

CITY COUNCIL AGENDA

Brainerd, Minnesota
TUESDAY, January 3, 2017
7:30 P.M.
Brainerd City Hall
Council Chambers

_____ D. Pritschet
_____ K. Bevans
_____ D. Badeaux
_____ G. Johnson
_____ S. Hilgart
_____ J. Lambert
_____ K. Stunek
_____ Mayor Menk

1. Call to Order

2. Pledge of Allegiance

3. Administer Oath of Office

Edwin L. Menk – Mayor
Dave Pritschet – Alderman, Ward 1
Dave Badeaux – Alderman, Ward 3
Janice M. Lambert – Alderman, At Large
Kevin H. Stunek – Alderman, At Large

4. Roll Call

5. Election of President and Vice President of the Council for 2017-2018

6. Appointment of Council Committees; May be Delayed to January 17, 2017 – Discussion Requested

7. Approval of Agenda (VOICE VOTE)

8. Adoption of the Consent Calendar (ROLL CALL VOTE)

(NOTICE TO PUBLIC) – All matters listed on Consent Calendar are considered routine by the Council and will all be enacted by one (1) motion. There will be no separate discussion of these items unless good cause is shown prior to the time the Council votes on the motion to adopt list as a whole:

A. Approval of the Minutes of the Regular Meeting held on December 19, 2016 and the Special Meeting held on December 27, 2016, as distributed

B. Approval of Licenses – (See Attachment)

1. Contractor's Licenses – 29 – Renewals

C. Department Activity Reports – (See Attachments)

1. Fire Chief
2. Park Director

D. Temporary Liquor License Application – Submitted by the Crossing Arts Alliance for an Event to be held on February 3, 2017 at The Franklin Arts Center Room 114, 1001 Kingwood Street, Brainerd – Approval of

E. Adoption of a Resolution Approving Signature Authorization for 2017 Capital Projects for the Brainerd Lakes Regional Airport – (See Attachment)

F. Designation of the Brainerd Dispatch as Official Newspaper for Calendar Year 2017 Pursuant to City Charter – (See Attachments)

G. Designation of Financial Institutions as Depositories for 2017 Pursuant to City Charter: Bremer Bank, Wells Fargo, BlackRidge Bank, US Bancorp, Deerwood Bank, Neighborhood National Bank, Frandsen Bank & Trust, RiverWood Bank, RBC Wealth Management, 4M Money Market, PMA Financial Network, Inc. and Morgan Stanley

H. Reappointment of City Officials Pursuant to City Charter (2017/2018 Term) – (See Attachments)

1. City Engineer – Jeffrey M. Hulsether, P.E.
2. City Building Official – Timothy Caughey
3. City Attorney – Joseph J. Langel

I. Approval of Bills (2016 Year End & January 3, 2017) and Payments to Contractors

Contractor	IMP #	Project	Amount	Total Retained
S.E.H.	14-15	Arpt Util Ext thru 11/30	\$59,781.53	0

9. Unfinished Business

A. Sanitary and Storm Sewer Rate Study

B. Call for Applicants – Applications available at City Hall or Apply online: <http://www.ci.brainerd.mn.us/279/Boards-Commissions>

PLEASE NOTE: THIS INCLUDES ANY EXPIRING TERMS UP FOR REAPPOINTMENT – ALL CURRENT MEMBERS ARE REQUIRED TO REAPPLY)

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

Cable TV Advisory Committee – 2 terms (Expire 2019)

Charter Commission – 1 term (Expire 2020)

Transportation Advisory Committee – 1 full term (Expire 2018)

Rental Dwelling Board of Appeals – 5 terms (see below) – (Expire 2018)

1. *Residential Property Manager Representatives (1)*
2. *Residential Rental Housing Advocate Representative (1)*
3. *Tenant Representative (1)*
4. *General Public Representative (1)*

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

Airport Commission – 1 term (Expires 2019)

Planning Commission – 3 terms (Expire 2019)

Police & Fire Civil Service Commission – 1 term (Expires 2019)

10. New Business

A. Set Date for City Council Retreat

B. Voting Procedure for NJPA Board

C. IT/GIS Coordinator Promotion Recommendation

D. Employee Policy Manual Amendment relative to Post Employment Health Care Savings Plan (HCSP)

11. Planning Commission

A. Variance Request, Gretchen Nelson – To Permit a Metal Roof that is not Standing Seam in Design on an Accessory Building at 717 2nd Avenue NE – Planning Commission recommends Approval

B. Variance Request, Carol and James Paschelke – To Construct a 6' tall Fence where a 4' tall Fence is Permitted at 501 16th Street SE – Planning Commission recommends Approval with one Condition

12. Public Forum: Time allocated for citizens to bring matters not on the agenda to the attention of the Council – Time limits may be imposed.

13. Staff Reports

14. Council Member Reports

15. Committee Resignations

A. Police and Fire Civil Service Commission – Mr. Kevin Stunek (to serve on City Council) – Effective 12/31/2016

B. Transportation Advisory Committee – Ms. Jan Lambert (to serve on City Council) – Effective 12/31/2016

16. Committee Recommendations – Recommended by Mayor

A. Charter Commission Reappointment – Mr. Bill Dian – Term to Expire 12/31/2020

B. Rental Dwelling Board of Appeals: (Terms to Expire 12/31/2018)

1. *Residential Rental Property Manager Rep Reappointment – Mr. Rick Fargo*
2. *Residential Rental Housing Advocate Rep Reappointment – Ms. Teresa Hettver*

C. Police & Fire Civil Service Commission – Mr. Patrick Wussow – Term to Expire 12/31/2019

17. Adjourn

**ANY INDIVIDUAL NEEDING SPECIAL ACCOMMODATIONS,
PLEASE CALL 828-2307.**

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

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

Pursuant to due call and notice thereof, the regular meeting of the Brainerd City Council was called to order at 7:30 P.M. by Council President Scheeler.

Upon roll call, the following members were noted as present: Koep, Pritschet, Bevans, Johnson, Borkenhagen, Hilgart, Scheeler and Mayor Menk.

Council President Scheeler opened the meeting with the Pledge of Allegiance to the Flag.

Council Member Koep requested that item "5D – Congressman Nolan Office Lease" be moved from the Consent Calendar to the end of the Personnel and Finance Committee agenda.

Mayor Menk requested that the item "committee reappointment recommendations" be added to the Staff Reports section.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND BEVANS, DULY CARRIED, TO APPROVE THE AGENDA AS AMENDED.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND PRITSCHET TO ADOPT THE CONSENT CALENDAR AS AMENDED.

A. Approval of the Minutes of the Regular Meeting held on December 5, 2016, the Budget Workshop held on December 1, 2016 and the Budget Public Hearing held on December 12, 2016, as distributed – Approved

B. Approval of Licenses – Approved

1. Contractor's Licenses – 60 – Renewals
2. Contractor's Licenses – 2 – New
3. Tobacco Licenses – 5 – Renewals
4. Pawnbrokers Licenses – 2 – Renewals
5. Second Hand Goods Licenses – 1 – Renewal
6. Second Hand Auto Licenses – 1 – Renewal (Contingent Upon Fire Dept Inspection)
7. Taxi Cab Licenses – 1 – Renewal
8. **DATE CHANGE:** Brainerd American Legion Temporary Liquor License Approved at 12/7/16 meeting for a December 10, 2016 Event – Event Postponed to January 7, 2017

C. Department Activity Reports – Approved

1. Police Chief
2. Finance Director

Presentation of Tower Awards to Departing Council Members

Mayor Menk presented Tower Awards to departing Council Member Elects Mary Koep, Gary Scheeler and Chip Borkenhagen. Council and staff applauded their years of service and pictures were taken.

Welcome to New Council Members

Mayor Menk and City Administrator Thoreen welcomed Council Elects Dave Badeaux, Janice M. Lambert and Kevin H. Stunek who begin their terms on January 1, 2016. Pictures were taken following congratulatory applause.

Presentation – Sanitary and Storm Sewer Rate Study – UFS, LLC – Informational

The Chair welcomed Mr. Dan Kasbohm, Rate Analyst with Utility Financial Solutions, LLC, who presented a Sewer and Storm Water Cost of Service Analysis for the City of Brainerd. He provided a Financial Projection for 2017 through 2021, Cost of Service Results, 2017 Proposed Rates and Impacts and discussed UFS' recommendations. He answered questions of the Council and the Chair thanked him for his presentation. This item will appear on a future agenda for further discussion.

Council Committee Reports

Safety and Public Works Committee Report

Jackson Street Parking – Resolution No. 57:16 Adopted – Restricting Parking on Jackson Street from the West City Limits to NW 4th Street

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART TO ADOPT RESOLUTION NO 57:16 – RESTRICTING PARKING FOR SAP 108-129-002 – JACKSON STREET – FROM NW 4TH STREET TO BRAINERD CITY LIMITS.

RESOLUTION NO. 57:16

Upon roll call, members Koep, Pritschet, Bevans, Johnson, Borkenhagen, Hilgart and Scheeler voted "aye." No member voted "nay." The Chair declared the motion carried and the resolution adopted.

Street Light Request – Intersection of Business Highway 371 and Greenwood Street – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BORKENHAGEN, DULY CARRIED, TO AUTHORIZE THE INSTALLATION OF A STREET LIGHT AT THE INTERSECTION ON GREENWOOD STREET AND BUSINESS 371.

Tax Forfeit Parcel – PID #080334400A00009 – Hold Parcel in Conservation and Express an Interest to the County to Acquire the Parcel – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BORKENHAGEN, DULY CARRIED, TO HOLD PARCEL #080334400A00009 IN CONSERVATION AND EXPRESS AN INTEREST TO THE COUNTY TO ACQUIRE THE PARCEL.

Organized Collection – Referred to Safety and Public Works Committee for Discussion after January 3, 20417 – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BORKENHAGEN, DULY CARRIED, TO RECOMMEND TO THE FUTURE SAFETY AND PUBLIC WORKS COMMITTEE THAT THEY TAKE UP THE DISCUSSION OF STREAMLINING THE CITY'S GARBAGE COLLECTION.

Personnel and Finance Committee Report

Approval of Bills, Transfer of Funds and Payments to Contractors – Approved

General Fund to Public Safety Fund	\$450,000
General Fund to Park Fund	\$ 75,000
General Fund to Street & Sewer Fund	\$ 75,000
General Fund to Airport Fund	<u>\$ 12,940</u>
	\$612,940
Fire to Fire Capital Fund per FAB Agreement	\$ 85,517
SAC Fund to Sanitary Sewer Fund – O St Project	<u>\$ 61,000</u>
	\$146,517

Contractor	IMP #	Project	Amount	Total Retained
Braun Intertec	14-15	Soil Testing thru 11/30	\$3,327	\$0
Tom's Backhoe	11/18-11/19	DT Snow Removal	\$19,393	\$0
Tom's Backhoe	14-15	Arpt Util Ext thru 11/30	\$672,167	\$0

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET TO ADOPT THE APPROVAL OF BILLS, TRANSFER OF FUNDS AND PAYMENTS TO CONTRACTORS AS RECOMMENDED BY THE PERSONNEL AND FINANCE COMMITTEE.

Upon roll call, members Koep, Pritschet, Bevans, Johnson, Borkenhagen, Hilgart and Scheeler voted "aye." No member voted "nay." The Chair declared the motion carried.

Proposed Technology Use Policy – Adopt Policy included in Packet with Effective Date to be Immediately upon City Attorney's Review and Approval – Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET, DULY CARRIED, TO ADOPT THE TECHNOLOGY USE POLICY INCLUDED IN THE PACKET – EFFECTIVE IMMEDIATELY FOLLOWING THE REVIEW AND APPROVAL OF THE CITY ATTORNEY.

Request to Establish a New Police Officer Eligibility List – Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET, DULY CARRIED, TO AUTHORIZE THE POLICE & FIRE CIVIL SERVICE COMMISSION TO ESTABLISH A NEW POLICE OFFICER ELIGIBILITY LIST.

Casualty/Property Insurance Dividend – No Action Taken

Committee Chair Koep reported that further information is necessary to make a decision; therefore, there is no action to be taken this evening.

ADDED ITEM – Accept the Resignation of Engineering Technician James Reed Effective December 30, 2016 and Authorize the Backfilling of Position as Soon as Possible and Authorize Funds Necessary to Complete the Hiring Process – Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET, DULY CARRIED, TO ACCEPT WITH REGRET THE RESIGNATION OF ENGINEERING TECHNICIAN JAMES REED, EFFECTIVE DECEMBER 30, 2016 AND TO AUTHORIZE BACKFILLING THE POSITION AS SOON AS POSSIBLE AND TO AUTHORIZE THE FUNDS NECESSARY TO COMPLETE THE HIRING PROCESS.

Congressman Elect Rick Nolan's District Office Lease for \$200 per month Effective January 3, 2017 – January 2, 2019 – Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET, DULY CARRIED, TO AUTHORIZE THE CONTINUED LEASE BETWEEN THE CITY OF BRAINERD AND CONGRESSMAN RICK NOLAN'S OFFICE FOR THE USE OF A ROOM WITHIN CITY HALL AT THE RATE OF \$200 PER MONTH.

Unfinished Business

2017 Budget and Levy – Adopted per Resolution No. 58:16 – Setting the Final Levy at \$5,373,778 plus \$121,408 for the HRA and Adopting the 2017 Budget as Presented

MOVED AND SECONDED BY ALDERMEN KOEP AND JOHNSON TO ADOPT RESOLUTION NO 58:16 – SETTING THE 2017 FINAL LEVY AT \$5,373,778 PLUS \$121,408 FOR THE HRA.

RESOLUTION NO. 58:16

Upon roll call, members Koep, Pritschet, Bevans, Johnson, Borkenhagen, Hilgart and Scheeler voted "aye." No member voted "nay." The Chair declared the motion carried and the resolution adopted.

MOVED AND SECONDED BY ALDERMEN KOEP AND JOHNSON, DULY CARRIED, TO ADOPT THE 2017 BUDGET AS PRESENTED.

Call for Applicants – Informational – Applications available at City Hall or Apply online: <http://www.ci.brainerd.mn.us/279/Boards-Commissions>

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

Cable TV Advisory Committee – 2 terms (Expire 2019)

Charter Commission – 2 terms (Expire 2020)

Transportation Advisory Committee – 2 full terms (Expire 2018)

Rental Dwelling Board of Appeals – 5 terms (see below) – (Expire 2018)

1. *Residential Property Manager Representatives* (2)

2. *Residential Rental Housing Advocate Representative (1)*
3. *Tenant Representative (1)*
4. *General Public Representative (1)*

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

Airport Commission – 1 term (Expires 2019)

Planning Commission – 3 terms (Expire 2019)

Police & Fire Civil Service Commission – 2 terms (Expire 2019)

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND BEVANS, DULY CARRIED, TO ACCEPT THE RECOMMENDATION TO RE-APPOINT MR. WILLIAM WROOLIE TO THE BRAINERD PUBLIC UTILITIES COMMISSION FOR A TERM TO EXPIRE ON DECEMBER 31, 2021.

MOVED AND SECONDED BY ALDERMEN BEVANS AND JOHNSON, DULY CARRIED, TO RE-APPOINT MS. MARY KOEP AS KITCHIGAMI REGIONAL LIBRARY SYSTEM (KRLS) REPRESENTATIVE TO THE BRAINERD PUBLIC LIBRARY.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND JOHNSON, DULY CARRIED, TO APPOINT MS. MARY KOEP TO THE TRANSPORTATION ADVISORY COMMITTEE FOR A TERM TO EXPIRE ON 12/31/2017.

Public Forum: No one appeared at Public Forum.

Staff Reports: No staff reports were given.

Council Member Reports

Council Member Koep reported that there have already been meetings held for the next History Week and that the issues surrounding the consideration to add the Crosby Library to the KRLS System have been very difficult for all parties involved.

Council Member Borkenhagen stated that he is very thankful for having served the City and has truly had a great learning experience.

Adjourn – To Closed Session Pursuant to M.S. 13D.03 to discuss Labor Negotiation Strategy – 8:55 P.M.

The Council reconvened into open session at 9:26 P.M.

L.E.L.S. Local #69 Union Contract and MOU's for 2017/2018 – Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND HILGART, DULY CARRIED, TO ACCEPT THE SETTLEMENT TERMS, UNION CONTRACT, AND APPLICABLE MOU'S BETWEEN THE CITY OF BRAINERD AND THE L.E.L.S. LOCAL #65 (POLICE OFFICERS) UNION FOR THE YEARS OF 2017 AND 2018.

Adjourn – To a Closed Meeting to be held at 5:45 P.M. on Tuesday, December 27, 2016 at City Hall Pursuant to M.S. 13D.03 to discuss Labor Negotiation Strategy

The Chair adjourned the meeting at 9:32 P.M.

James M. Thoreen
City Administrator

Pursuant to due call and notice thereof, the Adjourned Meeting of the Brainerd City Council was called to order at 5:46 p.m. by Council President Scheeler.

Upon roll call, the following members were noted present: Koep, Bevans, Johnson, Hilgart and Scheeler. NOTE: Alderman Pritschet and Mayor Menk arrived at 5:47 p.m. Alderman Borkenhagen was noted absent.

City Administrator Thoreen, Finance Director Hillman, and HR Coordinator Schubert were also noted present.

The Chair opened the meeting with the Pledge of Allegiance to the Flag.

Adjourn to Closed Session Pursuant to M.S. 13D.03 to discuss Labor Negotiation Strategy.

The Council adjourned into closed session pursuant to M.S. 13D.03 to discuss labor negotiation strategy at 5:47 p.m.

The Council reconvened into open session at 6:15 p.m.

2017 - 2018 Union Contract Settlements.

HR Coordinator Kris Schubert summarized wage adjustments for the remaining six bargaining units noting that the Teamsters Police Sergeant Union received a 1% market adjustment and BPU employees receive market adjustments as reviewed and recommended by the Brainerd Public Utilities Commission. Almost all union groups will receive a 1.5% general wage adjustment on 1/1/17; .5% general wage adjustment on 7/1/17; and a 2% wage adjustment on 1/1/18. The IBEW Administrative Support union will receive 2% on 1/1/17 and 2% on 1/1/18 since they did not receive market adjustments during negotiations.

Teamsters Local No. 346 (Police Sergeants) Union:

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART TO APPROVE THE 2017 - 2018 SETTLEMENT TERMS, UNION CONTRACT, AND APPLICABLE MOU'S BETWEEN THE CITY OF BRAINERD AND TEAMSTERS LOCAL NO. 346 (POLICE SERGEANTS) UNION; FURTHER, TO ADOPT RESOLUTION NO. 59:16 SETTING THE 2017 - 2018 WAGES FOR SAID GROUP.

RESOLUTION NO. 59:16

Upon roll call, members Koep, Pritschet, Bevans, Johnson, Hilgart, and Scheeler voted "aye." No member voted "nay." The Chair declared the motion carried and the resolution adopted.

IBEW Local No. 31 (Administrative Support) Union:

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO APPROVE THE 2017 - 2018 SETTLEMENT TERMS, UNION CONTRACT, AND APPLICABLE MOU'S BETWEEN THE CITY OF BRAINERD AND IBEW LOCAL NO. 31 (ADMINISTRATIVE SUPPORT) UNION; FURTHER, TO ADOPT RESOLUTION NO. 60:16 SETTING THE 2017 - 2018 WAGES FOR SAID GROUP.

RESOLUTION NO. 60:16

Upon roll call, members Koep, Pritschet, Bevans, Johnson, Hilgart, and Scheeler voted "aye." No member voted "nay." The Chair declared the motion carried and the resolution adopted.

IUOE Local #49 (Parks) Union:

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART TO APPROVE THE 2017 - 2018 SETTLEMENT TERMS, UNION CONTRACT, AND APPLICABLE MOU'S BETWEEN THE CITY OF BRAINERD AND IUOE LOCAL #49 (PARKS) UNION; FURTHER, TO ADOPT RESOLUTION NO. 61:16 SETTING THE 2017 - 2018 WAGES FOR SAID GROUP.

RESOLUTION NO. 61:16

Upon roll call, members Koep, Pritschet, Bevans, Johnson, Hilgart, and Scheeler voted "aye." No member voted "nay." The Chair declared the motion carried and the resolution adopted.

IUOE Local #49 (Street) Union:

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO APPROVE THE 2017 - 2018 SETTLEMENT TERMS, UNION CONTRACT, AND APPLICABLE MOU'S BETWEEN THE CITY OF BRAINERD AND IUOE LOCAL #49 (STREET) UNION; FURTHER, TO ADOPT RESOLUTION NO. 62:16 SETTING THE 2017 - 2018 WAGES FOR SAID GROUP.

RESOLUTION NO. 62:16

Upon roll call, members Koep, Pritschet, Bevans, Johnson, Hilgart, and Scheeler voted "aye." No member voted "nay." The Chair declared the motion carried and the resolution adopted.

United Steel Workers Local 9230 – Unit 9 (Hydro-BPU) Union:

MOVED AND SECONDED BY ALDERMEN BEVANS AND KOEP TO APPROVE THE 2017 - 2018 SETTLEMENT TERMS, UNION CONTRACT, AND APPLICABLE MOU'S BETWEEN THE CITY OF BRAINERD AND UNITED STEEL WORKERS LOCAL 9230 – UNIT 9 (HYDRO-BPU) UNION; FURTHER, TO ADOPT RESOLUTION NO. 63:16 SETTING THE 2017 - 2018 WAGES FOR SAID GROUP.

RESOLUTION NO. 63:16

Upon roll call, members Koep, Pritschet, Bevans, Johnson, Hilgart, and Scheeler voted "aye." No member voted "nay." The Chair declared the motion carried and the resolution adopted.

IBEW Local No. 31 (BPU) Union:

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO APPROVE THE 2017 - 2018 SETTLEMENT TERMS, UNION CONTRACT, AND APPLICABLE MOU'S BETWEEN THE CITY OF BRAINERD AND IBEW LOCAL NO. 31 (BPU) UNION; FURTHER, TO ADOPT RESOLUTION NO. 64:16 SETTING THE 2017 - 2018 WAGES FOR SAID GROUP.

RESOLUTION NO. 64:16

Upon roll call, members Koep, Pritschet, Bevans, Johnson, Hilgart, and Scheeler voted "aye." No member voted "nay." The Chair declared the motion carried and the resolution adopted.

Adjustments for Non-Union Employees (City Administrator, Department Heads and Supervisors).

HR Coordinator Schubert presented adjustment recommendations for non-union employees consisting of the City Administrator, Department Heads and Supervisors following a comparable internal settlement pattern. Additional considerations were discussed relative to maintaining the Police Department internal supervisory wage gap since both Officers and Sergeants received market adjustments, officially creating and posting the IT / GIS Coordinator and IT Specialist positions, and overall wage adjustments.

MOVED AND SECONDED BY ALDERMEN BEVANS AND JOHNSON, DULY CARRIED, TO AUTHORIZE STAFF TO CONDUCT A MARKET REVIEW FOR THE POLICE CHIEF AND DEPUTY POLICE CHIEF POSITIONS FOR POSSIBLE RETROACTIVE ADJUSTMENTS AND TO MAINTAIN THE CURRENT SUPERVISORY WAGE GAP; FURTHER, BECAUSE OF THIS REVIEW, THESE POSITIONS WILL NOT INCLUDED IN TONIGHT'S 2017 - 2018 NON-UNION WAGE RESOLUTION AND WILL BE PRESENTED AND CONSIDERED AT THE JANUARY 17, 2017 COUNCIL MEETING.

MOVED AND SECONDED BY ALDERMEN BEVANS AND JOHNSON, DULY CARRIED, TO AUTHORIZE A \$1 PER HOUR MARKET ADJUSTMENT FOR BOTH 2017 AND 2018 FOR THE CITY'S IT / GIS COORDINATOR POSITION TO MATCH THE BASE WAGE FOR THE BPU INFORMATION TECHNOLOGY SUPERVISOR.

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, DULY CARRIED, TO AUTHORIZE STAFF TO BEGIN THE INTERNAL POSTING PROCESS FOR THE NEW IT / GIS COORDINATOR (SUPERVISOR) AND IT SPECIALIST (IBEW UNION MEMBER) POSITIONS.

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, DULY CARRIED, TO AUTHORIZE STAFF TO REQUEST AN MOU EXTENSION BETWEEN THE CITY OF BRAINERD AND THE IBEW ADMINISTRATIVE SUPPORT UNION TO ALLOW THE CURRENT INDIVIDUAL THAT IS ASSISTING WITH IT DUTIES TO CONTINUE IN THAT ROLE AND RECEIVE THE \$2.50 PER HOUR WAGE ADJUSTMENT UNTIL THE CITY OFFICIALLY FILLS THE IT SPECIALIST POSITION.

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART TO ADOPT A RESOLUTION SETTING THE 2017 - 2018 MONTHLY WAGES FOR NON-UNION CITY EMPLOYEES CONSISTING OF THE CITY ADMINISTRATOR, DEPARTMENT HEADS AND SUPERVISORS (EXCLUDING THE POLICE CHIEF AND DEPUTY POLICE CHIEF AT THIS TIME) FOLLOWING COMPARABLE INTERNAL SETTLEMENT PATTERNS AS PRESENTED.

RESOLUTION NO. 65:16

Upon roll call, members Koep, Pritschet, Bevans, Johnson, Hilgart, and Scheeler voted "aye." No member voted "nay." The Chair declared the motion carried and the resolution adopted.

Adjourn.

The Chair adjourned the meeting at 6:38 p.m.

James M. Thoreen
City Administrator

/ks

CITY OF BRAINERD
LICENSED CONTRACTORS
CITY COUNCIL MEETING
January 3, 2017
(29 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
RURAL RENEWABLE ENERGY ALLIANCE 3963 8TH ST SW BACKUS, MN 56435 17-0063	(218) 839-7732	GENL	12/15/2017	12/31/2017	BC629837
UPLAND ADVERTISING & DESIGN LLC 21683 CAMPBELL LAKE ROAD MERRIFIELD, MN 56465 17-0064	(218) 828-9435	SIGN	6/3/2017	7/29/2018	SB701308
KENKO DRYWALL, INC. 14181 242ND AVENUE PIERZ, MN 56364 17-0065	(320) 980-1789	DRYW	8/15/2017	12/31/2017	
JOHN FRANZEN STUCCO, LLC 30012 EAST HORSESHOE LAKE RD MERRIFIELD, MN 56465 17-0066	(218) 765-4051	STUC	12/1/2017	12/31/2017	
THELEN HEATING & ROOFING, INC. 1717 13TH STREET SE BRAINERD, MN 56401 17-0067	(218) 829-1491	MECH	4/1/2017	9/24/2018	MB003283 BC638379
SHO-CON OF PIERZ, INC. 25238 213TH STREET PIERZ, MN 56364 17-0068	(218) 851-3945	MASO	4/6/2017	12/31/2017	
RARDIN CONSTRUCTION, INC. 10990 COUNTY ROAD 77 SW NISSWA, MN 56468 17-0069	(218) 829-6507	GENL	1/1/2018	12/31/2017	BC003746
PRATT'S AFFORDABLE EXCAVATING INC. 23069 SWAN LANE MERRIFIELD, MN 56465 17-0070	(218) 765-4244	EXCA	9/1/2017	12/31/2017	L1341
TOM'S BACKHOE SERVICE, INC. 323 WOODLAND HILLS LANE BRAINERD, MN 56401 17-0071	(218) 828-4232	EXCA	7/1/2017	12/31/2017	L408 PB643233
TED'S SIGN COMPANY, LLC 5380 GULL LAKE DAM RD BRAINERD, MN 56401 17-0072	(218) 829-2089	SIGN	10/22/2017	12/31/2017	
METROPOLITAN MECHANICAL CONTRACTORS 7450 FLYING CLOUD DR EDEN PRAIRIE, MN 55344-3720 17-0073	(952) 941-7010	MECH	12/31/2017	3/29/2018	MB004842 PC642833

CITY OF BRAINERD
LICENSED CONTRACTORS
CITY COUNCIL MEETING
January 3, 2017
(29 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
JIBEC HEATING & COOLING 1775 DANDELION LANE SW BRAINERD, MN 56401 17-0074	(218) 828-0330	MECH	5/27/2017	11/21/2018	MB005584
MP NEXLEVEL, LLC 500 COUNTY ROAD 37 E MAPLE LAKE, MN 55358 17-0075	(320) 963-2400	UTIL	8/31/2017	12/31/2017	
VANVICKLE MASONRY, LLC 4530 116TH T SW PILLAGER, MN 56473 17-0076	(218) 820-3178	MASO	4/10/2017	12/31/2017	
SCHRUPP EXCAVATING, LLC 3003 36TH STREET SW PINE RIVER, MN 56474 17-0077	(218) 587-4038	EXCA	3/31/2017	12/31/2017	L-747
SCHAFER BUILDING MAINTENANCE 6037 85TH STREET NE FOLEY, MN 56329 17-0078	(320) 387-3205	GENL	3/7/2017	12/31/2017	
PLUMBING PLUS LLC 18768 213TH STREET LITTLE FALLS, MN 56345 17-0079	(218) 820-5618	PLUM	4/20/2017	12/31/2017	PC643166
BOLDT COMPANY, THE 2525 NORTH ROEMER ROAD APPLETON, WI 54911 17-0080	(920) 739-6321	GENL	1/1/2018	12/31/2017	
LUNDBERG PLUMBING & HEATING, INC. 1075 2ND STREET NW AITKIN, MN 56431 17-0081	(218) 927-3248	MECH	10/1/2017	7/1/2018	MB003381 PC644439
JIM'S HEATING & AIR LLC 14748 LEISURE ROAD PIERZ, MN 56364 17-0082	(320) 468-6742	MECH	4/13/2017	8/31/2018	MB003683
KRAUS-ANDERSON CONSTRUCTION CO. 525 SOUTH 8TH STREET MINNEAPOLIS, MN 55404 17-0083	(612) 332-7281	GENL	12/31/2017	12/31/2017	BC008368
R J MECHANICAL, INC. 901 INDUSTRIAL PARK RD N PO BOX 373 MORA, MN 55051 17-0084	(320) 679-0602	MECH	1/1/2018	12/2/2018	MB004174 PC001353

CITY OF BRAINERD
LICENSED CONTRACTORS
CITY COUNCIL MEETING
January 3, 2017
(29 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
ONE WAY BUILDING SERVICES 6811 WASHINGTON AVENUE S. EDINA, MN 55439 17-0085	(952) 460-9175	GENL	1/1/2018	12/31/2017	
HEARTLAND GLASS COMPANY, INC. 401 SUNDIAL DRIVE WAITE PARK, MN 56387 17-0086	(320) 259-1679	GLAS	8/1/2017	12/31/2017	
NEUMANN CONSTRUCTION, INC. 3552 44TH STREET SW PINE RIVER, MN 56474 17-0087	(218) 270-0009	GENL	9/18/2017	12/31/2017	BC586859
DIVERSIFIED CONST OF THE LAKES AREA 1107 6TH STREET SOUTH BRAINERD, MN 56401 17-0088	(218) 820-7841	GENL	1/1/2018	12/31/2017	
FRANZEN BROS. PLASTERING LLC 10872 COUNTY ROAD 8 BRAINERD, MN 56401 17-0089	(218) 764-2474	DRYW	8/1/2017	12/31/2017	
KMI MECHANICAL, INC. 17089 COMMERCIAL PARK ROAD BRAINERD, MN 56401 17-0090	(218) 454-0828	MECH	2/1/2017	3/11/2018	MB004834 PC645047
IRONFIRE, INC. 5353 LEGEND LANE BRAINERD, MN 56401 17-0091	(218) 829-4983	STEL	9/23/2017	12/31/2017	

Brainerd Fire Department

To: Mayor and City Council
From: Tim Holmes, Brainerd Fire Chief
Date: December 29, 2016
Re: December 2016 Fire Department Monthly Report, To Date

December was a busy end to 2016. We are finalizing several programs to make the department more efficient and productive in 2017. One of those is The Compliance Engine program, which will be used for our fire code inspections and enforcement. The Compliance Engine is a web-based software program that will collect annual fire safety system inspections in one central and universal system. The system will then notify the fire department of any non-compliant systems in our area. The system also notifies businesses if they are due for their annual inspections. With The Compliance Engine, the fire department will be able to be more proactive in all of our fire safety efforts. One of the other programs we are working on for 2017 is StationCheck. This also is a web based program that will allow us to better track apparatus inventory and maintenance. We have been working with both The Compliance Engine and StationCheck to complete the administrative side of these programs and we will be going live with both in 2017.



Along with technology enhancements within the department, we are always training to make sure our skills and knowledge are honed and up to date. In December, we had Ice Rescue training on Rice Lake and Pipeline safety training from Enbridge. FM/DC Cox attended the 2015 Fire Code Update training in Waite Park and our three new firefighters started Firefighter I training.

We also had a family Christmas movie night at the fire station for all fire families to attend. We had a craft for the kids and also watched a movie. This is always such a great time getting all our families together.



A few other things to note; the hovercraft was sold and we will work to replace it with an inflatable style boat in early 2017. We also received a grant from the State to purchase a new washing machine for our turnout gear and this piece of equipment has been installed. The washer is designed to help get more of the harmful chemicals out of our turnout gear to keep our firefighters healthier for their future.

Brainerd Fire Coverage Area Incident Report (Includes City of Brainerd)

Structure Fire	3
Chimney Fire	1
Cooking Fire	1
Vehicle/Recreational Vehicle Fire	3
Accident with Injuries	5
Rescue, Extrication	2
Gas Leak	2
Carbon Monoxide Incident	1
Assist Governmental Agency	1
Smoke Scare/Removal	2
Good Intent Call	1
Canceled Enroute	10
Alarm Activation	4
Carbon Monoxide Alarm	3
Weather Standby	1
<u>Total</u>	<u>40</u>

City of Brainerd Incident Report

Cooking Fire	1
Accident with Injuries	1
Smoke Scare/Removal	1
Canceled Enroute	2
Alarm Activation	2
Carbon Monoxide Incident	1
Carbon Monoxide Alarm	1
<u>Total</u>	<u>9</u>

Parks and Recreation Report

January 2017

Submitted by Tony Sailer, Director

- A presentation of the Rotary Park Restoration Project was given to the Park Board at its Dec. 20 meeting. The Brainerd Rotary Club is working with the Crow Wing County Soil and Water Conservation District, which received a \$35,000 grant for the project. The project will entail the planting of native grasses and flowers, developing trails and building an observation deck. Seeds will be harvested from the site and be distributed to other areas of the state. The Rotary Club will provide most of the labor for the project which will be done in phases over the next three years. City staff is asked to mow the planting area two or three times per year until the plants are established.
- Representatives from the Riverfront project gave a presentation on the status of the development.
- As part of the vendor contract, Viking Coca-Cola donated \$2,500 toward the purchase of a scoreboard. Staff purchased a scoreboard from Nevco for \$2,859.34 and it will be placed at Buffalo Hills-Lions Park next summer. This will be the first scoreboard at that park, which is where the youth softball teams play.
- Staff used the Fire Department's tanker truck to initially flood rinks. The tanker allowed staff to put down 30,000 gallons of water on the six rinks each day, an amount which would take a week to do if staff used fire hoses. Once a base was established, staff reverted back to using fire hoses to flood to give a better skating surface. The warming houses were opened Dec. 27.
- Pond Hockey practices begin Jan. 3 for the Penguins and Jan. 5 for the Polar Bears with games starting Jan. 14 against Nisswa.
- Recreation Specialist Katie Kaufman passed her annual tree inspector recertification test.
- Staff has been busy preparing sponsorship, donation and advertising letters which will be sent out in early January.
- A 4x4 adult Pond Hockey program is planned this season on Tuesday nights at Bane Park.

#8E

**RESOLUTION
NO. _____**

**SIGNATURE AUTHORIZATION FOR 2017 CAPITAL PROJECTS FOR THE
BRAINERD LAKES REGIONAL AIRPORT**

BE IT RESOLVED that the Chairman and/or Vice Chairman of the Brainerd Lakes Regional Airport Commission is hereby authorized and directed to act as the authorized representative of the City of Brainerd for all 2017 capital projects for airport operations, and the same is hereby authorized and directed to execute and affix his signature to any and all required documents pertinent thereto, and all amendments thereof.

Adopted this ____ day of January, 20__

President of the Council

Approved this ____ day of January, 20__

EDWIN L. MENK
Mayor

ATTEST: _____
JIM THOREEN
City Administrator



Brainerd City Council Agenda Request

8F

Agenda Item #

Requested Meeting Date: January 3, 2017

Title of Item: Appointing Official Newspaper

☐ INFORMATION ONLY ☒ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) *provide copy of published hearing notice ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading
Submitted by: Jim Thoreen	Department: Administration
Presenter (Name & Title): City Administrator Thoreen	Estimated Time Needed: 1 minute
Summary of Issue: Section 25 of the City Charter requires "The council shall annually at its first meeting of the year designate a legal newspaper of general circulation in the City as its official newspaper in which shall be published Ordinances and other matters required by law to be so published as well as such other matters as the Council may deem it in the public interest to have published in this matter."	
Alternatives, Options, Effects on Others/Comments: The Dispatch also offers the City a reduced rate per inch based on the volume. If we don't reach the volume in the agreement, the next year's rate will be based on a lower volume level. For 2016, we had agreement was based on a volume of \$5,000 and a rate of \$12.44 per inch. Our actual volume was approximately \$6,000. The 2017 agreement with the Dispatch is based on a volume again of \$5,000 and a rate of \$12.44 per inch. The open rate for 2017 is \$14.30 per inch.	
Recommended Action/Motion: Approve the Brainerd Dispatch as the legal newspaper and enter into the agreement with the Dispatch with a rate per inch of \$12.44 for 2017.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☒ Yes ☐ No <u>Please Explain:</u>	



BRAINERD DISPATCH

SERVING THE BRAINERD LAKES AREA AND CENTRAL MINNESOTA SINCE 1881

RECEIVED

DEC 15 2016

**CITY OF BRAINERD
ADMINISTRATION**

December 9, 2016

City of Brainerd

You signed a \$5,000 contract with us this year. The City fulfilled that contract by purchasing \$6000 worth of advertising with us so far this year.

It is now time to decide if you would like to sign a contract with us again for 2017.

My recommendation, based on your history with us, would be for you to sign a \$5,000 contract for the 2017 year. That would entitle your office to a rate of \$12.44 per column inch. Any dollars spent with Brainerd Dispatch/Echo Publishing for advertising products or services will contribute toward contract fulfillment. Contract level discounts are applicable for advertising products and services excluding: Discover Racks, Event Wraps, Early Bird, Employment, Magazine, Job Printing (flyers, magazines, postcards, etc.), Digital products, and any Classified categorized advertising (Real Estate, Automotive, Service Directory, etc).

I have filled out a contract for \$5,000 for you. If that sounds like it would work for you just sign the contract and mail or email it back to me. Feel free to call me if you have any questions, 855-5804.

Sincerely,



Ann Windorski
Legal Advertising Coordinator

Enclosures

Advertiser: City of Brainerd

Brainerd Dispatch/Echo Publishing is hereby authorized to publish retail display advertising or classified advertising in our products for one year from the above date and continuing thereafter as provided by this agreement. Classified display refers to those non-line ad formats which are placed within the classified section of Brainerd Dispatch/Echo Publishing products. Retail display advertising refers to those non-line ad formats which run elsewhere in our products.

The Advertiser agrees to purchase \$ _____ or a frequency of _____ of advertising services from us during the next twelve months.

We assume no financial responsibility for typographical errors or omissions in advertising, but, if at fault, will reprint that part of the advertisement in which such error has occurred without charge or allow a credit not exceed the value of the space occupied by the error. Claims for errors must be submitted in time for correction by the second day following publication.

The advertiser agrees to furnish copy according to the schedule on the current rate card and to accept provisions of Brainerd Dispatch/Echo Publishing advertising policies as noted thereon.

In event of major fire or other small disaster, and the advertiser is not in business for an extended period, this agreement is automatically invalidated.

We reserve the right to adjust its advertising rates at any time upon 30 days notice to the advertiser. If any such revision is not acceptable to the contract advertiser, advertiser may cancel such contract at any time prior to the expiration of said 30 days upon written notice.

In the event of non-fulfillment of the terms and conditions of this contract, the advertiser agrees to pay for all advertising space used from last anniversary to date at the rate actually earned.

This contract supercedes all previous agreements. It shall remain in force the next 12 months and reviewed prior to the date for each succeeding year at which time a new contract is signed.

Reproduction Agreement: Rates charged for advertising in Brainerd Dispatch/Echo Publishing products are for space used only, and do not include compensation for the right, title and interest to layouts of advertisements placed with us which represent the creative effort of Brainerd Dispatch/Echo Publishing or utilization of its own illustrations, label or material. All such advertising layouts are and remain the sole property of Brainerd Dispatch/Echo Publishing. Advertiser understands that he may not authorize the photographic or other reproduction of any advertising layout used to publish an advertisement in our products in any other publication without the express prior to written consent of Brainerd Dispatch/Echo Publishing. It is further understood that this does not preclude the advertiser from supplying to other publications similar or identical material or information for production of advertisements by such publications or from suggesting the content or form of such advertisements. Advertiser acknowledges the placing of advertising in Brainerd Dispatch/Echo Publishing shall not constitute a work made for hire and agrees that we shall be the exclusive owner of any and all copyright rights to all published advertisements.

Accepted for Dispatch/Echo: Ann Windaski Signed: Ann Windaski

Advertiser: _____ Signed: _____

(Owner or Authorized Representative)

Date: _____

Comments: _____



www.ci.brainerd.mn.us

MEMO

To: Brainerd City Council

Date: December 27, 2016

From: City Administrator Jim Thoreen

RE: Appointment of City Engineer, City Building Official and City Attorney

8 H

Section 7 of the City Charter requires "...at its first regular meeting in January of each odd-numbered year the Council shall, by majority vote, appoint the City Attorney, City Engineer and Building Official for two year terms..."

Attached is the request for re-appointment from City Engineer Jeff Hulsether and City Building Official Tim Caughey.

Also attached is a revised agreement to retain Joe Langel of the Ratwik, Rozak and Maloney Law Firm, Minneapolis, MN to serve as City Attorney for 2017 and 2018.

Staff recommends approval of the re-appointments to the respective positions.

December 28, 2016

The Honorable Mayor Menk
City Council Members
City Hall
501 Laurel Street
Brainerd, MN 56401



www.ci.brainerd.mn.us

RE: Reappointment

Dear Mayor & Council Members

In accordance with Section 7, Chapter 2 of the Brainerd City Charter, the City Council at its first regular meeting in January of each odd numbered year appoints the City Attorney, City Engineer, and Building Official for two year terms. Pursuant to this requirement, I am requesting reappointment to the position of City Engineer for the term of January 1, 2017 through December 31, 2018.

Respectfully submitted,

CITY OF BRAINERD

A handwritten signature in black ink, which appears to read "Jeffrey M. Hulsether". The signature is written in a cursive style with a large initial "J".

Jeffrey M. Hulsether, P.E.
City Engineer

December 28, 2016

The Honorable Mayor Menk
City Council Members
City Hall
501 Laurel Street
Brainerd, MN 56401



www.ci.brainerd.mn.us

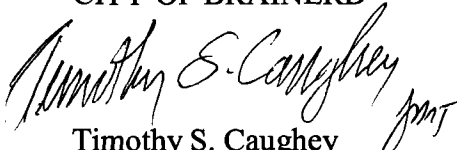
RE: Reappointment

Dear Mayor & Council Members

In accordance with Section 7, Chapter 2 of the Brainerd City Charter, the City Council at its first regular meeting in January of each odd numbered year appoints the City Attorney, City Engineer, and Building Official for two year terms. Pursuant to this requirement, I am requesting reappointment to the position of Building Official for the term of January 1, 2017 through December 31, 2018.

Respectfully submitted,

CITY OF BRAINERD


Timothy S. Caughey
Building Official

Jim Thoreen

From: Joseph Langel [REDACTED]
Sent: Wednesday, December 28, 2016 12:22 PM
To: Jim Thoreen
Subject: 2017-18 RR&M contract
Attachments: 248070.doc

Jim,

Attached is the proposed contract for the next two years. A few notes:

- The hourly rate for non-retainer work is staying the same (\$145/hr). This covers the vast majority of non-retainer work we do for Brainerd.
- The development rate is staying the same (\$185/hr). This rate is seldom, if ever, used in Brainerd.
- I added a litigation rate (\$175/hr)(section 1.4), which I normally have in City contracts. I do not expect to use this rate much in Brainerd given what little litigation arises there historically, but it reflects the time and expertise involved in providing representation in those cases. Please note that the pending annexation case would normally fall under this rate, but because we started it under the current rate (\$145/hr) we will continue to use that rate for the duration of the case.
- The charge for facsimiles was removed.
- The annual retainer for 2017 will be the same as it was in 2016: \$44,000. I am proposing a modest increase in 2018 (\$46,000). As I indicated on the phone, my experience is that the use of such retainers tends to grow over time due to the growth of legal issues that arise. This allows us to keep the cost of providing retainer services roughly proportionate to the revenue from the retainer.

Other than replacing Eric's name with mine, the remaining terms stayed the same. Please let me know if you have any questions, comments, concerns, etc. Thank you.

Joe



Ratwik, Roszak & Maloney, P.A.

Joseph J. Langel
Ratwik, Roszak & Maloney, P.A.
730 Second Ave. South, Suite 300
Minneapolis, MN 55402

The information contained in this electronic message may be attorney-client privileged and/or confidential information and is intended only for the use of the individual(s) to whom this electronic message is addressed. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this electronic communication or any attachment thereto is strictly prohibited. If you have received this electronic communication in error, you should immediately return it to us and delete the message from your system. Thank you.

CONTRACT FOR CIVIL LEGAL SERVICES

This agreement is entered into by and between the **City of Brainerd**, 501 Laurel Street, Brainerd, MN 56401 (hereinafter "City") and the law firm of **Ratwik, Roszak, & Maloney, P.A.**, 730 Second Avenue South, Suite 300, Minneapolis, MN 55402 (hereinafter "Law Firm"), for the purpose of utilizing the Law Firm to provide civil legal services to the City.

RECITALS

WHEREAS, the Law Firm has provided civil legal services to the City since January 1, 2014 and has the skill and expertise necessary to perform the duties as set forth in this Agreement; and

WHEREAS, the City and the Law Firm desire for the Law Firm to continue to provide civil legal services to the City for 2016 and 2017.

NOW THEREFORE, IN CONSIDERATION OF the mutual promises contained herein and other good and sufficient consideration the parties agree to the following:

TERMS

1. Scope and Nature of Legal Services: The parties agree to the following description of the nature of the legal services to be provided by the Law Firm to the City:

1.1 Retainer Matters: The Law Firm shall provide the following basic civil legal services to the City in exchange for the retainer fee set forth in Paragraph 5.1:

- A. Two City Council meetings per month (additional meetings will be billed at a flat rate of \$750 per meeting).
- B. Routine legal advice through telephone, electronic communication, or personal consultations with elected officials, City Administrator, Department Heads, and various City staff as appropriate.
- C. Routine review of ordinances, resolutions, agreements, forms, notices, deeds, city charter, and other legal documents as necessary.

- D. Updates on relevant new legislation and case law affecting municipal government.

1.2 Non-Retainer Matters: The parties contemplate that the Law Firm will also provide civil legal services outside the scope of services covered by the retainer as described in paragraph 1.1 above. Legal services outside of the annual retainer would be billed at the Law Firm's \$145 hourly rate, except for Development Matters, as provided in Section 1.3. The Non-Retainer Matters include all other legal services not set forth in Sections 1.1 and 1.3, including projects requiring significant legal research and analysis, formal written legal opinions, drafting complex agreements, drafting charter amendments, grievances, on-site labor negotiations, investigations, property acquisition and routine zoning and code enforcement.

1.3 Development Matters: The Law Firm will perform legal services in the Land Use/Economic Development area where the project proposer is required to reimburse the City for legal services. These legal services will be billed to the City by the Law Firm at \$185.00 per hour during the term of this Agreement.

1.4 Litigation Matters: Contested case and litigation matters in which representation is not otherwise provided by insurance defense counsel, will be billed to the City by the Law Firm at the rate of \$175.00 per hour during the term of this Agreement. This category includes eminent domain proceedings, assessment appeals to district court, annexation proceedings, and any litigation (e.g., contract disputes, debt collection and removal of hazardous structures).

2. Reimbursable Costs and Expenses.

2.1 General Rule: For all costs associated with retainer and non-retainer work, the City will reimburse the Law Firm for actual, necessary, and reasonable costs and expenses incurred by the Law Firm in the performance of the legal services contained in this Agreement.

2.2 Specific Rates:

<u>Description of Costs</u>	<u>Rate</u>
Mileage	I.R.S. Rates
Parking	Actual Cost
Photocopying	\$.20 per page
Facsimile	No charge

Postage	Actual Cost
Messenger	Actual Cost
Court Costs	Actual Cost
Arbitration Costs	Actual Cost
Other Contested Case Costs	Actual Cost

- 2.3 **Billing Procedures:** Notwithstanding the provisions of Paragraph 5 regarding billing and payment procedures, the parties understand and agree that certain expenses may not be known to the Law Firm until after the monthly bill for legal services has been prepared and mailed to the City for payment. For example, an arbitrator's award and bill may not arrive until months after all legal services have been provided, billed, and paid.
3. **Responsible Attorney and Staff.** Joseph J. Langel shall be the primary attorney for the City. Mr. Langel shall be responsible for the performance of this agreement, although he may be assisted by other attorneys or support staff in the firm.
4. **Conflict of Interest and Attorney/Client Privilege Issues:**
 - 4.1 **Conflict of Interest:** The Law Firm will notify the City if the Law Firm represents or has ever represented an opposing party in a legal matter, whether within or outside of the retainer. The Law Firm declares that it represents many school districts, cities, counties, and other public entities throughout the State of Minnesota, and in the area of the City of Brainerd.
 - 4.2 **Attorney/Client Privilege:** The Law Firm is authorized to utilize e-mail without encryption to transmit and receive confidential client information. Cordless and cellular telephones may be used by the Law Firm to transmit and receive confidential client information. The City specifically acknowledges that it understands the confidentiality risks associated with inadvertent interception.
5. **Billing Format, Cycle, Payment Expectations and Interests.**
 - 5.1 **Retainers:** The annual retainer for the retainer services described in Paragraph 1.1 shall be \$44,000 for 2017 and \$46,000 for 2018.
 - 5.2 **Billing Format:** The Law Firm will submit monthly statements for both retainer and non-retainer matters, itemizing legal services rendered for the prior month broken down into categories. These

categories shall include: retainer, non-retainer matters, and non-retainer developer reimbursable matters.

- 5.3 Billing Cycle:** The Law Firm will bill monthly for legal services rendered in the prior month. Generally, bills will go out approximately fifteen (15) days after the end of the prior month.
- 5.4 Payment Expectations:** The City will pay the bill of the Law Firm within thirty (30) days or less of its receipt of the bill by forwarding a check to the Law Firm paying for both legal services and expenses shown on the Law Firm's bill.
- 5.5 Disputes:** In the event that the City disputes any aspect of the Law Firm's bill, the appropriate City representative will contact Joseph J. Langel at the Law Firm stating the nature of the dispute. The parties pledge their mutual good faith in resolving any disputes.
- 5.6 Interest:** Because the City will be paying the Law Firm's bills within thirty (30) days from their receipt, no interest will be charged. If the City determines that it will be necessary to deviate from that payment schedule, then it will notify the Law Firm. An interest rate of 8% per annum will be charged to the City if it elects a payment schedule greater than thirty (30) days, subject to change as may be mutually agreed between the parties.
- 5.7 Term:** The term of this Agreement will be from January 1, 2017 to December 31, 2018, subject to the following provisions:
1. During the term of the Agreement, either party may terminate the Agreement upon thirty (30) calendar days' written notice to the other party.
- 5.8 City Approval:** The City Council has approved the Law Firm's performance of legal services for the City during the term of this agreement.
- 5.9 Severability.** Upon termination of this agreement, the City shall only be responsible for the pro rata portion of the annual retainer under Section 5.1.
- 5.10 Other.** The City expressly reserves its right to hire independent counsel on matters it determines requires an attorney with expertise in a particular field. In such a situation, the City shall remain

responsible to the Law Firm for the monthly fee provided under this agreement along with any billings not related to the matter for which special counsel was retained. The City shall only be responsible to the Law Firm for extra expenses in relation to the matter for which special counsel is retained if the City names the Law Firm as co-counsel in the matter or otherwise requests the Law Firm's participation.

THE CITY OF BRAINERD

RATWIK, ROSZAK & MALONEY, P.A.

By: _____
Its Mayor

By: _____
Margaret A. Skelton, President

By: _____
Its City Administrator

PACKET: 03872 01/03/17 COUNCIL

VENDOR SET: 01

FUND : 101 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0088	BREMER BANK	I-2017	101-49200-3430	MISCELLANEOUS 2017 SAFE DEPOSIT BOX RENT	074518	100.00
01-1653	CIVICPLUS	I-161785	101-41800-3309	COMPUTER SUPP WEBSITE ANNUAL 12/8-12/7	074521	2,025.86
01-2552	TYLER TECHNOLOGIES	I-025-173819	101-41400-3309	COMPUTER TECH INCODE MAINT 1/1/17-12/31/17	074526	14,553.65
			FUND	101 GENERAL FUND	TOTAL:	16,679.51

PACKET: 03872 01/03/17 COUNCIL

VENDOR SET: 01

FUND : 203 TRANSIT FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-0086	CITY OF BRAINERD					
		I-JANUARY 2017	203-49000-3410	RENTAL EXPENS JAN TRANSIT RENT	074520	550.00
01-3410	ROUTE MATCH SOFTWARE					
		I-28128	203-49000-3309	COMPUTER TECH ANNUAL TECH SUPP - 2017	074525	19,163.86
		I-28309	203-49000-3309	COMPUTER TECH ANNUAL HOSTING FEES - 2017	074525	4,320.00
				FUND 203 TRANSIT FUND	TOTAL:	24,033.86

PACKET: 03872 01/03/17 COUNCIL

VENDOR SET: 01

FUND : 225 PUBLIC SAFETY FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0005	A.T.O.M.					
		I-2017 DUES	225-42120-3433	DUES & SUBSCR 2017 DEPT TRAINING MEMBERSHIP	074516	250.00
01-0079	BRAINERD LICENSE OFFICE					
		I-282UGN/2017	225-42120-2221	SQUAD CAR REP SQD 421 - REG/RENEWAL	074517	11.00
		I-605MDN/2017	225-42120-2221	SQUAD CAR REP SQD 404 - REG/RENEWAL	074517	11.00
01-0102	CANON FINANCIAL SERVICE					
		I-16783760	225-42220-3331	LEASE PAYMENT JANAURY COPIER LEASE	074519	66.23
				FUND 225 PUBLIC SAFETY FUND	TOTAL:	338.23

PACKET: 03872 01/03/17 COUNCIL

VENDOR SET: 01

FUND : 230 PARK & RECREATION FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-3342	NEOPOST USA INC					
		I-54456442	230-45200-3331	LEASE PAYMENT POSTAGE RENTAL 1/14-4/13	074524	95.85
				FUND 230 PARK & RECREATION FUND	TOTAL:	95.85

PACKET: 03872 01/03/17 COUNCIL

VENDOR SET: 01

FUND : 235 STREET & SEWER FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0239	MACQUEEN EQUIPMENT INC					
		I-P03299	235-43100-2220	REPAIR & MAIN FAN ROTOR, BUSHINGS	074522	492.61
01-2392	MENARDS					
		I-40911	235-43125-2220	REPAIR & MAIN 50 - 50 LB BAGS ICE MELT	074523	519.50
				FUND 235 STREET & SEWER FUND	TOTAL:	1,012.11

PACKET: 03872 01/03/17 COUNCIL
 VENDOR SET: 01
 FUND : 236 PARKING LOT FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-0086	CITY OF BRAINERD					
		I-Q1 2017	236-43180-3430	MISCELLANEOUS 1ST QTR BN PARKING FEE	074520	250.00
				FUND 236 PARKING LOT FUND	TOTAL:	250.00
					REPORT GRAND TOTAL:	42,409.56

THE ABOVE LISTED ACCOUNTS PAYABLE DISBURSEMENTS HAVE BEEN REVIEWED AND ARE HEREBY APPROVED:

 KELLY BEVANS

 DAVID PRITSCHET

 GABE JOHNSON

 SUE HILGART

 DAVE BADEAUX

 KEVIN STUNEK

 JANICE LAMBERT

PACKET: 03873 2016 YE COUNCIL

VENDOR SET: 01

FUND : 101 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0086	CITY OF BRAINERD	I-2016 TAX	101-31010	CURRENT AD VA REMIT 2016 TAX ANNEXED LIVELY	074444	4,943.95
01-0087	VISIT BRAINERD	I-NOVEMBER 2016	101-49200-3340	LODGING TAX R NOVEMBER 2016 LODGING	074513	386.09
01-0170	FASTENAL COMPANY	I-MNBAX202072	101-42400-3430	MISCELLANEOUS WINTER HELMET LINER	074457	8.42
01-0284	OFFICE SHOP	I-1016647-0	101-41700-2210	OPERATING SUP CNM ROLLER	074494	78.33
		I-1016682-0	101-42400-2200	OFFICE SUPPLI 2 DESK CHAIRS - LAURIE & TIM	074494	548.78
		I-1017468-0	101-41400-2200	OFFICE SUPPLI DESK PAD, CALENDARS	074494	61.65
		I-1017480-0	101-41940-2210	OPERATING SUP 2 CS TOILET TISSUE	074494	77.88
01-0296	BRAINERD PUBLIC UTILITI	I-2016 PERA	101-20850	DUE TO COMPON REMIT DEC 2016 PERA RATE INC	074437	5,310.50
01-0307	CENTER POINT ENERGY	I-5942870-6/DEC 16	101-41940-3380	UTILITIES HEAT 11/17-12/19	074440	1,373.23
		I-5942870-6/DEC 16	101-41940-3380	UTILITIES MN INTERIM REFUND	074440	146.61-
		I-6031615-5/DEC 16	101-41940-3380	UTILITIES HEAT 11/17-12/19	074440	378.16
		I-6031615-5/DEC 16	101-41940-3380	UTILITIES MN INTERIM REFUND	074440	43.53-
01-0444	OAK LAWN TOWNSHIP	I-2016 YE	101-31010	CURRENT AD VA 2016 ANNEXATION PER MS 414.033	074491	151.45
01-0447	CDW GOVERNMENT, INC	I-EN00003982	101-41800-3309	COMPUTER SUPP 9/30/16-9/29/17 BUS BASIC OFFI	074439	190.08
01-0736	NORTHLAND FIRE PROTECTI	I-24856	101-41940-3300	PROFESSIONAL ANNUAL FIRE ALARM INSPECTION	074489	627.00
01-1	MISCELLANEOUS VENDOR					
JARK INC	I-REFUND 2017 LIC	101-32190	GARBAGE LICEN REFUND 2017 LICENSE - NOT REQU	074466	100.00	
01-1095	VIKING ELECTRIC SUPPLY	I-2083879	101-41940-2220	REPAIR & MAIN 44 26W DOUBLE TWIN TUBE BULBS	074512	112.64
01-1753	MARCO	I-3891813	101-41800-3309	COMPUTER SUPP 12/24/16-12/23/17 ANTIVIRUS	074473	1,821.60
		I-3892282	101-41800-3309	COMPUTER SUPP MICROSOFT EMAIL SERVER SOFTWAR	074473	7,240.71
01-2257	U.S. BANK	I-DEC 16 ADM	101-49200-3430	MISCELLANEOUS NOX.NET - ATTORNEY FILES UPLOA	074506	15.00
		I-DEC 16 ENG	101-41940-2220	REPAIR & MAIN HOME DEPOT - LADDER	074506	119.96
		I-DEC 16 ENG	101-42400-3330	PROFESSIONAL U OF M - ANNUAL BLDG OFFICAL R	074506	220.00
		I-DEC 16 ENG	101-42400-3330	PROFESSIONAL U OF M - ANNUAL BLDG OFFICAL R	074506	220.00
		I-DEC 16 ENG	101-41700-3330	PROFESSIONAL U OF M - CEAM CONF - HULSEETHER	074506	380.00

PACKET: 03873 2016 YE COUNCIL

VENDOR SET: 01

FUND : 101 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
--------	------	--------	------------------	-------------	--------	--------

01-2257	U.S. BANK	continued				
	I-DEC 16 ENG	101-41800-3309	COMPUTER SUPP	GODADDY - SEC CERT FOR EMAIL	074506	404.97
	I-DEC 16 ENG	101-41800-3330	PROFESSIONAL	HOLIDAY INN - GIS/IT SYMPOSIUM	074506	175.22
	I-DEC 16 PLN	101-41910-3433	DUES & SUBSCR	DECEMBER VISA PURCHASES	074506	20.00

01-3469	LAKES AREA MAT SERVICE					
	I-#522: 20161213	101-41940-3410	RENTAL EXPENS #522 CITY HALL MAT SERVICE	074470	49.91	
	I-#522: 20161227	101-41940-3410	RENTAL EXPENS #522 CITY HALL MAT SERVICE	074470	49.91	

FUND	101	GENERAL FUND	TOTAL:	24,875.30
------	-----	--------------	--------	-----------

PACKET: 03873 2016 YE COUNCIL

VENDOR SET: 01

FUND : 203 TRANSIT FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0244	MARTIN COMMUNICATIONS I					
		I-44990	203-49000-3321	TELEPHONE ANTENNA INSTALL #161	074474	472.92
01-1965	NORTH CENTRAL BUS SALES					
		I-236685	203-49000-3321	TELEPHONE PANIC BUTTON FOR CAMERA	074487	120.00
		I-4927	203-49000-5550	CAPITAL - VEH 2016 CHEV EC8088 BUS #161	074487	80,093.00
01-2527	DIGITAL INK DESIGN & GR					
		I-24902	203-49000-3340	ADVERTISING/M BRD/CWC BUS KIT PACKAGE, #161	074453	965.00
01-2704	CENTRAL MN COUNCIL ON A					
		I-DEC 2016	203-49000-3340	ADVERTISING/M 2017 AGENCY MEMBERSHIP RENEW	074442	50.00
				FUND 203 TRANSIT FUND	TOTAL:	81,700.92

PACKET: 03873 2016 YE COUNCIL

VENDOR SET: 01

FUND : 211 LIBRARY FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0011	ACE HARDWARE					
		I-244683	211-45500-2220	REPAIR & MAIN POWER STRIP & TIMER	074424	8.98
		I-244788	211-45500-2220	REPAIR & MAIN COPY KEY	074424	1.79
01-0102	CANON FINANCIAL SERVICE					
		I-16783759	211-45505-3430	MISC - COPY M CONTRACT CHARGE	074438	92.98
01-0307	CENTER POINT ENERGY					
		I-6032449-8/DEC 16	211-45500-3380	UTILITIES HEAT 11/17-12/19	074440	989.85
		I-6032449-8/DEC 16	211-45500-3380	UTILITIES MN INTERIM REFUND	074440	156.09-
01-0344	WASTE PARTNERS INC					
		I-6BX96807	211-45500-3430	MISCELLANEOUS NOVEMBER GARBAGE SERV	074515	70.14
01-0736	NORTHLAND FIRE PROTECTI					
		I-24879	211-45500-3400	REPAIR & MAIN EXTINGUISHER CHECK	074489	88.75
01-2257	U.S. BANK					
		I-DEC 16 LIB	211-45500-2220	REPAIR & MAIN AMAZON - LETTERING & CONTAINER	074506	54.42
		I-DEC 16 LIB	211-45500-2220	REPAIR & MAIN AMAZON - POLES FOR MONITORS	074506	351.36
		I-DEC 16 LIB	211-45503-3430	MISC - USE OF IREAD - SUMMER READING HOLDEN	074506	616.05
		I-DEC 16 LIB	211-45500-2220	REPAIR & MAIN AMAZON -	074506	10.99
01-3438	D - D BEVERAGE, LLC					
		I-83456	211-45500-2220	REPAIR & MAIN TISSUE & FRESHENER	074452	81.48
				FUND 211 LIBRARY FUND	TOTAL:	2,210.70

PACKET: 03873 2016 YE COUNCIL

VENDOR SET: 01

FUND : 223 DRUG FORFEITURE

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-0086	CITY OF BRAINERD					
	I-ICR: 15010963	223-22800	OTHER LIABILI	ICR: 15010963	074444	141.40
	I-ICR: 15015527-A	223-22800	OTHER LIABILI	ICR: 15015527 - BAKER	074444	21.00
	I-ICR: 15015527-B	223-22800	OTHER LIABILI	ICR: 15015527 - SARFF	074444	427.00
	I-ICR: 16002709	223-22800	OTHER LIABILI	ICR: 16002709	074444	2.80
	I-ICR: 16002709	223-22800	OTHER LIABILI	ICR: 16002709 TOW	074444	38.00
01-0136	CWC ATTORNEY					
	I-ICR: 14013982	223-22800	OTHER LIABILI	ICR: 14013982	074450	10.90
	I-ICR: 15010963	223-22800	OTHER LIABILI	ICR: 15010963	074450	40.40
	I-ICR: 15015527-B	223-22800	OTHER LIABILI	ICR: 15015527 - SARFF	074450	122.00
	I-ICR: 16000360	223-22800	OTHER LIABILI	ICR: 16000360	074450	54.00
	I-ICR: 16002709	223-22800	OTHER LIABILI	ICR: 16002709	074450	0.80
	I-ICR: 16006982-A	223-22800	OTHER LIABILI	ICR: 16006982	074450	80.20
	I-ICR: 15015527-A	223-22800	OTHER LIABILI	ICR: 15015527 - BAKER	074450	6.00
01-0586	MN STATE TREASURER					
	I-ICR: 14013982	223-22800	OTHER LIABILI	ICR: 14013982	074481	5.45
	I-ICR: 15010963	223-22800	OTHER LIABILI	ICR: 15010963	074481	20.20
	I-ICR: 15015527-A	223-22800	OTHER LIABILI	ICR: 15015527 - BAKER	074481	3.00
	I-ICR: 15015527-B	223-22800	OTHER LIABILI	ICR: 15015527 - SARFF	074481	61.00
	I-ICR: 16002709	223-22800	OTHER LIABILI	ICR: 16002709	074481	0.40
	I-ICR: 16000360	223-22800	OTHER LIABILI	ICR: 16000360	074481	27.00
	I-ICR: 16006982	223-22800	OTHER LIABILI	ICR: 16006982	074481	40.10
				FUND 223 DRUG FORFEITURE	TOTAL:	1,101.65

PACKET: 03873 2016 YE COUNCIL

VENDOR SET: 01

FUND : 224 DUI FORFEITURE

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0136	CWC ATTORNEY					
		I-ICR: 16002214	224-22800	OTHER LIABILI ICR: 16002214	074450	1.35
		I-ICR: 16009598	224-22800	OTHER LIABILI ICR: 16009598	074450	52.50
				FUND 224 DUI FORFEITURE	TOTAL:	53.85

PACKET: 03873 2016 YE COUNCIL
VENDOR SET: 01
FUND : 225 PUBLIC SAFETY FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0011	ACE HARDWARE					
		I-245174	225-42220-2210	OPERATING SUP BOLTS	074424	13.28
		I-245182	225-42220-2210	OPERATING SUP FASTENERS	074424	4.25
		I-245356	225-42220-2210	OPERATING SUP STATION PAINT, ROLLER, COVERS	074424	103.45
		I-245393	225-42220-2210	OPERATING SUP CONNECTION WIRES, PHOTOELECTRI	074424	14.37
01-0049	AUTO VALUE - WEST					
		I-17160926	225-42220-2210	OPERATING SUP PLUG	074431	1.49
01-0170	FASTENAL COMPANY					
		I-MNBAX202341	225-42120-2220	REPAIR & MAIN ICE MELT	074457	99.90
01-0203	HOLDEN ELECTRIC					
		I-45304	225-42220-2220	REPAIR & MAIN CEILING FANS/LIGHT FIXTURE REP	074463	1,541.72
01-0209	HEARTLAND TIRE INC.					
		I-70920	225-42120-2221	SQUAD CAR REP SQD 421 - 4 TIRE WITH INSTALL	074461	550.16
01-0226	LAKES AREA MAT SERVICE					
		I-#580: 20161213	225-42120-3430	MISCELLANEOUS #580 POLICE DEPT MAT SERVICE	074469	40.15
		I-#580: 20161227	225-42120-3430	MISCELLANEOUS #580 POLICE DEPT MAT SERVICE	074469	40.15
01-0227	LAKES PRINTING					
		I-00179800	225-42220-2200	OFFICE SUPPLI FIRE DEPARTMENT ENVELOPES	074471	190.75
01-0265	OFFICE OF ENTERPRISE TE					
		I-W16110716	225-42127-3430	MISC - PROSEC NOV CITY PROSECUTOR PHONE	074493	63.90
01-0273	NAPA AUTO PARTS					
		I-018118	225-42220-2210	OPERATING SUP WIRE KIT	074484	13.03
01-0307	CENTER POINT ENERGY					
		I-5956221-5/DEC 16	225-42120-3380	UTILITIES HEAT 11/17-12/19	074440	189.48
		I-5956221-5/DEC 16	225-42120-3380	UTILITIES MN INTERIM REFUND	074440	21.79-
		I-6004720-6/DEC 16	225-42220-3380	UTILITIES HEAT 11/17-12/19	074440	352.29
		I-6004720-6/DEC 16	225-42220-3380	UTILITIES MN INTERIM REFUND	074440	45.79-
01-0314	SHANNON'S AUTO BODY					
		I-CA23801	225-42220-2220	REPAIR & MAIN TAHOE INSURANCE REPAIR	074499	2,973.80
01-0322	STREICHERS PROF EQUIP					
		I-I1241629	225-42120-2210	OPERATING SUP DRUG TESTING KITS	074502	167.93
01-0325	THELEN HTG & RFG CO					
		I-4294	225-42220-2220	REPAIR & MAIN TRAINING ROOM HVAC REPAIR	074505	127.00
		I-4297	225-42120-2220	REPAIR & MAIN HVAC MAINT & AIR FILTERS	074505	345.00
01-0465	MN STATE FIRE CHIEFS AS					
		I-2017	225-42220-3433	DUES & SUBSCR 2017 DEPARMENT MEMBERSHIP	074480	300.00

PACKET: 03873 2016 YE COUNCIL
 VENDOR SET: 01
 FUND : 225 PUBLIC SAFETY FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0492	ARROWHEAD REG EMA	I-2017	225-42220-3433	DUES & SUBSCR 2017 CHIEF DUES	074429	25.00
01-0736	NORTHLAND FIRE PROTECTI	I-25059	225-42220-3300	PROFESSIONAL ANNUAL RECHARGE/HYDRO-TEST	074489	1,683.15
01-0745	BATTERIES PLUS	I-035-321449	225-42120-2221	SQUAD CAR REP SQD 442 - TAILLIGHT	074433	3.99
		I-035-321945	225-42120-2210	OPERATING SUP PHONE HEADSET BATTERY	074433	27.90
		I-035-322077	225-42120-2210	OPERATING SUP 12V ALKALINE BATTERY	074433	3.49
		I-035-322413	225-42220-2210	OPERATING SUP BALLAST	074433	16.99
01-0814	TASER INTERNATIONAL INC	I-SI1463431	225-42120-2210	OPERATING SUP TASER CARTRIDGES & BATTERY PAC	074504	458.66
01-0883	RUBBELKE, DARYL	I-2017	225-42225-3430	MISCELLANEOUS BATTALION CHIEF MILEAGE REIM	074498	205.90
01-0921	DONDELINGER'S	I-273328	225-42120-2221	SQUAD CAR REP SQD 442 - BRAKE LIGHTS	074454	66.00
01-0944	ASPEN MILLS	I-191397	225-42220-1113	UNIFORM ALLOW CHIEF & DC/FM HV JACKETS	074430	395.59
		I-191398	225-42220-1113	UNIFORM ALLOW CHIEF & DC/FM UNIFORM SHIRTS	074430	227.11
		I-191399	225-42225-1113	UNIFORMS POC CLASS A UNIFORM SHIRTS	074430	1,763.20
		I-191400	225-42225-1113	UNIFORMS POC BADGES X 4	074430	354.60
01-1	MISCELLANEOUS VENDOR					
ROBERT ANDERSON	I-2016	225-42225-3430	MISCELLANEOUS BATTALION CHIEF MILEAGE 2016	074497	78.95	
01-1343	CHARTER COMMUNICATIONS	I-DEC-JAN 17	225-42220-3380	UTILITIES DEC 2016 - JAN 2017 NE STATION	074443	7.35
01-1388	HEIMAN INC.	I-0696765	225-42225-2250	PERSONAL PROT TURN OUT GEAR X2	074462	4,287.50
		I-0697987	225-42220-2210	OPERATING SUP FOAM	074462	1,374.90
		I-0697988	225-42225-1113	UNIFORMS UNIFORM HATS	074462	762.95
		I-0852831-IN	225-42220-2210	OPERATING SUP RECOUPLE HOSE, EXP RINGS, TAIL	074462	34.20
01-1487	FYLE'S JET FLUSH PIPE C	I-6542	225-42220-2220	REPAIR & MAIN PLUGGED SEWER LINE REPAIR	074460	205.00
01-1512	KIRVIDA FIRE INC	I-5975	225-42220-2220	REPAIR & MAIN E4 PUMP REPAIR	074468	479.11
		I-5976	225-42220-2220	REPAIR & MAIN T4 PUMP REPAIR	074468	177.18
01-1912	MINNEAPOLIS FINANCE DEP	I-400451000607	225-42120-3309	COMPUTER TECH 11/16 APS COMP SUPPORT	074477	497.70

PACKET: 03873 2016 YE COUNCIL
VENDOR SET: 01
FUND : 225 PUBLIC SAFETY FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-2062	NARDINI FIRE EQUIPMENT					
		I-IN00030384	225-42220-3300	PROFESSIONAL SPRINKLER SYSTEM ANNUAL INSPEC	074485	225.00
01-2110	CRANKSHAFT CUSTOMS, LLC					
		I-1012	225-42220-2220	REPAIR & MAIN L2 OIL CHANGE, FUEL/AIR FILTER	074447	350.76
		I-1012	225-42220-2220	REPAIR & MAIN E2 OIL CHANGE, FUEL FILTER, CH	074447	394.45
		I-1012	225-42220-2220	REPAIR & MAIN S1 TIRES/FENDER COVERS, OIL CH	074447	1,329.08
		I-1012	225-42220-2220	REPAIR & MAIN T3 OIL CHANGE, FUEL/AIR FILTER	074447	442.14
		I-1012	225-42220-2220	REPAIR & MAIN E4 3 BATTERIES	074447	464.85
		I-1012	225-42220-2220	REPAIR & MAIN CHIEF SUV WINTER TIRES	074447	1,070.00
		I-1012	225-42220-2220	REPAIR & MAIN T1 TANK REPAIR	074447	700.00
01-2257	U.S. BANK					
		I-DEC 16 FD	225-42225-3330	PROFESSIONAL HOLIDAY INN - LODGING FIRE COD	074506	105.72
		I-DEC 16 FD	225-42220-2212	MOTOR FUELS HOLIDAY - FUEL DELIVERY OF E3	074506	27.62
		I-DEC 16 FD	225-42220-2220	REPAIR & MAIN AMAZON - SURVEILLANCE CAMERA	074506	103.09
		I-DEC 16 FD	225-42220-5550	CAPITAL - VEH RADCO - FORD SUV FLOOR LINERS	074506	99.95
		I-DEC 16 FD	225-42220-3433	DUES & SUBSCR FIRE CODE ACCESS - 3 YRS ACCES	074506	210.00
		I-DEC 16 FD	225-42220-3433	DUES & SUBSCR MN DEPT OF LAB - PRESSURE VESS	074506	10.00
		I-DEC 16 FD	225-42220-2220	REPAIR & MAIN FIREPENNY - R2 BATTERY	074506	432.40
		I-DEC 16 FD	225-42225-3430	MISCELLANEOUS FIRESTORE - CABLE CUTTERS & LI	074506	223.33
		I-DEC 16 FD	225-42220-2210	OPERATING SUP FLEET FARM - TRAILER LIGHT, LE	074506	15.94
		I-DEC 16 PD	225-42120-2210	OPERATING SUP TRANSUNION - SSN #S FOR PARKIN	074506	25.00
		I-DEC 16 PD	225-42120-3330	PROFESSIONAL AMAZON - RESOURCE BOOKS/LEAD	074506	27.93
		I-DEC 16 PD	225-42120-1113	UNIFORM ALLOW HAIZ BOOTSTORE - 715 UNIFORM B	074506	151.15
		I-DEC 16 PD	225-42120-3322	POSTAGE POSTMASTER - POSTAGE	074506	6.47
		I-DEC 16 PD	225-42120-1113	UNIFORM ALLOW LA POLICE GEAR - 715 - UNIFORM	074506	75.67
		I-DEC 16 PD	225-42120-3322	POSTAGE POSTMASTER - POSTAGE	074506	6.95
		I-DEC 16 PD	225-42120-2220	REPAIR & MAIN HOME DEPOT - QUICK CLEAN DISIN	074506	17.88
		I-DEC 16 PD	225-42120-3322	POSTAGE POSTMASTER - 200 STAMPS	074506	94.00
		I-DEC 16 PD	225-42120-3322	POSTAGE POSTMASTER - POSTAGE	074506	1.99
		I-DEC 16 PD	225-42120-2210	OPERATING SUP NARTEC - DRUG TESTING KITS	074506	176.85
		I-DEC 16 PD	225-42120-3322	POSTAGE POSTMASTER - 200 STAMPS	074506	94.00
		I-DEC 16 PD	225-42120-3430	MISCELLANEOUS CWC LANDFILL - GARBAGE REMOVAL	074506	10.00
		I-DEC 16 PD	225-42120-3330	PROFESSIONAL BCA TRNG - 707 BCA MIENS & MOR	074506	250.00
		I-DEC 16 PD	225-42120-3330	PROFESSIONAL BCA TRNG - 727 BCA MIENS & MOR	074506	250.00
		I-DEC 16 PD	225-42120-3330	PROFESSIONAL PRICELINE - HOTEL715 BASIC TAC	074506	225.93
01-2589	STAPLES ADVANTAGE					
		I-3323469689	225-42120-2200	OFFICE SUPPLI TONER & INK PENS	074501	69.84
01-2759	AWARD A MEMORY					
		I-3099	225-42500-3430	MISCELLANEOUS ACCOUNTABILITY TAGS/BOARDS	074432	582.00
01-2771	BDS LAUNDRY SYSTEMS					
		I-S211220	225-42220-2220	REPAIR & MAIN TO GEAR WASHER/BASE, INSTALLAT	074434	8,497.00
01-2924	VERIZON WIRELESS					
		I-9777078701	225-42220-3321	TELEPHONE 12/16-01/15 IPAD SERVICE	074510	175.05

PAGE: 10

PACKET: 03873 2016 YE COUNCIL
VENDOR SET: 01
FUND : 225 PUBLIC SAFETY FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION		CHECK#	AMOUNT
=====							
01-3018	NORTH COUNTRY JANITORIA						
		I-12/16/16	225-42120-3300	PROFESSIONAL	DEC JANITORIAL SERVICE	074488	1,000.00
01-3168	MOTORS-N-MORE						
		I-24742	225-42120-2221	SQUAD CAR REP	SQD 421 - OIL CHANGE	074483	23.00
		I-24746	225-42120-2221	SQUAD CAR REP	SQD 418 - OIL CHANGE	074483	23.00
01-3202	INNOVATIVE OFFICE SOLUT						
		I-IN1428468	225-42120-2200	OFFICE SUPPLI	TONER & 2017 DESK PAD CALENDAR	074464	130.71
		I-IN1428469	225-42120-2200	OFFICE SUPPLI	COPY PAPER	074464	134.45
		I-IN1434260	225-42220-2200	OFFICE SUPPLI	MARKERS, PENS, TAPE, LABELS	074464	41.25
		I-IN1437628	225-42120-2200	OFFICE SUPPLI	TONER - FRONT DESK	074464	158.00
		I-IN1437731	225-42220-2200	OFFICE SUPPLI	PAPER	074464	22.59
		I-IN1439703	225-42120-2210	OPERATING SUP	EVIDENCE SUPPLIES	074464	57.70
		I-IN1439703	225-42120-2200	OFFICE SUPPLI	OFFICE SUPPLIES	074464	78.74
01-3302	COX, DAVID						
		I-2017	225-42225-3430	MISCELLANEOUS	BATTALION CHIEF MILEAGE REIM	074446	33.70
01-3320	ESSENTIA HEALTH						
		I-DEC 2016	225-42225-3300	PROFESSIONAL	2 VACCINES	074456	132.00
01-3438	D - D BEVERAGE, LLC						
		I-79561A	225-42220-2210	OPERATING SUP	QTY ADJ URINAL BLOCK	074452	22.85
		I-79618	225-42220-2210	OPERATING SUP	OPEN HOUSE POPCORN & OIL	074452	58.00
		I-85028	225-42220-2210	OPERATING SUP	HANDLES, MOPHEADS, PAD, FLOOR	074452	237.10
01-3474	PAULINES TAILOR SHOP						
		I-976303	225-42225-1113	UNIFORMS	ZIPPER REPAIR	074495	5.00
		I-976303	225-42220-1113	UNIFORM ALLOW	ZIPPER REPAIR	074495	5.00
		I-976304	225-42120-1113	UNIFORM ALLOW	UNIFORM ALTERATIONS & REPAIRS	074495	126.00
01-3488	JEFFERSON FIRE & SAFETY						
		I-232509	225-42225-2250	PERSONAL PROT	HOODS	074467	300.96
				FUND	225 PUBLIC SAFETY FUND	TOTAL:	39,733.03

PACKET: 03873 2016 YE COUNCIL

VENDOR SET: 01

FUND : 227 RECYCLING FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-1286	EAST SIDE OIL COMPANY	I-R65627	227-43230-3428	USED OIL RECY 12/09 FILTER & ANTIFREEZE RECY 074455		200.00
			FUND	227 RECYCLING FUND	TOTAL:	200.00

PACKET: 03873 2016 YE COUNCIL

VENDOR SET: 01

FUND : 230 PARK & RECREATION FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0011	ACE HARDWARE					
		I-245165	230-45200-2220	REPAIR & MAIN SPRAYPAINT, PRIMER, ROLLER, CO	074424	15.96
		I-245289	230-45200-2220	REPAIR & MAIN SPRAYPAINT, PAINT	074424	19.30
		I-245359	230-45200-2220	REPAIR & MAIN BROOM	074424	10.79
01-0102	CANON FINANCIAL SERVICE					
		I-16783758	230-45200-3331	LEASE PAYMENT COPIER LEASE - DECEMBER	074438	177.79
01-0170	FASTENAL COMPANY					
		I-MNBAX201859	230-45200-2220	REPAIR & MAIN MATERIALS - KWP	074457	122.60
		I-MNBAX202114	230-45200-2240	SMALL TOOLS LIFTING CHAIN - SHOP	074457	156.07
01-0260	MN BUREAU OF CRIM APPRE					
		I-12201601	230-45220-2210	OPERATING SUP 7 CHILD PROTECTION BACKGROUND	074478	105.00
		I-12201601	230-45209-2210	OPERATING SUP 3 CHILD PROTECTION BACKGROUND	074478	45.00
01-0307	CENTER POINT ENERGY					
		I-5933799-8/DEC 16	230-45200-3380	UTILITIES HEAT 11/8-12/9	074440	145.82
		I-5933799-8/DEC 16	230-45200-3380	UTILITIES 2016 MN INTERIM REFUND	074440	29.35-
01-0889	MENARDS - BAXTER					
		I-40702	230-45200-2220	REPAIR & MAIN WIREGUARD, BALLASTS, BULBS	074476	58.84
01-0900	CUB FOODS - BRAINERD					
		I-DEC 2016	230-45204-2210	OPERATING SUP TRX 29 - COCOA, CHIPS, SODA	074449	67.26
01-2137	O'REILLY AUTOMOTIVE STO					
		I-1647-178470	230-45200-2220	REPAIR & MAIN WASHER FLUID	074490	7.77
01-2846	AMERICAN WELDING-GAS IN					
		C-CR 4043865	230-45200-2220	REPAIR & MAIN OVERPAYMENT INV. MAY & JUNE	074427	41.54-
		I-3480109	230-45200-2220	REPAIR & MAIN WELDING SUPPLIES	074427	50.94
		I-3486698	230-45200-2220	REPAIR & MAIN WELDING SUPPLIES	074427	25.52
		I-4245047	230-45200-2220	REPAIR & MAIN WELDING GLOVES	074427	21.90
01-2939	VIKING COCA COLA BOTTLI					
		C-CR 612135	230-45204-2210	OPERATING SUP 3RD QTR PRODUCT REBATE	074511	42.00-
		I-677003	230-45204-2210	OPERATING SUP CONCESSIONS - WATER	074511	29.00
		I-680021	230-45204-2210	OPERATING SUP CONCESSIONS - WATER & POWERADE	074511	116.00
01-3424	SULLIVAN CANDY & SUPPLY					
		I-566860	230-45207-2210	OPERATING SUP CONCESSIONS - CANDY & SPOONS	074503	54.30
				FUND 230 PARK & RECREATION FUND	TOTAL:	1,116.97

PACKET: 03873 2016 YE COUNCIL
VENDOR SET: 01
FUND : 235 STREET & SEWER FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0011	ACE HARDWARE					
		I-245381	235-43100-2220	REPAIR & MAIN BAR/CHAIN OIL & TUBE HEAT WRAP	074424	18.51
01-0039	AMERIPRIDE LINEN SERVIC					
		I-2200860729	235-43100-3430	MISCELLANEOUS COVERALLS & MAT LAUNDRY SERV	074428	104.52
		I-2200863310	235-43100-3430	MISCELLANEOUS COVERALLS & MAT LAUNDRY SERV	074428	78.25
01-0064	BOYER TRUCKS					
		I-1113330	235-43100-2220	REPAIR & MAIN 2 SPRING HOOD	074435	96.23
		I-1113842	235-43100-2220	REPAIR & MAIN 8 SPRING HOOD	074435	373.39
01-0125	CONSOLIDATED TELEPHONE					
		I-20397324	235-43100-3321	TELEPHONE 12/12-1/11 PHONE/INTERNET	074445	109.54
01-0170	FASTENAL COMPANY					
		I-MNBAX201860	235-43170-2210	OPERATING SUP NUTS, BOLTS, TIES (SIGNAGE)	074457	27.55
		I-MNBAX201878	235-43100-2220	REPAIR & MAIN 1 BOX EAR PLUGS	074457	35.08
		I-MNBAX201896	235-43170-2210	OPERATING SUP NYLON WASHERS	074457	21.50
		I-MNBAX201919	235-43170-2210	OPERATING SUP NYLON WASHERS, NYLOCK Z	074457	88.97
		I-MNBAX202011	235-43170-2210	OPERATING SUP 150 HCS 5/16-18X2Z5	074457	24.20
		I-MNBAX202058	235-43170-2210	OPERATING SUP 100 HCS 5/16 - 18X1.75 YZ8	074457	18.37
		I-MNBAX202061	235-43100-2220	REPAIR & MAIN 10 HCS 7/16 - 14X3Z5	074457	4.30
01-0307	CENTER POINT ENERGY					
		I-5974635-4/DEC 16	235-43100-3380	UTILITIES HEAT 11/17-12/19	074440	786.54
		I-5974635-4/DEC 16	235-43100-3380	UTILITIES MN INTERIM REFUND	074440	84.54-
01-1093	ROAD EQUIPMENT PARTS CE					
		I-MB730778	235-43100-2220	REPAIR & MAIN 20 INSPECTION BOOKS	074496	64.40
01-2846	AMERICAN WELDING-GAS IN					
		I-04469604	235-43100-2220	REPAIR & MAIN CAMEL WHEEL, GRINDING WHEEL	074427	13.64
01-2902	ADVANCE AUTO PARTS					
		I-6574634980866	235-43100-2220	REPAIR & MAIN PUSH/PULL CABLE	074426	5.30
		I-6574635581055	235-43100-2220	REPAIR & MAIN BLOWER MOTOR	074426	64.79
01-3205	CROW WING POWER					
		I-2016 YE	235-43100-3380	UTILITIES SECURITY LIGHT @ WISE RD	074448	12.00
				FUND 235 STREET & SEWER FUND	TOTAL:	1,862.54

PAGE: 14

PACKET: 03873 2016 YE COUNCIL

VENDOR SET: 01

FUND : 237 SANITARY SEWER FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0011	ACE HARDWARE					
		I-245341	237-43190-2240	SMALL TOOLS BATTERIES & SCREWDRIVER SET	074424	31.67
01-0170	FASTENAL COMPANY					
		I-MNBAX202127	237-43190-2240	SMALL TOOLS 1 1/8" CHR M ADJ/WRENCH	074457	89.33
01-0349	W W THOMPSON CONCRETE					
		I-1612-679160	237-43190-2240	SMALL TOOLS 16 INCH 4/4 CUTOFF SAW BLADE	074514	130.00
01-2392	MENARDS					
		I-40578	237-43190-2240	SMALL TOOLS CONNECTOR TUBE, COMPRESSION SL	074475	43.33
01-2902	ADVANCE AUTO PARTS					
		I-6574634980883	237-43190-2220	REPAIR & MAIN 2 OIL SEALS	074426	11.18
				FUND 237 SANITARY SEWER FUND	TOTAL:	305.51

PACKET: 03873 2016 YE COUNCIL

VENDOR SET: 01

FUND : 238 STORM SEWER FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0349	W W THOMPSON CONCRETE					
		I-1612-679160	238-43160-2240	SMALL TOOLS 16 INCH 4/4 CUTOFF SAW BLADE	074514	130.00
		I-1612-679386	238-43160-2240	SMALL TOOLS MAX CUT BLADE	074514	195.00
				FUND 238 STORM SEWER FUND	TOTAL:	325.00

PACKET: 03873 2016 YE COUNCIL

VENDOR SET: 01

FUND : 245 CONTINGENCY FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-2257	U.S. BANK					
		I-DEC 16 ADM	245-41310-3430	MISCELLANEOUS FAMILY DOLLAR - COOKIE & COFFE	074506	8.16
		I-DEC 16 ADM	245-41310-3430	MISCELLANEOUS CUB FOODS - COOKIE & COFFEE RE	074506	51.94
				FUND 245 CONTINGENCY FUND	TOTAL:	60.10

PACKET: 03873 2016 YE COUNCIL

VENDOR SET: 01

FUND : 260 AIRPORT FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-3320	ESSENTIA HEALTH					
		I-DEC 2016	260-49020-3324	SAFETY TRAINI 1 VACCINES	074456	66.00
				FUND 260 AIRPORT FUND	TOTAL:	66.00

PACKET: 03873 2016 YE COUNCIL

VENDOR SET: 01

FUND : 280 PACKAGE INSURANCE FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0232	LEAGUE MN CITIES INS TR	I-1796	280-49700-3470	UNINSURED LOS DEDUCTIBLE FOR LMC CA24077	074472	1,000.00
			FUND	280 PACKAGE INSURANCE FUND	TOTAL:	1,000.00

PACKET: 03873 2016 YE COUNCIL

VENDOR SET: 01

FUND : 298 SCDG-DOWNTOWN FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0206	BRAINERD HOUSING AUTHOR					
		I-07/27/2016	298-46530-3430	MISCELLANEOUS MAY-JUNE SMALL CITIES DOWNTOWN	074436	2,809.82
		I-10/18/2016	298-46530-3430	MISCELLANEOUS JUL-SEP SMALL CITIES DOWNTOWN	074436	2,116.22
				FUND 298 SCDG-DOWNTOWN FUND	TOTAL:	4,926.04

PACKET: 03873 2016 YE COUNCIL

VENDOR SET: 01

FUND : 401 CONSTRUCTION FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0317	SHORT ELLIOTT HENDRICKS					
		I-325512	401-41415-3300	PROFESSIONAL ARPT UTIL EXT THRU 11/30	074500	59,781.53
				FUND 401 CONSTRUCTION FUND	TOTAL:	59,781.53

PACKET: 03873 2016 YE COUNCIL

VENDOR SET: 01

FUND : 405 PARK DEDICATION CAPITAL

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0282	OBERG MFG & FENCING					
		I-3291	405-49065-5500	CAPITAL OUTLA BACKSTOP FENCE - MMP FIELD 1	074492	14,487.00
		I-3292	405-49065-5500	CAPITAL OUTLA ADDT'L SLATS - BACKSTOP FENCE	074492	700.00
01-0493	MN DEPT OF NAT'L RESOUR					
		I-12231601	405-49065-5500	CAPITAL OUTLA BUFFALO HILLS - LIONS PARK TIM	074479	742.79
01-0799	NEVCO INC					
		I-162114	405-49065-5500	CAPITAL OUTLA SCOREBOARD - BUFFALO HILLS PAR	074486	2,859.34
				FUND 405 PARK DEDICATION CAPITAL TOTAL:		18,789.13
				REPORT GRAND TOTAL:		238,108.27

THE ABOVE LISTED ACCOUNTS PAYABLE DISBURSEMENTS HAVE BEEN REVIEWED AND ARE HEREBY APPROVED:

KELLY BEVANS

DAVID PRITSCHET

GABE JOHNSON

SUE HILGART

DAVE BADEAUX

KEVIN STUNEK

JANICE LAMBERT



Brainerd City Council Agenda Request

9A
Agenda Item #

Requested Meeting Date: January 3, 2017

Title of Item: Sanitary and Storm Sewer Rate Study

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☒ Adopt Resolution (attach draft) *provide copy of published hearing notice ☐ Direction Requested ☒ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading
Submitted by: Connie Hillman & Jeff Hulsether	Department: Finance/Administration
Presenter (Name & Title): Same	Estimated Time Needed: 20 minutes
Summary of Issue: See attached memo.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Approve the attached resolutions (Attachment I & J) based on the consultant's recommendations or provide additional direction to staff.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☒ No <u>Please Explain:</u>	

MEMO

TO: Mayor & Council

FROM: Finance Director Connie Hillman
City Engineer Jeff Hulsether

DATE: December 29, 2016

RE: Sanitary and Storm Sewer Rate Study

At the December 19, 2016 council meeting Mr. Dan Kasbohm from Utility Financial Solutions, LLC (UFS) presented the results of the Sanitary and Storm sewer rate study and design the City Council authorized last spring.

The City Council was presented with 3 targets that each fund should meet. They are:

- a. A debt coverage ratio.
- b. A recommended operating income target.
- c. A minimum cash balance target.

This rate and design study was the first of its kind that the City has undergone for the Sanitary and Storm Sewer funds. The council was presented a 5-year summary for both the current rates and proposed rate adjustments. It would be best for council to focus more on 2017 and 2018 information rather than the overall potential impact of a rate adjustment over the entire 5 years. As an example, BPU has the consultant review their rates annually. Even from last year's study, the consultant's recommendation for 2017 changed slightly due to new information, actual results, etc.

The following is a recap of the presentation by fund.

Storm Sewer

Attachment A is a projection of the Storm Sewer Fund with **no rate adjustments**. We meet the debt coverage ratio, but we are projected to have an operating loss which is estimated to get larger (worse) over the years. We have a projected negative cash balance at the end of 2017, which continues from 2015 and 2016.

Attachment B is a projection for the fund if we have a 4.9% rate increase for 2017 and 2018 and then a 1.5% adjustment each year thereafter. The projection shows that we should meet the minimum cash target in 2019, however we still do not meet the operating income target.

Attachment C is the recommendation from the consultant and the estimated impact of the recommendation. The consultant is recommending a 4.9% increase for both 2017 and 2018. The estimated impact to a residential customer is an additional \$1.76 and \$1.85 per year for 2017 and 2018. The consultant is not recommending a change to the rate design at this time.

Sanitary Sewer

Attachment D is the projection for the Sanitary Sewer Fund with no rate adjustments. We currently do not, and are projected not, to meet any of the three tests over the next five years. This is particularly concerning if we are going to issue debt in 2018 for the South 6th Street project. Since we historically have issued GO Utility Revenue bonds, we would need to pledge to increase rates at the time of issuance to meet the test.

Attachment E is a projection for the Sanitary Sewer fund if we have a 25% increase for 2017, 15% for 2018, 10% for 2019, and 2% for 2020 and 2021. The projection shows that we should meet the debt coverage test of 1.0 at the end of 2017, and the recommended minimum cash balance at the end of 2020, but we still to not meeting the recommended operating income target.

Currently our rate is a charge based on usage only, however our costs are primarily fixed. Therefore, the consultant is recommending that we implement Cost of Service (COS) or Readiness to Serve Charge. This would be a fixed monthly cost regardless of usage since the infrastructure is designed to be able to handle capacity. Attachment F is the consultant's overall recommendations. The recommendation is to approve a rate adjustment for 2017 of 25%. We will revisit a rate adjustment for 2018 in 2017 since there are more variables with this fund.

Attachment G is the consultant's recommendation and the estimated monthly impact based on meter size. The recommendation is to start implementing the COS and to reduce the usage charge by \$0.05.

Attachment H is another option for the 25% increase if council does not desire to change the rate design and to keep the charge based on usage only. Again, the recommendation of the consultant is to implement a COS and would be as indicated on Attachment G.

Conclusion

Staff's recommendation is that we need to have a sustainable revenue source to maintain, fund, and preserve our infrastructure. Attachment I & J are draft resolutions based on the consultant's recommendations. If the council does not desire to approve the consultant's recommendations, staff seeks council's direction on information they would like to receive and the next step.

Projection Summary (Storm water)

Without adjustments

Attachment A

Fiscal Year	Projected Rate Adjustments	Dollar per REU	Projected Revenues	Projected Expenses	Operating Income (Loss)	Projected Cash Balances	Projected Capital Improvements	Debt Coverage Ratio
2017	0.0%	\$ 3.00	\$ 323,000	\$ 341,556	\$ (18,556)	\$ (24,422)	\$ 25,000	2.76
2018	0.0%	\$ 3.00	323,000	344,014	(21,014)	120,059	-	2.64
2019	0.0%	\$ 3.00	323,000	346,808	(23,808)	212,968	53,000	2.70
2020	0.0%	\$ 3.00	323,000	350,438	(27,438)	276,997	78,000	2.61
2021	0.0%	\$ 3.00	323,000	353,846	(30,846)	394,815	25,000	2.66
Recommended Target in 2017					\$ 337,779			1.20
Recommended Target in 2021					\$ 349,409			1.20
Recommended MINIMUM Target in 2017						\$ 244,122		
Recommended MINIMUM Target in 2021						\$ 244,838		

- 1) Debt Coverage meets requirement
- 2) 2017 cash is negative and gradually increases with current CIP
- 3) Operating loss grows



Attachment A

Projection Summary (Storm water)

With proposed adjustments

Fiscal Year	Projected Rate Adjustments	Dollar per REU	Projected Revenues	Projected Expenses	Operating Income (Loss)	Projected Cash Balances	Projected Capital Improvements	Debt Coverage Ratio
2017	4.9%	\$ 3.15	\$ 338,827	\$ 341,556	\$ (2,729)	\$ (8,595)	\$ 25,000	2.94
2018	4.9%	\$ 3.30	355,430	344,014	11,415	168,316	-	3.01
2019	1.5%	\$ 3.35	360,761	346,808	13,953	299,565	53,000	3.15
2020	1.5%	\$ 3.40	366,172	350,438	15,735	407,805	78,000	3.11
2021	1.5%	\$ 3.45	371,665	353,846	17,819	575,858	25,000	3.24
Recommended Target in 2017					\$ 337,779			1.20
Recommended Target in 2021					\$ 349,409			1.20
Recommended MINIMUM Target in 2017						\$ 244,122		
Recommended MINIMUM Target in 2021						\$ 244,838		

- 1) Debt Coverage meets requirement
- 2) Minimum cash is met in 2019 (need 7.6% in 2017 to be positive)
- 3) Operating income positive in 2018



Storm Water Recommendations

- ▶ Overall Rate Adjustment of 4.9% in 2017 to \$3.15
- ▶ Overall Rate Adjustment of 4.9% in 2018 to \$3.30
 - Approach Minimum Cash Requirement in 3 years
- ▶ Consider Rate adjustments below for 2017

Residential Customer

Year	Current Charge \$/REU		Proposed Charge \$/REU		Monthly Bill Increase per REU		Annual Bill Increase per REU	
2016	\$	3.00	\$	3.15	\$	0.15	\$	1.76
2017	\$	3.15	\$	3.30	\$	0.15	\$	1.85

Projection Summary (Sewer)

Without adjustments, with \$800k bond in 2018

Fiscal Year	Projected Rate Adjustments	\$ / 1,000 gallons	Projected Revenues	Projected Expenses	Operating Income (Loss)	Projected Cash Balances	Capital Improvements	Bond Issues ^[1]	Debt Coverage Ratio
2017	0.0%	\$ 1.50	\$453,065	\$519,715	\$(66,650)	\$ (16,942)	\$ -	-	0.77
2018	0.0%	\$ 1.50	453,065	536,079	(83,014)	(50,216)	800,000	800,000	0.67
2019	0.0%	\$ 1.50	453,065	552,602	(99,538)	(137,308)	-	-	0.57
2020	0.0%	\$ 1.50	453,065	559,289	(106,224)	(227,605)	-	-	0.55
2021	0.0%	\$ 1.50	453,065	566,992	(113,928)	(397,621)	68,000	-	0.51
Recommended Target in 2017					\$413,629				1.20
Recommended Target in 2021					\$476,025				1.20
Recommended MINIMUM Target in 2017						\$ 580,334	<i>Note: Debt Coverage Ratio Target set at 1.2 based on G.O. minimum of 1.0</i>		
Recommended MINIMUM Target in 2021						\$ 640,951			

[1] 2018 Bond assumes 20 year term, 5% interest and 5% closing cost

- 1) Assuming \$800,000 bond in 2018
- 2) Debt Coverage below requirement
- 3) Cash is negative throughout projection
- 4) Operating loss throughout projection



Projection Summary (Sewer)

Adjustments required to meet Debt Coverage

Fiscal Year	Projected Rate Adjustments	\$ / 1,000 gallons	Projected Revenues	Projected Expenses	Operating Income (Loss)	Projected Cash Balances	Capital Improvements	Bond Issues ^[1]	Debt Coverage Ratio
2017	25.0%	\$ 1.88	\$566,331	\$519,715	\$ 46,616	\$ 96,324	\$ -	-	1.09
2018	15.0%	\$ 2.16	651,281	536,079	115,202	262,421	800,000	800,000	1.20
2019	10.0%	\$ 2.38	716,409	552,602	163,806	441,823	-	-	1.20
2020	2.0%	\$ 2.43	730,737	559,289	171,448	634,500	-	-	1.22
2021	2.0%	\$ 2.48	745,352	566,992	178,359	764,384	68,000	-	1.22
Recommended Target in 2017					\$413,629				1.20
Recommended Target in 2021					\$476,025				1.20
Recommended MINIMUM Target in 2017						\$ 580,334	Note: Debt Coverage Ratio Target set at 1.2 based on G.O. minimum of 1.0		
Recommended MINIMUM Target in 2021						\$ 640,951			

[1] 2018 Bond assumes 20 year term, 5% interest and 5% closing cost

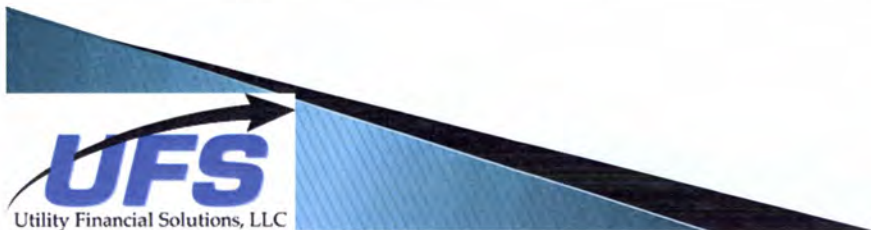
Average Impact of 25% Increase combined with BPU WWTP bill

Average Wastewater Bill for 3/4" Meter				
	Current	Proposed	Difference	
BPU	\$ 30.22	\$ 30.22		
City	5.56	7.18		
Total	\$ 35.79	\$ 37.40	\$ 1.61	4.5%



Sewer Recommendations

- ▶ Overall 2017 Rate Adjustment of 25.0%
 - Correct negative cash balance
 - Bond Covenant Requirements – Coverage Ratio
 - Repair/replacement of aging infrastructure
- ▶ Implement Readiness to Serve charge
 - Sewer costs are primarily fixed and don't vary on flows
- ▶ Consider 2017 Rate adjustment in following slide



Example Rate Adjustment 25%

(with ready to serve charge)

Meter Size	Annual Usage	Number of Meters	Average Monthly Usage	Current Rates		Proposed Rates			Percent Change in Rates	Average Monthly Bill Increase
				Current Usage Charge	2017 Revenue Less Adjustments	Proposed Monthly Customer Charge	Proposed Usage Charge	2017 Revenue with Adjustments		
3/4"	164,857	4,224	4	\$ 1.50	\$ 229,976	\$ 1.80	\$ 1.45	\$ 306,863	33.4%	\$ 1.61
1"	21,394	159	11	\$ 1.50	29,845	\$ 4.10	1.45	36,074	20.9%	\$ 3.52
1.5"	20,795	87	20	\$ 1.50	29,008	\$ 6.60	1.45	34,411	18.6%	\$ 5.56
2"	57,356	93	51	\$ 1.50	80,011	\$ 15.00	1.45	92,792	16.0%	\$ 12.33
3"	21,437	20	90	\$ 1.50	29,904	\$ 25.00	1.45	34,378	15.0%	\$ 20.30
4"	25,670	9	252	\$ 1.50	35,809	\$ 60.00	1.45	40,260	12.4%	\$ 46.91
6"	12,489	3	347	\$ 1.50	17,422	\$ 85.00	1.45	19,664	12.9%	\$ 66.96
Outside City										
2"	19	1	3	\$ 3.00	53	\$ 30.00	3.00	220	315.8%	\$ 30.00
4"	371	1	62	\$ 3.00	1,035	\$ 120.00	3.00	1,705	64.7%	\$ 120.00
Total					\$ 453,065			\$ 566,367	25.0%	

Implement a monthly readiness to serve charge and maintain current commodity charge

Sewer Rate Adjustment 25%

(all in commodity charge)

Meter Size	Annual Usage	Number of Meters	Average Monthly Usage	Current Rates		Proposed Rates			Percent Change in Rates	Average Monthly Bill Increase
				Current Usage Charge	2017 Revenue Less Adjustments	Proposed Monthly Customer Charge	Proposed Usage Charge	2017 Revenue with Adjustments		
3/4"	164,857	4,224	3	\$ 1.50	\$ 229,976	\$ -	\$ 1.88	\$ 287,470	25.0%	\$ 1.22
1"	21,394	159	11	\$ 1.50	29,845	\$ -	1.88	37,307	25.0%	\$ 4.21
1.5"	20,795	87	20	\$ 1.50	29,008	\$ -	1.88	36,261	25.0%	\$ 7.47
2"	57,356	93	51	\$ 1.50	80,011	\$ -	1.88	100,014	25.0%	\$ 19.29
3"	21,437	20	90	\$ 1.50	29,904	\$ -	1.88	37,380	25.0%	\$ 33.92
4"	25,670	9	252	\$ 1.50	35,809	\$ -	1.88	44,762	25.0%	\$ 94.37
6"	12,489	3	347	\$ 1.50	17,422	\$ -	1.88	21,778	25.0%	\$ 130.09
Outside City										
2"	19	1	3	3.00	53	\$ -	3.75	66	25.0%	\$ 2.38
4"	371	1	62	3.00	1,035	\$ -	3.75	1,294	25.0%	\$ 46.38
Total				\$ 453,065		\$ 566,331			25.0%	

Attachment H
14

All customers have a 25% increase in flow rate

RESOLUTION
NO. _____

RESOLUTION ESTABLISHING STORM SEWER
COLLECTION SYSTEM CHARGES

WHEREAS, the City Council has adopted Ordinance No. 715 establishing a Municipal Storm Sewer Drainage System Utility Charge to provide funds for the municipal storm sewer utility system; and,

WHEREAS, the ordinances call for the municipal storm sewer utility system charges to be established by Council Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BRAINERD, MINNESOTA, that the Municipal Storm Sewer Utility Charge contemplated by Ordinance No. 715 shall be based on a Single Family Residential Fee of \$3.15 and shall take effect on January 1, 2017 and shall be based on a Single Family Residential Fee of \$3.30 and shall take effect on January 1, 2018.

Adopted this ____ day of _____, 201__

President of the Council

Approved this ____ day of _____, 201__

EDWIN L. MENK

Mayor

ATTEST: _____

JAMES M. THOREEN

City Administrator

RESOLUTION
NO. _____

**RESOLUTION ESTABLISHING SANITARY SEWER
COLLECTION SYSTEM CHARGES**

WHEREAS, the City Council has adopted Ordinance No. 1275 establishing a Sanitary Sewer Collection System Charge to provide funds for the sanitary sewer collection system; and,

WHEREAS, the ordinances call for the sanitary sewer collection system charges to be established by Council Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BRAINERD, MINNESOTA, that the Sanitary Sewer Collection System Charge contemplated by Ordinance No. 1275 shall be based on a metered water consumption of \$1.45 per 1,000 gallons of water per month plus a monthly customer charge based on the size of water meter serving the customer provided in the schedule below and shall take effect on January 1, 2017:

<u>Meter Size</u>	<u>Fixed Monthly Customer Charge</u>
3/4"	\$1.80
1"	\$4.10
1 1/2"	\$6.60
2"	\$15.00
3"	\$25.00
4"	\$60.00
6"	\$85.00

Adopted this ____ day of _____, 201__

President of the Council

Approved this ____ day of _____, 201__

EDWIN L. MENK

Mayor

ATTEST: _____

JAMES M. THOREEN
City Administrator



Brainerd City Council Agenda Request

10A

Agenda Item #

Requested Meeting Date: January 3, 2017

Title of Item: Set a Meeting Date for Council Retreat

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☒ Direction Requested ☒ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Jim Thoreen	Department: Administration
Presenter (Name & Title):	Estimated Time Needed: 5 minutes
Summary of Issue: The Council has met in a retreat setting for several years in order to discuss current challenges, future trends, and offer guidance to Staff regarding priorities as to goals and objectives of the present makeup of the Council. I request this evening that we discuss the content of such a retreat as well as where and when to hold it. I also suggest that we retain a professional facilitator to guide the process. I will offer suggestions regarding that person Tuesday evening.	
Alternatives, Options, Effects on Others/Comments: Attached is a draft agenda for a retreat which I offer as a starting point for the discussion. Attached also is the outcomes of a retreat conducted in November, 2015 for application this year. We will review the successes and yet-be-accomplished results of that plan.	
Recommended Action/Motion: If the Council is prepared to set a date, time and place a motion would be in order.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ unknown Is this budgeted? ☒ Yes ☐ No Cost of facilitator to be determined. <u>Please Explain:</u>	

PRELIMINARY AGENDA

CITY COUNCIL/STAFF RETREAT

Saturday, Feb. __, 2017?

12:30 p.m. – 5:00 p.m.

Hospital Meeting Room?

Purpose 1: To Determine:

- 1.) Council Recommendations to Alter/Amend Current Budget Preparation Process
- 2.) Council Preference for Format and Content of a 5 Year Capital Improvement Plan (CIP)
- 3.) Any changes as the result of 1.) and provide directions to appropriate staff to implement new procedures
- 4.) Any modifications of previously adopted Goals and Objectives

Purpose 2: To identify:

- 1.) Specific goals in the management and operation of the respective City Departments which result in the following measurable outcomes:
 - a. Improved customer service
 - b. Time saved on processes
 - c. Elimination of outdated, no longer useful steps in provision of services (Continuous Improvement)
 - d. Improved communications with citizens through 21st century means
 - e. Technology improvements to assist in the accomplishment of a.-d. above

Summary: To Declare:

- 1.) Action Items; Assign Individuals, Departments to Act & Report
- 2.) Timetable:
- 3.) How Outcomes Will be Measured

City of Brainerd
Council/Department Head Retreat
November 9, 2015
Chamber of Commerce CLC Room

The Major Areas of Strategic Focus developed in the 2.5 hour Meeting:

1. **STABILIZE, THEN REDUCE DEBT OBLIGATIONS BY:**

- a. Funding repairs to the City Hall HVAC system without debt
- b. Build reserves to meet Fire Department equipment needs
- c. Determine Council policy on future debt planning

Coupled With

**STREAMLINED SPENDING TO CREATE BUDGET STABILITY
AND SUSTAINABILITY**

WHO WILL ACT AND FOLLOW THROUGH:

- A. Administration will present prior to December 1, 2015 precise plans to improve the City Hall HVAC system without issuing debt.
- B. Review with Council, in consultation with Fire Chief, annual allocation of reserves to purchase new apparatus.
- C. Council will consider recommendations of city staff, Springsted, and other consultants who assist in the development of a map to achieve the goals.
- D. City Administrator and the Finance Director will apprise the Council, Department Heads and citizens of alternatives to past practices in order to achieve a long-term stability in fund balances.
- E. Department Heads will develop long-term strategic plans for their respective operations.

2. DEVELOP AND PURSUE EFFECTIVE HOUSING OPTIONS BY:

- a. Continuing the 2013 “pride of ownership” and
- b. New options for neighborhood redevelopment

WHO WILL ACT AND FOLLOW THROUGH:

- A. City Planner will coordinate communications among appropriate city departments, appropriate county agencies, ad hoc committee(s) which focus on housing, and regional or state agencies as potential funding sources through grants and/or loans; the HRA Director will assist.
- B. City Housing Inspection staff will review current inspection practices and develop potential changes to code enforcement with the goal of improving status of rental housing.
- C. HRA Director will facilitate grant opportunities with the City Planner.
- D. Council will receive reports from sanctioned citizen groups and take appropriate action to direct city staff to respond.
- E. Opportunities for Community Development Block Grants and other sources such as the USDA Rural Development, Region 5, and the Initiative Foundation.

3. CONTINUE TO DESIGN/BUILD RIVERWALK IN ORDER TO:

- a. Revitalize and redevelop downtown as extension of river
- b. “If you build it they will come...”

WHO WILL ACT AND FOLLOW THROUGH:

- A. City Planner coordinating with the HRA Director will report to the Council activities and accomplishments of the Riverfront Subcommittee to retain a professional firm to oversee the planning, architectural, engineering and fiscal aspects of riverfront development.
- B. Riverfront Subcommittee will inform Council of any and all elements of the Riverfront Project which can be linked to the redevelopment of appropriate areas of downtown.

- C. City Administration, City Planner, HRA Director will work with Region 5; BLAEDC, Initiative Foundation, USDA Rural Development and other funding sources to identify grant and loan opportunities in conjunction with downtown property owners.

4. MANAGE RETENTION AND RECRUITMENT OF EXCELLENT TALENT IN ALL JOB POSITIONS

- a. Challenges of demographics: aging workforce; generational differences toward workplace and compensation; retain employees in view of work place options such as telecommute.

WHO WILL ACT AND FOLLOW THROUGH:

- A. City Human Resources Director will communicate with Council to ensure that job descriptions are correct and that the City remains competitive when seeking applicants.
- B. Council will receive recommendations for compensation plan improvements.
- C. Human Resources Director will monitor and report influences in the public sector work force on wages and fringe benefits.
- D. Human Resource Director will communicate with peers to gain larger perspective.

5. IMPROVE INFORMATION TECHNOLOGY SERVICES TO:

- a. Implement credit card system
- b. Attain “Return on Investment” from expenditures for hardware & software

WHO WILL ACT AND FOLLOW THROUGH:

- A. I.T. Department will continue to examine preferable systems, identify costs of implementing credit card system, and seek quotes for purchase of hardware and software in order to install a system in early '16 provided funding is sufficient.
- B. I.T. Staff will compile from credible sources the return-on-investment of several potential programs which will increase efficiency, reduce long-term costs, and minimize impact on staffing.



Brainerd City Council Agenda Request

10B

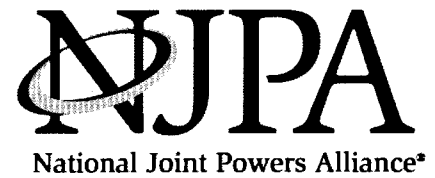
Agenda Item #

Requested Meeting Date: January 3, 2017

Title of Item: Voting Procedure for NJPA Board

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) *provide copy of published hearing notice ☐ Direction Requested ☒ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading
Submitted by: Jim Thoreen	Department: Administration
Presenter (Name & Title):	Estimated Time Needed: 5 minutes
Summary of Issue: As part of our membership in the National Joint Powers Alliance, each Council member and the Mayor may cast a vote for candidates for the organization's Board of Directors. The attached material offers background information for each candidate.	
Alternatives, Options, Effects on Others/Comments: I request that the Council take a few minutes to cast individual ballots which I will return to NJPA.	
Recommended Action/Motion: The only action will be each member of the Council and Mayor to vote for the candidate of their choice.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

www.njpacoop.org



202 12th Street NE
P.O. Box 219
Staples, MN 56479

December 21, 2016

To: NJPA Member City Administrators in Sub-Region IV
From: Chad Coauette, Executive Director, NJPA
Re: Voting Information and Ballot for the 2016
NJPA Board of Directors Election

RECEIVED
DEC 23 2016
CITY OF BRAINERD
ADMINISTRATION

Enclosed is one election ballot and biographies for this year's election. We ask that you reproduce and distribute this information at your next Board meeting (one ballot for each Board Member). **Please place the completed ballots in an envelope, seal it and sign across the seal.** Then mail or deliver that envelope to Deb Cervantez at NJPA, 202 12th Street NE, PO Box 219, Staples, MN 56479, so that it arrives in our building no later than **February 14, 2017.**

To insure that this very important letter is received we are sending it by certified mail, return receipt requested. To save additional postage, we ask that you reproduce the ballot and supply your own ballot return envelope. Please be sure to seal and sign across the seal and indicate on the front **"NJPA Election."**

Thank you for your help and for all you do for National Joint Powers Alliance®.

ENC: Election Ballot
Election biographies



2016 NJPA Board of Directors Election

Official Ballot Sub Region IV

Each individual board member of each NJPA member City and County is asked to complete one ballot and give it to your board clerk who will return the completed ballots in a sealed envelope marked **Election Ballots** to: NJPA, 202 12th Street NE, PO Box 219, Staples, MN 56479.

Instructions: Vote for candidates by marking an (X) in the square opposite the name of each candidate you wish to vote for:

Four-year term. Vote for ONE.

☐ Barb Becker

☐ Rosemary Franzen

☐ Donald Jacobson

☐ Darrel Olson

☐ Greg Zylka

☐ _____ (write-in)

Barb Becker –

Barb Becker is a Todd County Commissioner, whose recent leadership positions include Vice-Chair 2015, Chair in 2016, and re-election in 2016 to a 4-year term. Barb is serving a 3-year term on Region Five Development Commission (starting in June, 2014), currently serving as a Director on the Executive Board. Barb is incoming 2017 Chair of the Community Health Board, where she currently serves as a Director (Morrison, Wadena, and Todd Counties). Additional leadership and business experiences include: Todd-Wadena Correction Board; EMS Regional Joint Powers Board; Moran Township Treasurer (13 years); U of M Extension 4-H Leader (20 years); United States Department of Agriculture County Committee Member for Todd Farm Service Agency County Office (9 years); Barb and her husband, Dan, Dairy farmed for 31 years, owned Long Pines Bar and Restaurant until they sold it and still operate D & B Country Classic Catering.

Rosemary Franzen –

Rosemary Franzen has been a Crow Wing County Commissioner since 2007. In that time, she has focused on Personnel and Finance issues at Crow Wing County serving on both the Budget Committee and the Personnel Committee. She also serves on the Region 5 Development Commission, their Transportation Advisory Committee and Area Transportation Partnership so she also has a good regional perspective over the same service area as NJPA. Crow Wing County has become an increasingly active partner of NJPA's both in cooperative purchasing as well as in service offerings of NJPA to counties. Rosemary would be an actively engaged Board member whose attendance would never be an issue. She would appreciate the opportunity to serve all of the members, especially those in Sub-Region IV.

Donald Jacobson –

Work history includes U.S. Army Chemical Corps, Minneapolis Star and Tribune, Coulter & Associates Advertising, and United Power Association. Former member of the Public Relations Society of America, Past Chairman Mid-Continent Area Power Pool Public Relations Committee, Member of the National Generation and Transmission Cooperative Communicators, Member of the Minnesota Broadcasters Association, and Member of the Minnesota Newspaper Association. Served as a council member, and acting mayor in the City of Andover. Served as the chair of the Andover Community Development Committee, committee member of the Andover Public Safety Committee, Chair of the Andover Personnel Committee, and the Andover Road and Street Committee. Served on several other boards and committees. Present city council member in the City of Nisswa.

Darrel Olson –

Local resident for 55 years and married for 43 years. Recently retired from Crow Wing County after 25 years as an appraiser. Current mayor of Baxter. 12 years as mayor and 4 year on council prior to that. Member of Baxter Long Range Planning Commission before that. Served 26 years in the Army Reserve as a Combat Engineer and retired as a platoon SGT. Member of Citizen's Advisory Board for the Salvation Army, Citizen's Advisory Board for the Good Samaritan Society, Citizen's Advisory Board for Camp Ripley, American Legion, and Beyond the Yellow Ribbon. I have worked with budgets, bidding, contracts, personnel issues, hiring, building relationships with other entities, both governmental and private. I'm very interested in being involved with this board, and feel that I can bring experience, knowledge and enthusiasm to this position. I would appreciate your vote.

Greg Zylka –

I served on the Board of Education for Little Falls Schools for almost ten years. I was on the City Council for two years before I was elected Mayor in 2014. I am Chair of the Economic Development Authority and the Morrison County Community Development. I am past Chair of the Chamber of Commerce, United Way, American Cancer Society Relay for Life and other committees. I am a two time cancer survivor and have been employed by Coborn's Inc. for 39 years, 25 of which have been in a leadership role. I am a strong believer in regionality and will represent each community to the best of my ability.



Brainerd City Council Agenda Request

10C
Agenda Item #

Requested Meeting Date: January 3, 2017

Title of Item: IT / GIS Coordinator Promotion Recommendation

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading *provide copy of published hearing notice
Submitted by: Kris Schubert	Department: Administration/HR
Presenter (Name & Title): HR Coordinator Kris Schubert	Estimated Time Needed: 5 minutes
Summary of Issue: The Council approved several union contract settlements on December 27th. An item included in the IBEW Administrative Support union settlement was removal of our GIS / IT Coordinator from the union and to allow the creation of a IT / GIS Coordinator supervisory position. Staff prepared an internal only posting for the new IT / GIS Coordinator position on December 28th and, as required by the Employee Policy Manual, this posting must be open for a minimum of three (3) working days. The deadline for individuals to submit their posting response form for the supervisory position is 4 pm on Tuesday, January 3, 2017. Staff is planning to submit a recommendation regarding this promotion at the Council meeting that evening.	
Alternatives, Options, Effects on Others/Comments: The creation of this supervisory position was recommended by the IT Committee. Staff is requesting that the Council consider the promotion immediately following the posting period to avoid an additional two-week delay to the next council meeting. The Council, also at the December 27th meeting, authorized a wage adjustment for the City's new IT / GIS Coordinator position to match BPU's Information Technology Supervisor's base wage including the 2017 & 2018 market adjustments.	
Recommended Action/Motion: Motion to authorize Staff to negotiate and make a conditional job offer to the top IT / GIS Coordinator candidate; further, that Council will confirm the top applicant's name, effective date of promotion, and monthly rate of pay at the 1/3/17 Council meeting.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ see below Is this budgeted? ☐ Yes ☒ No <u>Please Explain:</u> The union GIS / IT Coordinator position was included in the 2017 budget; however, the supervisory position was not included in the 2017 budget as it was subject to union contract negotiations. The city's additional cost for wages and benefits between the two positions for 2017 is estimated at \$8,000; however, this does not take overtime pay into consideration if the employee had stayed in the union.	



Brainerd City Council Agenda Request

107D

Agenda Item #

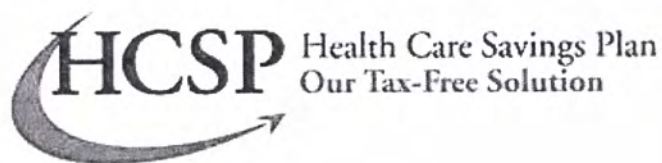
Requested Meeting Date: January 3, 2017

Title of Item: Employee Policy Manual Amendment for Health Care Savings Plan

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) *provide copy of published hearing notice ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading
Submitted by: Kris Schubert	Department: Administration/HR
Presenter (Name & Title): HR Coordinator Kris Schubert	Estimated Time Needed: 5 minutes
Summary of Issue: The Council met on December 27th to review, and then approved, several 2017-2018 union contract settlements as well as the Department Head and Supervisor adjustments. An item noted when considering the Department Head/Supervisor adjustments was the Department Heads have expressed an interest to modify Section 16 of the Employee Policy Manual relative to the Post Employment Health Care Savings Plan (HCSP). At the time, and since non-union supervisors did not have an opportunity to meet to discuss their payroll or severance pay contributions yet, Staff noted we would be coming back at the 1/3/17 Council meeting with a modified language recommendation. Since the Supervisors will be meeting on 1/3/17, Staff is planning to submit a recommendation regarding the Policy amendment at the Council meeting that evening.	
Alternatives, Options, Effects on Others/Comments: The MN State Retirement System (MSRS) operates this HCSP for our employees. IRS regulations allow this plan which utilizes tax-free contributions and disbursements when used for post-employment qualified medical expenses. Since contributions are free from payroll tax, participation in this plan is a benefit to both the employee and employer. The catch is that all employees within each group must agree to the contributions, cannot select personal elections, and the language must remain in effect for a minimum of two years. Additional information about HCSP is attached for your review.	
Recommended Action/Motion: Motion to approve an amendment for Section 16 of the Employee Policy Manual relative to the Post Employment Health Care Savings Plan (HCSP) for the City Administrator, Department Heads and Supervisors as presented on 1/3/17.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No Please Explain: Contributions authorized by this amendment and made by employees and/or the employer result in payroll tax savings.	



Health Care Savings Plan At-a-Glance



The Health Care Savings Plan (HCSP), administered by the Minnesota State Retirement System (MSRS), offers you the opportunity to make the most of each dollar you set aside for healthcare expenses. HCSP is an individual, tax-free account to be used for reimbursement of eligible post-employment medical expenses. This guide provides a brief overview of the HCSP. For more information about the Plan, visit www.msrs.state.mn.us, or call MSRS at 651-296-2761 or toll-free at 1-800-657-5757.

What is the HCSP

The Health Care Savings Plan (HCSP) is an employer-sponsored program that allows you to invest money in a tax-free account while you are employed by a Minnesota public employer. Once you leave employment, you may access this money for reimbursement of eligible medical expenses incurred by you, your spouse, legal tax dependents, and adult children up to their 26th birthday. As you know, out-of-pocket medical expenses can quickly add up to thousands of dollars. Using the tax-free dollars accumulated in your HCSP account to reimburse these costs may help provide significant savings for you and your family.

HCSP is a tax-free account, which means contributions and eligible reimbursements are not reportable on federal or state income tax returns.

Administrative fees

The annual administrative fee is 0.65 percent of your account balance. This fee is prorated and deducted monthly from your account balance. For example, if you have an account value of \$10,000, MSRS will deduct \$5.42 per month from your account. The maximum annual fee is \$140 or \$11.67 per month. Fees are subject to change.

How are contributions made to the HCSP?

Contributions to your HCSP account are determined as follows:

- If you are covered by a bargaining unit, contributions to the Plan must be negotiated or agreed to by both the bargaining unit and employer and written into a collective bargaining agreement or Memorandum of Understanding (MOU).
- If you are not covered by a bargaining unit, contributions to the Plan must be agreed to by your employer and included in a written personnel policy.

Only negotiated and agreed-upon contributions are allowed. You cannot choose to contribute to your HCSP account on an individual basis.

Why tax-free matters

Here's an example of how contributing to your HCSP account could save you money. Let's say you are eligible for \$5,000 in severance. If this was paid to you in cash, you would only receive about \$3,000 after deducting federal, state, and FICA (Social Security and Medicare) taxes. If your severance is directed into an HCSP account, the entire \$5,000 would be available for reimbursement of eligible medical expenses, effectively saving you \$2,000.

FOR ILLUSTRATION PURPOSES ONLY.

This hypothetical example assumes a 25 percent federal withholding rate plus 7.05 percent state withholding rate plus 7.65 percent FICA (Social Security and Medicare) tax rate.

Individual tax rates may vary based on total taxable income and filing status for the year.



Is participation in HCSP mandatory? Can I opt out?

All employees must participate in the HCSP adopted by their employer or bargaining unit. However, you can opt out of the Plan if you:

- are eligible for TRICARE retiree medical benefits.
- have a service-connected disability.
- are a foreign national who plans to return to your country of origin.
- have comprehensive health insurance coverage provided for life that is at least 70 percent paid for by an employer (the insurance coverage must be provided by a source other than your current employer who sponsors your HCSP).

Once you opt out, you may not participate at any time in the future. Please contact MSRS for more information.

How are contributions invested?

Contributions to your HCSP are automatically invested in the Money Market Fund unless you elect one or more of the other investment options offered. You have the freedom to change your investment mix at any time or transfer your existing account balance among any of the investment options offered by the Plan.*

* You may not transfer balances directly from the Stable Value Fund to the Money Market Fund.

It's EASY to manage your account

You have the following options to monitor your HCSP account or manage your investment selections:

- Review quarterly statements
- Log in to your account online at www.msrs.state.mn.us
- Contact an MSRS representative at 1-800-657-5757, option 3
- Call the Automated Voice Response (AVR) system at 1-800-657-5757, option 2

HCSP investment options

You can invest your HCSP contributions in any combination of seven investment options offered by the Plan.

Please consider the investment objectives, risks, charges, and expenses of the investment options carefully before investing. For this and other important information about investments offered through your Plan, you may obtain a *Minnesota Supplemental Investment Fund Prospectus* at www.sbi.state.mn.us under the *Publications* link. Read them carefully before investing.

Risk/Reward Potential	Investment Name	Annual Investment Expenses*
HIGHER	Broad International Stock Fund	0.29%
	U.S. Stock Actively Managed Fund	0.22%
	U.S. Stock Index Fund	0.02%
	Balanced Fund	0.04%
	Bond Fund	0.10%
	Stable Value Fund	0.27%
LOWER	Money Market Fund	0.01%

You could lose money by investing in the Money Market Fund. Although the Fund seeks to preserve the value of your investment at \$1.00 per share, it cannot guarantee it will do so. An investment in the Fund is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other government agency. The Plan's sponsor has no legal obligation to provide financial support to the Fund, and you should not expect that the sponsor will provide financial support to the Fund at any time.

The position of the various funds on the chart does not reflect an absolute relation of the funds, but only their expected relative ranking over the long term. Shown for illustrative purposes only. Past performance is not a guarantee of future results.

** Annual investment expenses are charged by the State Board of Investment. The investment expenses shown above are current as of June 2016, but are subject to change.*

Depending on your investment option selection, account values may fluctuate with market conditions. Consider your personal risk tolerance when making investment decisions. Past performance does not guarantee future returns.

When and how can I access the money in my account?

You can access your HCSP account for the reimbursement of eligible medical expenses when you separate from service at any age, retire, or are collecting a disability benefit from a Minnesota public employer.

Only eligible medical expenses incurred after you leave public employment can be reimbursed. You pay your out-of-pocket medical expenses, then submit to MSRS a *Reimbursement Request* form along with appropriate documentation of the expenses.

Reimbursements are always paid directly to you. MSRS never pays the medical provider or insurer.

What if I die with money remaining in my account?

If there is a balance remaining in your account upon your death, it is transferred to an HCSP account for your spouse. If there is no spouse, then it is transferred to an HCSP account for your legal dependents. Reimbursements to a spouse or legal dependent(s) are tax free.

If you do not have a spouse or legal dependent(s), your designated beneficiaries will inherit the remaining account balance to use for the reimbursement of eligible medical expenses. If there is no designated beneficiary, the personal representative of your estate must name a beneficiary. Reimbursements to a beneficiary are subject to state and federal income taxes.

We encourage you to designate a beneficiary, even if you have a spouse or legal dependent.

Does my HCSP account impact my ability to have other tax-advantaged medical savings plans?

You may invest in multiple tax-advantaged savings plans such as a Health Savings Account (HSA), Health Reimbursement Account (HRA), or Flexible Spending Account (FSA); however, you cannot request reimbursement of the same expense from more than one savings plan or deduct a reimbursed expense on your federal income tax return.

Special note regarding Health Savings Accounts (HSAs)

Access to your HCSP is limited to the reimbursement of dental or vision expenses if you contribute to an HSA in the same calendar year you are eligible to access your HCSP because you left employment. Please contact MSRS for more details.



**Health Care Savings Plan
Our Tax-Free Solution**

**60 Empire Drive, Suite 300
St. Paul, Minnesota 55103-3000
651-296-2761 or toll-free at 1-800-657-5757**

Core securities, when offered, are offered through GWFS Equities, Inc. and/or other broker dealers.

GWFS Equities, Inc., Member FINRA/SIPC, is a wholly owned subsidiary of Great-West Life & Annuity Insurance Company.

PT268003(05.16) 2042_8111

Eligible medical expenses

The following is a list of the most common reimbursable medical expenses. For a more detailed list, visit www.msrs.state.mn.us, or see IRS Publication 502, which is available at www.irs.gov.

Note: The current IRS Publication 502 supersedes MSRS documentation regarding reimbursable healthcare-related expenses.

- Premiums for medical, dental, and long-term care insurance
- Medicare Part B, C, and D premiums
- Insurance deductibles and co-pays
- Prescription drug co-pays
- Eye care expenses
- Dental expenses
- Medical equipment and supplies
- Chiropractor and acupuncture





Brainerd City Council Agenda Request

11A
Agenda Item #

Requested Meeting Date: January 3, 2017

Title of Item: Variance Request, Gretchen Nelson – to permit a metal roof that is not standing seam in design on an accessory building located at 717 2nd Ave. NE

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) *provide copy of published hearing notice ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading
Submitted by: Mark Ostgarden, City Planner	Department: Planning
Presenter (Name & Title): Same	Estimated Time Needed: 5 minutes
Summary of Issue: The Planning Commission recommends approval. Attached please find the City Planner Staff Report which provides the issue summary, photos, and minutes which include Findings of Fact related to this request.	
Alternatives, Options, Effects on Others/Comments: 1. Approve the variance which will permit the corrugated metal roof design to remain. 2. Deny the variance which will require the corrugated metal roof to be removed and replaced with the standing seam roof.	
Recommended Action/Motion: Moved and 2nd by _____ and _____ to approve/deny the Variance for Gretchen Nelson, 717 2nd Ave. NE, to permit a metal roof that is not standing seam in design on an accessory building.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☒ No <u>Please Explain:</u>	

STAFF REPORT TO THE PLANNING COMMISSION

December 12, 2016

VARIANCE

APPLICANT/LOCATION: Gretchen Nelson, 12629 30th St., Brainerd, MN 56401 for property at 717 2nd Ave. NE, Brainerd, MN 56401

PROPOSED USE: An accessory building roof that is not standing seam in design

LOT AREA: 50' x 140' (7,000 sf)

CURRENT ZONING: R-1 (Single Family Residential) District

ADJACENT USES: East: Residential
South: Residential
West: Residential
North: Residential

ADJACENT ZONING: North: R-1 (Single Family Residential) District
East: R-1 (Single Family Residential) District
South: R-1 (Single Family Residential) District
West: R-1 (Single Family Residential) District

REPORT

Gretchen Nelson received a notice from the Building Department that the accessory building roof at 717 2nd Ave NE needed repair. Rather than new shingles the owner chose to use a corrugated metal roof design. Zoning Ordinance Section 515- Section 17.8.B.5: General Building, Use and Design Provisions Accessory Buildings, Uses and Equipment. reads:

Metal roofs are allowed provided they are constructed with standing seams and concealed or exposed fasteners.

Criteria for Granting Variances

A. Variances shall only be permitted:

When they are in harmony with the general purposes and intent of the Ordinance. Following is the Intent and Purpose section of the Zoning Ordinance:

A. Protect the public health, safety, and general welfare of the community and its people through the establishment of minimum regulations governing development and use.

- B. *This Ordinance shall divide the City into use districts and establish regulations in regard to location, erection, construction, reconstruction, alteration and use of structures and land.*
- C. *Protect neighborhoods.*
- D. *Promote orderly development and redevelopment of land for residential, commercial, industrial, recreational and public areas.*
- E. *Provide adequate light, air, and convenience of access to property.*
- F. *Prevent congestion in the public right-of-way.*
- G. *Prevent overcrowding of land and undue concentration of structures by regulating land, buildings, yards, and density of population.*
- H. *Protect and preserve the natural environment of the City.*
- I. *Encourage the protection of historic and aesthetic resources in the City.*
- J. *Conserve energy through the use of alternative energy systems and conservation through the encouragement of energy efficient structures for commercial, industrial and residential uses.*
- K. *Provide for compatibility of different land uses.*
- L. *Provide for administration of this Ordinance.*
- M. *Provide for amendments.*
- N. *Prescribe penalties for violation of such regulations.*
- O. *To define powers and duties of the City staff, the Planning Commission, the City Council and the Board of Zoning Appeals in relation to the Zoning Ordinance.*

When the Variance is consistent with the Comprehensive Plan.

The Comprehensive Plan Goal and Strategy that may apply is:

LAND USE GOAL #3: Plan for the orderly, efficient and fiscally responsible growth of residential development in Brainerd.

Strategy

- 1. *Encourage compatible infill residential development throughout the developed portions of the city, to encourage the efficient use of land, the establishment of a strong tax base and the cost effective provision of city services.*

- B. **Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance.**

Subdivision 4. "Practical Difficulties", as used in connection with the granting of a variance means that:

- I. *The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance.*

The question is why is it reasonable to allow this roof to have a corrugated metal look?

II. The plight of the landowner is due to circumstances unique to the property not created by the landowner.

What is unique about the garage that would allow corrugated metal to be used?

III. The variance, if granted, will not alter the essential character of the locality.

In place of the standing seam design would corrugated metal alter the neighborhood?

Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

PLANNING COMMISSION AND CITY COUNCIL ACTION

The Planning Commission may consider a recommendation at its meeting on December 21, 2016 and the City Council may consider the Planning Commission recommendation at its TUESDAY, January 3, 2017 meeting.

Respectfully submitted,

Mark Ostgarden AICP
City Planner

Dear Planning Commission,

In July 2016, we received notice, from the City of Brainerd, that the roof on our small detached garage needed to be repaired or replaced. We did not realize that we needed to follow specific criteria for the roofing material or obtain a building permit to redo the roof. That negligence was on our part, due to our lack of research. We decided that a metal roof would be the most cost effective way for us to repair the roof, to keep it from being an issue further down the road. Metal roofing would allow us to do the work ourselves and would be longer lasting than shingles would be. We ordered our supplies through Menards and when they came in my husband (Nick) and father got the roof done without issue and before the deadline given by the city.

We received notice a few days later, again from the City and I believe from Mr. Caughey, thanking us for doing the approved repairs, however we needed to obtain a building permit. I submitted a building permit to Laurie Johnson via email with a phone payment and several days later saying that "Unfortunately, you did not obtain the necessary roofing permit prior to starting the work. If you would have done so we would have explained that the pole building style metal roofing is not an acceptable roof appearance style." Upon speaking with Mark Ostgarden, I was able to confirm that the only thing wrong with the roofing job was that it "looked wrong" because it was "agricultural looking" instead of the standing seam.

I have checked the MN Residential Codes, and to the best of my understanding and knowledge, the roofing that we used doesn't violate any MN State codes, only the one set by the City of Brainerd because of how it looks. This garage is on an alley, it is barely big enough to park a small car in, and the roofing matches the paint and looks very nice. It doesn't appear to detract from any of the other homes or garages around it and certainly looks much better than it did when the shingles on the south side were warping and curling.

I am asking that our request for the variance be approved to allow the current roof to stay on the garage. Having to remove and replace it would be a great financial burden for us and I would need several months to be able to save the money for the replacement. Our likely step, should the request not be approved, would be to demolish the garage completely to eliminate further issue and cost. This would, of course, decrease the property value and eliminate storage, however we feel that would be our best next step.

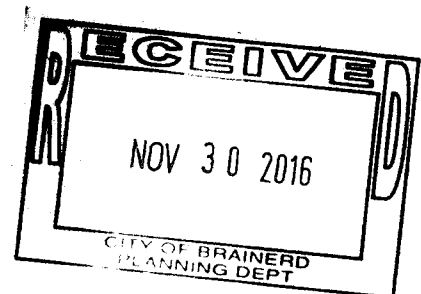
I am more than willing to discuss this matter with you, should you have further questions. I can be reached at home (218-829-9084), via cell (218-330-7058), or through email (ng.nelson@hotmail.com).

Thank you for your time,

Gretchen Nelson

Gretchen Nelson (Patrick)

Property Owner of 717 2nd Ave NE









(800) 728-4010

www.bestbuymetals.com

Standing Seam – Install Guide





Brainerd City Council Agenda Request

11B
Agenda Item #

Requested Meeting Date: January 3, 2017

Title of Item: Variance Request, Carol and James Paschelke – construct a 6' tall fence where a 4' tall fence is permitted at 501 16th St. SE

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Mark Ostgarden, City Planner	Department: Planning
Presenter (Name & Title): Same	Estimated Time Needed: 5 minutes
Summary of Issue: The Planning Commission recommends approval with one condition. Attached please find the City Planner Staff Report which provides the issue summary, photos, and minutes which include Findings of Fact related to this request.	
Alternatives, Options, Effects on Others/Comments: 1. Approve the variance which will permit the 6' tall privacy fence to be constructed where a 4' tall fence is permitted. 2. Deny the variance which will require moving the fence back to comply with the fence height location requirements.	
Recommended Action/Motion: Moved and 2nd by _____ and _____ to approve/deny the Variance for Carol and James Paschelke 501 16th St. SE, to construct a 6' tall fence where a 4' tall fence is permitted, conditioned upon the fence not being located in the corner lot clear vision area.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☒ No <i>Please Explain:</i>	

STAFF REPORT TO THE PLANNING COMMISSION

December 12, 2016

VARIANCE

APPLICANT/LOCATION: Carol and James Paschelke, 501 16th St. SE, Brainerd, MN 56401

PROPOSED USE: Six foot tall fence where a 4' tall fence is permitted

LOT AREA: 50' x 100' (5,000 sf)

CURRENT ZONING: R-2 (One and Two Family Residential) District

ADJACENT USES: East: Elementary School
South: Residential
West: Residential
North: Residential

ADJACENT ZONING: North: R-2 (One and Two Family Residential) District
East: R-2 (One and Two Family Residential) District
South: R-2 (One and Two Family Residential) District
West: R-2 (One and Two Family Residential) District

REPORT

The Paschelkes have a corner lot and have begun construction of a 6' tall fence in the side street setback area along Norwood Street where a 4' tall fence is permitted. Zoning Ordinance Section 515-19-7: Fences, Height. reads:

- A. Fences may be located in any yard up to a height of four (4) feet.
- B. Except as prohibited by Section 515-19-7.E a fence up to six and one half (6½) feet high may be erected from a line extended from the front façade of the principal building to the side lot lines, and then along the side lot lines and the rear lot line.

Criteria for Granting Variances

- A. Variances shall only be permitted:

When they are in harmony with the general purposes and intent of the Ordinance. Following is the Intent and Purpose section of the Zoning Ordinance:

- A. Protect the public health, safety, and general welfare of the community and its people through the establishment of minimum regulations governing development and use.*

- B. This Ordinance shall divide the City into use districts and establish regulations in regard to location, erection, construction, reconstruction, alteration and use of structures and land.*
- C. Protect neighborhoods.*
- D. Promote orderly development and redevelopment of land for residential, commercial, industrial, recreational and public areas.*
- E. Provide adequate light, air, and convenience of access to property.*
- F. Prevent congestion in the public right-of-way.*
- G. Prevent overcrowding of land and undue concentration of structures by regulating land, buildings, yards, and density of population.*
- H. Protect and preserve the natural environment of the City.*
- I. Encourage the protection of historic and aesthetic resources in the City.*
- J. Conserve energy through the use of alternative energy systems and conservation through the encouragement of energy efficient structures for commercial, industrial and residential uses.*
- K. Provide for compatibility of different land uses.*
- L. Provide for administration of this Ordinance.*
- M. Provide for amendments.*
- N. Prescribe penalties for violation of such regulations.*
- O. To define powers and duties of the City staff, the Planning Commission, the City Council and the Board of Zoning Appeals in relation to the Zoning Ordinance.*

When the Variance is consistent with the Comprehensive Plan.

The Comprehensive Plan Goal and Strategy that may apply is:

LAND USE GOAL #3: Plan for the orderly, efficient and fiscally responsible growth of residential development in Brainerd.

Strategy

- 1. Encourage compatible infill residential development throughout the developed portions of the city, to encourage the efficient use of land, the establishment of a strong tax base and the cost effective provision of city services.*

- B. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance.

Subdivision 4. "Practical Difficulties", as used in connection with the granting of a variance means that:

- I. *The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance.*

Attached is a photo of the street side yard where the fence has been constructed. The question is why can't the property owner construct the fence at the dwelling setback and have reasonable use of the property?

- II. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*

When looking at the neighborhood, what is unique about the property? Lot shape? Size? Width? Topography? Large Trees? Building locations?

- III. *The variance, if granted, will not alter the essential character of the locality.*

Does having a 6' tall fence along the 16th Street property line affect the neighborhoods character? There is a legal non-conforming fence along 16th Street on the lot at opposite corner from the petitioner.

Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

PLANNING COMMISSION AND CITY COUNCIL ACTION

The Planning Commission may consider a recommendation at its meeting on December 21, 2016 and the City Council may consider the Planning Commission recommendation at its TUESDAY January 3, 2017 meeting.

Respectfully submitted,

Mark Ostgarden AICP
City Planner



© 2016 Google

© 2016 Google

Google Earth

Google Earth

feet
meters



NOTICE OF HEARING

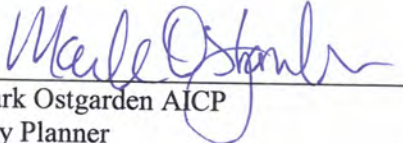
TO WHOM IT MAY CONCERN:

Notice is hereby given that Carol and James Paschelke, 501 16th St. SE, Brainerd, MN 56401, has applied for a variance from Zoning Ordinance Section 515 -17 Fences to construct a 6' tall fence where a 4' tall fence is permitted. The property is located in an R-2 (One and Two Family Residential) District. The property is legally described as Lot 5 Block 6 Sleepers Addition.

The Planning Commission of the City of Brainerd will meet in the Brainerd City Hall Council Chambers, 501 Laurel Street, at 6:00 p.m., December 21, 2016, to consider the request for the Variance.

A copy of the application is on file for review at the City Planning Department, 501 Laurel Street. Any individual needing special accommodations please call (218) 828-2309.

Dated this 7th day of December, 2016


Mark Ostgarden AICP
City Planner

Publication date: December 9, 2016

6' Tall Fence Location



