 10 a.m. with other events ahead of time. The Easter Bunny is available for photos followed by the Easter Egg Hunt for children ages 2-9. The Brainerd Rotary Club has assisted with the event in years' past.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Similar to the discussion regarding the Great Pumpkin Festival, staff wanted to collect input from the Park Board on the location. Benefits of Gregory Park are it's centralized location and the different areas divided by sidewalks that allow for convenient division of age groups. If the Park Board would like to hold the event in an alternative location, some possible locations to consider are as follows:

- Memorial Park
- Lyman P. White Park
- Jaycees Park
- Bane Park

RECOMMENDED ACTION/MOTION: Staff is requesting direction from the Park Board regarding location of the 2024 Easter Egg Hunt Event.

FINANCIAL IMPACT: N/A

2024 Easter Egg Hunt

Date: March 30th, 2024

Location: Gregory Park 424 N 5th Street Brainerd, MN 56401

Time:

8:00am – Egg Set Up

9:15am - Easter Bunny Arrives

9:15am -9:55am – Bunny photos

9:55am- Instructions and acknowledgements

10:00am – Easter Egg Hunt Starts

What we need:

- Candy
- Bags
- Easter bunny costume/ easter bunny

Sponsors:

- Super One- \$100 gift card
- Rotary Club - \$600
- Oriental Trading Co. - \$25
- Goody's Gourmet Treats - \$150
- Cub Foods - \$150

Facebook Posts:

Join us on for some egg-citing fun! The Brainerd Easter Egg Hunt will take place at Gregory Park on Saturday, March 30th, 2024, at 10 a.m. (SHARP) for children ages 2 - 9.

This is a FREE event provided to you by the Brainerd Rotary Club and Brainerd Parks and Recreation. Please arrive 30 minutes early to ensure you get a parking spot and ready to go with your "Easter basket/bag(s)" in the Gregory Park Center Circle by 10 a.m. sharp.

Event Schedule

9:15 am - 9:50 a.m. Everyone meets in Center Circle inside Gregory Park. The Easter Bunny will be around for pictures.

9:50 am Instructions

-Eggs are empty/glued shut (do not try to open them)

-Choose 1 color to gather (try to get as many as you can in that color!)

-Once your basket/bag is full - turn in your eggs to the egg collecting station for your FREE Candy bag!

10:00 am Easter Egg Hunt Begins. Easter Egg Hunters and families will walk to their quadrant to search for eggs. There will be 4 separate labeled quadrants in Gregory Park by age group: ages 2-3, 4-5, 6-7, and 8-9 they are separated by sidewalk.

Reminder:

Bring a basket or bag to collect eggs! Please make sure children are dressed appropriately for the weather.

For more information, contact the Parks and Recreation Office at 218-821-4635



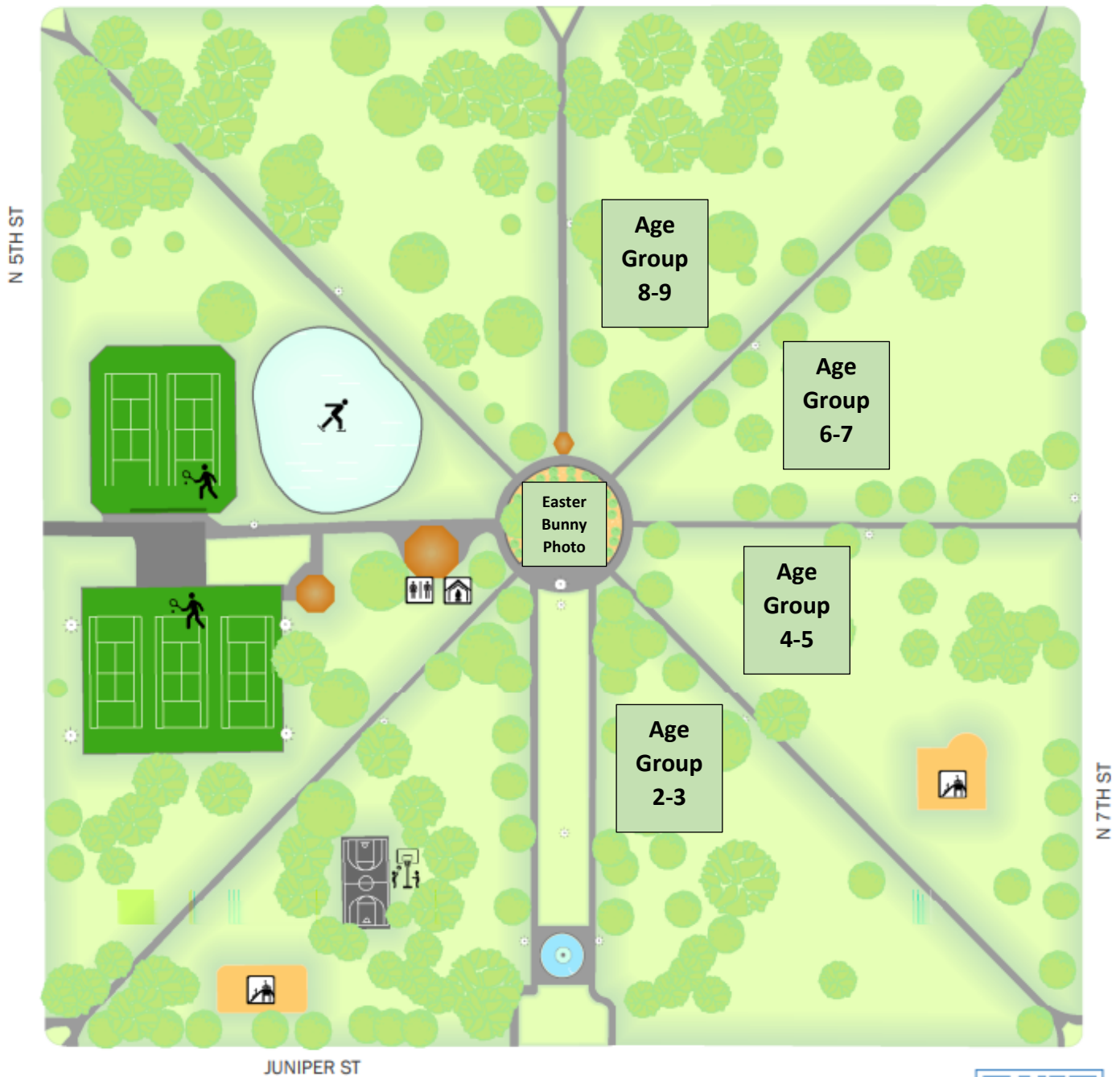


Gregory Park

424 N 5th Street



HOLLY ST





Park Board Agenda Request

MEETING DATE: February 27, 2024

TITLE OF ITEM: Approve Food Delivery at Memorial Park

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: Staff was contacted by a group that does food delivery in Brainerd. Currently, a semi-truck and trailer goes to Bethany Lutheran where 35+ vehicles meet and pick up food that was ordered through a delivery service. They are outgrowing the space and have requested utilizing the west parking lot in Memorial Park to do this pick-up.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The deliveries occur once a month and take approximately 30-45 minutes to complete. Staff has discussed that the only likely conflict would be during adult softball but unlikely that the time would overlap with the softball scheduled start. However, due to the size of the lot, this should be accommodated if both occur at the same time.

RECOMMENDED ACTION/MOTION: Staff recommends approval for the food delivery to occur in the west parking lot at Memorial Park.

FINANCIAL IMPACT: N/A



Park Board Agenda Request

MEETING DATE: February 27, 2024

TITLE OF ITEM: Approve Letter of Support - TH 210/Lum Park Pedestrian Bridge

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 solicitation period is open for the LCCMR grant program. This is the same program that was received for construction of Lyman P. White Park. The City Council authorized staff to apply for \$3.75 million of the over \$5 million estimated cost.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Staff is requesting a letter of support from the Park Board to include with the grant application for the TH 210/Lum Park Pedestrian Bridge project.

RECOMMENDED ACTION/MOTION: Staff recommends approval of the letter of support for the LCCMR grant application for the TH 210/Lum Park Pedestrian Bridge project.

FINANCIAL IMPACT: N/A

RE: LETTER OF SUPPORT –
TH 210/LUM PARK PEDESTRIAN BRIDGE
AND TRAIL PROJECT

Dear Jessie Dehn,

I am writing on behalf of the Brainerd Park Board to express our enthusiastic support for the application to the Legislative-Citizen Commission on Minnesota Resources (LCCMR) through the Environment and Natural Resources Trust Fund (ENRTF) for the Highway 210/Lum Park Pedestrian Bridge and Cuyuna Lakes State Trail (CLST) Project. We believe that this initiative aligns perfectly with our mission to enhance the quality of life for all residents and visitors to our area.

A pedestrian bridge not only promotes safety but also fosters a sense of connectivity and accessibility within our community. It provides a designated pathway for pedestrians and cyclists, encouraging active transportation and promoting a healthier lifestyle. Additionally, a bridge of this nature facilitates access to various amenities and recreational areas specifically at Lum Park but also to other areas of Brainerd, further enriching the overall experience for individuals of all ages. Furthermore, the construction of a pedestrian bridge represents a significant investment in our community's infrastructure, contributing to its long-term sustainability and growth. By creating new pathways and connections, we are not only improving mobility but also fostering economic development and enhancing the overall attractiveness of our community.

We recognize the collaborative efforts involved in bringing this project to fruition and commend all parties involved for their dedication and commitment. The Park Board has been involved in the process to date by participation in the Feasibility Study that was completed in 2023. As stewards of Brainerd parks and advocates for the well-being of our community, we wholeheartedly endorse this endeavor and look forward to witnessing the positive impact it will undoubtedly have on our residents and visitors.

In conclusion, the Brainerd Park Board stands firmly behind the proposed pedestrian bridge project and pledges its full support. We are excited about the opportunities it presents and eagerly anticipate the benefits it will bring to our community for generations to come.

Sincerely,

Johnathan Miller, Park Board Chair



Park Board Agenda Request

MEETING DATE: February 27, 2024

TITLE OF ITEM: Approve 2024 Tree Plantings

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: In the capital budget, there is \$25,000 for tree plantings in the parks. Staff is looking for direction from the Park Board on species and location for the new trees. In 2023, there were new trees that filled areas throughout Memorial, Gregory, and Jaycees Park.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: In December 2022, staff had brought a recommendation to plant new trees in Lum Park to repopulate trees that were lost in the summer storms of 2022. There are also some ash trees that will likely need to be addressed with the recent discovery of Emerald Ash Borer in Brainerd. Attached is a survey of the trees in Lum, prior to the 2022 storms. James Kramvik presented a recommendation of a combination of evergreen and deciduous, specifically to encourage diversity throughout the parks system.

RECOMMENDED ACTION/MOTION: Staff recommends 2024 tree planting in Lum Park using a combination of evergreen and deciduous trees.

FINANCIAL IMPACT: Up to \$25,000.

SPECIES	Count Specie
	6
Ash Tree	14
Basswood	13
Birch (Paper)	11
Butternut	1
Elm Tree	23
Flowering Crabapple	10
Hackberry	1
Maple (Boxelder)	4
Maple (Red)	3
Maple (Silver)	11
Maple (Sugar)	9
Oak (Red)	34
Oak (White)	75
Pine (Jack)	10
Pine (Red)	94
Pine (Scotch)	7
Pine (White)	1
Spruce (Colorado)	2
Spruce (White)	18
	347



Park Board Agenda Request

MEETING DATE: February 27, 2024

TITLE OF ITEM: Approve Mills Field Fencing Quote

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: In the 2024 Capital Budget, there is \$50,000 budgeted for replacement and relocation of the Mills Field fencing. Staff requested quotes for the fencing replacement, replacing the existing wooden fencing with 8-foot-tall chain link fencing. Staff requested pricing to include an option to install bottom rail, typically used to prevent damage and intrusion from vandalism. For cost savings, staff would remove the existing fencing ahead of the installation.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: A breakdown of the two quotes is as follows:

- Elite Fencing - \$41,350 + \$7,800 (bottom rail) = \$49,150. Cost includes the relocation of the 1st base fencing and all outfield fencing to the garage. Does not include new fencing between the garage and concession stand.
- Oberg Fence - \$37,674 + \$7,024 (bottom rail) = \$44,698. Cost includes the relocation of the 1st base fencing and replacement of all of the fencing around Mills Field.

RECOMMENDED ACTION/MOTION: Staff recommends approval of the quote from Oberg Fence in the amount of \$44,698 for replacement of the entirety of the Mills Field fencing with the bottom rail.

FINANCIAL IMPACT: \$44,698



OBERG FENCE CO.

P.O. Box 118

Deerwood, MN 56444

Sales@obergfence.com

www.obergfence.com

218-534-3118

218-534-3119 fax

Date: February 20, 2024

Name: Brainerd Parks & Rec

Address: Mills Baseball Field

Phone Number:

Fax Number:

E-mail:

Description: Install 325' of 8' high 9-gauge galvanized chain link fence and one 14' double drive gate - \$ 8,612.00

Optional: Add bottom rail to fence - \$ 1,398.00

Furnish and install 1,630' of 8' high galvanized chain link fence with one 14' double gate, one 4'outfield gate and one 6' single walk gate - \$ 37,674.00

Add bottom rail - \$ 7,024.00

No prevailing wages included!

If permits or private locates needed, home owner/contractor is

responsible. All brushing & removal of brush must be done prior to installation by owner. All electrical to any operated gate openers to be supplied by customer. Layout/staking by customer.

Certificate of insurance is available upon request. All site preparation including grading, clearing, brushing, mowing, debris removal or disposal shall be by others. Signature on proposal indicates agreement with Oberg terms and conditions provided. Signed proposal and P.O. or 1/2 down are necessary to begin the scheduling process, balance is due upon completion. We will furnish material and labor in accordance with the above description for the sum of:

\$ see above

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. Owner to carry fire, tornado, and all other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Salesman Signature: _____ This proposal may be withdrawn if not accepted in 3 days.

Acceptance of Proposal: Signature: _____ Date: _____

You are authorized to do the work as specified. Payment will be made as outlined above.

This proposal may be withdrawn if not accepted within 7 days. Changes to above description must be executed with a written change order, and will become an extra charge over the above price. We are fully insured; also bonding is available if required at an additional cost.

BID



Elite Fence & Deck

15532 Dellwood Dr.
Brainerd, MN 56401

Bid Number: 2651

Customer

Name City of Brainerd
 Address _____
 City _____ State MN Zip _____
 Date 2/15/2024

Quantity	Description	Unit Price	Total	Taxed
	Mills Field			☐
1	Furnish and install app. 1149 L/F of 8 ft high commercial chain link fence to replace existing side line and outfield fence. Includes one 14 ft, one 6 ft and one 3 ft swing gate.	\$41350.00	\$41350.00	☐
	Option for bottom rail.	\$7800.00		☐
	Specs			☐
	Term posts = 3" LG40 with a 4 ft driven set			☐
	Line posts = 2.5" LG40 with a 4 ft driven set			☐
	Top rail = 1 5/8" LG40			☐
	Fabric = 8 ft 9ga			☐
				☐
				☐
	Bid is valid for 30 days			☐
Sub Total			\$41350.00	
State Sales Tax				
Shipping/Handling				
Final Total			\$41350.00	

Thank you for your business



Park Board Agenda Request

MEETING DATE: February 27, 2024

TITLE OF ITEM: Approve Self-Service Kayak Rental Details

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: Staff had a kick-off meeting with Rent.Fun regarding the new self-service kayak rental that will be installed in Lum Park this spring. Some items came up from that discussion that staff is requesting direction from the Park Board.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Location

- Staff is recommending that the kiosk be placed adjacent to the new sidewalk that will lead to the lower beach. This will encourage users to launch near the beach rather than "competing" with motorboats at the boat ramp. This also limits the distance that users will have to bring the kayaks from the kiosk to water.

Rental Fees

- Attached is a comparison of the nearest kiosk rental locations and their fees. In the cost recovery model, Rent.Fun reflected an average rental of \$25 for 2 hours (or \$12.50 per hour). Based on the comparison and the cost recovery model, staff would recommend a rental fee of \$15 per hour.

Memberships

- Also shown in the comparison are locations providing a membership. Memberships can be any amount for any discount. For example, \$75 per year and 100% rental discount, or \$50 per year and 50% discount. Staff would recommend offering a membership of \$75 per year with 100% rental discount.

Stock

- Staff informed the Park Board that there is flexibility in how many rentals in the kiosk are kayaks versus standup paddleboards. Staff would recommend that 3 rentals are kayaks, and 1 rental is a paddleboard.

RECOMMENDED ACTION/MOTION: Staff is requesting direction and approval on the above options for the self-service kayak rental.

FINANCIAL IMPACT: N/A

Proposed Location of Kiosk



Rental Rates Comparison

MN

Elk River - \$15 / hour

Olmstead County - \$0.25 / minute*

Paynesville - \$10 / hour

Woodbury - \$15 / 1st hour, \$10 thereafter

WI

Calumet County - \$20 / 2 hours*

Marathon County - \$20 / 2 hours

Onalaska - \$20 / 2 hours

Oshkosh - \$20 / 2 hours

IA

Story County - \$25 / 2 hours

Hickory Grove Park Story County - \$25 / 2 hours

IL

Carbondale - \$20 / hour or \$50 / day*

Charleston - \$5 base + \$10 / hour*

Dixon Park District - \$20 / 2 hours

Highland - \$25 / 2 hours, \$15 thereafter

Lake Mattoon - \$25 / 2 hours, \$15 thereafter*

Mt. Sterling - \$25 / 2 hours, \$15 thereafter

Olney - \$10 for 1st hour, \$2.50 / 15 minutes thereafter*

Quincy - \$25 / 2 hours, \$15 thereafter

Rock Falls - \$30 / 2 hours, \$10 thereafter

Park Forest - \$25 / 2 hours, \$10 / 30 minutes thereafter

* Memberships available



Park Board Agenda Request

MEETING DATE: February 27, 2024

TITLE OF ITEM: Request Forming Work Group to Develop a 30-Year Parks Capital Plan

AGENDA:

ACTION REQUESTED: Direction Requested

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

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

SUMMARY OF ISSUE: In 2023, the Park Board completed collection of the parks assets. Attached is the spreadsheet that was created with assets prioritized by year of estimated replacement. This was used to prepare the 2024 Capital budget request for the Council. However, with many of the items having an estimated replacement year, there are gaps with no projects and years with a significant amount of replacements. For more responsible budgeting and the ability for staff to administer the plan, it would be necessary to move projects to more evenly spread projects throughout each year.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Staff would request the formation of a work group with staff and 1-2 members of the Park Board to organize the spreadsheet into a 30-Year Capital Plan. Once complete, the 30-Year Capital Plan would be presented to the Park Board. This would also be used in discussions with the City Council for long-term Capital budget discussions.

RECOMMENDED ACTION/MOTION: Staff requests formation of a work group to develop a 30-Year Parks Capital Plan.

FINANCIAL IMPACT: N/A

Park Location	Item	Replacement Year	Value (2023 Dollars)	Comments
Bane	1 wooden garage, Approx. 10-12' x 20' - painted siding - old shingles	2024	\$ 25,000	Current 2024 Capital Request
Buffalo Hills	park sign	2024	\$ 6,500	
Buster	Gazebo	2024	\$ -35,000	
Gregory	Warming house gutters	2024	\$ 5,000	Current 2024 Capital Request
Jaycees	North side - Large wood pavillion on concrete slab - bad shingles demo	2024	\$ 3,000	Current 2024 Capital Request
Jaycees	North side - Old metal swings, monkey bars & twist slide - pebble rock w/no border	2024	\$ 1,000	Current 2024 Capital Request
Kiwanis	Trail Retaining Wall	2024	\$ -50,000	
Lum	Main entry sign	2024	\$ -6,500	
Lum	Building #1 (old Offices) demolition	2024	\$ 10,000	Current 2024 Capital Request
Lum	Beach House demolition	2024	\$ 15,000	Current ARPA Project Scope
Lyman P. White	Water Bottle Filler	2024	\$ 3,000	
Meadows	Sign	2024	\$ -6,500	
O'Brien	Main sign (Fading - no concrete slab)	2024	\$ -6,500	
Buffalo Hills	playground equipment	2025	\$ 80,000	
Gregory	Pergola	2025	\$ 4,000	Staff Perform, Need Materials
Kiwanis	Garden w/ Pavers	2025	\$ 2,000	Staff Perform, Need Materials
Memorial	Mill field Main Fence Surround	2025	\$ 50,000	
Buster	Dog Waste Bag Dispensor x2	2026	\$ 500	Staff Perform, Need Materials
Lum	Stone arch roof assembly	2027	\$ 6,000	
Memorial	West Parking Lot	2027	\$ 300,000	
Bane	1 batting cage	2028	\$ 5,000	
Buffalo Hills	gravel grading on parking lot, driveway to ge through park	2028	\$ 40,000	Staff Perform, Need Materials
Buffalo Hills	grills	2028	\$ -1,000	
Gregory	Little free library	2028	\$ 500	Staff Perform, Need Materials
Gregory	SE playground	2028	\$ 100,000	
Gregory	SW playground	2028	\$ 80,000	
Gregory	Tennis court benches x 7	2028	\$ 3,500	
Gregory	Tennis court rain garden	2028	\$ 5,000	Staff Perform, Need Materials
Gustafson	4 wire fence backstops	2028	\$ 40,000	
Jaycees	North side - 2 metal grills	2028	\$ -1,000	
Jaycees	South side - 2 old scoreboards	2028	\$ 30,000	
Jaycees	South side - 1 wooden garage, Approx. 20' x 20' - painted siding- old shingles	2028	\$ 50,000	
Jaycees	South side - large gravel parking lot with many large boulders along north perimeter	2028	\$ 5,000	Current ARPA Project Scope
Kiwanis	Grill	2028	\$ -500	
Lum	Sidewalks (bituminous)	2028	\$ 50,000	
Lyman P. White	Wood Art Structure	2028	\$ 40,000	
Lyman P. White	Bike Repair Tools	2028	\$ 3,200	Staff Perform, Need Materials
Memorial	Mill field Scoring tower	2028	\$ 100,000	
Memorial	Mill field Concession Stand	2028	\$ 600,000	
Memorial	Main Playground	2028	\$ 100,000	
Triangle	Dog waste bag holder	2028	\$ 500	Staff Perform, Need Materials
Gustafson	2 metal signs saying Gustafson park	2030	\$ -6,500	
Gustafson	metal numbers on backstops	2030	\$ 1,000	Staff Perform, Need Materials
Jaycees	South side - Main sign (no concrete slab)	2030	\$ 6,500	
Lum	Pump house	2030	\$ 5,000	
Lum	Grills (8 ct.)	2030	\$ -8,000	
Lum	Picnic Tables (27 ct.)	2030	\$ -27,000	
Lum	Gator Playground equipment and enclosure	2030	\$ 60,000	
Lum	Beach and Retaining wall	2030	\$ 20,000	Current ARPA Project Scope
Lum	Main umbrella bulding (by beach)	2030	\$ 200,000	Current 2024 Capital Request
Lum	Water spigot (freestanding)	2030	\$ 500	
Memorial	East Parking Lot	2030	\$ 300,000	
Memorial	Mill field Sun deck	2030	\$ 200,000	
Memorial	Mill field Netting	2030	\$ 75,000	
Memorial	Mill field storage building	2030	\$ 100,000	
Memorial	Field #3 dug outs	2030	\$ 10,000	
Memorial	Field #2 dug outs	2030	\$ 10,000	
Memorial	Field #1 dug outs	2030	\$ 10,000	
Memorial	Rink nets/hoops	2030	\$ 3,000	
Memorial	Water basin pumps	2030	\$ 20,000	
Memorial	Built in tables (4)	2030	\$ -6,000	
Memorial	Freestanding Picnic tables (-17)	2030	\$ -17,000	
Bane	Miracle Field w/special painted surface	2033	\$ 100,000	
Bane	1 Miracle field sign w/ 2 steel poles - memorial sign	2033	\$ 1,500	
Bane	2 asphalt parking lots & asphalt road through park	2033	\$ 150,000	
Bane	Asphalt walkway 3 different directions through park	2033	\$ 30,000	
Bane	1 metal grill	2033	\$ -500	
Gregory	Basketball court			
Bane	5 wooden picnic tables	2033	\$ -5,000	
Gregory	Basketball hoops x 3			Staff Perform, Need Materials
Buffalo Hills	way finding signs	2033	\$ 500	Staff Perform, Need Materials
Buffalo Hills	picnic tables	2033	\$ -7,000	
Buster	Wood Fencing	2033	\$ 500	Staff Perform, Need Materials
Buster	Chainlink Fence	2033	\$ 75,000	
Buster	Signage	2033	\$ -1,000	
Buster	Picnic Tables x 4	2033	\$ -4,000	
Gregory	Picnic Tables x 13	2033	\$ -20,000	
Gregory	Fountain	2033	\$ 250,000	
Gregory	Basketball hoops x 3	2033	\$ 6,000	
Gregory	Pleasure rink string lights	2033	\$ 1,000	Staff Perform, Need Materials
Gustafson	1 red shed	2033	\$ 5,000	Current 2024 Capital Request
Hitch Wayne	Sign	2033	\$ -6,500	
Jaycees	North side - Water spicket	2033	\$ 1,000	
Jaycees	North side - 6 wooden picnic tables	2033	\$ -6,000	
Jaycees	South side - 1 batting cage	2033	\$ 5,000	
Jaycees	South side - 1 L screen	2033	\$ 1,000	
Jaycees	South side - 3 wooden picnic tables	2033	\$ -3,000	
Jaycees	South side - 6 poles - (5 lights & 1 camera)	2033	\$ 27,000	
Kiwanis	Memorial Pillar x2	2033	\$ 2,000	
Kiwanis	Parking Posts w/ Chain (10ft sections)	2033	\$ 2,500	Staff Perform, Need Materials
Kiwanis	Playground Equipment	2033	\$ 100,000	

Kiwanis	Swing Set	2033	\$	10,000	
Kiwanis	Light Post x2	2033	\$	9,000	
Kiwanis	Picnic Tables x 8	2033	\$	8,000	
Lum	Parking lots and road surfaces	2033	\$	1,000,000	
Lum	Disc golf Holes	2033	\$	8,000	
Lum	Disc golf tee boxes	2033	\$	1,000	
Lum	Yellow Monkey bars and Enclosure (2 Ct.)	2033	\$	6,000	
Lum	Yellow Playground equip	2033	\$	30,000	
Lum	Yellow Rainbow and enclosure	2033	\$	5,000	
Lum	Landing/dock	2033	\$	7,000	
Memorial	Mill field Score Board	2033	\$	50,000	
Memorial	Field #3 Lights	2033	\$	200,000	
Memorial	Field #2 Lights	2033	\$	200,000	
Memorial	Field #1 Lights	2033	\$	200,000	
Rotary	Bench/Signage Structure	2033	\$	10,000	
Triangle	Picnic Tables x1	2033	\$	1,000	
Memorial	Mill field Lights	2035	\$	300,000	
Bane	Playground with swings/slides, etc.	2038	\$	100,000	
Bane	3 large rubber mats outside main building	2038	\$	3,000	
Buster	Light Post x2	2038	\$	5,000	
Gregory	3 court tennis court fence	2038	\$	50,000	
Gregory	3 court tennis court lights x 4 poles	2038	\$	200,000	
Jaycees	North side - 1 pole with light	2038	\$	4,500	
Kiwanis	Park Sign	2038	\$	6,500	
Rotary	Community Garden	2038	\$	50,000	
Lum	Smaller Umbrella Building (mid park)	2040	\$	30,000	
Lum	Yellow Climb over and enclosure	2040	\$	5,000	
Lum	Shower building	2040	\$	500,000	
Lum	Flower planter with stone surround	2040	\$	1,000	
Memorial	Mill field Bleachers and Ramp systems	2040	\$	200,000	
Memorial	Main Sign (west Side)-	2040	\$	6,500	
Triangle	Playground Equipment	2042	\$	80,000	
Bane	Full size hockey rink w/permanent board perimeters & chain link extension on both	2043	\$	150,000	
Bane	solid metal gate & fence between rink & ball field	2043	\$	1,000	
Bane	Four 3 seat alum. bleachers - approx. 20' long	2043	\$	20,000	
Bane	One 4 seat aluminum bleacher - approx. 10-12' length	2043	\$	5,500	
Bane	1 Arched Miracle field sign over west entrance walkway	2043	\$	50,000	
Bane	2 scoreboards - 1 new & 1 very old	2043	\$	30,000	
Bane	2 new L screens & 1 old L screen	2043	\$	3,000	
Bane	Sprinkler system - both ball fields	2043	\$	40,000	
Buffalo Hills	2 green high top tables	2043	\$	1,000	
Buster	Drinking Water Station	2043	\$	5,000	
Gregory	Flagpole light	2043	\$	500	Staff Perform, Need Materials
Gregory	3 court tennis court	2043	\$	150,000	
Gregory	Tennis court nets x 5	2043	\$	25,000	
Gregory	2 court tennis court	2043	\$	100,000	
Gregory	Bike rack	2043	\$	750	Staff Perform, Need Materials
Jaycees	South side - Varied height chain link fence perimeters - 8 gates - plastic yellow prot	2043	\$	100,000	
Jaycees	South side - 4 chain link dugouts, concrete floors, wood/metal roofs, secured bench	2043	\$	20,000	
Jaycees	South side - four 3 seat alum. bleachers - approx. 20' long	2043	\$	20,000	
Kiwanis	Buffalo Hills Trail Sign	2043	\$	500	Staff Perform, Need Materials
Kiwanis	Memorial Benches x7	2043	\$	11,000	
Kiwanis	Boom Lake Information Signage x2	2043	\$	1,000	Staff Perform, Need Materials
Kiwanis	Dock	2043	\$	5,000	
Kiwanis	Paved Trail	2043	\$	200,000	
Lum	Umbrella building # 2	2043	\$	150,000	Current 2024 Capital Request
Lum	Small umbrella building (NE corner of park)	2043	\$	20,000	
Lyman P. White	Picnic Tables x6	2043	\$	18,000	
Meadows	Picnic table x 4	2043	\$	1,000	
Memorial	Field #3 Score Board	2043	\$	10,000	
Memorial	Field #2 Score Board	2043	\$	10,000	
Memorial	Field #1 Score Board	2043	\$	10,000	
Memorial	Lion Fountain	2043	\$	5,000	
Memorial	Benches (6)-	2043	\$	9,000	
Rotary	Picnic Benches x 6	2043	\$	6,000	
Trailside	Parking lot	2043	\$	300,000	
Memorial	Field # 3 Fencing /Backstop	2044	\$	30,000	
Memorial	Field # 2 Fencing /Backstop	2044	\$	30,000	
Memorial	Field # 1 Fencing /Backstop	2044	\$	30,000	
Meadows	Playground equipment	2045	\$	80,000	
Jaycees	South side - 2 new playground areas - wood chip base & timber borders	2048	\$	80,000	
Lyman P. White	Irrigation	2048	\$	40,000	
Rotary	River Deck w/ Benches	2048	\$	60,000	
Lum	Camps sites (18.ct.)	2050	\$	18,000	
Lum	Dump Station	2050	\$	20,000	
Lum	Blue swing set	2050	\$	10,000	
Lum	Bench (6 ct.)-	2050	\$	12,000	
Lum	sidewalks (concrete)	2050	\$	150,000	
Memorial	Mill field Dug outs (2)	2050	\$	170,000	
Memorial	Field #3 bleachers (2)	2050	\$	10,000	
Memorial	Field #3 Surface	2050	\$	10,000	
Memorial	Field #2 bleachers (2)	2050	\$	10,000	
Memorial	Field #2 Surface	2050	\$	10,000	
Memorial	Field #1 bleachers (2)	2050	\$	10,000	
Memorial	Field #1 Surface	2050	\$	10,000	
Memorial	Sidewalks and pathways	2050	\$	200,000	
Triangle	Sign	2052	\$	6,500	
Bane	Varied height chain link fence perimeters - 6 gates - plastic yellow protectors	2053	\$	100,000	
Bane	4 chain link dugouts, concrete floors, wood/metal roofs, secured benches	2053	\$	10,000	
Bane	Miracle Field chain link fence perimeter with backstop	2053	\$	40,000	
Bane	2 Large chain link dugouts, concrete floors, wood/metal roofs, non-secured benches	2053	\$	5,000	
Bane	1 brick memorial marker at miracle field	2053	\$	5,000	

Bane	Main sign with plant surround at North end of park	2053	\$	-6,500	
Bane	2 memorial benches w/o concrete slab base	2053	\$	-3,000	
Lyman P. White	Park Sign				
Buffalo Hills	bench	2053	\$	-1,500	
Buffalo Hills	2 ball fields with fencing	2053	\$	120,000	
Buffalo Hills	2 sets of dugouts	2053	\$	10,000	
Buffalo Hills	4 sets of metal bleachers	2053	\$	22,000	
Buffalo Hills	scoreboard	2053	\$	15,000	
Buffalo Hills	green building/shed	2053	\$	100,000	
Meadows	Basketball court				
Meadows	Basketball hoops x 2				
Buffalo Hills	concession building/pavilion/bathrooms	2053	\$	350,000	
Buster	Park Sign	2053	\$	-6,500	
Buster	Memorial Benches x3	2053	\$	-4,500	
Gregory	Benches x 17	2053	\$	-26,000	
Jaycees	South side - 2 baseball fields w/grass infields/clay mounds (Bronco/Pony sizes)	2053	\$	20,000	
Jaycees	South side - 2 story block building (concessions- announcers booths - storage & B	2053	\$	400,000	
Lyman P. White	Restroom Building	2053	\$	300,000	
Lyman P. White	Open Side Bench x7	2053	\$	7,700	Staff Perform, Need Materials
Lyman P. White	Closed Side Bench x12	2053	\$	12,000	Staff Perform, Need Materials
Lyman P. White	Bike Rack	2053	\$	750	Staff Perform, Need Materials
Memorial	Splash pad and surface	2053	\$	500,000	
Rotary	Pavilion	2053	\$	250,000	
Rotary	Memorial Bench	2053	\$	-1,500	
Rotary	Signage on Front Gate	2053	\$	-6,500	
Trailside	Sign	2053	\$	-6,500	
Gregory	Boulder historical marker	2058	\$	1,000	
Memorial	Mill field surface	2060	\$	10,000	
Bane	4 yellow painted steel foul poles	2063	\$	1,000	
Bane	Block building - coccasions, warming house, BR's, annncers booth	2063	\$	600,000	
Evergreen	Gate	2063	\$	5,000	Staff Perform, Need Materials
Jaycees	South side - 4 yellow painted steel foul poles	2063	\$	2,000	
Kiwanis	Pavilion	2063	\$	150,000	
Kiwanis	Restroom Building	2063	\$	400,000	
Lum	Building # 2 (storage)	2063	\$	200,000	
Lyman P. White	Light Posts x13	2063	\$	60,000	
Lyman P. White	Amphitheater Covered Structure	2063	\$	200,000	
Lyman P. White	Pavilion	2063	\$	115,000	
Rotary	Trail Gate	2068	\$	5,000	Staff Perform, Need Materials
Lum	Stone Circle	2070	\$	50,000	
Memorial	Concession Building	2070	\$	500,000	
Memorial	Ball field Bathroom building	2070	\$	400,000	
Bane	2 baseball fields w/grass infields/clay mounds (Bronco/Pony sizes)	2073	\$	20,000	
Bane	Metal flag pole w/concrete base	2073	\$	3,000	
Buffalo Hills	flag with solar light	2073	\$	3,500	
Gregory	Flagpole	2073	\$	3,000	
Gregory	Basketball court	2073	\$	70,000	
Gregory	Warming house + kitchenette	2073	\$	400,000	
Gregory	Tennis practice wall	2073	\$	10,000	
Gregory	2 court tennis court fence	2073	\$	35,000	
Lyman P. White	River Step Structure and canoe/kayak launch	2073	\$	150,000	
Lyman P. White	River Observation Deck	2073	\$	325,000	
Lyman P. White	Amphitheater Seating (seating, lights, railing)	2073	\$	100,000	
Lyman P. White	Top of Hill Seating Area	2073	\$	100,000	
Lyman P. White	Paved Paths	2073	\$	125,000	
Memorial	Warming House and Pavilion	2073	\$	400,000	
Memorial	Small rink + lighting	2073	\$	200,000	
Memorial	Large rink + lighting	2073	\$	400,000	
Rotary	Entrance Structure	2073	\$	450,000	
Kiwanis	Duck Feature	2083	\$	10,000	
Memorial	Vet Memorial and Flag	2083	\$	10,000	
Gregory	South stone entrance	2123	\$	200,000	
Gregory	South stone sign and planter	2123	\$	100,000	
Gregory	North stone arch	2123	\$	200,000	
Kiwanis	Under Bridge Path	2123	\$	25,000	
Lum	Stone Arch Columns	3023	\$	100,000	
Gregory	Bent tree by SE playground				
Kiwanis	Brainerd Brewing Rest Area				
Kiwanis	Brainerd Brewing Pillar				
Kiwanis	Small Post w/ Sign				Staff Perform, Need Materials
Kiwanis	Wooden Posts				Staff Perform, Need Materials
Kiwanis	Road Rock Structures				Staff Perform, Need Materials
Triangle	Bag Toss				Staff Perform, Need Materials
Triangle	Shade structure				
Kiwanis	Mississippi River Route Signage Structure				Staff Perform, Need Materials
Kiwanis	Mississippi River Pier Sign				Staff Perform, Need Materials



PARKS DEPARTMENT MAINTENANCE AND RECREATION REPORT

February 27, 2024; PARK BOARD MEETING

Recreation Report

Winter Activities/Sports

- Pond Hockey
 - January 26th Memorial, Gregory, and Bane Park ice rinks and warming houses closed.
 - We will have our equipment/jersey drop off on Thursday night February 22nd from 4pm - 6pm at Memorial Park. If participants are unable to make it that night, they are welcome to drop the equipment off at Brainerd City Hall.

Special Events

- **Skating Party**

It was canceled due to warm weather melting rinks.

- **Smooch A Pooch**

Brainerd Parks and Rec hosted its annual Smooch a Pooch Tuesday, Feb. 13, at Buster Dog Park in Brainerd. The annual event offered owners the opportunity to be photographed with their dogs for Valentine's Day. Smooch a Pooch was sponsored by Pampered Pets, with free bandanas for the pups and a free photo from Tadych Photography. Photos will be emailed to participants by February 21st, 2024.

Smooch a pooch had an article in the Brainerd Dispatch on 2/15/24. Below are some of the photos taken by the Brainerd Dispatch



Adult Softball

Adult softball fees have been determined as follows.

League	Fee	Late Fee	Max Teams
MS1	\$1,050.00	\$75	12
MS2	\$1,050.00	\$75	12
Women's	\$710	\$75	12
Upper Coed	\$710	\$75	6
Lower Coed	\$710	\$75	6

Registration for summer softball starts as soon as possible. Working on configuring registration and fees.

Donations

I (Haley) went to 50 local businesses to ask for donation requests to help support our local community events. As of 2/20/24 we have gotten 11 donations.

Miscellaneous :

Fall and Summer Softball/ Pickleball plaques are being processed.

Parks Maintenance Report

- Winter banners replaced with summer banners downtown
 - Installed tennis nets
 - Stored all pond hockey equipment, nets, boards
 - Closed rinks for season
 - Buster Park gazebo torn down and hauled away
 - Received delivery of new shelter for dog park
 - Additional chips spread at Buster
 - Plowed all walking trails
 - Additional brush trimming at Kiwanis
 - Ordering sign for Public Works building
 - Finalizing disconnects for old shop for demolition (gas, electric, cable, and internet)
 - Soap box cars and documents moved from old shop
 - Replaced bad tire on work truck
 - Cut down hazardous tree on Rotary Trail
 - OSHA information board hung at shop
 - Installed fire/key box on new building
 - Field chalk ordered for summer
 - Washed vehicles
 - Lights in shop hung
 - Enclosed air compressor
 - Cutting trees on spur line
 - Roofing and painting shed
 - Put out basketball stanchion
 - Removing door at old shop to repurpose
 - Grinding stumps
 - Painting doors
 - CTC-CenterPoint Energy-BPU water/electricity
 - Working on new disc course
 - Public Works sign ordered
 - Removing some fixtures from old shop
-

Projects Report

Parks ARPA Projects

Staff has received the final plans from Widseth. Once reviewed and approved, staff will be advertising the plans for bid. It is expected that work will take place through spring and summer 2024.

Buster Park Pavilion

Staff has received the pavilion. Once the weather allows, foundations will be poured and staff will assemble the pavilion. 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. Sign proofs have been approved. Staff is requesting quotes for the concrete tee boxes.

Building Demolitions

Lum Park Building Demo is planned for late March. Staff has removed the shed at Gustafson. Some remaining utility disconnection is required at the shed in Memorial. The demo at Jaycees needs to be quoted yet.

Self-Service Kayak Rental

The Park Board is discussing details such as rates, memberships, etc. at this meeting. This is planned to be in place for the 2024 summer season.

Bane Park Garage Roof

Staff has requested quotes from vendors for this work.

Gregory Park Warming House/Pavilion Gutter Replacement

Staff has requested quotes from vendors for this work.

Buffalo Hills Park Playground Replacement

Staff has reached out to the Lions Club to begin discussions on the playground replacement details.

Mills Field Fencing Relocation and Replacement

The Park Board is reviewing the quotes received for this work. It is expected that this work would take place this spring 2024.

Memorial Park Rink Lights Automatic Timer

Staff has requested quote from the vendor for this work.

Lum Park Pavilion Rehabilitation

Staff has requested drawings from TWM Architecture to prepare drawings for bidding.