

CITY COUNCIL AGENDA

**Brainerd, Minnesota
February 6, 2017
7:30 P.M.
Brainerd City Hall
Council Chambers**

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

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Approval of Agenda (Voice Vote)**
- 5. Consent Calendar (NOTICE TO PUBLIC) – All matters listed are considered routine by the Council and will all be enacted by one (1) motion. There will be no separate discussion of these items unless good cause is shown prior to the time the Council votes on the motion to be ADOPTED BY ROLL CALL:**
 - A. Approval of the Minutes of the Regular Meeting held on January 17, 2017, as distributed**
 - B. Approval of Licenses – (See Attachment)**
 1. Contractor's Licenses – 14 - Renewals
 - C. Department Activity Reports – (See Attachments)**
 1. Fire Chief (Monthly and Annual)
 2. Park Director
 3. City Administrator
 - D. Adopt Resolution Accepting Donations & Contributions for 4th Quarter 2016 – (See Resolution)**

E. Temporary On-Sale Liquor License Application – Submitted by the Brainerd Sports Boosters for an Event to be held on April 22, 2017 at the NP Event Space, 210 Blacksmith Circle, Brainerd – Approval of

6. Presentation

A. BLAEDC Annual Report

7. Council Committee Reports

A. Personnel and Finance Committee Report

1. Approval of Bills and Payments to Contractors

Contractor	IMP	#Project	Amount	Retained
Braun Intertec	14-15	Airport Utility Extension	\$203	N/A
S.E.H	14-15	Airport Utility Extension	\$26,192	N/A
Tom's Backhoe	1/11	DT Snow Removal	\$11,782	N/A

2. Procurement Policy

3. Subordination of Loan

4. Resignation of Administrative Specialist Tabaka

5. Resignation of Police Officer Katzenberger

6. Hiring Recommendation for IT Specialist Position

7. Hiring Recommendation for Engineering Technician Position

8. Market Adjustment for Police Chief and Deputy Chief

9. Returned TIF Funds

10. Annual Review of Investment Policy

11. Donation Request to Historical Society

B. Safety and Public Works Committee Report

- 1. Pavement Management Presentation**
- 2. Proposals for Underground Storage Tank Limited Site Investigation**
- 3. Annual MS4 Public Hearing - Set for 7:30 p.m., Monday, March 20**
- 4. Improvements 14-01; 14-03 & 16-13 Feasibility Reports – Adoption of Resolution and set Public Hearing for 7:30 p.m., Tuesday, February 21.**
- 5. 2017 Transit Contract Amendment for additional transit bus purchase**
- 6. Petition for Street Vacation – Set Public Hearing for 7:30 p.m., Monday, March 6, 2017**
- 7. Sober Houses**

8. Unfinished Business

A. Set Location for Council Retreat

B. Call for Applicants – Informational:
(Application Information at www.ci.brainerd.mn.us/boards/)

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 – 2 terms (Expire 2018)

Rental Dwelling Board of Appeals – 2 terms (see below) – (Expire 2018)

1. *Tenant Representative (1)*

2. *General Public Representative (1)*

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

Police & Fire Civil Service Commission – 1 term (Expires 2018)

9. New Business

A. LMC Legislative Conference

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

11. Staff Reports – Written
(Verbal: Any Updates since Packet)

12. Council Member Reports

13. Adjourn – To City Council Retreat to be held at 12:30 P.M. on Saturday, February 11, 2017 at Essentia Health Meeting Room.

NOTE: Safety and Public Works Committee will meet at 6:15 P.M.
Personnel and Finance Committee will meet at 6:45 P.M.

**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"

Brainerd, MN
January 17, 2017

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 Pritschet.

Upon roll call, the following members were noted as present: Bevans, Badeaux, Johnson, Hilgart, Lambert, Stunek and Pritschet. Mayor Menk was noted as absent.

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

MOVED AND SECONDED BY ALDERMEN BEVANS AND JOHNSON, DULY CARRIED, TO AMEND THE AGENDA TO ADD COUNCIL PRESIDENT COMMITTEE AND COUNCIL LIAISON APPOINTMENT RECOMMENDATIONS AS PROVIDED TO THE COUNCIL TO THE END OF THE AGENDA.

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

MOVED AND SECONDED BY ALDERMEN BEVANS AND JOHNSON, DULY CARRIED, TO CORRECT THE MOTION UNDER COMMITTEE RECOMMENDATIONS BY MAYOR ON THE JANUARY 3, 2017 MINUTES BY REMOVING THE WORDS, "WITH REGRET."

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART TO ADOPT THE CONSENT CALENDAR WITH CORRECTED JANUARY 3, 2017 MINUTES.

A. Approval of the Minutes of the Regular Meeting held on January 3, 2017, as Corrected – Approved

B. Approval of Licenses – Approved

1. Contractor's Licenses – 21 – Renewals

C. Department Activity Reports – Approved

1. Police Chief
2. Finance Director

D. Minnesota Lawful Gambling Application for Exempt Permit – Submitted by the Brainerd Lakes Chapter of Muskies, Inc. for a Raffle to be held on March 18, 2017 at the Brainerd Armory, 1115 Wright Street, Brainerd – Approved

Upon roll call, members Bevans, Badeaux, Johnson, Hilgart, Lambert, Stunek and Pritschet voted "aye." No member voted "nay." The Chair declared the motion carried.

Presentations

The Center – Annual Update

The Chair recognized Ms. DeAnn Barry, executive director of The Center, 803 Kingwood Street, who distributed brochures on events happening at the facility. She introduced Ms. Sherrie Christensen, 2017 Board President and Mr. Dale Parks who was the 2016 Board President. They discussed their new vision, “E to the 4th” which includes the following direction: “Encourage, Engage, Enrich and Educate,” and invited anyone over the age of 45 to stop in for a coffee and donut, which The Center makes fresh weekly and needs volunteers for, and consider joining The Center. The Chair thanked them for their presentation.

Close~Converse – Authorize One-Year Listing Extension for Brainerd Industrial Park Lots – Approved

The Chair recognized Mr. Nate Grotzke of Close~Converse, the City’s listing agent for the Industrial Park lots, who updated the Council on current commercial real estate trends. He reported that there are interested parties; however, the “cost of existing” vs. “cost to build” options are creating a large price gap for buyers with “existing” buildings being more popular for starting a business. He stated that the labor force is being examined to determine how to fill the needs with current graduating programs. The Chair thanked him for his presentation.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND LAMBERT, DULY CARRIED, TO APPROVE THE LISTING EXTENSION FOR BRAINERD INDUSTRIAL PARK LOTS FOR ONE YEAR.

Council Committee Reports

Personnel and Finance Committee Report

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

General Fund to Airport Fund	\$12,960
Mayor Contingency Fund #250 per Budget	\$2,500
IT Capital #403 per Budget	\$29,600
Fire Capital #404 per Budget	\$57,000
Debt Service #310 per Budget	<u>\$57,120</u>
	\$159,180

Contractor	IMP #	Project	Amount	Total Retained
S.E.H	14-15	Arpt Util Ext thru 12/31	\$2,241.75	\$0
Tom's Backhoe	14-15	Arpt Util Ext thru 12/31	\$282,275.14	\$8,730.16
Tom's Backhoe	14-15	Arpt Util Ext thru 12/31	\$154,855.45	\$0
WSN	16-11	Bridge Inspection/Audit	\$3,606.13	\$0

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART TO APPROVE THE PAYMENT OF BILLS, TRANSFER OF FUNDS AND PAYMENTS TO CONTRACTORS AS RECOMMENDED BY THE PERSONNEL AND FINANCE COMMITTEE.

Committee Chair Johnson reported that a Federal bridge inspection audit required WSN's attendance which was unexpected and resulted in an overage of \$1,369; however, that project is now complete.

Upon roll call, members Bevans, Badeaux, Johnson, Hilgart, Lambert, Stunek and Pritschet voted "aye." No member voted "nay." The Chair declared the motion carried.

P & F Committee Organizational Overview – Informational

Committee Chair Johnson reported that discussion was held at Committee level relating to setting Committee priorities, agenda preparation and time allocation for meetings.

Pay Equity Report Approval – Authorize Submittal of the City's Pay Equity Report for Wages as of December 31, 2016, as Presented – Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO APPROVE SUBMITTAL OF THE CITY'S PAY EQUITY REPORT FOR WAGES AS OF DECEMBER 31, 2016, AS PRESENTED.

Discussion of Process and Timetable: PTO; Compensation Plan – Informational

Committee Chair Johnson stated that discussion was held and direction given to staff. During negotiations, unions were informed that a new compensation plan would be looked at and all unions were invited to participate in discussion of the possibility of going to a PTO system. The committee appointed Committee Member Hilgart as the council lead for the PTO project.

Review of Existing Purchasing Policy – Informational

Committee Chair Johnson asked the Council to submit any suggested changes to the City's "Financial Management/Procurement Policy" so that the Committee might consider them while updating the Policy with recent Federal changes.

Credit Card Update for Parks Department – Informational

Committee Chair Johnson reported that the Parks Department is unable to use RevTrak, which is the current card processor other City Departments use. The Parks Department will be using "ActiveNet" and will be passing the fees along to the users just like we are with RevTrak. He stated that the convenience fee is somewhat higher for this program; therefore, council members should be aware of this to answer any constituent questions on the transaction rate differences between the Parks Department and other departments.

January Monthly Operating Transfers – Informational

Committee Chair Johnson stated that each month the City makes transfers from the General fund to other operating funds, such as the Public Safety, Parks, and Street and Sewer fund. Staff's recommendation is to explore other alternatives, such as doing the transfers annually rather than monthly and to do so via journal entries, rather than our current process.

Finance Director Hillman stated that doing the transfers annually will make the monthly financial reports look different and to please let her know if there are any questions.

Added Item: City Server Emails – Informational

City Administrator Thoreen stated that IT/GIS Coordinator Strong was in the audience to answer questions relating to the transition of Council Members to a City email address. He stated that the transition is important to provide a level of security for our system and Mr. Strong is available to provide any assistance to Council Members with the set up.

Safety and Public Works Committee Report

Snow Removal Parking Restrictions – Direct Staff to Draft an Ordinance to Amend the City Code to Regulate Parking During Snow Emergencies – To be Effective in the Fall of 2017 – Approved

Per a memo included in the Packet from City Engineer Hulsether, staff has concluded that section 1315.03 of the City Code relating to Snow Emergencies is obsolete and no longer provides for the parking restrictions that best facilitate an orderly and effective snow plowing operation.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO DIRECT STAFF TO DRAFT AN ORDINANCE TO AMEND THE CITY CODE TO REGULATE PARKING DURING SNOW EMERGENGIES TO BE EFFECTIVE IN THE FALL OF 2017.

Committee Chair Bevans reported the reason for changing the ordinance is not to ticket more cars but to have more efficient plowing. It would be effective the fall of 2017 to be able educate and notify the public of the ordinance.

Street Improvement Project List – Request Preparation of a Feasibility Report for the 2017 Assessment Projects being Initiated by Council – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO REQUEST PREPARATION OF A FEASIBILITY REPORT FOR THE 2017 ASSESSMENT PROJECTS BEING INITIATED BY COUNCIL.

Committee Workshop/Presentations – Informational

Per a memo from City Engineer Hulsether, staff would like to schedule some time to present background information to new Committee/Council Members related to the City's infrastructure and sewer collection system age, pavement preservation, project funding, etc.

Committee Chair Bevans reported that informational workshops relating to Safety and Public Works items will take place prior to Committee meetings as time permits over the next six months. These workshops will be open to the public.

Street Closure/Special Event Application for the St. Patrick's Day Parade to be held between 11:30 A.M. and 2:00 P.M. on March 11, 2017 in Downtown Brainerd – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO APPROVE THE STREET CLOSURE/SPECIAL EVENT APPLICATION AS SUBMITTED BY STEVE SHEPHERD/HOLLY HOLM FOR THE ST. PATRICK'S DAY PARADE TO BE HELD BETWEEN 11:30 A.M. TO 2:00 P.M. ON MARCH 11, 2017 IN DOWNTOWN BRAINERD.

Fire Protection Contract – Approve and Authorize City Signatures on Contract with Revisions as presented – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO APPROVE AND AUTHORIZE CITY SIGNATURES ON THE FIRE PROTECTION CONTRACT WITH REVISIONS AS PRESENTED.

Added Item: Snow Removal Complaint

Committee Chair Bevans reported that a complaint was received from a citizen on a neighbor that is not keeping their sidewalk cleared of snow. He reminded citizens the City Code requires a property owner to clear their sidewalk of snow within 48 hours of a snow event and if not done, residents may be cited for the offense.

Unfinished Business

Call for Applicants – Informational:

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 – 2 terms (Expire 2018)

Rental Dwelling Board of Appeals – 4 terms (see below) ((Expire 2018)

1. *Residential Property Manager Representative (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)

Police & Fire Civil Service Commission – 1 term (Expires 2018)

Planning Commission

City of Brainerd Community Report Card – Citizen Survey Panel Report

City Planner Ostgarden reported that a Survey is being done to solicit community feedback in real-time form and discussed the demographics of the 300 participants that have signed up. He then presented the "City of Brainerd Report Card" which illustrated survey results on satisfaction of the City's Government Performance, Overall Satisfaction, Quality of Life, Maintenance, Communication, City Characteristics, and Sources of Information. He shared

some of the comments by survey participants and answered questions of the Council. The Chair thanked him for his presentation.

For results of survey, visit: <http://www.ci.brainerd.mn.us/documentcenter/view/4307>

Public Forum – No one appeared for Public Forum.

Staff Reports – Written

(Verbal: Any Updates since Packet)

City Administrator Thoreen reported that there was a collision involving a City bus last week and there was another collision which occurred today. The bus from last week is inoperable, the one from today is usable but will need to be fixed. Staff is working to keep the disruptions to services at a minimum being down a couple of buses.

City Planner Ostgarden referred to information he had provided to the new Council Members on the Zoning Code and let them know he welcomed any questions they might have.

Council Member Reports

Council President Pritschet reported on a successful State tournament for the Brainerd Debate Team.

City Administrator Thoreen distributed a large map of the City to Council Members.

Committee Recommendations – Recommended by Mayor Menk – Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO CONFIRM THE APPOINTMENT OF MS. KRISTA BRODAHL TO THE HRA AS THEIR RESIDENT APPOINTMENT FOR A TERM TO EXPIRE 12/31/2021.

MOVED AND SECONDED BY ALDERMEN BEVANS AND JOHNSON, DULY CARRIED, TO APPROVE THE FOLLOWING COUNCIL LIAISON APPOINTMENTS AS RECOMMENDED BY MAYOR MENK:

Arboretum: Council Member Hilgart

BLAEDC: Mayor Menk

Cable TV: Council Member Badeaux

Community Action: Council Member Stunek

EDA: Council Members Bevans and Johnson

HRA: Council Member Johnson

Library: Council Member Pritschet

Park Board: Council Member Badeaux

BPU: Mayor Menk

Rental Dwelling Board of Appeals: Council Member Badeaux

The Center: Council Member Stunek

Transportation: Council Members Lambert and Hilgart

Added Item: Committee Recommendations – Recommended by Council President Pritschet – Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND BEVANS, DULY CARRIED, TO APPROVE THE FOLLOWING COMMITTEE APPOINTMENTS AND COUNCIL LIAISON APPOINTMENTS AS RECOMMENDED BY COUNCIL PRESIDENT PRITSCHET:

- A.** Airport Commission – Mr. Andy Larson, Term to Expire 06/30/2017
- B.** Planning Commission – Mr. Donald Gorham, Term to Expire 12/31/2019
- C.** Planning Commission – Mr. Justin Burslie, Term to Expire 12/31/2019
- D.** Planning Commission – Mr. Charles Marohn, Term to Expire 12/31/2019

COUNCIL LIAISON RECOMMENDATIONS:

Airport: Council Member Stunek

Fire Advisory Board: Council Member Hilgart

Planning Commission: Council Member Lambert

WBCC: Council Member Badeaux

Adjourn

The Chair adjourned the meeting at 8:49 P.M.

James M. Thoreen
City Administrator

CITY OF BRAINERD
LICENSED CONTRACTORS
CITY COUNCIL MEETING
February 6, 2017

(14 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
ROD WINK CONSTRUCTION LLC 13251 TRAILS END LANE BRAINERD, MN 56401 17-0113	(218) 839-7940	GENL	1/15/2018	12/31/2017	BC383050
AUGUSTA PLUMBING LLC 24891 21ST AVENUE ST. CLOUD, MN 56301 17-0114	(320) 237-4219	MECH	10/14/2017	11/14/2018	MB643672 PC643143
PHIL'S HEATING & AIR CONDITIONING 11157 COUNTY ROAD 144 BRAINERD, MN 56401 17-0115	(218) 828-8127	MECH	6/5/2017	10/31/2018	MB003934
MURRAY HEBERT'S HEATING & COOLING 6259 CLEARWATER ROAD BAXTER, MN 56425 17-0116	(218) 825-7328	MECH	3/2/2017	9/5/2018	MB003836
GARTH TRETTER TRUCKING 15461 IRONWOOD LANE BRAINERD, MN 56401 17-0117	(218) 829-7645	EXCA	3/1/2017	12/31/2017	L1843
TRUE NORTH TOWER 310 60TH STREET NW SAUK RAPIDS, MN 56379 17-0118	(320) 253-5489	UTIL	8/1/2017	12/31/2017	
CENTERPOINT ENERGY MINNESOTA GAS 6161 GOLDEN VALLEY RD GOLDEN VALLEY, MN 55422 17-0119	(763) 512-2764	MECH	10/1/2017	8/20/2018	MB003503
ELLINGSON PLUMBING, HEATING, A/C 2510 BROADWAY STREET S. ALEXANDRIA, MN 56308 17-0120	(320) 762-8645	MECH	10/26/2017	8/27/2018	MB003601 PC003601
MID-STATE CUSTOM HOMES INC. 1201 SHAMROCK LANE ALBANY, MN 56307 17-0121	(320) 845-7750	INSU	9/1/2017	12/31/2017	BC191211
RANDY'S PLUMBING & HEATING 8216 INDUSTRIAL PARK ROAD BAXTER, MN 56425 17-0122	(218) 829-5736	MECH	6/1/2017	12/18/2018	MB698075 PC644775
GULL LAKE HEATING & A/C LLC 11320 GULL RIVER ROAD EAST GULL LAKE, MN 56401 17-0123	(218) 820-2000	MECH	11/1/2017	11/1/2018	MB588103

CITY OF BRAINERD
LICENSED CONTRACTORS
CITY COUNCIL MEETING
February 6, 2017
(14 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
IDEAL CONCRETE CONSTRUCTION INC 7757 WISE RD BRAINERD, MN 56401 17-0124	(320) 420-2458	GENL	7/11/2017	3/31/2017	BC692746
TDS METROCOM LLC 525 JUNCTION ROAD MADISON, WI 53717 17-0125	(608) 664-4354	UTIL	1/1/2018	12/31/2017	
RHEAUMES HOUSE OF LETTERING INC. 25113 21ST AVENUE ST. CLOUD, MN 56301 17-0126	(320) 252-7680	SIGN	10/22/2017	7/1/2018	SB683780

Brainerd Fire Department

To: Mayor and City Council
From: Tim Holmes, Brainerd Fire Chief
Date: February 1, 2017
Re: January 2017 Fire Department Monthly Report

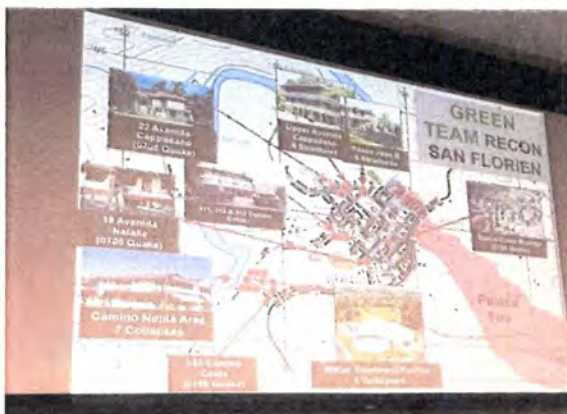
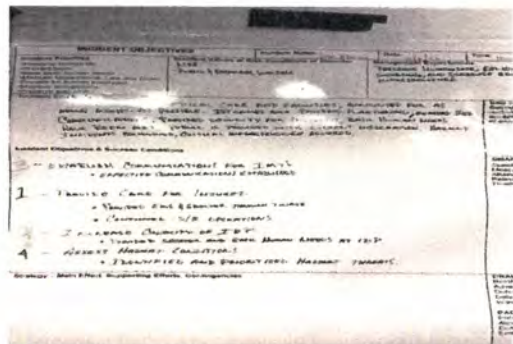
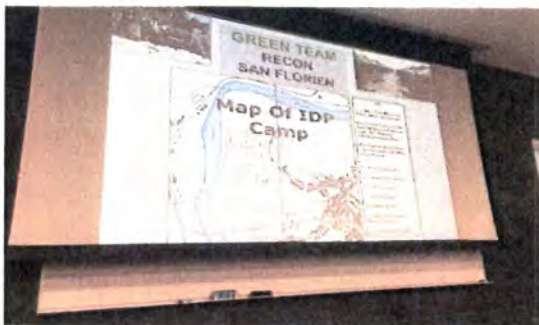
January started off very busy with a number of incidents including several structure fires, chimney fire, vehicle fire, crash, and several alarms.

January 1st marks the start to using The Compliance Engine, a third party software, to track compliant and non-complaint fire safety systems in our area. This will be a great tool to ensure that systems in our area are being maintained and working properly. StationCheck is another technology that we implemented in the middle of January. StationCheck is software for tracking apparatus and equipment checks along with vehicle maintenance records and inventory. This "app" will streamline our apparatus checks that are conducted throughout each month.

The repairs to Engine 3 were completed and the truck was put back into service.



Chief Holmes had the honor of attending an L-481 course, Intent into Action: Advanced Leadership for the Command and General Staff, at Camp Ripley the week of the 9th. Chief Holmes was selected from a group to attend the training. Only 30 spaces were available for this training opportunity. It was a great chance to work with other agencies throughout MN, CO, TX, ND, CA, and WI to build relationships in the event we have a large scale incident in the future.



At the Fire Department Annual Dinner, Firefighter Josh Mailhot was named the 2016 Brainerd Fire Fighter of the Year and he was presented with a plaque. Mailhot is a great firefighter and very dedicated to the fire department and the community.



Also at the Department Dinner, Tower Awards were presented to Lance Davis, Rick Johnson, and Keven Tengwall for their service to the community. Not at the dinner to receive their awards were Dennis Logelin, Mark Turner and Kurt Doree.



The dinner is a great chance for us to celebrate together with past and present firefighters and their spouses. We are always striving to include our spouses and kids in the "Fire Department Family." They give just as much, if not more, to the department and the community with their dedication and commitments to keep things going when we are called away.



Three of our newer firefighters continue their Firefighter I training. We had several firefighters attend training with the CWC Dive Team. Other training in January included OSHA, RTK, Bloodborne Pathogens, Search and Rescue, Leadership/Team Building, and Scene Size-up (1st Five Minutes.)

The department also hosted a regional training; Critical Incident Stress Management and Awareness.



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

Structure Fire	3
Chimney Fire	1
Vehicle Fire	3
Accident with Injuries	1
Carbon Monoxide Incident/Alarm	7
Canceled Enroute	8
Assist other Government Agencies	1
Smoke Scare	1
Alarm Activation	7
Sprinkler Activation	2
Mutual Aid	1
Total	35

City of Brainerd Incident Report

Structure Fire	2
Vehicle Fire	3
Canceled Enroute	3
Smoke Scare	1
Sprinkler Activation	2
Alarm Activation	5
Carbon Monoxide Alarm	3
Total	19

BRAINERD FIRE DEPARTMENT



*Proudly serving the Fire Districts of Brainerd, Baxter,
Crow Wing, Long Lake, Maple Grove, Nokay Lake,
Oak Lawn, St. Mathias & Unorganized Territory*

2016 Annual Report

2016 Emergency Responses

Fire	83
Rescue & EMS	62
Hazardous Condition	24
Service Call	37
Good Intent Call	129
False Alarm	112
Mutual Aid	10
Severe Weather	1
Special Incident	1
Total	459



City of Brainerd

Emergency Responses

Fire	41
Rescue & EMS	27
Hazardous Condition	10
Service Call	24
Good Intent Call	59
False Alarm	70
Severe Weather	0
Special Incident	1
Total	232



City of Baxter

Emergency Responses

Fire	15
Rescue & EMS	7
Hazardous Condition	7
Service Call	5
Good Intent Call	34
False Alarm	33
Severe Weather	1
Special Incident	0
Total	102

Crow Wing Township Emergency Responses

Fire	6
Rescue & EMS	4
Hazardous Condition	1
Service Call	0
Good Intent Call	5
False Alarm	1
Severe Weather	0
Special Incident	0
Total	17

Long Lake Township Emergency Responses

Fire	6
Rescue & EMS	1
Hazardous Condition	1
Service Call	0
Good Intent Call	4
False Alarm	1
Severe Weather	0
Special Incident	0
Total	13

Maple Grove Township Emergency Responses

Fire	1
Rescue & EMS	1
Hazardous Condition	0
Service Call	0
Good Intent Call	6
False Alarm	0
Severe Weather	0
Special Incident	0
Total	8

Nokay Lake Township Emergency Responses

Fire	2
Rescue & EMS	1
Hazardous Condition	0
Service Call	0
Good Intent Call	1
False Alarm	0
Severe Weather	0
Special Incident	0
Total	4

Oak Lawn Township Emergency Responses

Fire	3
Rescue & EMS	8
Hazardous Condition	1
Service Call	1
Good Intent Call	7
False Alarm	1
Severe Weather	0
Special Incident	0
Total	21

St. Mathias Township Emergency Responses

Fire	1
Rescue & EMS	2
Hazardous Condition	0
Service Call	0
Good Intent Call	1
False Alarm	0
Severe Weather	0
Special Incident	0
Total	4

Unorganized First Assessment Emergency Responses

Fire	7
Rescue & EMS	11
Hazardous Condition	4
Service Call	8
Good Intent Call	12
False Alarm	6
Severe Weather	0
Special Incident	0
Total	48

Mutual Aid Emergency Responses

Crosby Fire	1
Crosslake Fire	1
Garrison Fire	1
Little Falls Fire	1
Nisswa Fire	3
Pillager Fire	3
Total	10

Training

3,500 training hours including:

- ❖ Crude By Rail & Emergency Response
- ❖ Confined Space Rescue
- ❖ Trench Rescue
- ❖ NFPA 472 Haz Mat Operations
- ❖ Advanced Arson
- ❖ Fire Officer School



Public Education

- ❖ Station tours and fire safety information was presented to ISD 181 grade schools, numerous day cares and preschools, and private groups
- ❖ Fire Prevention Week activities
- ❖ National Night Out & The Night to Unite
- ❖ Fire extinguisher training
- ❖ MSFCA Kitchen Fire Trailer



Highlights

- ❖ 2016 Firefighter of the Year is Josh Mailhot
- ❖ Received an AED from Essentia Health which is located at the N.E. Fire Station
- ❖ Received a grant from Center Point Energy which allowed the department to purchase rescue equipment
- ❖ Received a MN State Fire Marshal grant to purchase a new turnout gear washer/extractor
- ❖ The ISO survey was completed and the department retained its Class 4 status
- ❖ Engine 3 was put into service



Staffing

- ❖ Hired Dave Cox as Fire Marshal/Deputy Chief
- ❖ Hired Erik Flowers, Nick Haglin and Steve Isle as Paid on Call Firefighters
- ❖ Tower Awards were presented to Lance Davis, Kurt Doree, Rick Johnson, Dennis Logelin, Kevin Tengwall and Mark Turner



Goals



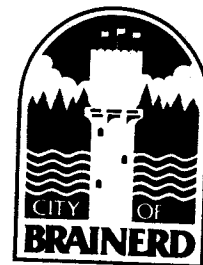
- ❖ Address capital needs for future apparatus purchases
- ❖ Evaluate Paid on Call Firefighter staffing needs and pay structure
- ❖ Enhance our emergency response
- ❖ Improve Inspection services and follow-up with new technology
- ❖ Increase efficiency of station duties through new technology

Parks and Recreation Report

February 2017

Submitted by Tony Sailer, Director

- Park Board member Dan Hegstad, splash pad committee member Emily Noble and a representative from the Initiative Foundation met with staff on Jan. 19. The splash pad committee has raised \$18,500 to date. The group also met with Essentia Health representatives on Jan. 23 to discuss potential grants and donations as well as Essentia Health inquiring about hands-on assistance once construction begins.
- The Park Board approved Eryk Haapajoki's request to use Mills Field on July 7 for a Wounded Warriors fundraiser. The Wounded Warriors softball team will play a softball game on Mills Field against a local team, various vendors will be situated inside the stadium and other events will be included. A fly-over, fireworks during the game and nationally known artists are being sought to sing the national anthem and other patriotic songs. There will be a free-will offering at the gate and proceeds will benefit the Wounded Warrior Project. Earlier in the day, a couple of Wounded Warriors will participate in a game with the Miracle League players at Bane Park. The Wounded Warriors team will then compete in the This One's for Hop softball tournament scheduled July 8-9 at Memorial Park.
- The Park Board approved Merle Gallant's request to use Gregory Park from 9 a.m. to noon on Saturday, Sept. 9, for the Minnesota Street Rod Association car show. The car show was also at Gregory Park in 2016.
- Staff is working on various scenarios to offer a higher rate of pay for an individual to do the garbage run and clean restrooms on weekends while staying within the 2017 budget parameters. Staff is also in discussion with the City Administrator, Finance Director and HR Coordinator on not only a weekend worker, but also to consider offering a higher rate of pay in 2018 for all seasonal part-time employees to be competitive with other area entities.
- On Jan. 16 former NHL goaltender and Stanley Cup winner Chico Resch attended Pond Hockey practice for the Polar Bears (ages 11-15) and gave goaltending and shooting tips, and also worked on skating skills. A story on Brainerd Pond Hockey was published in the December/January edition of Lake Country Journal. The On Golden Pond Jamboree will take place Feb. 25 at Essentia Sports Center.
- The NJPA has stated it will provide a grant to hire a summer intern for the Parks Department at an hourly rate of \$12 per hour.
- The deadline for returning adult softball teams is Feb. 24. After that date new teams will be allowed to register.
- Staff took advantage of the warm weather to take down the Christmas lights and swag Jan. 19-20. Rinks were closed due to warm weather from Jan. 19 through Jan. 24.
- Ben Soukup was given permission to design and weld a bike rake for Gregory Park as part of his effort to earn Eagle Scout status. The design must have prior approval from the Parks Director.



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CITY ADMINISTRATOR'S REPORT

Council Meeting of February 6, 2017

During the Coalition of Greater Minnesota Cities Legislative Action Day last Wednesday, I met individually with Sen. Carrie Ruud, Rep. Josh Heintzeman, and Rep. Dale Lueck. Each received a copy of the Local Government Aid memo which I forwarded to the Council last week. I met with the House Chief Author of the bill (HF 672), Rep. Paul Anderson of Starbuck, with whom I often worked when serving as the Pope County Coordinator. I also left with the Governor's office a copy of our material.

At the CGMC dinner Wednesday night I joined the City of Alexandria delegation as we shared time with Sen. Bill Ingebrigtsen, Sen. Torrey Westrom of Elbow Lake, Rep. Bud Nornes of Fergus Falls and Rep. Anderson. Each of these legislators is the chair of either a major policy committee or sub-committee. The Alexandria delegation and I shared somewhat different stories, but each of us helped to underscore the need for stable LGA in a formula which returns us to the 2002 benchmark.

I will plan an additional trip to meet with our legislators and key committee chairs or members later in February. At that time I plan to ask our fellow "Water Tower City" from Pipestone to join in conversation regarding our planning for 2018 bonding commitments for our respective projects. It is interesting to note that Pipestone's Sen. Bill Weber is the chief author of the LGA legislation in the Senate (SF 476).

P & F Chair Johnson, Connie and I discussed another means of contacting our Legislative Delegation which had been recommended to Gabe. That will entail a conference call with all three, or those who can attend, at an early-evening hour such as 6:30 p.m. At this point in the session, that time of day may allow us to find Sen. Ruud, Rep. Heintzeman and Rep. Lueck when they are not in a committee meeting. I will follow up.



Top LGA Myths

1. MYTH: LGA doesn't hold down property taxes.

FACT: Tax rates dramatically changed following the 2013 LGA reform and \$80 million appropriation increase – 65.38% of LGA-receiving cities *increased* tax rates from 2012-13; following the LGA increase (2013-14), 62.68% cities *decreased* tax rates. The partial restoration of LGA funding in 2014 led to the third-lowest levy increase of the last 25 years.

2. MYTH: LGA was originally only for small rural cities.

FACT: The first LGA formula distributed aid on a per person basis to counties, who then redistributed it to cities based on their levy size – the larger the levy the more LGA a city received. Aid went to cities across the state regardless of their size or geographical position and clearly based on a formula that was not just for small rural cities.

3. MYTH: The original intent of LGA was to fund “essential services” that cities couldn't otherwise pay for.

FACT: At no time since the inception of the program has there been a directive as to how LGA dollars are to be spent by cities. In fact, the first formula gave more aid to cities that levied more, which has no relation to just “essential services.”

4. MYTH: LGA was never intended for first class cities (Minneapolis, St. Paul, and Duluth) – and those cities now receive too much.

FACT: The original 1971 statute specifically refers to Minneapolis and St. Paul (Minn. Stat. 477A.02, subd. 14 (1971)). These cities' share of LGA has declined since the program's inception. From 1972 to the reform of 2013, the share going to these first class cities fell from 62% of the total appropriation to 34% of the appropriation. Since the formula reform of 2013, the total LGA share going to Minneapolis, St. Paul, and Duluth increased by 0.09% points (2014 to 2017). In the amount of LGA received per capita, Minneapolis ranks 458, St. Paul ranks 428, and Duluth ranks 122 out of 764 cities.

5. MYTH: The LGA formula is “political.”

FACT: The 2013 LGA formula reform was developed by a working group that included legislators and all city advocacy groups. The bill that reformed the LGA formula (HF 1608/SF 1491) had broad bipartisan support.

The formula is based on objective statistical analysis and is blind to where a city is located or who its legislator is. What would be political – and unprecedented – would be changing the formula based on incorrect ideas about which cities have high property tax wealth, receive the most LGA, and deserve to be cut, without reference to objective formula factors.

6. MYTH: The pre-reform LGA formula (prior to 2014) was better for Greater Minnesota than the post-reform formula.

FACT: Greater Minnesota gets more money under the new formula than it would have under the old one. Under the old formula, Greater Minnesota's share would have been 62.5% in 2017; now, under the new formula Greater Minnesota's share is 65.7% (based on actual LGA appropriations).

RESOLUTION NO.

**RESOLUTION ACCEPTING DONATIONS AND/OR CONTRIBUTIONS
FROM OCTOBER 1, 2016 THROUGH DECEMBER 31, 2016**

WHEREAS, the City of Brainerd is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Sections 465.03 for the benefit of its citizens and is specifically authorized to accept gifts and bequests for the benefit of recreational service pursuant to Minnesota Statutes Section 471:17; and

WHEREAS, the following persons and entities have offered to contribute the gifts and cash sums set forth below to the City:

<u>Name of Donor</u>	<u>Amount</u>	<u>Requested Use of Donation or Contribution</u>
----------------------	---------------	--

SEE ATTACHED LIST OF DONORS

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BRAINERD, MINNESOTA that all donations and/or contributions described above are hereby graciously accepted by the City of Brainerd and shall be used as requested by the donors or grant requirements.

BE IT FURTHER RESOLVED, that the City Council expresses its gratitude to the donors of the gifts.

Adopted this ____ day of _____, 2017

DAVE PRITSCHET
President of the Council

Approved this ____ day of _____, 2017

EDWIN L. MENK
Mayor

ATTEST: _____
JAMES M. THOREEN
City Administrator



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MEMO

TO: Mayor and Council

FROM: City Administrator James Thoreen

DATE: January 20, 2017

RE: Resolution Accepting Donations & Contributions for 4th Quarter 2016

Attached is a resolution accepting donations and contributions that have been made to the City of Brainerd for the period of October 1, 2016 through December 31, 2016. The City is very appreciative to all who have made these contributions. The funds from the donations and contributions will be used as requested by the donor.

A resolution needs to be adopted with a two-thirds vote of the Council. The item appears on the February 6, 2017 agenda.

If you have any questions, please don't hesitate to contact me.

\dj

MEMO

TO: Connie Hillman, Finance Director

FROM: Jeff Hulsether, City Engineer

DATE: January 19, 2017

RE: 2016 Donations

The City Engineer's Office received the following donation last summer:

- Foster, Jacobs and Johnson, Inc - \$2,000.00 - College Drive Landscape supplies

We only used a portion of the funding for mulch materials so we would like to put the remainder in a Parks Department fund for landscape improvements.

Please let me know if there are any questions.

Brainerd Parks and Recreation **Contributions and Donations October-December 2016**

Received From	Receipt Date	Type of Donation	Amount Received
Matt Clough	10/03/16	Designated for Memorial Park field improvements	\$60.00
KLN Enterprises Inc	10/14/16	Designated for Miracle Field facility	980.70
Winners Trophy and Engraving	10/24/16	Designated for the Great Pumpkin Festival	100.00
Brainerd Lakes Area Women of Today	11/04/16	Designated for Gregory Park fountain	500.00
Walmart	10/14/16	Donation of pumpkins for the Great Pumpkin Festival	in-kind
TOTAL			\$1,640.70

MEMO

TO: Finance Director Connie Hillman
FROM: Fire Chief Tim Holmes
DATE: January 5, 2017
SUBJECT: 2016 – 4th Quarter Donations



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4th Quarter donations for the Brainerd Fire Department are as follows:

• Atek	\$ 100	Donation
• Fox, Edward	\$2,000	Equipment/Capital
• Novak, Isaac	\$ 25	Birthday Party
• Mid MN Credit Union	\$ 500	Smoke Detectors
• TK Motorsports	\$ 200	Donation

MEMO

TO: ADMINISTRATIVE SPECIALIST DARLA JOHNSON
FROM: CHIEF MCQUISTON
DATE: 01-24-17
RE: DONATIONS TO THE BRAINERD POLICE DEPARTMENT
QUARTER 4--2017

Below is a listing of donations received by the Brainerd Police Department between October 1st, 2016 and December 31st, 2016:

- 1. \$150 from The Center for the Police Department K-9 Program**

Please contact me if you have any questions regarding this.



Brainerd City Council Agenda Request

6A
Agenda Item #

Requested Meeting Date: February 6, 2017

Title of Item: Presentation: BLAEDC Annual Report

☐ 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: Jim Thoreen	Department: Administration
Presenter (Name & Title): Sheila Haverkamp	Estimated Time Needed: 10 minutes
Summary of Issue: Ms. Shelia Haverkamp from BLAEDC will be at the council meeting to present their annual report. Please refer to the hand out included with the packet.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
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 Lakes Area
ECONOMIC DEVELOPMENT
Corporation**

We're ready. Let's grow!

Mission Statement:

Expanding Business, Building Community, and Growing Jobs
in Crow Wing County

Positioning Statement:

In collaboration with investors and community stakeholders, the Brainerd Lakes Area Economic Development Corporation exists to strengthen Crow Wing County's diverse economy, to compete in a global marketplace, and to position our region as Greater Minnesota's premier business location. We do this by connecting resources and creating a can-do environment while communicating the area's lifestyle, values, and identity through one unified voice.

Values

Leadership, Teamwork, Optimism, Professionalism, Integrity,
Passion, Confidentiality, Accountability, Persistence



KEY RECRUITMENT PROGRAM



Unlock your
company's
potential
by hiring
high-quality
professionals.



The Key Recruitment Program is offered through the Brainerd Lakes Area Economic Development Corporation (BLAEDC). It's a fee-for-service program that's available to all businesses in the Crow Wing County area. A program membership comes with workforce assistance and valuable marketing benefits.

We can help.



For more information:

Mike Bjerkness

Workforce Director

mike@growbrainerdlakes.org

Phone 218-828-0096



Brainerd Lakes Area
ECONOMIC DEVELOPMENT
Corporation

www.growbrainerdlakes.org

The launch of this project was funded in part by The Blandin Foundation, Ascensus, Consolidated Telecommunications Company, Micronet, and Syvantis Technologies.



Brainerd Lakes Area
ECONOMIC DEVELOPMENT
Corporation

We're ready. Let's grow!

Economic Development Programs

How Can BLAEDC Help Your Business?

Technical Assistance

- Local Government Introductions
- Permitting Processes
- Facilitation of Resources and Connections



Financing

- Banking Institutions
- ED Programs
- BLAEDC Unified Fund



Sites and Facility Availability

- Existing Buildings
- Shovel Ready Sites
- Vacant Land



Workforce Development and Attraction Efforts

- Key Recruitment Program
- Spousal Placement
- Support of Community Workforce Efforts



EXECs Program

- Mentoring and Counseling
- Rent-A-Board
- Business Planning



Area Data and Marketing Info

- Demographics
- Video and Brochures
- Growth Trends



Contact Us
Today!

218-828-0096

www.GrowBrainerdLakes.org

Brainerd Presentation – February 6, 2017

Dear Brainerd Mayor and City Council Members,

The following three stories are a few examples of the many great successful projects this past year with which BLAEDC has been involved. It is my hope that this helps you to understand the role and importance of an economic development group like BLAEDC; whose long-term work often goes unseen but is critical in the promotion of Brainerd as a great place for business and industry.

Dennis Drummond Wine Co., South of Brainerd, corner of Hwy 25 and Thiesse Road

A local winery and event center is soon to be a reality for our community. This multi-million-dollar project will include a wine making operation, a beautiful event center, a bistro and a tasting room on five acres south of Brainerd. Weddings are currently being booked, events are being planned, and a grand opening is being scheduled for this spring. Employees are being hired and the new manager of the facility is already on site working.

In 2009, Sheila Haverkamp met Jody Drummond during a Rotary lunch meeting and was casually visiting with her about her family. Jody shared that her husband traveled to a winery in Wisconsin every week for work and returned on weekends to be with the family. Sheila asked if they had ever contemplated a winery in the Brainerd Lakes Area. Jody and Dennis claim that is what started a nearly 10-year journey to the Dennis Drummond Wine Co (DDWCo).

BLAEDC's role in this project has been extensive and involved a wide range of support and technical assistance including:

- Planting the seed to consider a winery in our community,
- Arranging and attending many business planning sessions with the SBDC,
- Financially supporting professional marketing services for the project,
- Identifying and supporting the exploration of many sites and existing facilities,
- Researching economic development financing options to support the project,
- Introducing local lenders to the project and presenting the business plan for loan consideration,
- Identifying potential investor's and alternative paths for the project during financing delays,
- Coaching and mentoring the Drummonds on local government processes,
- Sharing names and contact information for multiple gatherings and purposes,
- Engaging and supporting a news story and news coverage for the project, and
- Emotionally supporting the Drummonds during the many highs and lows of this project.

Although this project is ten years in the making, BLAEDC considers this project a success story of 2016, as the pieces fell in place to start construction and the business will be open in early 2017. For BLAEDC board and staff, this development represents the long term commitment to a project. Projects are often a commitment to people, relationships, and a vision that will result in something good for our community.

This project offers so many benefits for our community:

- Jobs (13),
- Investment (approx. \$3 million),
- Tax base (est. \$44,500/yr.)
- A venue for tourists,
- A wedding and event destination, and
- A catalyst for others to consider investment in south Brainerd.

The Hotel Property, South Brainerd, Business 371

Years ago, many of us enjoyed the vibrant hotel in south Brainerd with family who were staying there while visiting the area, celebrating birthday parties at the swimming pool, or attending events in the meeting rooms, but since it's closing in 2006, we wonder what will become of this property.

During the past year alone, BLAEDC has worked on 7 different opportunities where private companies or individuals were exploring acquisition and redevelopment of the property. Project visions include a revitalized hotel, housing units, an assisted living care facility, and a school to name a few. While some prospects have only seriously inquired about the space, other projects have come close to closing. Due to various challenges, the property has not been sold yet, but BLAEDC stands ready to support all projects and provide support in any way necessary. BLAEDC's small staff of have spent countless hours on these 7 prospects. Although we are not always successful, long term relationships and future opportunities are developed with each person we connect with.

BLAEDC's role with these 7 prospects has varied, but has included:

- Welcoming prospects to our community,
- Providing community and demographic information, and promoting the City of Brainerd,
- Sharing information about the other projects occurring in the area that could support the redevelopment of this site - DDWCo and NP Event Center,
- Researching and quantifying various economic development financing options including tax increment financing,
- Coordinating meetings with local stakeholders including Brainerd Community Leaders and Brainerd Public Utilities,
- Supporting business planning efforts,
- Identifying local lenders to support their individual projects,
- Developing a relationship with the property owner and their representatives, as well as each of the prospects, and
- Exploring in great depth creative financing alternatives to assist with financial viability.

Although the redevelopment has not occurred we are hopeful that a success story will be in our future. In fact, it is very possible that one of the 7 prospects will lead the redevelopment of this property.

The Brainerd Industrial Center, North Brainerd, Hwy 25

For many years, this important property has been a priority for BLAEDC. It has a fascinating history and its future is just as captivating. This great asset is an economic development driver for the entire area, with:

- 600,000 SF of space
- 71 acres of land
- Rail access
- 12 loading docks
- 20 overhead cranes
- 3,800 feet of river frontage
- and many more amenities.

Several prospects explored this site following Wausau's decision to close the plant indefinitely. BLAEDC's role with the current owner began when Mike Higgins and his team were considering the property on a very short timeline. Immediately, the BLAEDC team became part of Mike's team in supporting him as he vetted the opportunity. We built a partnership and helped bring numerous prospects to the facility for consideration.

BLAEDC's role with Mr. Mike Higgins, the current owner of the Brainerd Industrial Center (B.I.C.), has included:

- Welcoming him to our community,
- Making introductions to community, business and city leaders,
- Highlighting the property on his behalf to our economic development partners such as Minn. Power and MNDEED,
- Connecting him with potential tenants such as Mann Lake,
- Coordinating strategic marketing and fundraising for an 8-page insert into MN's Business Climate Publication (which is sent to key site location consultants and companies across the US and distributed at trade shows),
- Highlighting the property on BLAEDC's website, www.growbrainerdlakes.org,
- Sharing our marketing materials with B.I.C. to support their attraction strategies (BLAEDC has provided our video, brochures, Brainerd Bound books, gift packages and marketing materials specific to each prospect),
- Identifying economic development resources for individual prospects,
- Participating in the MNDEED's Site Selector's Visit to MN, and bringing enhanced awareness to B.I.C.'s facility,
- Hosting and coordinating a MN Real Estate Journal Brainerd Lakes Area Summit in our community to showcase the area's opportunities for business & industry, and
- Creating an expedited path, if needed, to tap into the BLAEDC Unified Fund to support a key prospect for the property.

BLAEDC continues to work with Mike to identify potential tenants and offer support based on the individual company needs. It is our hope that the facility will attain full capacity and provide a great home to many businesses.

CLOSING

On behalf of BLAEDC, I am grateful for the support Brainerd has given BLAEDC to support our mission to Expand Business, Build Community, and Grow Jobs. Without supporters like you, we could not do the work that we do today.

Sincerely,
Sheila Haverkamp, Executive Director
BLAEDC

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

February 6, 2017
City Hall Conference Room
6:45 P.M.

1. Approval of Bills and Payments to Contractors

<u>Contractor</u>	<u>IMP</u>	<u>#Project</u>	<u>Amount</u>	<u>Retained</u>
Braun Intertec	14-15	Airport Utility Extension	\$203	N/A
S.E.H	14-15	Airport Utility Extension	\$26,192	N/A
Tom's Backhoe	1/11	DT Snow Removal	\$11,782	N/A

2. Procurement Policy

3. Subordination of Loan

4. Resignation of Administrative Specialist Tabaka

5. Resignation of Police Officer Katzenberger

6. Hiring Recommendation for IT Specialist Position

7. Hiring Recommendation for Engineering Technician Position

8. Market Adjustment for Police Chief and Deputy Chief

9. Returned TIF Funds

10. Annual Review of Investment Policy

11. Donation Request to Historical Society

PACKET: 03903 02/06/17 COUNCIL

VENDOR SET: 01

FUND : 101 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0087	VISIT BRAINERD					
		I-DECEMBER 2016	101-49200-3340	LODGING TAX R DECEMBER 2016 LODGING	074834	256.40
01-0110	BRAINERD LAKES AREA CHA					
		I-26243	101-41400-3433	DUES & SUBSCR 2017 EGGS N' ISSUES MEMBER JIM	074753	15.00
01-0133	CWC RECORDER					
		I-201700000019	101-41910-3350	PRINTING/LEGA VAR A883852 & A883853	074770	92.00
01-0220	KENNEDY & GRAVEN					
		I-135237	101-49200-3300	PROFESSIONAL GENERAL FINAN THRU 12/31/2016	074785	361.00
01-0227	LAKES PRINTING					
		I-00180307	101-41400-2210	OPERATING SUP 500 BUSINESS CARDS THOREEN	074792	105.30
01-0284	OFFICE SHOP					
		I-1019026-0	101-41940-2200	OFFICE SUPPLI HIGHLIGHTERS	074812	4.72
		I-1019026-1	101-41940-2200	OFFICE SUPPLI HIGHLIGHTERS	074812	3.79
		I-1019026-2	101-41940-2200	OFFICE SUPPLI HIGHLIGHTERS	074812	2.00
		I-1019410-0	101-41910-2210	OPERATING SUP 3 NEW PLANNING COMMISSION SIGN	074812	58.53
		I-1019927-0	101-41940-2200	OFFICE SUPPLI ACCORDION FILES	074812	11.79
		I-1019962-0	101-41940-2200	OFFICE SUPPLI BINDER COMBS	074812	21.86
		I-1019963-0	101-49200-2210	OPERATING SUP 8 TAB INDEX - BUDGET BOOKS	074812	2.78
		I-1019963-0	101-41940-3430	MISCELLANEOUS STEP LADDER	074812	75.39
01-0291	PIKE PLUMBING AND HEATI					
		I-65514	101-41940-2220	REPAIR & MAIN INSTALL NEW 50 GAL WATER HEATE	074816	1,038.00
01-0296	BRAINERD PUBLIC UTILITI					
		I-DECEMBER 2017	101-41940-3381	BPU UTILITIES 11/23/2016-12/22/2016 UTILITIE	074754	2,563.39
		I-DECEMBER 2017	101-49200-3381	BPU UTILITIES 11/23/2016-12/22/2016 UTILITIE	074754	267.16
		I-JAN 17 TAX	101-20700	DUE TO OTHER DEL W&L	074754	239.25
01-0307	CENTERPOINT ENERGY					
		I-5942870-6/JAN 17	101-41940-3380	UTILITIES HEAT 12/19-12/31	074759	596.44
		I-5942870-6/JAN 17	101-41940-3380	UTILITIES HEAT 01/01-01/19	074759	944.37
		I-6031615-5/JAN 17	101-41940-3380	UTILITIES HEAT 12/19-12/31	074759	180.78
		I-6031615-5/JAN 17	101-41940-3380	UTILITIES HEAT 01/01-01/19	074759	286.23
01-0447	CDW GOVERNMENT, INC					
		I-GNF0222	101-41800-2210	OPERATING SUP 2 WIRELESS MOUSE, KEYBOARD & U	074758	74.62
		I-GNL7392	101-41800-2210	OPERATING SUP NETWORK CABLES	074758	93.60
		I-GNM8482	101-41800-2210	OPERATING SUP NETWORK CABLES	074758	144.05
		I-GNQ1800	101-41800-2210	OPERATING SUP NETWORK CABLES	074758	12.12
01-0617	KIWANIS CLUB OF BRAINER					
		I-621	101-41400-3433	DUES & SUBSCR ANNUAL DUES THRU 9/30 JIM	074787	139.50
01-1217	CWC AUDITOR-TREASURER					

PACKET: 03903 02/06/17 COUNCIL

VENDOR SET: 01

FUND : 101 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-1217	CWC AUDITOR-TREASURER	continued				
		I-822	101-49200-3430	MISCELLANEOUS 2016 AUDIT CONFIRMATION	074768	30.00
01-1432	INTEGRA TELECOM					
		I-14423100	101-41940-3321	TELEPHONE ELEVATOR PHONE 1/23-2/22	074783	47.39
01-1753	MARCO					
		I-INV3969529	101-41800-3309	COMPUTER SUPP SMART NET END DATE 1/31/2018	074797	5,232.00
01-1794	HULSETH, JEFF					
		I-FEB 2017	101-41700-3330	PROFESSIONAL LODGING EXP CEAM CONF	074781	438.36
01-1822	HITESMAN & WOLD PA					
		I-24234	101-49200-3300	PROFESSIONAL EMPLOYEE BENEFIT ATTORNEY FEES	074780	439.88
		I-24234	101-14100	DUE FROM COMP BPU EMPLOYEE BENEFIT ATTORNEY	074780	439.88
		I-24234	101-14100	DUE FROM COMP HRA EMPLOYEE BENEFIT ATTORNEY	074780	97.74
01-2257	U.S. BANK					
		I-JAN 17 ADM	101-49200-3430	MISCELLANEOUS US BANK - LATE FEE	074827	55.16
		I-JAN 17 ENG	101-42400-3330	PROFESSIONAL RADISSON - ANNUAL BO INSTITUTE	074827	196.02
		I-JAN 17 ENG	101-41700-3330	PROFESSIONAL FIRST LINE SUPER SESSION PAUL	074827	585.00
		I-JAN 17 PLN	101-41910-3433	DUES & SUBSCR CONSTANT CONTACT	074827	20.00
01-3413	RATWIK, ROSZAK AND MALO					
		I-59780	101-14100	DUE FROM COMP BPU - DEC ATTORNEY FEES	074817	2,337.00
		I-59780	101-41610-3301	CITY ATTORNEY DECEMBER 2016 SERVICES	074817	273.91
		I-DECEMBER 2016	101-41610-3301	CITY ATTORNEY DECEMBER 2016 RETAINER	074817	2,953.91
		I-DECEMBER 2016	101-14100	DUE FROM COMP BPU DECEMBER ATTORNEY FEE	074817	986.00
01-3469	LAKES AREA MAT SERVICE					
		I-#522: 20170110	101-41940-3410	RENTAL EXPENS #522 CITY HALL RUG SERVICE	074791	49.91
		I-#522: 20170124	101-41940-3410	RENTAL EXPENS #522 CITY HALL RUG SERVICE	074791	49.91
01-3500	BRAINERD DISPATCH					
		I-2017	101-49200-3430	MISCELLANEOUS 2017 ANNUAL NEWSPAPER SUBSCRIP	074751	199.88
			FUND	101 GENERAL FUND	TOTAL:	22,022.02

PACKET: 03903 02/06/17 COUNCIL

VENDOR SET: 01

FUND : 203 TRANSIT FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0017	KEVTEL CORPORATION					
		I-I-03052015	203-49000-3410	RENTAL EXPENS 2017 TOWER SPACE RENT	074786	4,200.00
01-0071	FORUM COMMUNICATIONS CO					
		I-1811441	203-49000-3340	ADVERTISING/M DEC 2016 DISPATCH ADS	074777	534.00
01-0086	CITY OF BRAINERD					
		I-FEB 2017	203-49000-3410	RENTAL EXPENS FEB TRANSIT RENT	074763	550.00
01-0284	OFFICE SHOP					
		I-1019792-0	203-49000-2210	OPERATING SUP FASTENERS, DUSTER AIR, WIPES,	074812	243.16
		I-1019792-1	203-49000-2210	OPERATING SUP GLOVES	074812	5.99
01-0289	PETERSON TOWING					
		I-37229	203-49000-3401	VEHICLE REPAI TOW FROM COLLEGE DR & HWY 371	074815	225.00
01-1142	MN PUBLIC TRANSIT ASSOC					
		I-1605	203-49000-3340	ADVERTISING/M 2017 OPERATOR MEMBERSHIP	074805	678.00
01-2257	U.S. BANK					
		I-JAN 17 TRANS	203-49000-3309	COMPUTER TECH OTTERBOX	074827	97.03
			FUND	203 TRANSIT FUND	TOTAL:	6,533.18

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FUND : 211 LIBRARY FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0011	ACE HARDWARE	I-245809	211-45500-2220	REPAIR & MAIN SALT & BIT	074743	20.55
01-0102	CANON FINANCIAL SERVICE	I-16887277	211-45505-3430	MISC - COPY M CONTRACT CHARGE JAN	074757	92.98
01-0296	BRAINERD PUBLIC UTILITI	I-DECEMBER 2017	211-45500-3381	BPU UTILITIES 11/23/2016-12/22/2016 UTILITIE	074754	1,489.13
01-0307	CENTERPOINT ENERGY	I-6032449-8/JAN 17	211-45500-3380	UTILITIES HEAT 12/19-12/31	074759	470.82
		I-6032449-8/JAN 17	211-45500-3380	UTILITIES HEAT 01/01-01/19	074759	745.46
01-0325	THELEN HTG & RFG CO	I-4546	211-45500-3400	REPAIR & MAIN PREVENTATIVE MAINT	074824	450.00
01-0344	WASTE PARTNERS INC	I-6CX00776	211-45500-3430	MISCELLANEOUS DECEMBER GARBAGE REMOVAL	074835	70.14
01-1231	GULL LAKE GLASS	I-9875642	211-45500-3400	REPAIR & MAIN SEALING LIBRARY WINDOWS	074779	225.00
01-2257	U.S. BANK	I-JAN 17 LIB	211-45501-3430	MISC - SPECIF LAKES HABITAT - CABINET	074827	50.00
		I-JAN 17 LIB	211-45500-2220	REPAIR & MAIN COSTCO - COMPUTER MATS & CLEAN	074827	214.39
		I-JAN 17 LIB	211-45500-3322	POSTAGE UPS STORE - POSTAGE FOR RETURN	074827	14.35
		I-JAN 17 LIB	211-45500-2220	REPAIR & MAIN AMAZON - MOUNT-IT & LABELS	074827	196.55
		I-JAN 17 LIB	211-45505-3430	MISC - COPY M BRODART - BOOK SUPPORTS	074827	183.99
		I-JAN 17 LIB	211-45505-3430	MISC - COPY M DEMCO - RETURN BOOK SUPPORTS	074827	125.16-
		I-JAN 17 LIB	211-45500-2220	REPAIR & MAIN AMAZON - RETURN OF MOUNT-IT	074827	109.99-
		I-JAN 17 LIB	211-45505-3430	MISC - COPY M DEMCO - RETURN OF BOOK SUPPORT	074827	53.43-
01-3438	D - D BEVERAGE, LLC	I-85131	211-45500-2220	REPAIR & MAIN DISH SOAP & TISSUE	074771	110.35
		I-86730	211-45500-2220	REPAIR & MAIN TISSUE	074771	53.45
			FUND	211 LIBRARY FUND	TOTAL:	4,098.58

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FUND : 223 DRUG FORFEITURE

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0086	CITY OF BRAINERD					
		I-ICR: 16009651	223-22800	OTHER LIABILI ICR: 16009651	074763	196.00
		I-ICR: 16010704	223-22800	OTHER LIABILI ICR: 16010704	074763	34.30
01-0136	CWC ATTORNEY					
		I-ICR: 16009651	223-22800	OTHER LIABILI ICR: 16009651	074767	56.00
		I-ICR: 16010704	223-22800	OTHER LIABILI ICR: 16010704	074767	9.80
01-0586	MN STATE TREASURER					
		I-ICR: 16009651	223-22800	OTHER LIABILI ICR: 16009651	074806	28.00
		I-ICR: 16010704	223-22800	OTHER LIABILI ICR: 16010704	074806	4.90
			FUND	223 DRUG FORFEITURE	TOTAL:	329.00

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FUND : 224 DUI FORFEITURE

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0888	WEST BRAINERD AUTO SERV					
		I-26649	224-42150-2210	OPERATING EXP TOW: ICR 17000445	074836	90.00
		I-28221	224-42150-2210	OPERATING EXP TOW: ICR 17000498	074836	110.00
				FUND 224 DUI FORFEITURE	TOTAL:	200.00

PACKET: 03903 02/06/17 COUNCIL

VENDOR SET: 01

FUND : 225 PUBLIC SAFETY FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0011	ACE HARDWARE					
		I-246110	225-42220-2210	OPERATING SUP GARBAGE BAGS	074743	13.49
		I-246321	225-42220-2210	OPERATING SUP FUSES, WIRE	074743	26.23
		I-246498	225-42220-2210	OPERATING SUP BULB, POWER STEERING FLUID	074743	11.50
		I-246583	225-42220-2210	OPERATING SUP FASTENERS	074743	1.20
01-0102	CANON FINANCIAL SERVICE					
		I-16887278	225-42220-3331	LEASE PAYMENT FEBRUARY 2017 COPIER	074757	66.23
01-0226	LAKES AREA MAT SERVICE					
		I-#580: 20170110	225-42120-3430	MISCELLANEOUS #580 POLICE DEPT MAT SERVICE	074790	40.15
		I-#580: 20170124	225-42120-3430	MISCELLANEOUS #580 POLICE DEPT MAT SERVICE	074790	40.15
01-0233	LEAGUE OF MN CITIES					
		I-249341	225-42120-3330	PROFESSIONAL 701 - SAFETY & LOSS CONTROL WR	074794	20.00
01-0242	MALLIE LAW OFFICE, PA					
		I-ADDT'L 01/2017	225-42127-3310	MISDEMEANOR P RATE INCREASE FOR JANUARY 2017	074796	299.47
		I-FEBRUARY 2017	225-42127-3310	MISDEMEANOR P FEBRUARY 2017	074796	15,272.91
		I-JUL-DEC 2016	225-42127-3430	MISC - PROSEC WESTLAW	074796	1,123.88
		I-JUL-DEC 2016	225-42127-3430	MISC - PROSEC PAPER	074796	198.06
		I-JUL-DEC 2016	225-42127-3430	MISC - PROSEC POSTAGE	074796	141.00
		I-JUL-DEC 2016	225-42127-3430	MISC - PROSEC SUBPOENA	074796	60.00
		I-JUL-DEC 2016	225-42127-3430	MISC - PROSEC SOFTWARE	074796	1,487.72
01-0265	OFFICE OF MN.IT SERVICE					
		I-W16120717	225-42127-3430	MISC - PROSEC DEC CITY PROSECUTOR PHONE	074811	63.90
01-0273	NAPA AUTO PARTS					
		I-021892	225-42220-2210	OPERATING SUP COOLANT	074808	27.00
01-0296	BRAINERD PUBLIC UTILITI					
		I-DECEMBER 2017	225-42120-3381	BPU UTILITIES 11/23/2016-12/22/2016 UTILITIE	074754	3,085.61
		I-DECEMBER 2017	225-42220-3381	BPU UTILITIES 11/23/2016-12/22/2016 UTILITIE	074754	4,058.23
01-0307	CENTERPOINT ENERGY					
		I-5956221-5/JAN 17	225-42120-3380	UTILITIES HEAT 12/19-12/31	074759	110.54
		I-5956221-5/JAN 17	225-42120-3380	UTILITIES HEAT 01/01-01/19	074759	175.01
		I-6004720-6/JAN 17	225-42220-3380	UTILITIES HEAT 12/19-12/31	074759	181.54
		I-6004720-6/JAN 17	225-42220-3380	UTILITIES HEAT 01/01-01/19	074759	287.44
01-0322	STREICHERS PROF EQUIP					
		I-I1243770	225-42120-2210	OPERATING SUP SQUAD CAR RIFLE OPTICS	074823	461.99
		I-I1245406	225-42120-1113	UNIFORM ALLOW 723 - HOLSTER	074823	129.98
		I-I1245824	225-42120-1113	UNIFORM ALLOW 702 - UNIFORM BOOTS	074823	209.98
		I-I1245970	225-42120-3330	PROFESSIONAL TRAINING AMMUNITION	074823	4,051.70
		I-I1246120	225-42120-1113	UNIFORM ALLOW 716 - BUCKLE	074823	5.99
01-0745	BATTERIES PLUS					

PACKET: 03903 02/06/17 COUNCIL
 VENDOR SET: 01
 FUND : 225 PUBLIC SAFETY FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0745	BATTERIES PLUS	continued				
		I-035-323230	225-42220-2210	OPERATING SUP C BATTERIES, 9W LED	074750	18.13
		I-035-323260	225-42120-2210	OPERATING SUP 6-9V, 24-AA, & 24-AAA BATTERIE	074750	17.10
		I-035-323461	225-42120-2221	SQUAD CAR REP SQD 424 - BATTERY	074750	224.95
01-0926	MINNESOTA T'S					
		I-E 26539	225-42220-1113	UNIFORM ALLOW UNIFORM EMBROIDERY	074803	339.00
01-1343	CHARTER COMMUNICATIONS					
		I-FEB 2017	225-42220-3380	UTILITIES 1/24-2/23 TV SERV NE STATION	074762	7.35
01-1362	ANDERSON, SANDRA					
		I-TRAVREIM-2/17	225-42120-3330	PROFESSIONAL MEAL REIM - NIBRS TRAINING	074748	17.98
01-1815	F.I.R.E. CROSSLAKE					
		I-2139	225-42220-3330	PROFESSIONAL SEARCH & RESCUE TRAINING	074775	900.00
		I-2177	225-42220-3330	PROFESSIONAL INCIDENT COMMAND/PRIDE & OWNER	074775	650.00
01-1912	MINNEAPOLIS FINANCE DEP					
		I-400451000676	225-42120-3309	COMPUTER TECH DEC 2016 APS SUPPORT	074801	469.80
01-2137	O'REILLY AUTOMOTIVE STO					
		I-1647-182475	225-42120-2221	SQUAD CAR REP SQUAD CLEANING SUPPLIES	074810	12.99
01-2257	U.S. BANK					
		I-JAN 17 FD	225-42220-2250	PERSONAL PROT WPSG - HELMET FRONT	074827	70.48
		I-JAN 17 FD	225-42220-2212	MOTOR FUELS CENEX - FUEL	074827	39.35
		I-JAN 17 FD	225-42220-3309	COMPUTER TECH BEST BUY - TRAINING ROOM ROUTE	074827	59.99
		I-JAN 17 FD	225-42220-2210	OPERATING SUP FLEET FARM - PAPER TOWELS, GAR	074827	78.49
		I-JAN 17 FD	225-42220-2250	PERSONAL PROT BUYHOOKLOOP - ACCOUNTABILITY S	074827	45.40
		I-JAN 17 FD	225-42220-3322	POSTAGE USPS - POSTAGE	074827	28.14
		I-JAN 17 PD	225-42120-1113	UNIFORM ALLOW ANDERSON CLEANERS - 701 UNIFOR	074827	33.03
		I-JAN 17 PD	225-42120-2210	OPERATING SUP TRANSUNION - SSN #S PARKING TI	074827	25.00
		I-JAN 17 PD	225-42120-3321	TELEPHONE WALGREENS - CSO CELL PHONE MIN	074827	100.99
		I-JAN 17 PD	225-42120-2209	SAFETY EQUIPM DOLLAR TREE - HAND SANITIZER	074827	18.00
		I-JAN 17 PD	225-42120-2220	REPAIR & MAIN MILLS FLEET - CELLOPHANE WRAP	074827	0.01
		I-JAN 17 PD	225-42120-1113	UNIFORM ALLOW LA PD GEAR - 722 GLOVES	074827	33.17
		I-JAN 17 PD	225-42120-3322	POSTAGE POSTMASTER - POSTAGE	074827	4.35
		I-JAN 17 PD	225-42120-3322	POSTAGE POSTMASTER - 200 STAMPS	074827	94.00
		I-JAN 17 PD	225-42120-2221	SQUAD CAR REP BATTERIES PLUS - SQD 499 BATTE	074827	201.02
		I-JAN 17 PD	225-42128-3430	MISC - K9 PRO MILLS FLEET - K9 SUPPLIES	074827	73.98
		I-JAN 17 PD	225-42120-2221	SQUAD CAR REP TODDS ALIGNMENT - SQD 499 ELEC	074827	149.76
		I-JAN 17 PD	225-42120-3322	POSTAGE POSTMASTER - POSTAGE	074827	1.15
		I-JAN 17 PD	225-42120-3322	POSTAGE POSTMASTER - POSTAGE	074827	4.35
		I-JAN 17 PD	225-42120-3322	POSTAGE POSTMASTER - POSTAGE	074827	6.47
		I-JAN 17 PD	225-42120-1113	UNIFORM ALLOW STREICHERS - 728 UNIFORM BOOTS	074827	151.99
		I-JAN 17 PD	225-42120-3330	PROFESSIONAL AMAZON - RESOURCE BOOKS	074827	38.54
		I-JAN 17 PD	225-42120-2200	OFFICE SUPPLI AMAZON - TRANSCRIBER HEADSET	074827	39.98
		I-JAN 17 PD	225-42128-3430	MISC - K9 PRO USPCA REG 12 - 707 2017 MEMBER	074827	50.00

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PACKET: 03903 02/06/17 COUNCIL
VENDOR SET: 01
FUND : 225 PUBLIC SAFETY FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-2257	U.S. BANK		continued			
		I-JAN 17 PD	225-42127-3430	MISC - PROSEC USPCA REG 12 - 707 2017 DRUG C	074827	60.00
01-2432	SECURITY ENGINEERED MAC					
		I-INV038153	225-42120-2200	OFFICE SUPPLI DOCUMENT SHREDDER	074819	899.99
01-2589	STAPLES ADVANTAGE					
		I-3327291516	225-42120-2200	OFFICE SUPPLI PRINTER/SCANNER 719	074822	299.99
01-2680	CWC CHIEF'S ASSOCIATION					
		I-MCQUISTON/2017	225-42120-3433	DUES & SUBSCR 701 - DUES	074769	75.00
01-2924	VERIZON WIRELESS					
		I-9778752474	225-42220-3321	TELEPHONE 1/16-2/15 IPAD SERVICE	074832	175.05
01-3009	JIM'S ELECTRIC CO INC					
		I-303273	225-42120-2220	REPAIR & MAIN REPLACE RECEPTACLE	074784	119.33
01-3018	NORTH COUNTRY JANITORIA					
		I-JANUARY 2017	225-42120-3300	PROFESSIONAL JANITORIAL SERVICES	074809	1,000.00
01-3052	SQUAD PRO					
		I-312	225-42120-2221	SQUAD CAR REP SQD 424 - POWER SUPPLY & GUN L	074821	301.00
		I-312	225-42120-2221	SQUAD CAR REP SQD 442 - TAIL LIGHT FLASHER	074821	152.99
01-3168	MOTORS-N-MORE					
		I-24777-A	225-42120-2221	SQUAD CAR REP ENVIRONMENTAL FEE	074807	2.00
		I-24829	225-42120-2221	SQUAD CAR REP SQD 401 - OIL CHANGE	074807	23.00
01-3202	INNOVATIVE OFFICE SOLUT					
		I-IN1461070	225-42120-2200	OFFICE SUPPLI FILE FOLDERS & FLAGS, MOUSE	074782	55.76
		I-IN1475680	225-42120-2200	OFFICE SUPPLI TONER CARTRIDGE	074782	165.90
01-3220	DALCO					
		I-3127951	225-42120-2220	REPAIR & MAIN CLEANING & MAINT SUPPLIES	074772	326.04
01-3302	COX, DAVID					
		I-630576	225-42220-2212	MOTOR FUELS E3 DIESEL FUEL	074765	75.00
				FUND 225 PUBLIC SAFETY FUND	TOTAL:	39,386.88

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PACKET: 03903 02/06/17 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-R66270	227-43230-3428	USED OIL RECY 1/25/17 FILTER & ANTIFREEZE	074774	100.00
			FUND	227 RECYCLING FUND	TOTAL:	100.00

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FUND : 230 PARK & RECREATION FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0049	AUTO VALUE - WEST					
		I-17164516	230-45200-2220	REPAIR & MAIN PARTS CLEANING SOLVENT	074749	64.99
01-0102	CANON FINANCIAL SERVICE					
		I-16887276	230-45200-3331	LEASE PAYMENT COPIER LEASE - JANUARY	074757	177.79
01-0147	MINNESOTA ASA/USA SOFTB					
		I-2820	230-45216-2210	OPERATING SUP EARLY BIRD TOURNAMENT SANCTION	074802	80.00
01-0253	MILLS AUTOMOTIVE GROUP					
		I-473022	230-45200-2220	REPAIR & MAIN DIAGNOSE FORD E150 VAN	074800	92.40
01-0296	BRAINERD PUBLIC UTILITI					
		I-DECEMBER 2017	230-45200-3381	BPU UTILITIES 11/23/2016-12/22/2016 UTILITIE	074754	3,101.18
		I-DECEMBER 2017	230-45280-3380	UTILITIES 11/23/2016-12/22/2016 UTILITIE	074754	67.53
01-0889	MENARDS - BAXTER					
		I-43199	230-45200-2220	REPAIR & MAIN TOOL BOX	074799	34.97
01-2589	STAPLES ADVANTAGE					
		I-8042716850	230-45200-2200	OFFICE SUPPLI WALL DISPLAY RACK, AA BATTERIE	074822	217.93
01-2887	MINNESOTA YOUTH ATHLETT					
		I-1201701	230-45216-2210	OPERATING SUP GSTC QUALIFIER FEES - 4 TOURNA	074804	200.00
01-2939	VIKING COCA COLA BOTTLI					
		I-685510	230-45204-2210	OPERATING SUP VENDING BEVERAGES	074833	25.80
01-3076	RUFFRIDGE JOHNSON EQUIP					
		I-1A05999	230-45200-2220	REPAIR & MAIN RAKES - FIELD MAINT	074818	92.09
01-3418	LAKES AREA LOCK & DOOR					
		I-2490	230-45200-2220	REPAIR & MAIN KNOBSET INSTALLED	074789	217.50
				FUND 230 PARK & RECREATION FUND	TOTAL:	4,372.18

PACKET: 03903 02/06/17 COUNCIL

VENDOR SET: 01

FUND : 235 STREET & SEWER FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0011	ACE HARDWARE					
		I-246485	235-43100-2220	REPAIR & MAIN EPOXY GLUE	074743	5.39
01-0034	AMERICAN PUBLIC WORKS					
		I-18455/2017	235-43100-3430	MISCELLANEOUS 4/1-3/31 ANNUAL MEMBERSHIP DUE	074746	800.00
01-0039	AMERIPRIDE LINEN SERVIC					
		I-2200871446	235-43100-3430	MISCELLANEOUS COVERALLS & MAT LAUNDRY SERV	074747	103.40
		I-2200874005	235-43100-3430	MISCELLANEOUS COVERALLS & LAUNDRY MAT SERV	074747	78.25
		I-2200876592	235-43100-3430	MISCELLANEOUS COVERALLS & LAUNDRY MAT SERV	074747	103.40
01-0049	AUTO VALUE - WEST					
		I-17163345	235-43100-2220	REPAIR & MAIN MEGAFLEX, MALE PIPE, MAKE NEW	074749	41.95
		I-17163410	235-43100-2220	REPAIR & MAIN MALE PIPE	074749	3.49
01-0125	CONSOLIDATED TELEPHONE					
		I-20405284	235-43100-3321	TELEPHONE PHONE/INTERNET 01/12-2/11	074764	109.02
01-0170	FASTENAL COMPANY					
		I-MNBAX202857	235-43100-2220	REPAIR & MAIN STAT-PADZ ELECTRODES	074776	72.74
01-0223	L & M STEEL					
		I-15739	235-43100-2220	REPAIR & MAIN FUEL TANK REPAIR	074788	82.27
01-0235	LITTLE FALLS MACHINE IN					
		I-00059496	235-43100-2220	REPAIR & MAIN WING BOLTS, CASTLE NUTS	074793	164.36
01-0239	MACQUEEN EQUIPMENT INC					
		I-P03660	235-43100-2220	REPAIR & MAIN BUSHING # 168	074795	72.47
01-0296	BRAINERD PUBLIC UTILITI					
		I-DECEMBER 2017	235-43100-3381	BPU UTILITIES 11/23/2016-12/22/2016 UTILITIE	074754	20,624.81
01-0307	CENTERPOINT ENERGY					
		I-5974635-4/JAN 17	235-43100-3380	UTILITIES HEAT 12/19-12/31	074759	408.74
		I-5974635-4/JAN 17	235-43100-3380	UTILITIES HEAT 01/01-01/19	074759	647.16
01-0329	TOMS BACKHOE SERVICE IN					
		I-16582	235-43125-3402	DOWNTOWN SNOW 1/11 DT SNOW REMOVAL 4 IN	074826	11,782.35
01-0354	ZIEGLER, INC					
		I-PC190063011	235-43125-2220	REPAIR & MAIN 4 CUTTING EDGES	074837	631.84
		I-PC190063012	235-43100-2220	REPAIR & MAIN 2 GROMMETS	074837	8.98
		I-PC190063465	235-43100-2220	REPAIR & MAIN 2 OIL FILTERS	074837	17.32
01-0745	BATTERIES PLUS					
		I-035-323335	235-43100-2220	REPAIR & MAIN 12V 31P 18 AUTO/MARINE/3D CORE	074750	229.98
01-1333	CHAMBERLAIN OIL COMPANY					

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FUND : 235 STREET & SEWER FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-1333	CHAMBERLAIN OIL COMPANY	continued				
		I-171449	235-43100-2212	MOTOR FUELS 1 DRUM SERVICE PRO 5W-30	074761	311.85
01-2257	U.S. BANK					
		I-JAN 17 ENG	235-43100-2220	REPAIR & MAIN NUSS TRUCK - FUEL FILTERS, COO	074827	134.39
01-2392	MENARDS					
		I-42562	235-43100-2240	SMALL TOOLS LED WORK LIGHT, WATERPROOF LED	074798	27.49
		I-43607	235-43100-2220	REPAIR & MAIN 4X4 COVER DUPLEX	074798	16.28
01-2902	ADVANCE AUTO PARTS					
		I-6574701376856	235-43100-2210	OPERATING SUP HAND CLEANER, FLOOR DRY	074745	65.01
01-3205	CROW WING POWER					
		I-FEB 2017	235-43100-3380	UTILITIES SECURITY LIGHT @ WISE RD	074766	12.00
				FUND 235 STREET & SEWER FUND	TOTAL:	36,554.94

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REGULAR DEPARTMENT PAYMENT REGISTER

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PACKET: 03903 02/06/17 COUNCIL

VENDOR SET: 01

FUND : 236 PARKING LOT FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-0296	BRAINERD PUBLIC UTILITI					
	I-DECEMBER 2017		236-43180-3381	BPU UTILITIES 11/23/2016-12/22/2016 UTILITIE	074754	36.00
			FUND	236 PARKING LOT FUND	TOTAL:	36.00

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FUND : 237 SANITARY SEWER FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0011	ACE HARDWARE					
		I-246409	237-43190-2240	SMALL TOOLS BATTERIES, FLASHLIGHT	074743	35.98
01-0239	MACQUEEN EQUIPMENT INC					
		I-W00590	237-43190-2220	REPAIR & MAIN INSTALL SEAL KITS IN CRAWLER &	074795	2,600.34
01-0284	OFFICE SHOP					
		I-1018719-0	237-43190-2210	OPERATING SUP 2 WEEKLY PLANNERS	074812	21.90
01-1122	THOMPSON, GARY					
		I-FEB 2017	237-43190-3430	MISCELLANEOUS REIM 1/2 COST SAFETY BOOTS	074825	102.50
01-1381	DECHANTAL EXCAVATING LL					
		I-3937	237-43190-2220	REPAIR & MAIN SEWER LINE REP ALLEY 15 & 16	074773	950.00
01-2392	MENARDS					
		I-42562	237-43190-2240	SMALL TOOLS LED WORK LIGHT, WATERPROOF LED	074798	27.48
				FUND 237 SANITARY SEWER FUND	TOTAL:	3,738.20

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REGULAR DEPARTMENT PAYMENT REGISTER

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PACKET: 03903 02/06/17 COUNCIL

VENDOR SET: 01

FUND : 240 PERMANENT IMPROVEMENT FUN

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-0086	CITY OF BRAINERD					
		I-JAN 17 TAX	240-49300-7720	TRANSFERS OUT PERM IMPR COLLECTION	074763	4,941.01
				FUND 240 PERMANENT IMPROVEMENT FUN	TOTAL:	4,941.01

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FUND : 250 HYDRANT RENT & EL CURRENT

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0086	CITY OF BRAINERD					
		I-JAN 17 TAX	250-49042-3464	REMIT LEVY HYDRANT RENT & EC	074763	2,471.00
		I-JAN 2017 ELEC	250-49042-3466	BPU COSTS DIS JANUARY 2017 ELEC SALES	074763	54,941.92
				FUND 250 HYDRANT RENT & EL CURRENT	TOTAL:	57,412.92

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FUND : 298 SCDG-DOWNTOWN FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0206	BRAINERD HOUSING AUTHOR					
		I-4TH QTR 2016	298-46530-3430	MISCELLANEOUS 4TH QTR 2016 SMALL CITIES	074752	2,933.79
				FUND 298 SCDG-DOWNTOWN FUND	TOTAL:	2,933.79

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FUND : 400 CAPITAL PROJECTS FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0284	OFFICE SHOP					
		I-1019435-0	400-49050-5530	CAPITAL - OTH CITY PLANNER - DESK & CHAIR	074812	576.95
		I-1019810-0	400-49050-5530	CAPITAL - OTH ADJUSTMENT FOR TRADE-IN	074812	150.00
01-0296	BRAINERD PUBLIC UTILITI					
		I-2016B - 01/2017	400-39310	GO BOND PROCE REMIT 2016B BOND PROCEEDS	074754	7,466.64
		I-2016B - 01/2017	400-49050-3300	PROFESSIONAL REMIT 2016B BOND PROCEEDS	074754	3,399.49-
01-1967	FRONTIER PRECISION INC					
		I-156592	400-49050-5530	CAPITAL - OTH TOTAL STATION UPGRADE & TRAINI	074778	34,673.11
			FUND	400 CAPITAL PROJECTS FUND	TOTAL:	39,467.21

PACKET: 03903 02/06/17 COUNCIL
VENDOR SET: 01
FUND : 401 CONSTRUCTION FUND

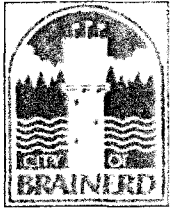
VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0317	SHORT ELLIOTT HENDRICKS					
		I-327024	401-41415-3300	PROFESSIONAL ARPT UTIL EXT THRU 12/31	074820	26,191.92
01-0447	CDW GOVERNMENT, INC					
		I-GNF0583	401-49030-3430	MISCELLANEOUS HP DJ BLACK INK CARTRIDGE	074758	162.62
		I-GNQ7579	401-49030-3430	MISCELLANEOUS 3 COLOR DJ CARTRIDGES	074758	231.24
01-0929	BRAUN INTERTEC CORP					
		I-B082804	401-41415-3300	PROFESSIONAL ARPT UTIL EXT THRU 12/31/16	074756	202.50
01-1967	FRONTIER PRECISION INC					
		I-156859	401-49030-3330	PROFESSIONAL 2017 USER GROUP REG FEE - PRAT	074778	109.00
01-2257	U.S. BANK					
		I-JAN 17 ENG	401-41401-3430	MISCELLANEOUS MCPA - ONLINE PERMIT APP FEE	074827	133.33
		I-JAN 17 ENG	401-41403-3430	MISCELLANEOUS MCPA - ONLINE PERMIT APP FEE	074827	133.33
		I-JAN 17 ENG	401-41613-3430	MISCELLANEOUS MCPA - ONLINE PERMIT APP FEE	074827	133.34
			FUND 401	CONSTRUCTION FUND	TOTAL:	27,297.28
					REPORT GRAND TOTAL:	249,423.20

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

GABE JOHNSON

SUE HILGART

KEVIN STUNEK



Brainerd City Council Agenda Request

P & F <u>2</u> Agenda Item #

Requested Meeting Date: February 6, 2017

Title of Item: Procurement Policy

☐ 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: Connie Hillman	Department: Finance
Presenter (Name & Title): Finance Director Hillman	Estimated Time Needed: 10 minutes
Summary of Issue: At the January 17, 2017 council meeting, our current procurement policy was discussed. The additions to the policy for procurement of commodities and services purchased with federal dollars was more than initially thought. Therefore, staff is recommending we add an appendix to our existing policy for all purchases that are charged to federal awards even if only a portion of the purchase is paid for with federal dollars.	
Alternatives, Options, Effects on Others/Comments: The recommended changes are highlighted in yellow. There is a lot to digest in the policy. Staff is working on developing a form for use to help ensure compliance with the policy.	
Recommended Action/Motion: Adopt the Procurement Policy as amended or provide additional direction to staff as to what the Council would like to have included in a Procurement Policy.	
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>	



CITY OF BRAINERD
FINANCIAL MANAGEMENT POLICIES
PROCUREMENT POLICY

I Purpose

The purpose of this policy is to provide City departments, citizens and vendors with purchasing and contracting services of the highest professional standards. This policy will also guide City employees in the purchase of items at the best price and quality, promote and maintain a good working relationship with supplies, and emphasize cooperation between and among departments in identifying and implementing standardized organizational programs to save time and money. This policy applies to all procurement procedures for all departments of the City when the expenditure is in the current year's budget. If not in budget prior authorization needs to be obtained from Council.

II Purchasing Authority

Authority to procure products and services is granted to each department head and his/her official designee(s). The City Administrator is authorized to sign contracts and to authorize expenditures not requiring City Council approval.

A. Quotation and Bid Requirements

All departments shall comply with the following policies regarding the purchase of commodities. Contract requirements shall not be artificially divided to avoid bidding requirements. All departments of the City shall comply with Minn. Stat. § 471.345.

1. Procurement of Commodities

\$1-\$5,000

Competitive bidding is not required and department heads or their designee(s) shall handle purchases for commodities. Purchases may be made in the open market, and may be procured using a City issued credit card if applicable and within the holder's limit. The City shall make an effort to ensure the lowest acceptable price is received; a minimum of two verbal quotes is preferred, but not required. Any quotation support shall be maintained by the department for a period of at least one year ~~in accordance with Minn. Stat. § 471.345, subd. 5.~~

\$5,001- \$25,000

A minimum of two written or verbal quotes is required. Department heads or their designee(s) are responsible for initiating the procurement process and complying with procurement policies and

procedures. Quotation information shall be maintained by the department for a period of at least one year ~~in accordance with Minn. Stat. § 471.345, subd. 5.~~

\$25,001 - \$100,000

Procurement of commodities may be made either through bid process or by direct negotiation by obtaining two or more quotations for the purchase or sale when possible. The City must consider the availability, price and quality of supplies, materials, or equipment available through the state's cooperative purchasing venture before purchasing through another source, ~~per Minn. Stat. § 471.345 subd. 15.~~ The department head (or their designee) may consult on the best means of procurement. In a direct negotiation, a "Request for Quote" will be prepared and distributed to vendors. The City shall attempt to obtain a minimum of two quotes. All quotes must be written and will be scanned for retention, and all parties will be notified in writing of the outcome. The department will maintain supporting quotation documents for a period of at least one year ~~in accordance with Minn. Stat. § 471.345, subd. 4.~~

\$100,001 and up

The City must consider the availability, price and quality of supplies, materials, or equipment available through the state's cooperative purchasing venture before purchasing through another source ~~per Minn. Stat. § 471.345 subd. 15.~~ If purchases through the state's cooperative purchasing agreement are not feasible, the City shall undergo a formal bid process. City Council approval is required for public advertisement for the receipt of sealed bids. Final bid award will be made by the City Council, and the contract will be approved by the City Council.

2. Procurement of Services

All service contracts of any dollar amount shall have a legal review, due to potential City liability. Quotation/bid procedures for service contracts vary upon whether the contract is for *biddable service* or a *professional service*.

a. Biddable Services

A contract for services for work or repair (maintenance) that *changes the property* shall comply with procurement requirements for commodities as detailed above, ~~in accordance with Minn. Stat. § 471.345.~~

Any contract for the procurement of a biddable service in excess of \$100,000 annually shall be approved by the City Council. All service contracts shall be maintained by the department and reviewed periodically for relevance and applicability by the department.

b. Professional Services

A contract for services that *does not change the property* has greater flexibility under statute than biddable services. The City will consider all factors that any reasonable purchaser would use in selecting the greatest value for cost that will achieve the desired outcomes in purchasing professional services. The method of vendor selection and contract negotiation that will reasonably consider the maximum number of appropriate service providers and proposals will be used. Vendor selection will be on the basis of predetermined criteria by knowledgeable individuals. This does not mean that the City has to accept the lowest bidder.

Some methods to assist in vendor selection are:

- (1) Request for Proposal (RFP); or
- (2) Request for Information (RFI); or
- (3) Request for Quote; or
- (4) Request for Qualifications; or
- (5) Direct Negotiations.

Any contract for the procurement of a professional service in excess of \$50,000 annually shall be approved by the City Council. All service contracts shall be maintained by the department and reviewed periodically for relevance and applicability by the department.

3. Procurement of Software or Technology

In any consideration of the purchase of software or technology, a department must consult with IT as early in the process as feasible, in order to ensure the new software or technology is one that is able to be supported by the City. The department must also work with IT to consider any ongoing or future maintenance fees, license fees, upgrade fees, or other known fees. Quotation and bid requirements for software or technology are the same as those for professional services.

4. Contract Renewals

A department head or their designee(s) is granted the authority to renew a contract provided that the only changes are to the terms of the contract (i.e., length of service, charges). Should the contract contain changes in the verbiage of the contract or in the description of services provided, the renewal must be treated as a new contract and follow procedures detailed in this policy. In order to ensure appropriate oversight by the City Council, all renewals in excess of the limits set forth in this policy shall be presented to the City Council for review.

5. Procurement of Commodities and Federal Services Purchased with Federal Dollars

See the requirements set forth in Appendix A – Procurement Standards Policy. This appendix applies to all purchase that are charged to federal awards regardless if only a portion of the commodity or service is paid for with federal dollars.

B. Best Value Procurement

As an alternative to bidding, the City may elect a “best value” procurement process for construction, building alternation, improvement, or repair work. If such a method is used, the City will solicit Requests for Proposals (RFPs). The City will comply with all requirements for best value procurement under Minn. Stat. § 16C.28, subd. 1.

If expenditures for the entire length of the contract will exceed \$100,000, the City will determine whether to advertise, and if so, the sealed bid process will be followed.

C. City Credit Cards

The City has elected to issue certain departments a City credit card under Minn. Stat. § 471.382. The department head can request to have a City credit card to the City Administrator. See Credit Card Use Policy for additional information.

D. Leases

Any department considering entering into a lease agreement shall consult with other departments to ensure no similar lease is already in place, and to ensure the best pricing can be obtained.

IV. Exceptions to Bidding

A. Cooperative Purchases

The City of Brainerd is a member of the Joint Purchasing Cooperative with the State of Minnesota. Purchases from State Contracts are excluded from bid process procedures, but are still required to obtain City Council approval when over the applicable dollar value. This amount is over \$100,000 for commodities and biddable services, and over \$50,000 annually for professional services.

The City is also a member of National Joint Powers Alliance. These agreements allow the City to utilize nationwide contracts. Such purchases are also excluded from bid process procedures, but are still required to obtain City Council approval when over the applicable dollar value. This amount is over \$100,000 for commodities and biddable services, and over \$50,000 annually for professional services.

B. Sole Source/Brand Procurement

An exception to the standard bid process may be granted based on two premises:

- (1) Only a single company or organization can supply the needed product or service.
- (2) Only a single "brand/model" will meet the department's technical/functional requirements.

Sole source request should not be made unless the department is confident that the request is reasonable, appropriately justified to meet the City's requirements, and can withstand a possible audit or other public scrutiny. Sole source/brand purchasing minimizes or eliminates competition and should be avoided whenever possible. These purchases are excluded from standard bid process procedures, but are still required to obtain City Council approval when over the applicable dollar value. This amount is over \$100,000 for commodities and biddable services, and over \$50,000 annually for professional services.

C. Standardization

When supplies, equipment, or services are uniformly adopted or otherwise standardized, or when an item is designed to match others in use by the City, the purchase may be exempt from bidding requirements or may be made with limited competition to distributors of the manufacturer of standardized item. Compatibility issues between differing technologies will also be considered for exception.

D. Emergencies

A valid emergency is one where the items purchased or services provided are *immediately necessary* for the continued operation of the office or department involved; or are immediately necessary for the preservation of life or property. An emergency need is one that could not have been foreseen. Failure to submit a requisition on time does *not* constitute a valid emergency. The City shall comply with Minn. Stat. § 375.21 and 375.22 for emergency procurements.

Adopted by the Brainerd City Council on this ____ day of ____, 2017.

James M Thoreen
City Administrator

Appendix A – Procurement Standards Policy

Conflicts of Interest

No employee, officer, or agent of the City of Brainerd will participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the City of Brainerd must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts, unless the financial interest is not substantial or the gift is an unsolicited item of nominal value. Disciplinary actions will be applied for violations of such standards by officers, employees, or agents of the City of Brainerd.

Because of relationships with a parent company, affiliate, or subsidiary organization, the City of Brainerd is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization and will not procure with those organizations.

Procurement Under Federal Awards

Procurement of goods and services whose costs are charged to federal awards received by the City of Brainerd are subject to all of the specific purchasing policies of the organization. In addition, procurements associated with Federal awards are subject to the following supplemental policies:

1. City of Brainerd will avoid acquisition of unnecessary or duplicative items. Consideration will be given to consolidating or breaking out procurements to obtain a more economical purchase.
2. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.
3. City of Brainerd will consider entering into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services, and using Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.
4. City of Brainerd will award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

5. City of Brainerd will maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.
6. All procurement transactions will be conducted in a manner providing full and open competition. All prequalified lists of persons, firms, or products which are used in acquiring goods and services will be current and include enough qualified sources to ensure maximum open and free competition. Potential bidders will not be precluded from qualifying during the solicitation period.
7. All solicitations will incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated. All solicitations will also identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.
8. All necessary affirmative steps will be taken to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.
9. A cost or price analysis will be performed in connection with every procurement action in excess of the Simplified Acquisition Threshold (\$150,000) including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the City of Brainerd will make independent estimates before receiving bids or proposals.
10. All procurement files will be made available for inspection upon request by a Federal awarding agency.
11. All contracts will require the contractor to certify in writing that it has not been suspended or disbarred from doing business with any federal agency.

Methods of Procurement

City of Brainerd will use one of the following methods of procurement.

1. **Procurement by micro-purchases.** Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$3,500 (or \$2,000 in the case of acquisitions for construction subject to the

Davis-Bacon Act). To the extent practicable, the non-Federal entity must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable.

2. **Procurement by small purchase procedures.** Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.
3. **Procurement by sealed bids (formal advertising).** Bids are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price.

All purchases in excess of \$5,000 shall be made by obtaining oral or written quotations from at least two responsible contractors. All purchases of at least \$25,000, but less than \$100,000, shall be made by obtaining written quotations from at least three responsible vendors. All purchases of \$100,000 or more shall be made by obtaining competitive proposals from at least four responsible vendors. Sealed bids shall be utilized when required by the Federal awarding agency.

In order for sealed bidding to be feasible, the following conditions will be present:

- a. A complete, adequate, and realistic specification or purchase description is available;
- b. Two or more responsible bidders are willing and able to compete effectively for the business;
- c. The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

If sealed bids are used, the following requirements apply:

- a. The invitation for bids will be publicly advertised and bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids;
- b. The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
- c. All bids will be publicly opened at the time and place prescribed in the invitation for bids;
- d. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and
- e. Any or all bids may be rejected if there is a sound documented reason.

4. **Procurement by competitive proposals.** The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:
- a. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
 - b. Proposals must be solicited from an adequate number of qualified sources;
 - c. The non-Federal entity must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;
 - d. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and
 - e. Competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.
5. **Procurement by noncompetitive proposals.** Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:
- a. The item is available only from a single source;
 - b. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
 - c. The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or
 - d. After solicitation of a number of sources, competition is determined inadequate.

Suspension and Debarment

City of Brainerd will review all grant purchases to verify that purchases will not be made against contractors that are on the Debarment or Suspension list supplied by the Government. The Department Head is responsible for verifying all requisition requests submitted for all grant accounts to make sure the contractor is not on the debarment list. This list is available at - <https://www.sam.gov/>. Accounting will review before payment if made. If a match is found, the Department Head will be notified directly and Accounting will not process the requisition. All results of searches will be attached to the filed paperwork for verification of search.

Provisions Included in all Contracts

It is the policy of the City of Brainerd to include all of the following provisions, as applicable, in all contracts (including small purchases) with contractors and subawards:

1. **Remedies:** All contracts in excess of the small purchase threshold fixed at 41 U.S.C. 403(11) (currently \$150,000) shall contain contractual provisions or conditions that allow for administrative, contractual, or legal remedies in instances in which a contractor violates or breaches the contract terms.
2. **Termination:** All contracts in excess of \$10,000 shall contain suitable provisions for termination by the City of Brainerd, including the manner by which termination shall be effected and the basis for settlement. In addition, such contracts shall describe the conditions under which the contract may be terminated for default as well as conditions where the contract may be terminated due to circumstances beyond the control of the contractor.
3. **Equal Employment Opportunity:** All contracts shall contain a provision requiring compliance with E.O. 11246, "Equal Employment Opportunity," as amended by E.O. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and as supplemented by regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor."
4. **Davis-Bacon Act, as amended (40 U.S.C. 3141-3148):** If included in the federal agency's grant program legislation, all construction contracts of more than \$2,000 awarded by the City of Brainerd and its subrecipients shall include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 276a to a-7) and as supplemented by Department of Labor regulations (29 CFR part 5, "Labor Standards Provisions Applicable to Contracts Governing Federally Financed and Assisted Construction"). Under this Act, contractors are required to pay wages to laborers and mechanics at a rate not less than the minimum wages specified in a wage determination made by the Secretary of Labor. In addition, contractors shall be required to pay wages not less than once a week. It is the policy of the City of Brainerd to place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation and the award of a contract shall be conditioned upon the acceptance of the wage determination. The City of Brainerd shall also obtain reports from contractors on a weekly basis in order to monitor compliance with the Davis-Bacon Act. The City of Brainerd shall report all suspected or reported violations to the Federal awarding agency.
5. **Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333):** [Where applicable] All contracts awarded by the City of Brainerd excess of \$100,000 for contracts that involve the employment of mechanics or laborers shall include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of

the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence

6. **Rights to Inventions Made Under a Contract or Agreement:** Contracts or agreements for the performance of experimental, developmental, or research work shall provide for the rights of the Federal Government and the City of Brainerd in any resulting invention in accordance with 37 CFR part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.
7. **Clean Air Act (42 U.S.C. 7401-7671q and the Federal Water Pollution Control Act (33 U.S.C. 1251 -1387), as amended:** Contracts and subawards of amounts in excess of \$150,000 shall contain a provision that requires the recipient to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401 et seq.) and the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.). Violations shall be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
8. **Debarment and Suspension (E.O.s 12549 and 12689):** For all contracts, the City of Brainerd shall obtain from the contractor a certification that neither the contractor nor any of its principal employees are listed on the Excluded Parties List System in SAM.
9. **Byrd Anti-Lobbying Amendment (31 U.S.C. 1352):** For all contracts or Subgrants of \$100,000 or more, the City of Brainerd shall obtain from the contractor or sub-grantee a certification that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Likewise, since each tier provides such certifications to the tier above it, the City of Brainerd shall provide such certifications in all situations in which it acts as a sub-recipient of a sub-grant of \$100,000 or more.



Brainerd City Council Agenda Request

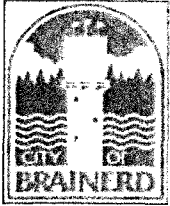
Pd F
3

Agenda Item #

Requested Meeting Date: February 6, 2017

Title of Item: Subordination of Loan

☐ 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: Connie Hillman	Department: Administration/Finance
Presenter (Name & Title): Finance Director Hillman	Estimated Time Needed: 5 minutes
Summary of Issue: A resident who has a SCDG loan through the City is considering getting a home equity loan. In order to do so, the City needs to issue the lender a subordination agreement in which the City will be in second lien position. The City is currently in first position. The loan was originally \$17,655. It is interest free, payable upon the sale or change of ownership and is forgivable 10% each year for 10 years. The current balance of the loan after January 2017 is \$14,124 and it will be completely forgiven after January 2025.	
Alternatives, Options, Effects on Others/Comments: The City Attorney has reviewed the grant agreement with the state, the repayment agreement and the subordination papers drafted by the bank. There is nothing that would prohibit the City from assuming 2nd position and the subordination papers are satisfactory. Staff received information from the bank and compared the home equity line and SCDG loan to the 2016 tax assessment value. The tax value exceeds the combined liens against the properties.	
Recommended Action/Motion: Approve or deny the the subordination agreement moving the City to 2nd position for the 1716 Laurel Street SCDG loan, and if approved authorize signatures of subordination agreement.	
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> There is a filing fee which will be paid for by the homeowner as part of the closing costs with the bank.	



Brainerd City Council Agenda Request

P & F
4
Agenda Item #

Requested Meeting Date: February 6, 2017

Title of Item: Resignation of Administrative Specialist Tabaka

☐ 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	Department: Finance
Presenter (Name & Title): Finance Director Hillman	Estimated Time Needed: 5 minutes
Summary of Issue: On January 30, 2017, Nikki Tabaka, Administrative Specialist - Administration Department, submitted her resignation effective February 10, 2017.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Staff request Council accepts Ms. Tabaka's resignation and authorize the backfilling of the position as soon as possible.	
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 <u>Please Explain:</u> We feel that the administrative department will be able to absorb the cost of hiring.	

RECEIVED

JAN 30 2017

CITY OF BRAINERD
ADMINISTRATION

January 30, 2017

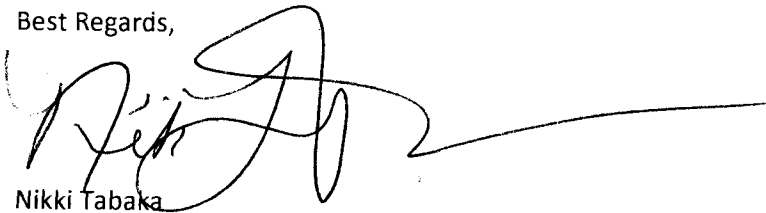
City of Brainerd
Ms. Connie Hillman, Finance Director
501 Laurel Street
Brainerd, MN 56401

Dear Connie,

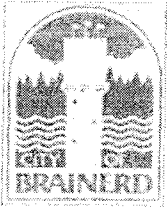
Please accept this letter as my official resignation from the City of Brainerd as Administrative Specialist/Administration Department, effective February 10, 2017.

I appreciate the past 10 years of professional experience and the valuable relationships I have gained during my employment with the city.

Best Regards,

A handwritten signature in black ink, appearing to read 'Nikki Tabaka', followed by a long horizontal line extending to the right.

Nikki Tabaka



Brainerd City Council Agenda Request

P & F
5

Agenda Item #

Requested Meeting Date: February 6th, 2017

Title of Item: Police Officer Resignation/Request to Hire

☐ 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: CHIEF MCQUISTON	Department: POLICE
Presenter (Name & Title): CHIEF MCQUISTON	Estimated Time Needed: 5 MINUTES
Summary of Issue: On January 26th, 2017, Investigator Craig Katzenberger submitted a Letter of Resignation effective February 3rd, 2017. We are requesting authorization to hire a replacement. We are in the process of establishing a new Police Officer Eligibility List. There will now be two open positions since the prior officer in training resignation on November 3rd, 2016, has yet to be filled. Dependant on candidate available and successful completion of pre-employment screening requirements, we are planning for starting dates of late March, and/or early April.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Accept Investigator Katzenberger's resignation with regret. Authorize making a conditional job offer to the next available candidate upon completion of establishing a new Police Officer Eligibility List.	
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> This is a budgeted position within the department's current budget and pre-employment screening costs are also covered in the Police Department 2017 budget.	

RECEIVED JAN 26 2017

Craig Katzenberger
13783 Oakwood Drive
Baxter, MN 56425
January 20, 2017

Chief Corky McQuiston
Brainerd Police Department
225 East River Road
Brainerd, MN 56401

Dear Chief Corky McQuiston:

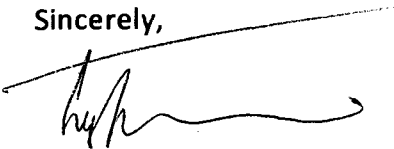
Please accept this letter as notice of my resignation from the Brainerd Police Department. My last day of employment will be February 3, 2017.

I received an offer from the Crow Wing County Sheriff's Office to work as a forensic investigator.

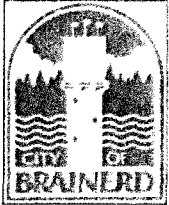
The decision to leave the police department does not come easily. I have enjoyed working for the police department for the past 11 plus years. I could not have asked for a better department, co-workers and supervisors to work for. I am grateful for all the training opportunities and special assignments that have been afforded to me.

I wish everyone at the police department the best of luck in the future and feel that the Brainerd Police Department has some of the best police officer's in the state and I am grateful to have worked for such a great organization.

Sincerely,

A handwritten signature in black ink, appearing to read 'Craig Katzenberger', with a long horizontal flourish extending to the right.

Craig Katzenberger



Brainerd City Council Agenda Request

P & F
6
Agenda Item #

Requested Meeting Date: February 6, 2017

Title of Item: IT Specialist 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 <i>*provide copy of published hearing notice</i>
Submitted by: Kris Schubert	Department: Administration/HR
Presenter (Name & Title): HR Coordinator Kris Schubert	Estimated Time Needed: 5 minutes
Summary of Issue: Included in the IBEW Administrative Support union contract settlement was creation of an IT Specialist position. Staff prepared an internal only posting for the new IT Specialist position on January 19th and, as required by the Union Contract, this posting was open for the minimum ten (10) working days. The deadline for individuals to submit their application was 4 p.m. on Wednesday, February 1, 2017. We received one application from Lori Turkowski for the position.	
Alternatives, Options, Effects on Others/Comments: The City had a Memorandum of Understanding with the IBEW Union that allowed Ms. Turkowski to assist with IT duties for over the past two years and she received an additional \$2.50 per hour when performing these duties. Given her previous experience in this department and since she would actually take a decrease in pay when the MOU wage adjustment is taken into consideration, Staff is recommending that she start at Step D (100%) of the base pay for the position.	
Recommended Action/Motion: Motion to approve the promotion of Lori Turkowski to the IT Specialist position effective February 7, 2017; further, to authorize her starting pay at 100% of the base wage for the position (\$26.52 per hour).	
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> \$ <u>see below</u> <i>Is this budgeted?</i> ☐ Yes ☒ No <u>Please Explain:</u> Ms. Turkowski's current Administrative Specialist position with the MOU wage adjustment was included in the 2017 budget; however, the IT Specialist 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 to be less than \$1,000 (excluding overtime).	



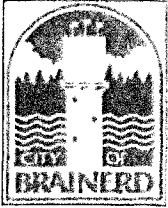
Brainerd City Council Agenda Request

P&F 7
Agenda Item #

Requested Meeting Date: February 6th, 2017

Title of Item: Engineering Technician - Conditional Job Offer

☐ 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: City Engineer Jeff Hulsether	Department: Engineering/Human Resources
Presenter (Name & Title): HR Director Kris Schubert	Estimated Time Needed: 5 minutes
Summary of Issue: Engineering Technician James Reed's resignation was effective December 31st, 2016. Our application deadline was January 23rd and we received 4 applications for the position. 01/30 and 02/01, Engineering and HR staff conducted two interviews with potential qualified candidates to fill the position.	
Alternatives, Options, Effects on Others/Comments: When council packets were being put together for the meeting, HR and Engineering staff were still in negotiations on a few items along with reference checks with the candidate of choice and would like to come with a recommendation on the night of the meeting.	
Recommended Action/Motion: Motion to authorize Staff to make a conditional job offer to the top Engineering Technician candidate as presented at the committee meeting. Conditional job offer will be contingent upon pre-employment drug screening and background checks.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ <u>21.48-25.28</u> Is this budgeted? ☒ Yes ☐ No Position was included in the 2017 budget <u>Please Explain:</u>	



Brainerd City Council Agenda Request

P & F
8
Agenda Item #

Requested Meeting Date: February 6, 2017

Title of Item: Police Chief/Deputy Police Chief Wage Adjustment

☐ 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: On December 27, 2016, the City Council approved 2017-2018 wage adjustments for most of our non-union Department Heads and Supervisors. It was noted that Staff did not have an opportunity at that time to determine if the Police Chief and Deputy Police Chief should receive the one (1)% market adjustment received by the Police Officers and Sergeants during the recent negotiations. Staff requested an opportunity to conduct this review to maintain our supervisory gap between positions in the Police Department while not exceeding the market wages of comparable communities.	
Alternatives, Options, Effects on Others/Comments: Attached is a listing of Police Chief wages for 2017 (or 2016 if not settled) for our market study cities. This comparison shows our Police Chief's wage is below average. One of the items Staff discussed is that it is very hard to compare our Deputy Chief position to other communities since a few have two individuals that assist the Chief and some are union positions. For this market adjustment, we decided to follow the current practice of our Deputy Chief receiving 90% of the Chief's pay. This supervisory gap has been maintained since the position was originally created in 2004. Staff feels the gap can be reviewed in more detail when we conduct our full external market study later this year.	
Recommended Action/Motion: Motion to approve a one (1)% market adjustment for the Police Chief and Deputy Chief positions to maintain the current supervisory gap in the Police Department; further, to authorize 2017-2018 wage adjustments for these positions in the amount of 1.5% on 1/1/17; .5% on 7/1/17; and 2% on 1/1/18.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ <u>see below</u> Is this budgeted? ☐ Yes ☒ No <u>Please Explain:</u> Market adjustments were not included in the 2017 budget as it was subject to union contract negotiations.	

2017 POLICE CHIEF WAGE COMPARISON USING MARKET STUDY CITIES

CITIES:	ANNUAL SALARY	NOTES:
ELK RIVER	\$ 112,656.00	2016 rate
WILLMAR	\$ 91,935.96	2016 rate
NORTHFIELD	\$ 104,832.00	
ALBERT LEA	\$ 108,617.60	
HIBBING	\$ 81,077.76	
RED WING	\$ 104,811.20	
NEW ULM	\$ 90,937.56	2016 rate
FERGUS FALLS	\$ 106,486.00	
HUTCHINSON	\$ 111,257.00	2016 rate
MARSHALL	\$ 107,411.20	
BEMIDJI	\$ 99,239.37	
NORTH MANKATO	\$ 102,231.96	2016 rate
CLOQUET	\$ 96,235.00	
FAIRMONT	\$ 100,096.00	
AVERAGE	<u>\$ 101,273.19</u>	
BRAINERD	\$ 98,543.09	2016 rate w/longevity
Diff (Brainerd - Ave)	\$ (2,730.10)	
Brainerd 2017 wage	\$ 101,021.51	1/1/17 Wage with 1.5% COLA
w/market & longevity	\$ 101,526.52	7/1/17 Wage with .5% COLA



Brainerd City Council Agenda Request

P & F
9

Agenda Item #

Requested Meeting Date: February 6, 2017

Title of Item: Return of TIF Funds

☐ 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	Department: Finance
Presenter (Name & Title): Finance Director Hillman	Estimated Time Needed: 5 minutes
Summary of Issue: At the September 19, 2016 council meeting, Council passed a resolution decertifying the Brainerd Oaks TIF District effective December 31, 2016. The City's share of the unspent TIF funds is \$6,557.37 and was received with the January 2017 tax settlement. The funds were put allocated to the Capital Equipment Fund (400) as this was where the TIF funds were put the last time we decertified a district.	
Alternatives, Options, Effects on Others/Comments: Another alternative would be to designate the funds to one of the debt service funds that has a negative balance after the February 1st bond payments (ie. Fund 314 or 322).	
Recommended Action/Motion: Leave the funds in Fund 400 or authorize the transfer to a debt service fund.	
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 City Council Agenda Request

P&F 10
Agenda Item #

Requested Meeting Date: February 6, 2017

Title of Item: Annual Review of Investment Policy

☐ 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	Department: Finance
Presenter (Name & Title): Finance Director Hillman	Estimated Time Needed: 5 minutes
Summary of Issue: Per the City's investment policy, it is to be reviewed annually at the first regular meeting in February. In discussion with Morgan Stanley personnel, they usually do not see the asset ratio percentage in policies or if it is in the policy it is more along the lines of 10%. Since we invest in bank CD's below the FDIC amount, the asset ratio percentage in the policy is currently irrelevant.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Approve policy as presented or provide additional direction to staff as to what the Council would like to have included in the Investment Policy.	
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>	

CITY OF BRAINERD INVESTMENT POLICY

This policy covers all monies of the City of Brainerd and includes deposits and investments of funds deposited in interest bearing accounts.

It is a common occurrence for the City of Brainerd to have cash balances in various fund accounts which, though allocated for a specific purpose, are temporarily not needed. It is the policy of the City that any fund with a cash balance which will remain unexpended for a reasonable period of time, shall be invested in a manner as outlined below.

The investment policy of the City of Brainerd encompasses the following principles:

1. Safety of principal
2. Chief Investment Officer
3. Consultants
4. Collateralization
5. Authorized investments
6. Prohibited investments
7. Maximum investment
8. Pooling of investments
9. Liquidity
10. Maximum interest earnings

SAFETY OF PRINCIPAL

Safety of principal is the first priority in investing City funds. The City invests only in those investment instruments authorized by Statute, Minnesota Statutes Chapters 118A and as amended set forth the authorized investments for a municipality. Depositories as designated shall have insurance through the FDIC (Federal Insurance). To ensure safety, it is the policy of the City that when considering an investment, all depositories under consideration be cross-checked against existing investments to make certain that funds in excess of insurance limits are not made in the same institution unless collateralized as outlined below.

CHIEF INVESTMENT OFFICER

The chief investment officer will be the City Administrator/Clerk-Treasurer, who will assure compliance with this policy and further develop and maintain adequate controls, procedures and methods assuring safe and accurate accounting on a day-to-day basis, with the approval of the Personnel and Finance Committee of the Brainerd City Council. The day-to-day investment activities are handled by the City Finance Director and Secretary of the Brainerd Public Utilities Commission in accordance of this Policy. The City Administrator/Clerk-Treasurer will provide the Personnel and Finance Committee, on a regular basis, all and any information requested by the Committee. The Chairman of the Committee will, in turn, keep the elected officials fully apprised of any problems, changes or irregularities which may occur to assure proper handling of City funds.

CONSULTANTS

The retention of consultants, agreements with money managers, etc., will not be authorized without express consent of the Council after recommendation by the Personnel and Finance Committee and the City Administrator/Clerk-Treasurer.

COLLATERALIZATION

In accordance with Minn. Stat. 118A the total amount of the collateral computed at its market value shall be at least ten percent more than the amount on deposit at the close of the financial institution's bank day, except that where the collateral is irrevocable standby letters of credit issued by Federal Home Loan Banks, the amount of collateral shall be at least equal to the amount on deposit at the close of the financial institution's banking day.

Collateralization will be required on the following types of investments:

- (1) Certificates of Deposit
- (2) Demand Deposits

Collateral is limited to securities allowable pursuant to Minn. Stat. 118A.03.

For cash deposits on hand, collateralization shall be in the form of specific securities with an active secondary market for the County held by an independent third party as detailed in statute 118A.06. The only exceptions are Federal Depository Insurance Corporation (FDIC).

AUTHORIZED INVESTMENTS

The City of Brainerd will only invest in securities authorized by Minnesota Statute 118A.04 and 118A.05.

Examples of authorized investments are as follows:

1. Savings/demand deposits
2. Certificates of Deposit (CD's)
3. U.S. Treasury obligations
4. U.S. Agency Securities such as:
 - a. Federal Home Loan Bank System (FHLB)
 - b. Federal Home Loan Mortgage Corporation (FHLMC)
 - c. Federal Farm Credit Bureau (FFCB)
 - d. Federal National Mortgage Association (FNMA)
5. Municipal Securities. The statute allows the City to invest in municipal securities of state or local government agencies with taxing power and a rating of "A" or better by a national bond rating agency.

PROHIBITED INVESTMENTS

~~It is the City's policy to refrain from investing in banks, savings and loan associations or credit unions whose equity to asset ratio is less than 6.0%.~~

MAXIMUM INVESTMENT

It is the policy of the City to determine its cash balance on a daily basis for the purpose of investing excess funds.

POOLING OF INVESTMENTS

For the purpose of making the maximum amount of funds available for investment, the cash for all City funds is pooled in an investment account. Interest earnings are allocated among the various funds based upon their semi-annual average cash balance.

LIQUIDITY

The purpose of having part of the City's investment portfolio in very liquid funds is to ensure that funds will be available should unexpected large bills be presented for payment.

MAXIMUM INTEREST EARNINGS

After the liquidity needs and scheduled maturity needs are satisfied, the balance of the funds available for investment are placed with institutions that offer the greatest safety and highest rate of return consistent with the maturities as determined by the City. Quotations or telephone bids are normally taken for all investments, whether they are short term or long term. This alleviates the problem of whom to place the investment with.

ANNUAL REVIEW

It shall be the practice of the City Council to review and approve the investment policy each year on the first regular meeting of February.

Reviewed and Approved this _____ day of February, 2017.

JAMES M. THOREEN
City Administrator



Brainerd City Council Agenda Request

P&F
11
Agenda Item #

Requested Meeting Date: February 6, 2017

Title of Item: Donation Request to Historical Society

☐ 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	Department: Finance
Presenter (Name & Title): Finance Director Hillman	Estimated Time Needed: 5 minutes
Summary of Issue: Please see the attached request from the Historical Society for a donation. Donations are usually prohibited unless there it is specifically authorized by statute or charter. Attachment B is information from the State Auditor's Office, the League of MN Cities, and State Revisor talking about donations. The donation wasn't budgeted but could be paid out of Council Special Projects (2017 budget was \$28,000) or the general unallocated account.	
Alternatives, Options, Effects on Others/Comments: Below is a short history of past donations to the Historical Society: 2006 - \$500 2008 - \$500 2011 - \$200 2012 - \$400 2013 - \$300 2014 - \$300	
Recommended Action/Motion: Authorize and set an amount for the donation to the historical society or denial the donation request.	
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>	

CROW WING COUNTY

HISTORICAL SOCIETY
MUSEUM & LIBRARY - EST. 1927

history@co.crow-wing.mn.us
www.crowwinghistory.org

Mailing Address:
P.O. Box 722
Brainerd, MN 56401

Street Address:
320 Laurel Street
Brainerd, MN 56401

Phone: (218) 829-3268
Fax: (218) 828-4434

January 5, 2017

Jim Thoreen, Finance Director
City of Brainerd
501 Laurel Street
Brainerd, MN 56401

The Crow Wing County Historical Society and Museum is making its annual request for donations from the townships and cities within the county. We appreciate the financial support we receive, but we understand that some townships and cities are unable to donate. In that case, please disregard this request. If you are donating for the first time or have not given for some time, we especially appreciate your generosity.

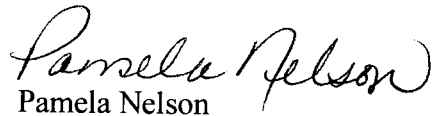
This year's donations from cities and townships will be designated for the repair and preservation of the historic buildings we maintain at the fairgrounds. The historic schoolhouse is in need of exterior repair and paint.

The Crow Wing County Historical Society is a 501(c)(3) non-profit organization. The museum (old jail and sheriff's residence) is on the National Register of Historic Places. We continue to improve our exhibits and collections with devoted volunteers and a part-time staff. Our research library is a wealth of information for visitors interested in genealogy or local history. We invite you to visit our museum. We also have a website at www.crowwinghistory.org

Thank you in advance for your consideration.

Respectfully yours,

Don Samuelson
President, Board of Directors


Pamela Nelson
Administrator/Executive Director

RECEIVED

JAN 17 2017

CITY OF BRAINERD
ADMINISTRATION



Listed on the
National Register
of Historic Places



REBECCA OTTO
STATE AUDITOR

STATE OF MINNESOTA OFFICE OF THE STATE AUDITOR

SUITE 500
525 PARK STREET
SAINT PAUL, MN 55103-2139

Attachment B

(651) 296-2551 (Voice)
(651) 296-4755 (Fax)
state.auditor@osa.state.mn.us (E-mail)
1-800-627-3529 (Relay Service)

Statement of Position Public Expenditures: Donations and Dues

Public entities are often asked to give funds to support various groups and activities. While the causes may be worthwhile, public entities need to be cautious when making any financial commitments involving public funds.

In most circumstances, public entities have no authority to give away public funds as donations. Generally, in order to spend money, a public entity must have authority to do so. Authority for an expenditure may be specifically stated in a statute or charter, or it may be implied as necessary to do what an express power authorizes. In addition, the expenditure must be for a "public purpose."

Gifts/Donations to Private Individuals/Organizations

Following these general principles, donations to people, non-profits, charities, or other groups are not permitted unless they are based upon specific statutory or charter authority. For example, the Minnesota Attorney General's Office has issued opinions finding that cities have no authority to donate city funds to organizations such as the Red Cross or the Boy Scouts.¹ The assumption is that a gift of public funds to an individual or private entity serves a private rather than a public purpose.

Before a public entity makes a contribution, it is important for that entity to determine that it has specific authorization to make the expenditure. Here are some examples of specific, statutorily authorized appropriations:

- **Artistic Organizations.** A county, city or town may appropriate money to support artistic organizations.²
- **Historical Causes.** A town or city may appropriate annually a specified amount to a county historical society so long as the society is affiliated with, and approved by, the Minnesota Historical Society.³ Cities have express authority to commemorate important and outstanding events in city history, and to appropriate money to collect, preserve and distribute its history data for future generations.⁴ The Attorney General's Office recognizes that a city can advance money to a

¹ See, for example, Op. Att'y Gen. 59-A-3 (May 21, 1948).

² Minn. Stat. § 471.941.

³ Minn. Stat. § 138.053.

⁴ Minn. Stat. § 471.93.

Reviewed: December 2014
Revised: April 2014

2007-1017

nonprofit to sponsor a centennial celebration.⁵

- **Prevention of Cruelty to Animals.** A county may appropriate money for maintenance and support of the local society for the prevention of cruelty to animals.⁶
- **Food Shelves.** Cities and counties may donate funds in the form of grants to food shelves providing food to the needy without charge.⁷
- **Senior/Youth Centers.** A county, city or town may appropriate money to support the facilities, programs, and services of a public or private, not-for-profit senior citizen center or youth center.⁸
- **Public Recreation Programs.** Counties, cities, towns and school districts may spend funds to operate programs of public recreation, recreational facilities, and playgrounds.⁹ These programs may be conducted independently or with any nonprofit organization.
- **Promotion.** A city or urban town may appropriate up to \$50,000 annually to an incorporated development society or organization of this State, for promoting, advertising, improving, or developing the economic and agricultural resources of the city or urban town.¹⁰ A city may appropriate money to advertise the city and its resources and advantages.¹¹ Similarly, a county may appropriate funds to a similar entity for promoting, advertising, improving or developing the economic and agricultural resources of the county.¹² The county statute does not contain an annual spending limit.
- **Employee Recognition.** Towns may spend funds to recognize volunteers, service efforts, and retiring town officers.¹³ Counties and cities may spend funds for preventive health and employee recognition services.¹⁴
- **Community Celebrations.** Towns may spend funds to host or support a community celebration.¹⁵ Cities or towns may spend funds on Memorial Day observances,¹⁶ and may appropriate money for county or district fairs,¹⁷ centennial and historical celebrations.¹⁸ Statutory cities may spend funds to provide free musical entertainment.¹⁹ The authority to purchase fireworks seems to be implied.²⁰

⁵ See Op. Att'y Gen. 59a-3 (Jan. 18, 1968) (citing Minn. Stat. § 471.93).

⁶ Minn. Stat. § 343.11.

⁷ Minn. Stat. § 465.039.

⁸ Minn. Stat. § 471.935.

⁹ See generally, Minn. Stat. §§ 471.15 to .1911. Minn. Stat. Minn. Stat. § 469.189., and 471.16, subd. 1.

¹⁰ Minn. Stat. § 469.191. In addition, Economic Development Authorities (EDAs) have authority to conduct activities advancing the city and its economic development, and to carry out other public relations activities to promote the city and its economic development. See generally, Minn. Stat. §§ 469.090-.1081 and Minn. Stat. § 469.1082 (county EDAs).

¹¹ Minn. Stat. § 375.83.

¹² Minn. Stat. § 469.189.

¹³ Minn. Stat. § 365.10, subd. 12 (but electors must approve).

¹⁴ Minn. Stat. § 15.46.

¹⁵ Minn. Stat. § 365.10, subd. 12 (but electors must approve).

¹⁶ Minn. Stat. § 465.50.

¹⁷ Minn. Stat. § 38.12.

¹⁸ Minn. Stat. § 471.93.

¹⁹ Minn. Stat. § 412.221, subd. 15.

²⁰ Minn. Stat. § 624.22, subd. 1(a) (2) (A municipality may stage a fireworks display after obtaining a permit).

As an alternative to a donation, a public entity may enter into a contract with an organization to accomplish tasks that the entity is authorized to perform by statute or charter. For example, a city could not give money to the Boy Scouts for a recycling program, but the city could enter a contract with the Boy Scouts to do part of its recycling program. The amount of money paid to the Boy Scouts must be related to the value of the services they provide to the city.

Memberships and Dues

There is no general authorization for cities to join “private” organizations; but there may be specific statutory or charter authority to join specific organizations. For example, cities and urban towns in Minnesota may pay dues to become members of the League of Minnesota Cities.²¹

Similarly, cities, counties, and towns may appropriate money for membership in county, regional, state, and national associations of a civic, educational, or governmental nature. These associations must have as their purpose the betterment and improvement of municipal governmental operations.²² This authorization also allows public entities to participate in the meetings and activities of these associations.

A school board may authorize and pay for the membership of the school district or of any district representative designated by the board in those local economic development associations or other community or civic organizations that the board deems appropriate.²³

The Attorney General’s Office has determined that local units of government may *not* pay dues to a local chamber of commerce²⁴. However, because cities and urban towns may appropriate up to \$50,000 to an incorporated development society or organization for promotional activities, a city or urban town could contribute to a local chamber of commerce for one of the purposes authorized by statute, such as promoting the city or urban town.²⁵ Counties have similar authority but do not have the \$50,000 monetary cap.²⁶ The use of public funds would be limited to statutorily authorized activities. As a result, the OSA recommends that counties, cities, and urban towns create and maintain documentation that shows the funds have been given for specific statutory purposes.²⁷

²¹ Minn. Stat. § 465.58.

²² Minn. Stat. § 471.96.

²³ Minn. Stat. § 123B.02, subd. 24.

²⁴ See Attorney General Letter dated June 27, 1997 (attached).

²⁵ Minn. Stat. § 469.191. An EDA has broader authority to join an official, industrial, commercial or trade association, or other organization concerned with one of the EDA’s authorized purposes.

²⁶ Minn. Stat. § 375.83.

²⁷ Documentation includes, but is not limited, to minutes, resolutions and contracts.



STATE OF MINNESOTA

OFFICE OF THE ATTORNEY GENERAL

HUBERT H. HUMPHREY III
ATTORNEY GENERAL

June 27, 1997

GOVERNMENT SERVICES SECTION
525 PARK STREET
SUITE 300
ST. PAUL, MN 55103-2106
TELEPHONE: (612) 297-2040

Hans B. Borstad
Staples City Attorney
208 North Fourth Street
Staples, MN 56479

Re: Staples Chamber of Commerce Membership

Dear Mr. Borstad:

I am in receipt of your letter asking whether the City of Staples is authorized to pay membership dues to the Staples Chamber of Commerce. After reviewing prior opinions of the Attorney General on this issue as well as the relevant Minnesota statutes, it is my opinion that, while the City of Staples would be authorized by statute to appropriate up to \$50,000 annually to the Staples Chamber of Commerce in certain circumstances, the City would not be permitted to contribute this money in the form of membership dues absent specific authority to do so in the City Charter.

It is well settled in this state that a municipal corporation has only such powers as are expressly conferred upon it by statute or its charter, or necessarily implied therefrom. It has no inherent power. Borgelt v. City of Minneapolis, 271 Minn. 249, 135 N.W.2d 438 (1965), see generally 13A Dunnell, Minn. Digest 2d Municipal Corporations § 3.01a (3rd Ed. 1981). This longstanding principle was relied upon by our office in Op. Atty. Gen. 63-b-1, May 11, 1944, which concluded that the City of New Ulm, a home rule charter city, was without authority, under state law or local charter provision, to subscribe and pay for one or more memberships in a civic and commerce association which was a reorganization of a businessmen's association. Similarly, in Op. Atty. Gen. 218r, February 24, 1949 (1950 Attorney General Report No. 103), we concluded that the Village of Buffalo (now a statutory city) could not join or pay dues to a local chamber of commerce since no such power was conferred upon it by statute. In connection with this issue, your letter refers to three statutes as potential sources of authorization to take the action you describe.

Minn. Stat. § 469.189 (1944), authorizes the governing body of certain cities to appropriate money to advertise the municipality, its resources and advantages. This Office has taken the position that there is a distinction between statutory authorization to appropriate and use money for a purpose, and authorization to contribute money to a body generally committed to advancing a purpose. See, e.g., Op. Atty. Gen. 59a3, January 15, 1959, wherein we determined that statutory authority for a city to "appropriate money" for purposes of historical preservation and observances permitted the city to contract with the county historical society for specific services, but not to donate funds to the society to expend in its own discretion. For the

Facsimile: (612) 297-1235 • TTY: (612) 282-2525 • Toll Free Lines: (800) 657-3787 (Voice), (800) 366-4812 (TTY)

same reasons, we conclude that section 469.189 (1996) does not authorize the city to donate funds or purchase a "membership" in the local chamber of commerce.

Minn. Stat. § 469.191 (1996) provides:

A home rule or statutory city or town described in section 368.01, subdivision 1 or 1a, may appropriate not more than \$50,000 annually out of the general revenue fund of the jurisdiction to be paid to any incorporated development society or organization of this state for promoting, advertising, improving, or developing the economic and agricultural resources of the city or town.

It is our understanding that this section was first enacted in 1989 primarily to allow small rural towns to participate in an organization called the Minnesota Initiative Fund, an organization which received grants from the McKnight Foundation matching certain contributions from towns and cities. However, contemporaneous legislative history indicates an understanding by the legislature that this law would also allow a city or town to contribute up to \$50,000 annually to a local chamber of commerce. This seems to be a reasonable interpretation of the language of Minn. Stat. § 469.191, and it is my opinion that this provision would authorize the City of Staples to contribute up to \$50,000 annually to the Staples Chamber of Commerce.

Authority to contribute does not necessarily permit membership, however. In general, it has been our view that authority of local units of government are not authorized to form or join "private" organizations absent specific statutory authority. See, e.g., Op. Atty. Gen. 92a-30, January 29, 1986; 733, July 29, 1988. For example, Minn. Stat. § 144.581 (1996), which is mentioned in those opinions, authorizes hospital authorities to join and sponsor memberships in certain organizations.

In addition, the Legislature has addressed the authority of municipalities to provide for municipal membership in certain local, state and national associations. In addition, cities are expressly authorized by Minn. Stat. § 465.58 (1996) to pay annual dues in the League of Minnesota Cities and the expenses of delegates attending the meetings thereof. Neither of these sections would apply to your situation, however.

A broader grant of authority is found in Minn. Stat. § 471.96, subd. 1 (1996), which provides as follows:

The governing bodies of cities, counties, and towns are hereby authorized to appropriate necessary funds to provide membership of their respective municipal corporations or political subdivisions respectively in county, regional, state, and national associations of a civic, educational, or governmental nature which have as their purpose the betterment and improvement of municipal

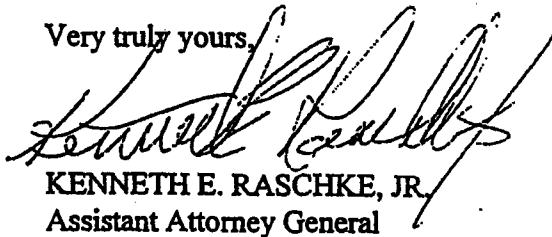
governmental operations. Cities, counties, and towns are also authorized to participate through duly designated representatives in the meetings and activities of such associations, and the governing bodies of cities, counties and towns respectively are authorized to appropriate necessary funds to defray the actual and necessary expenses of such representatives in connection therewith. For purposes of this section, the governing body of a town is the town board.

From our understanding of the nature of such organizations, it does not appear that chambers of commerce can be characterized as "associations of a civic, educational, or governmental nature which have as their purpose the betterment and improvement of municipal government operations" within the purview of this statute, even though their interests may include such objectives.

Subdivision 2 goes on to provide that the statute does not affect "any statutory, charter or common law power of cities" to provide for membership and participation in state and national associations. I am aware of no general statutory or common law power on the part of cities to provide for membership.

For the foregoing reasons, we conclude that the city lacks statutory authority to purchase membership in the local chamber of commerce. While it is possible that such authority might be contained in the City's Charter, your letter does not refer to any such charter provision, and we do not ordinarily undertake in our opinions to construe provisions of local charters. See Op. Atty. Gen. 629a, May 9, 1975.

Very truly yours,



KENNETH E. RASCHKE, JR.
Assistant Attorney General

(612) 297-1141

RELEVANT LINKS:

Minn. Stat. § 465.50.

Minn. Stat. § 471.93.
Section II-Q, *Historical*.

Minn. Stat. § 471.935.
Minn. Stat. §§ 471.15-.191.

Minn. Stat. § 412.221, subd.
34.

A.G. Op. 59-a-22 (Dec. 4,
1934).

Minn. State Auditor,
Statement of Position Public
Expenditure: Donations and
Dues.

Minn. Stat. § 469.191.

- The society or association is a member of the Minnesota State Agricultural Society; and
- The fair is held within the city's or town's corporate limits or close proximity to the corporate limits.

2. Memorial Day observances

All cities have the authority to spend money for Memorial Day observances in commemoration of the noble and valiant deeds of the nation's dead soldiers. Cities may spend up to \$300 annually for each 75,000 of population.

3. Centennial and historical celebrations

The statutes do not specifically authorize cities to spend money for city centennial celebrations.

An argument can be made, however, that cities may spend money on such local celebrations under a statute allowing cities to spend money to commemorate important historical events that occurred in the city. A later section of this memo discusses this authority in more detail.

H. Community centers

Any city may appropriate money to support the facilities, programs, and services of a public or private nonprofit senior citizen or youth center. No specific authority expressly allows cities to finance other community centers, but many cities have done so through the state recreation statutes.

I. Decorations

Statutory cities may spend money on decorations, signs, plaques, and attached accessories for public streets, buildings, and parks. Cities should use caution to ensure that decorations, such as those for the Christmas holidays, are not primarily religious in nature.

J. Donations

Cities often get asked to make donations to organizations operating for good causes. Generally, without express authority by charter or statute, cities do not have authority to appropriate or give away public funds as donations to any person, corporation or private institution. . This does not mean, however, that a city can never make a contribution to an association or a corporation; but, in order to do so, the expenditure must further a public purpose and must be authorized by a statute or charter. Indeed, some statutes specifically allow support for certain organizations and causes.

RELEVANT LINKS:

Handbook for Minnesota
Cities, Chapter 15,
Community Development
and Redevelopment.

A.G. Op. 59-a-3 (May 21,
1948).
A.G. Op. 218-r (Aug. 15,
1951).
A.G. Op. 59-a-22 (Aug. 7,
1951).
A.G. Op. 476-b-2 (Apr. 20,
1944).
A.G. Op. 218-r (Feb. 10,
1942).
A.G. Op. 476-b-2 (Apr. 29,
1954).

Minn. Stat. § 412.221, subd.
2.
Minn. Stat. § 349.213.
Minn. Stat. § 349.12.

Minn. Stat. § 471.941.

For example, a specific state law exists that allows cities to give donations (of up to \$50,000 per year) to any incorporated developmental society or organization. Also, various statutory economic development tools make it possible for cities to make certain contributions toward development and redevelopment. Again, cities should consult with their city attorneys or bond attorneys regarding allowable expenditures for development.

1. Nonprofit organizations in general

The attorney general, over the years, has considered the question of donating public funds to various groups and has found the following public expenditures improper since no specific authority to donate to these organizations existed:

- To support the Boy Scouts.
- To sponsor a local bowling team.
- To sponsor a local kittenball team (similar to softball).
- To help the American Legion build a Legion Hall.
- To help support the Red Cross.
- To support a campaign to stop expansion of a neighboring city airport.

Cities have other options to support nonprofits. For example, the city could use its contracting power to indirectly support nonprofits, such as contracting with a club to spend a Saturday cleaning up public grounds in exchange for money. Also, if a city maintains a fund created from gambling proceeds, those proceeds may be used for many types of charitable contributions that further a lawful purpose. The city should consult with its city attorney to ensure that the use of gambling proceeds complies with the statutory requirements of a lawful purpose expenditure.

2. Artistic organizations

Counties, cities, and townships may appropriate money to support artistic organizations. The governing body may divide the appropriation among multiple artistic organizations in proportions determined by the governing body.

An association, corporation, or other group that provides an opportunity for people to participate in the creation, performance, or appreciation of artistic activities qualifies as an “artistic organization”. The statute provides examples of “artistic activities” that cities can support; however, it, by no means, represents an exclusive list.

RELEVANT LINKS:

Minn. Stat. § 469.191.
A.G. Op. (June 27, 1997)
(informal letter opinion to
Staples).
Section II-J, *Dues*.

Minn. Stat. § 465.039.
Minn. Stat. § 465.037.
Minn. Stat. § 469.191.
Sections II-R, *Hospitals and
EMS* and II-K, *Economic
development*.

Minn. Stat. § 343.11.

Minn. Stat. § 465.90.

3. Incorporated development societies or organizations

State law authorizes cities “to appropriate not more than \$50,000 annually to any incorporated development society or organization of the state for promoting, advertising, improving, or developing the economic and agricultural resources of the city.” With the statutory restrictions regarding the reasons for the donations, cities interested in donating up to \$50,000 in any given year to an incorporated development society or organization should consult their city attorney. For example, the attorney general’s office has opined that, while this authority allows a city to contribute up to \$50,000 annually to a chamber of commerce, it does not allow a city to become a member of the chamber of commerce, or to pay dues to it.

4. Community food shelves

Any city or county may appropriate an amount to provide grants to nonprofit organizations that operate community food shelves and provide food to the needy without charge. Authority also exists to provide public money to support hospitals and certain economic development organizations. These circumstances are discussed in more detail in a later part of this memo.

5. Prevention of cruelty to animals

If a city has a society for the prevention of cruelty to animals (“SPCA”), it may appropriate monies, not otherwise appropriated, for the maintenance and support of that SPCA “in the transaction of the work for which they are organized”.

However, no part of such an appropriation may go to payment of the salary of any officer of the society.

6. Solicitation of donations by firefighters

In spite of any law or ordinance to the contrary, any city may, by resolution, allow full-time firefighters employed by the city and while on duty, or volunteer firefighters serving the city while not on duty, to solicit charitable contributions from motorists. A city that wishes to do this must follow certain strict requirements set forth in the statute, including restrictions on type of charitable organization, frequency and time frame of solicitations and proof of insurance.

RELEVANT LINKS:

Ch. 87, H.F. No. 1003
(2016), to be codified in part
as Minn. Stat. § 471.3459
(2016).

LMC Model Policy,
Donation of Surplus City
Equipment to a Nonprofit
Organization.

A.G. Op. (June 27, 1997)
(informal letter opinion to
Staples).

Minn. State Auditor,
Statement of Position Public
Expenditure: Donations and
Dues.

Minn. Stat. § 471.96.

Minn. Stat. § 465.58.

Minn. Stat. Ch. 469.

7. Surplus city equipment

In 2016, the Minnesota Legislature passed a new law authorizing a “local government,” including statutory and home rule charter cities, to donate “surplus equipment” to a “nonprofit organization.” Surplus equipment includes equipment used by a local government public works department, and also includes cellular phones and emergency medical and firefighting equipment no longer needed by the local government (because the phones or equipment no longer meet industry standards for emergency medical services, police, or fire departments; have minimal value; or have no resale value). Before donating surplus equipment, a city must adopt a policy on how it will determine what qualifies as surplus eligible for donation and how it will select nonprofit organizations eligible to receive donations. One caveat worth mentioning—the policy “must address the obligations of the local government to disclose to the nonprofit that the surplus equipment may be defective and cannot be relied upon for safety purposes.”

K. Dues

According to the attorney general, cities cannot join or become members of “private” organizations, absent specific statutory authority—even if there is specific authority to contribute to the organization. Without authorization for membership, cities do not have authority to pay for membership. However, as noted previously, instead of paying dues, a council may contract and pay for services generally provided to an organization, if doing so achieves one of council’s powers.

All cities, counties, and towns may appropriate money for membership in county, regional, state, and national associations of a civic, educational, or governmental nature. The associations must have, as their purpose, the betterment and improvement of municipal governmental operations. This authorization also allows these public entities to participate in the meetings and activities of these associations.

All cities and urban towns in Minnesota may appropriate money to pay dues to become members of the League of Minnesota Cities.

L. Economic development

A number of statutes empower cities to provide money or real property for economic development purposes under various programs, including up to \$50,000 to an incorporated development society or organization discussed in II(J)(3) above. An analysis of the economic development statutes and their requirements fall outside the scope of this memo; however, cities should know that, in certain circumstances, the statutes permit contributions for economic development.

2016 Minnesota Statutes

Authenticate**138.053 COUNTY HISTORICAL SOCIETY; TAX LEVY; CITIES OR TOWNS.**

The governing body of any home rule charter or statutory city or town may annually appropriate from its general fund an amount not to exceed 0.02418 percent of estimated market value, derived from ad valorem taxes on property or other revenues, to be paid to the historical society of its respective county to be used for the promotion of historical work and to aid in defraying the expenses of carrying on the historical work in the county. No city or town may appropriate any funds for the benefit of any historical society unless the society is affiliated with and approved by the Minnesota Historical Society.

History: 1963 c 129 s 1; 1973 c 123 art 5 s 7; 1973 c 773 s 1; 1983 c 315 s 1; 1988 c 719 art 5 s 84; 1989 c 277 art 4 s 11; 1994 c 505 art 3 s 4; 2008 c 158 s 1; 2013 c 143 art 14 s 16

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

February 6, 2017
6:15 p.m.
City Council Chambers

1. Pavement Management Presentation
2. Proposals for Underground Storage Tank Limited Site Investigation
3. Annual MS4 Public Hearing - Set for 7:30 p.m., Monday, March 20
4. Improvements 14-01; 14-03 & 16-13 Feasibility Reports – Adoption of Resolution and set Public Hearing for 7:30 p.m., Tuesday, February 21.
5. 2017 Transit Contract Amendment for additional transit bus purchase
6. Petition for Street Vacation – Set Public Hearing for 7:30 p.m., Monday, March 6, 2017
7. Sober Houses



Brainerd City Council Agenda Request

SPW

1

Agenda Item #

Requested Meeting Date: February 6, 2017

Title of Item: Pavement Management Presentation

☐ 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: Paul Sandy	Department: Engineering
Presenter (Name & Title): Paul Sandy	Estimated Time Needed: 45 minutes
Summary of Issue: As discussed at the last Council and Committee meeting, staff will be starting a series of presentations on various subjects to provide background information to the Committee and Council as time permits on Committee agendas over the next several months. We will be starting with a review of the City's pavement management efforts including the age and condition of the City's pavements.	
Alternatives, Options, Effects on Others/Comments: Staff would like to generate some discussion as time permits following the presentation to discuss average annual funding levels necessary to sustain or improve our pavement condition ratings.	
Recommended Action/Motion:	
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 City Council Agenda Request

SPW
2

Agenda Item #

Requested Meeting Date: February 6, 2017

Title of Item: Proposals for Underground Storage Tank LSI

☐ 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: Jeff Hulsether	Department: Engineering
Presenter (Name & Title): Jeff Hulsether	Estimated Time Needed: 5 minutes
Summary of Issue: In the fall of 2015, the Minnesota Pollution Control agency was conducting some heavy metal soil mitigation activities in the vicinity of the former Foundry site near the intersection of Quince and South 10th Street. During the soil removal activities, 2 underground storage tanks were discovered on property that the City acquired from the railroad for what was known as the spur trail and has now become part of the Buffalo Hills Trail. When the tanks were removed, the vapor tests indicated a leak from the tank containing diesel fuel. As the property owner, the City is responsible for conducting a Limited Site Investigation to determine the scope and extent of the leak and to determine if additional investigation or mitigation is necessary.	
Alternatives, Options, Effects on Others/Comments: The rules associated with petrofund reimbursement require that the City solicit proposals from at least 2 certified underground storage tank specialist. In our area, there are 2 such firms, those being WSN and Millsop Associates. The scope of services being requested are standard for the MPCA, so the proposals contemplate the same scope. Expenditures for the LSI and additional work that may be necessary are reimbursable through the petrofund. The proposal received from WSN was in the amount of \$7,560.50 and the proposal from Millsop Associates was in the amount of \$6,487.50.	
Recommended Action/Motion: Staff is recommending that the Council accept the lower cost proposal from Millsop Associates in the amount of \$6,487.50.	
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:	



Millsop Associates, Inc.

P.O. Box 236, Crosby, MN 56441
218-763-2907 • FAX: 218-763-2908
mmillsop@millsop.com

January 16, 2017

Mr. Jeff Hulsether
City Engineer
City of Brainerd
501 Laurel Street
Brainerd, MN 56401

RE: Proposal for Limited Site Investigation (LSI) services for the Former Brainerd Foundry site in Brainerd, Minnesota (Leaksite No. 19896)

Dear Mr. Hulsether:

Thank you for the opportunity to submit our proposal for this project. Millsop Associates, Inc. and its staff have the experience, registrations and insurance required by the MPCA and the Petrofund to complete this project. Mr. Mark Millsop, P.G., our principal hydrogeologist with over 30 years of experience, will be the project manager and will conduct the field work and report preparation. The following sections provide a description of our proposed scope of services and a cost estimate.

PROPOSED LSI SERVICES

Based on the Petrofund's Standard Scope for a LSI, our scope of services will include:

1. Installing four push probes to 25 feet below grade and one to 40 feet below grade, conducting continuous soil sampling, collecting groundwater samples from the probes, and grouting the boreholes upon completion. The depth to groundwater will be determined in each probe and the ground surface elevation will be determined at each location. We are assuming that these probes will be completed on-site and that one day of field time will be used to complete this work. Public underground utilities would be cleared through Gopher State One Call. You would be responsible for providing site access and clearing any known on-site utilities.
2. Conducting on-site monitoring of the probes by an experienced Master's level scientist, including measuring organic vapor levels in soil samples with a PID and mapping the probe locations.
3. Collecting seven soil samples from the probes for analysis of diesel range organics (DRO), gasoline range organics (GRO), lead, and benzene, toluene, ethylbenzene and xylenes (BTEX), and collecting six water samples for analysis of DRO, GRO, lead, and volatile organic compounds (VOCs).

Providing senior level geological, hydrogeological and
environmental consulting

4. Installing five push probes to 10 feet below grade to collect soil gas samples with Summa canisters. These samples will be submitted for laboratory analysis of MN List TO-15.
5. Notifying the MPCA of the field work and conducting a background information review, and conducting surface water, water well and vapor receptor surveys.
6. Analyzing three soil samples for grain size.
7. Preparing a safety plan and an LSI Report to summarize the results of the proposed work.

COST ESTIMATE

Based on the scope of services described above, our charges would be \$6,487.50 (see attached Petrofund Bid Form for details).

All of our work will be billed monthly. The final charges for any further work due to changes in the original scope of work will be based on the scope of services performed, extended at the appropriate unit prices on the attached Fee Schedule.

During the course of this work, we will be responsible for the safety of our personnel only. Our on-site staff will not enter confined spaces for this project and plans on using Level D PPE. There would be additional charges for upgrading to Level C PPE. Our estimate includes no allowance for client-directed drill rig standby or delay time. We plan to leave the soil cuttings on the site.

POSSIBLE EXTENDED SCOPE OF WORK AND COSTS

This proposal assumes that the impacts will be adequately defined after the proposed work and that a report can be prepared to request file closure. In the event that extensive petroleum product impacts are encountered, client and MPCA status reports, additional borings, monitoring wells, additional analytical testing, and additional report preparation time may be required to define, monitor and clean-up the impacts in accordance with MPCA guidance documents. Also, drilling costs may increase from those proposed if drilling is difficult due to site conditions. If additional services are required, they would be billed out at the same unit rates as used initially for the project.

Please note that the Petrofund Rules do not allow reimbursement of Petrofund Application preparation fees. Therefore, we have not included these services on the attached Petrofund Bid Form or in our estimated costs shown above. We would be pleased to assist you, if you would like. We would complete applications at a rate of \$80/hour.

CONTRACT CONDITIONS

When our proposal is accepted, we ask that one copy be signed by an authorized representative of the party responsible for payment of these services; the Bid Form also requires a notarized signature. Then please return this copy to us as our authorization to proceed.

We have attached to this proposal a copy of our General Contract Conditions. The terms contained in the attached General Contract Conditions are incorporated herein and are an integral part of this contract for professional services. Acceptance of this proposal indicates that you understand and accept the terms and conditions contained in this proposal, including the terms and conditions contained in the attached General Contract Conditions.

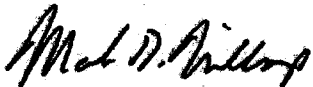
In contracting with you for these professional services, we cannot extend contractual privileges to any party or parties other than you. Our reports will be prepared for your exclusive use. The report may not be circulated, in whole or in part, to any other party, without our prior written permission. We agree, however, that the report may be conveyed to other parties to be read for informational purposes only.

CLOSURE

If you have any questions, please contact me. We would appreciate the opportunity to work with you on this project.

Sincerely,

MILLSOP ASSOCIATES, INC.



Mark D. Millsop, P.G.
Principal Hydrogeologist

Attachments: Fee Schedule
Petrofund Bid Form
General Contract Conditions

ACCEPTED:

DATE _____

FIRM _____

AUTHORIZED
REPRESENTATIVE _____
(Please Print)

AUTHORIZED
SIGNATURE _____

TITLE _____

**FEE SCHEDULE FOR
ENVIRONMENTAL SERVICES**

**MILLSOP ASSOCIATES, INC.
P.O. BOX 236
CROSBY, MINNESOTA 56441**

PERSONNEL

Services of Principal Hydrogeologist	\$80.00/hour
Services of Draftsperson/Secretary	\$30.00/hour
Personnel Transportation Charges	\$ 0.50/mile

EQUIPMENT

Photoionization Detector	\$100/day
--------------------------	-----------

SUBCONTRACTORS

Cost

NOTES:

1. Fees are valid through March 31, 2017.
2. Additional services and rates are available upon request.



Petroleum Tank Release Cleanup Fund
 Standardized Proposal and Invoice Form
Limited Site Investigation (LSI)
Standard Scope

MPCA Leak # 19896

Applicant Name Mr. Jeff Hulseather, City Engineer

Address City of Brainerd, 501 Laurel St.

Brainerd, MN 56401

Leaksite Name Former Brainerd Foundry

Site Address 801 South 10th Street

Brainerd, MN 56401

Task Description	Petrofund Maximum Unit Cost	Amount Proposed	Amount Invoiced for Proposed Tasks
Administrative Tasks			
Agency status update	\$116 per field work event	\$	\$
Applicant status update (drilling)	\$629 per drilling event/see rule	\$40.00	\$
Background review	\$678 per leak site	\$40.00	\$
Field work notification and scheduling	\$230 per field work event/see rule	\$40.00	\$
Health and safety plan	\$303 per leak site	\$40.00	\$
Nonspecific administration	\$242 per step of services	\$	\$
Sample shipping and transportation	\$109 per shipping event	\$40.00	\$
Consultant Drilling and Excavation Activities			
Drilling oversight, field log prep, & soil sampling [25' or shallower boring]	\$182 per boring	\$320.00	\$
Drilling oversight, field log prep, & soil sampling [boring deeper than 25']	\$8 per foot	\$160.00	\$
Surveying & surveying equipment	\$230 per surveying event	\$40.00	\$
Utility clearance	\$242 per utility clearance event	\$40.00	\$
Field and Receptor Surveys			
Surface water receptor survey and risk evaluation	\$169 per leak site	\$40.00	\$
Vapor receptor survey and risk evaluation	\$847 per leaksite/see rule	\$40.00	\$
Water well receptor survey and risk evaluation	\$911 per leaksite/see rule	\$80.00	\$
Sampling			
Groundwater sampling (other than permanent monitoring well)	\$43 per sampling point/see rule		\$
Submissions to Agency			
Investigation report preparation (LSI only)	\$4,208/see rule	\$1,340.00	\$
Travel and Per Diem			
Travel time	\$85 per hour	\$80.00	\$
Vehicle mileage	\$0.79 a mile	\$20.00	\$
Per diem	\$164 per day per person	\$	\$
Equipment and Field Supplies Charges (list items included in proposal below)			
PID	Disposable items = Cost to buy the items	\$100.00	\$
	Reusable items = Lesser of purchase or rental cost	\$	\$
Contractor Services Included in this Proposal			
Analytical Services			
7 soil samples	DRO, GRO, BTEX, Lead	\$514.50	\$
6 groundwater samples	DRO, GRO, VOCs, Lead	\$771.00	\$
3 grain size analysis		\$154.50	\$
5 soil gas samples	EPA Method TO-15, full scan	\$907.50	\$
Drilling, Direct Push Technology			
4 push probes to 25', 1 push probe to 40', 5 push probes to 10'	\$164 / hr. < 15,000 lbs.	\$1,145.00	\$
Retraction Force = < 15,000 lbs. or > 15,000 lbs. (circle one)	\$242 / hr. > 15,000 lbs.	\$35.00	\$
Push probe sealing	\$1.21 per ft.	\$	\$
Mobilization/demobilization (drilling) (0 - 50 miles one way)	\$303	\$	\$
Mobilization/demobilization (drilling) (51 - 500 miles one way)	\$303 plus \$7 per mile over 50	\$500.00	\$
Mobilization/demobilization (drilling) (over 500 miles one way)	\$2,662	\$	\$
Per diem	\$164 per day / per person	\$	\$
		\$6,487.50	\$
		Total Proposed	Amount Invoiced for Proposed Tasks

Petroleum Tank Release Cleanup Fund
Standardized Proposal and Invoice Form
Limited Site Investigation (LSI)
Standard Scope

INVOICE SUMMARY (to be completed by consultant after the work has been performed)

Total amount invoiced for proposed tasks (enter amount from page 1)	\$
Total amount invoiced for tasks not proposed (enter amount associated with column A of the Change Order form)	\$
GRAND TOTAL AMOUNT INVOICED FOR WORK PERFORMED	\$

CONSULTANT

Consultant Providing Above Proposal Millsop Associates, Inc.

Contact Person Mark Millsop

Phone 218-763-2907

Fax 218-763-2908

E-mail Address mmillsop@millsop.com

I hereby certify that this document accurately reflects the details specified in the RFP dated _____ and the anticipated costs for a limited site investigation, which total \$6,487.50. I further certify that the hourly rates to be charged for consultant services _____ WILL _____ WILL NOT exceed the maximum hourly labor rates for consultant services listed in Minn. Rule 2890.1400 [maximum hourly rates are as follows: SLP = \$157, MLP = \$116, ELP = \$85, FT = \$79, DP = \$67, WP = \$48]. If line is not marked, it is assumed to be "will not."

Mark Millsop
Consultant Name (please print)


Consultant Signature

January 16, 2017
Date

Millsop Associates, Inc.
Consultant Company

3068
Petrofund Registration Number

APPLICANT

This proposal must be signed and dated by the consultant.

NOTARIZATION (of applicant signature)

To accept this proposal, sign and date it in front of a notary public.

Signed or attested before me this ____ day

X
Signature of applicant indicating acceptance Date

of _____, 20__

Notary Public

Applicant Name (please print)

[stamp]

Company

My Commission Expires _____

Millsop Associates, Inc.

GENERAL CONDITIONS FOR CONSULTING SERVICES

1. Scope of Services and Compensation

Millsop Associates, Inc. (MAI) shall perform the services defined in the proposal to which these General Conditions are attached, and any supplements agreed to by MAI and Client. These documents are collectively referred to as the contract documents. MAI shall invoice the Client for the services at the rates shown on the attached fee schedule. Any cost estimate to the Client as stated in the contract shall not be considered as binding, but only as an estimate, unless otherwise specifically stated in the proposal. MAI will provide additional services for additional charges under this contract as required to complete the assignment, and/or as authorized by the Client and requested by the Client. Client agrees that MAI may increase its billing rates on a yearly basis.

2. Reliance

Unless otherwise expressly agreed in writing by both Client and MAI, both agree that MAI's performance of its services and exercise of its care and skill is solely and exclusively for the benefit of Client and that no person or party other than Client shall be entitled to rely upon any documentation, representation, report, statement or service made or performed by MAI or upon any failure by MAI to make any representation or statement or provide any service, and that MAI makes no representations, warranties or promises to any person or party other than Client.

3. Client Knowledge and Right of Entry

The Client shall advise of or provide MAI all documents known to Client regarding existing or proposed site conditions and shall notify MAI of any changes Client becomes aware of. MAI will rely on such information, as acknowledged by Client. The Client will furnish right-of-entry on the land or site buildings for us to make the tests, surveys, explorations, or borings, unless otherwise agreed. We will take reasonable precautions to minimize damage to land and structures by field equipment, but have not included in our fee the cost for rectifying damages that may result from our operations. If we are required to restore any land to its former condition, the associated charges will be added to our fee.

4. Utilities/Subterranean Structures

MAI and our subcontractors will not be responsible for, and the Client agrees to hold us harmless and indemnify us for, any damages to subterranean structures or utilities which are not called to our attention, and the locations not shown to us, prior to drilling or digging at the site.

5. Discovery of Pollution; Duty to Notify the State

If we observe a substance on the ground surface or in the subsurface, or within the groundwater, which in our professional opinion could potentially pollute surface waters or the groundwater, there is a legal obligation to notify the State of Minnesota Pollution Control Agency, in accordance with the provisions of Statute 115.061, "DUTY TO NOTIFY AND AVOID WATER POLLUTION." We will attempt to notify you, our Client, first to have you do the notification, but if you do not assure us that you will do so, or if we are unable to communicate with you, we will then be obligated to notify the State directly. It is our understanding that this notification must be "immediate," usually interpreted by the Agency to be within 24 hours. For projects in states other than Minnesota, that state's specific rules will apply. The requirements of these statutes supersede the usual practice of client confidentiality. Therefore, Client agrees to hold MAI harmless from any consequences arising from such notification.

6. Insurance

Millsop Associates, Inc. carries Standard Public Liability Insurance and Professional Liability Insurance as protection against most risks of liability exposure. We will furnish information and certificates for these insurances at the client's request. However, it is possible that professional liability and other insurance may not be available to us, or to any professional, to cover some work related to hazardous substances. We will not be responsible for any loss, damage, or liability beyond the amounts, limits, exclusions and conditions of our insurance. We will not be responsible for any loss, damage, or liability arising from the client's negligent acts, errors and omissions and those by the client's staff, consultants, contractors and agents or from those of any person for whose conduct we are not legally responsible.

7. Standard of Care

In accepting this agreement for consulting services, the client acknowledges the inherent risks associated with petroleum, hazardous constituents, radioactives, toxics, irritants, or otherwise dangerous substances or conditions, or pollutants, and with construction activities. In performing our professional services, we will use that degree of care and skill ordinarily exercised, under similar circumstances, by members of the profession currently practicing in the same or similar locality. The standard of care shall exclusively be judged as of the time the services are rendered. We make no express or implied warranty beyond our commitment to conform to this standard.

8. Indemnification

The Client agrees to hold harmless, indemnify, and defend MAI and its officers, subsidiaries, affiliates and subcontractors from and against any and all claims, losses, damages, liability, and costs, including but not limited to costs of defense, arising out of, or in any way connected with, the presence, discharge, release, or escape of contaminants of any kind, except for such liability as may arise out of our sole gross negligence in the performance of services under this agreement.

9. Liability Limitation

Millsop Associates, Inc. has neither created nor contributed to the creation of any hazardous, radioactive, toxic, irritant, pollutant, or otherwise dangerous substance or conditions at the site, and its compensation hereunder is in no way commensurate with the potential risk of injury or loss that may be caused by exposure to such substances or conditions. Accordingly, MAI's liability for all actions, omissions, or negligence, whether active or passive, shall not exceed \$15,000.

10. Disputes

Without limiting MAI's other rights and remedies, should Client default on its payment obligations to MAI and MAI retains legal counsel to collect its fees, then, in addition to the unpaid fee and interest, Client shall be liable to MAI for all collection expenses, including reasonable attorney's fees, disbursements, expert witness fees and all costs of court and litigation. All claims, disputes and other matters in controversy arising out of or in any way related to this agreement will be submitted to Alternative Dispute Resolution (ADR) before and as a condition precedent to other remedies provided by law. If a dispute arises from matters related to the services provided under this agreement and that dispute requires litigation instead of ADR as provided above, then the claim will be brought and tried in the judicial jurisdiction of the court where our principal place of business is located and the client waives the right to remove the action to any other judicial jurisdiction, and the prevailing party will be entitled to recovery of all reasonable costs incurred, including staff time, court costs, attorney's fees, and other claim-related expenses.

11. Ownership of Documents

MAI will furnish two copies of each report to the Client as part of our services. The Client will be billed for additional copies. The Client acknowledges that all reports, plans, specifications, representations, data, notes, calculations, estimates and other documents we prepare are instruments of service and shall remain our property. Client agrees that all reports and other work furnished to Client or their agents, which is not paid for, will be returned upon demand and will not be used by the Client for any purpose whatsoever. We will retain pertinent records relating to the services performed for a period of five (5) years following submission of the report.

12. Ownership of Samples

All test samples are and shall remain the property of Client and in no event shall MAI assume title to same. All remaining samples shall be disposed of in accordance with applicable law, unless Client requests in writing that MAI store them on Client's behalf. If MAI so agrees, Client shall pay MAI for this additional service.

13. Assigns

Neither the client nor MAI may delegate, assign, sublet or transfer its duties or interest in this agreement without the express written consent of the other party.

14. Termination

This agreement may be terminated by either party upon seven (7) days written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof. Such termination shall not be effective if that substantial failure has been remedied before expiration of the period specified in the written notice. In the event of termination, we shall be paid for services performed to the termination notice date plus reasonable termination expenses. In the event of termination, or suspension for more than three (3) months, prior to completion of all reports, contemplated by the agreement, we may complete such analyses and records as are necessary to complete our files and may also complete a report on the service performed to the date of notice of termination or suspension. The expenses of termination or suspension shall include all our direct costs in completing such analyses, records and reports.

15. Payment of Invoices and Interest Charges

Invoices will be submitted once a month for services performed during the prior month. Payment is due upon presentation and is past due after thirty (30) days of receipt of the invoice, unless specifically arranged otherwise in writing. Failure to provide MAI with a clear written statement within fifteen (15) days of the invoice of a dispute shall constitute acceptance of an invoice as submitted. The Client agrees to pay a finance charge of one and one-half percent (1 1/2%) per month, eighteen percent (18%) annually, on past due accounts. The Client's obligation to pay for the work contracted is in no way dependent upon the Client's ability to obtain financing, zoning, approval of governmental or regulatory agencies, final adjudication of a lawsuit in which MAI is not involved, or upon the Client's successful completion of the project. The amount of any tax that may be imposed shall be additional compensation to the actual billings for service. The Client agrees to pay the full amount of billings plus the tax.

16. Lien Rights

MAI hereby gives notice that it retains the right to submit a lien against the subject property in the event of non-payment of invoices. The lien will be prepared and filed in accordance with pertinent laws of the state.



January 30, 2017

Mr. Jeff Hulsether, City Engineer
City of Brainerd
501 Laurel Street
Brainerd, MN 56401

Brainerd/Baxter
7804 Industrial Park Road
PO Box 2720
Baxter, MN 56425-2720

218.829.5117
218.829.2517
Brainerd@wsn.us.com
WidethSmithNolting.com

**Reference: Standard Scope Limited Site Investigation
Former Brainerd Foundry
MPCA Site ID: LS0019896
Brainerd, Minnesota**

Dear Mr. Hulsether:

Thank you for giving us the opportunity to present our proposal to you for environmental consulting services related to the petroleum contamination at the above-referenced site.

Wideth Smith Nolting (WSN) has been involved in over 500 petroleum release investigations and successfully works with the Minnesota Pollution Control Agency (MPCA) to conduct projects as cost effective as possible. Our environmental staff offers expertise in geology, hydrogeology, and engineering fields, with registered professionals in each discipline. We were founded in 1975 and have eight office locations, Grand Forks, East Grand Forks, Crookston, Alexandria, Brainerd, Bemidji, Forest Lake, and Rochester, which give WSN the flexibility and strength to effectively serve our clients with quality environmental services. In addition to our experience working for private clients and local and county governments, WSN works for the MPCA on investigations and clean-up of petroleum tank release sites.

A. Site Background:

The leak site is the Former Brainerd Foundry located at 801 South 10th Street in Brainerd. It is our understanding the petroleum release was discovered after the removal of two petroleum underground storage tanks from foundry property. The tanks were discovered during the excavation of lead impacted soil as part of the response action excavation cleanup work. One of the tanks contained diesel fuel and the second tank was found to contain a small quantity of residual gasoline. After removal, field screening of the soils beneath the tanks indicated elevated organic vapors beneath the diesel fuel tank but organic vapors were not detected beneath the gasoline tank. Because a petroleum release occurred, the MPCA is requesting the completion of standard scope Limited Site Investigation (LSI).

B. Scope of Services

The following scope of work has been prepared in accordance with your RFP dated January 5, 2016. In accordance with a standard scope LSI, WSN proposes to advance a series of five soil probes to define the horizontal and vertical extent of the petroleum contamination and to determine if risks are present. Groundwater and soil samples will be collected for laboratory analysis. Groundwater and vapor risk surveys will also be performed. Documentation will be



completed indicating field readings and laboratory results, and a report will be prepared and submitted to the MPCA for their review.

Estimated costs for the scope of services outlined below are detailed on the attached Petroleum Tank Release Cleanup Fund Standardized Proposal and Invoice Form:

Limited Site Investigation

- ◆ Coordinate drilling contractor and field work,
- ◆ Direct placement and depth of four soil probes to an approximate depth of 25 feet below land surface (BLS) to delineate the horizontal extent of soil contamination,
- ◆ Direct placement and depth of one soil probe to a depth of 40 feet BLS to delineate the vertical extent of soil contamination and to define site stratigraphy,
- ◆ During probe placement, collect continuous soil samples in each probe for field screening with a photoionization detector (PID) to monitor for petroleum vapors,
- ◆ Collect seven (7) soil samples for laboratory analysis of diesel range organics (DRO), gasoline range organics (GRO), and lead,
- ◆ Collect five (5) groundwater samples from the soil probes for laboratory analysis of DRO, GRO, total lead, and volatile organic compounds (VOCs),
- ◆ Collect one duplicate water sample for DRO, GRO, VOCs, and lead
- ◆ Analyze one trip blank sample for VOCs,
- ◆ If conditions warrant, advance up to five soil probes to a depth of 8-10 feet BLS for soil gas collection,
- ◆ Collect five soil gas samples for TO-15 analysis,
- ◆ Survey the soil probe locations to establish elevations,
- ◆ If present, measure groundwater levels in all probes for groundwater elevation calculations,
- ◆ Collect three soil samples for grain size analysis,
- ◆ Upon completion, seal the probes in accordance with the MDH regulations,
- ◆ Conduct a surface water and groundwater receptor survey (includes MGS well search and a 500-foot radius walking survey),
- ◆ Conduct a vapor risk survey,
- ◆ Prepare and submit a Site Investigation Report.

C. Work Plan

Push Probes

WSN will contract with Range Environmental Drilling for the advancement of five soil probes to characterize the horizontal and vertical extent of soil and/or groundwater contamination. All soil probe and sampling equipment will be steam cleaned prior to the initiation of our fieldwork. The sampler will be washed with a soap and water solution and rinsed in potable water prior to collecting each sample.

As the probes are advanced, soil samples will be collected in a self-sealing quart size polyethylene freezer bag and field screened according to standard practices. The samples will be classified in accordance with the *American Society for Testing and Materials Methods 2487 or 2488*. Soil samples will be collected and screened, which includes screening for organic vapors as indications of hydrocarbon (petroleum) contamination using a (PID). Representative soil samples will be collected for laboratory analysis to confirm the extent of contamination.



Groundwater samples will be collected using a clean bottom loading bailer or dedicated tubing and a check valve.

The soil gas probes are advanced to a depth of 8 to 10 feet below land surface and a sampling point, connected to dedicated disposable Teflon tubing, is installed at the bottom of the probe. The tubing is purged and a laboratory provided summa canister is attached to collect the soil gas sample.

Risk Assessments

WSN will complete the risk surveys/assessments in accordance with MPCA guidelines. A *Vapor Risk Assessment* will be completed to determine the potential for vapor impacts on utilities and/or basements. The *Vapor Survey*, if needed, will include measuring for organic and explosive vapors in buildings and utilities.

The *Water Well Survey/Assessment* (i.e., *Groundwater/Surface Water Receptor Survey*) will be completed to identify water supply wells and surface waters in the area of the release and to assess the risk the contamination presents to these potential receptors. The *Water Well Survey/Assessment* also provides information about the geology of the area and amount of water use near the site. To obtain the needed information, a survey of the properties within 500 feet will be performed. In addition, available well logs are obtained for an area within one mile of the plume. Information about the located wells is summarized in a table and the locations of the wells are presented on a corresponding map.

Site Investigation Report

WSN will complete a Site Investigation Report including all pertinent information to describe and characterize site contamination. The report includes: background information, laboratory results, water/product levels, water quality, probe logs, and information illustrating areas of soil and/or groundwater contamination in accordance with MPCA recommendations. The report will also include a section for recommendations for any additional or corrective actions based on the results of the investigation.

D. Costs

We estimate that the consulting fee for the above scope of work, itemized on the attached schedule, will be approximately \$3,076.00. In addition, subcontractor fees for laboratory analysis and drilling, billed to you at our cost, are estimated at \$4,484.50. All fees are billed on a time and materials basis in accordance with our standard fee schedule in effect at the time of the work. These are estimated fees based on our experience with similar projects.

This cost estimate is based on the assumption that WSN and its contractors will be provided access to the site property. If it is necessary for WSN to negotiate property access, a change order will be required. If actual costs will exceed our estimates, or if there is a significant change in the project scope, we will notify you and submit a *Change Order* with an estimate of additional costs for your signature.



Please let me know if you have any questions. We would appreciate the opportunity to review our proposal in detail so that you have a clear understanding of our scope of work and estimate. If you wish to retain our services, please sign below and on the attached *Petrofund Standardized Proposal and Invoice Form*, then return one copy of this letter and estimate to us as our authorization to proceed.

Sincerely,

WIDSETH SMITH NOLTING

A handwritten signature in cursive script that reads "Gregory W. Smith".

Gregory W. Smith, P.G.

Enclosure

PROPOSAL OF WIDSETH SMITH NOLTING

BY: A handwritten signature in cursive script that reads "Brian A. Ross".

Brian A. Ross, P.G., Vice President

ACCEPTED: The above proposal and attached General Conditions are satisfactory and you are authorized to do the work as specified. Payment will be made monthly in accordance with the terms on the fee schedule. A finance charge will be computed, for any previous balance not paid within 30 days, using a periodic rate of one percent a month, which is an annual percentage rate of 12 percent.

<i>Consultant Services estimated at</i>	\$ 3,076.00
<i>Contractor Services estimated at</i>	<u>\$ 4,484.50</u>
	\$ 7,560.50

BY: _____

Date: _____

Petroleum Tank Release Cleanup Fund
Standardized Proposal and Invoice Form
Limited Site Investigation (LSI)
Standard Scope

MPCA Leak # LS0019896

Applicant Name City of Brainerd

Address 501 Laurel Street
Brainerd, MN 56401

Leaksite Name Former Brainerd Foundry

Site Address 801 South 10th Street
Brainerd, MN 56401

Task Description	Petrofund Maximum Unit Cost	Amount Proposed	Amount Invoiced for Proposed Tasks
Administrative Tasks			
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Drilling oversight, field log prep, & soil sampling [25' or shallower boring]	\$182 per boring	\$480.00	\$
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Water well receptor survey and risk evaluation	\$911 per leaksite/see rule	\$40.00	\$
Sampling			
Groundwater sampling (other than permanent monitoring well)	\$43 per sampling point/see rule		\$
Submissions to Agency			
Investigation report preparation (LSI only)	\$4,208/see rule	\$2,000.00	\$
Travel and Per Diem			
Travel time	\$85 per hour		\$
Vehicle mileage (124 miles)	\$0.79 a mile		\$
Per diem	\$164 per day per person		\$
Equipment and Field Supplies Charges (list items included in proposal below)			
PID Meter per day	Disposable items = Cost to buy the items	\$80.00	\$
	Reusable items = Lesser of purchase or rental cost	\$	\$
Contractor Services Included in this Proposal			
Analytical Services		Analysis Type	
7 soil samples	GRO+DRO (\$53), Lead (\$11)	\$448.00	\$
5 groundwater samples	GRO+DRO (\$53), VOCs (\$65), Lead (\$11)	\$645.00	\$
1 trip blank	VOCs (\$65)	\$65.00	\$
1 duplicate sample	GRO+DRO (\$53), VOCs (\$65), Lead (\$11)	\$129.00	\$
3 grain size analysis	\$82.50 each	\$247.50	\$
5 soil gas samples	EPA Method TO-15, full scan (\$215)	\$1,075.00	\$
Drilling, Direct Push Technology			
4 push probes to 25', 1 push probe to 40', 5 push probes to 10'	\$164 / hr. < 15,000 lbs.		
Retraction Force = < 15,000 lbs. or > 15,000 lbs. (circle one)	\$242 / hr. > 15,000 lbs.	\$1,225.00	\$
Push probe sealing	\$1.21 per ft.	\$35.00	\$
Mobilization/demobilization (drilling) (0 - 50 miles one way)	\$303		\$
Mobilization/demobilization (drilling) (51- 500 miles one way)	\$303 plus \$7 per mile over 50	\$550.00	\$
Mobilization/demobilization (drilling) (over 500 miles one way)	\$2,662	\$	\$
Per diem (MDH Notification)	\$164 per day / per person	\$65.00	\$
		\$7,560.50	\$
		Total Proposed	Amount Invoiced for Proposed Tasks

Petroleum Tank Release Cleanup Fund
Standardized Proposal and Invoice Form
Limited Site Investigation (LSI)
Standard Scope

INVOICE SUMMARY (to be completed by consultant after the work has been performed)

Total amount invoiced for proposed tasks (enter amount from page 1)	\$
Total amount invoiced for tasks not proposed (enter amount associated with column A of the Change Order form)	\$
GRAND TOTAL AMOUNT INVOICED FOR WORK PERFORMED	\$

CONSULTANT

Consultant Providing Above Proposal <u>Widseth Smith Nolting</u>	
Contact Person	<u>Gregory W. Smith</u>
Phone	<u>218-316-3623</u>
Fax	<u>218-829-2517</u>
E-mail Address	<u>Greg.Smith@wsn.us.com</u>

I hereby certify that this document accurately reflects the details specified in the RFP dated 1/5/17 and the anticipated costs for a limited site investigation, which total \$ 7,560.50. I further certify that the hourly rates to be charged for consultant services X WILL WILL NOT exceed the maximum hourly labor rates for consultant services listed in Minn. Rule 2890.1400 [maximum hourly rates are as follows: SLP = \$157, MLP = \$116, ELP = \$85, FT = \$79, DP = \$67, WP = \$48]. If line is not marked, it is assumed to be "will not."

Gregory W. Smith	<u><i>Gregory W. Smith</i></u>	<u>1/30/17</u>
Consultant Name (please print)	Consultant Signature	Date

<u>Widseth Smith Nolting</u>	<u>1119</u>
Consultant Company	Petrofund Registration Number

APPLICANT

This proposal must be signed and dated by the consultant.	NOTARIZATION (of applicant signature)
To accept this proposal, sign and date it in front of a notary public.	
<u>X</u>	Signed or attested before me this <u> </u> day
Signature of applicant indicating acceptance	of <u> </u> , 20 <u> </u> .
Date	
	Notary Public
Applicant Name (please print)	
Company	
	My Commission Expires <u> </u>



Brainerd City Council Agenda Request

SPW 3
Agenda Item #

Requested Meeting Date: February 6, 2017

Title of Item: Annual MS4 Presentation and Public Hearing

☐ 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: Jeff Hulsether	Department: Engineering
Presenter (Name & Title): Jeff Hulsether	Estimated Time Needed: 5 minutes
Summary of Issue: The City of Brainerd is one of over 200 entities in the state affected by Phase II of the Clean Water Act and is required to obtain coverage under a general stormwater discharge permit referred to as our MS4 Permit. The conditions of the permit require a variety of minimum control measures, one of which is public education and an annual public hearing to review the past years accomplishments and to take comments on our storm water management program.	
Alternatives, Options, Effects on Others/Comments: This year at the public hearing, the Municipal Separate Storm Sewer System (MS4) requirements will be reviewed in a little more detail so that our newer Council members have a better understanding of the city's obligations to manage our storm sewer system and to enforce state and local regulations concerning discharges into the system. There is a required 30-day notification period for the public hearing, therefore, staff is recommending that the hearing be scheduled for 7:30 p.m., Monday, March 20, 2017.	
Recommended Action/Motion: Staff is recommending that the Council set the annual MS4 Public Hearing for 7:30 p.m., Monday, March 20, 2017.	
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 <u>Please Explain:</u>	

NOTICE OF ANNUAL STORMWATER PUBLIC MEETING

NOTICE is hereby given that the City Council of the City of Brainerd will hold the Annual Stormwater Public Meeting in the Council Chambers of the City Hall, 501 Laurel Street, Brainerd, Minnesota 56401 at 7:30 p.m. on Monday, March 20, 2017. Any person wishing to express an opinion on the matters to be considered will be heard orally or in writing.

Dated this 7th day of February, 2017

JAMES THOREEN
City Administrator
City of Brainerd, Minnesota

Publish Brainerd Dispatch February 10, 2017 (once)



Brainerd City Council Agenda Request

SPW
4

Agenda Item #

Requested Meeting Date: February 6th, 2017

Title of Item: Feasibility Reports - Improvements 14-01, 14-03, and 16-13

☐ 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: Paul Sandy, Assistant City Engineer	Department: Engineering
Presenter (Name & Title): Jeff Hulsether	Estimated Time Needed: 10 Minutes
Summary of Issue: See the attached feasibility reports, preliminary assessment roles, and resolution for City Improvements 14-01, 14-03, and 16-13 (SAP 108-113-007, SAP 108-129-002, and SAP 108-136-003)	
Alternatives, Options, Effects on Others/Comments: This is the first step in getting the assessment process (Minnesota Statute Section 429) going. It includes adopting a resolution receiving the feasibility reports and calling for the public hearing on the improvements. The attached feasibility reports outlining existing project conditions, constructability/feasibility of the work, alternatives that were analyzed for construction, and costs involved for engineering/construction along with estimates of proposed assessments to abutting, benefiting properties.	
Recommended Action/Motion: Staff recommends adopting the resolution receiving the feasibility reports attached and calling for the public hearing to be held on February 21st, 2017 at 7:30 P.M.	
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>	

January 19, 2017

Mayor Menk
and Brainerd City Council Members



RE: City Improvement 14-01 Oak Street Mill and Overlay Project – SAP 108-113-007 Feasibility Report

www.ci.brainerd.mn.us

Dear Mayor Menk and City Council Members,

I am pleased to present this report for improvements to Oak Street between the S 6th Street (Business 371) and SE 19th Street. The following report will outline the deficiencies in the current pavement section along with remedies and costs.

This portion of Oak Street was originally constructed in 2003 and was a State Highway Turnback. The original construction consisted of a 44' face of curb to face of curb width of street with a pavement consisting of 8" of Aggregate Base Class 6 and 5.5" of plant mix asphalt. The pavement on Oak Street was originally designed for a 20 year life expectancy, however, in recent years there has been severe rutting noted in the pavement section (up to 1 ½" at the intersection of SE 13th Street). This rutting can be due to multiple factors, as noted further along in this report.

As part of the evaluation of the rutting, the City brought in a private consultant, American Engineering and Testing, to do Falling Weight Deflectometer Testing (FWD Testing). The existing strength of the soils in the area is a great indicator on how your pavements are going to perform. FWD testing effectively measures the strength of the subgrade underlying the bituminous and gravel sections and outputs an effective R-Value (Resistance Value) of the subgrade to use in pavement design calculations. A review of the R-Value and other notes from the testing can be seen below:

- The assumed R-Value used in the original design of the Oak Street Turnback was 50. Measured values from FWD testing resulted in an effective R-Value average of 15.4. This means that the subgrade is sufficiently less "strong" than what was assumed in the design, thus a higher chance of the pavement rutting due to traffic loading.
- The mix that was used in the Oak Street Turnback project was an older MV (Marshall Mix Design – Medium Volume) mix that has been shown to exhibit more rutting than the modern SuperPave mixes and bitumen formulas.
- The last item of concern per the report was the lack of pavement layer thickness in the original design. The existing pavement was analyzed for its effectiveness to resist rutting, and the design summary that was returned shows a preliminary life estimate for rutting at 12 years.

The combination of all these above factors is why staff has considered resurfacing the street. The hope is to get another 15-20 years out of the pavement section, before a full resurfacing project will take place.

The curb and gutter section along the route is in great condition, therefore, it is anticipated that little removal and replacement of curb would be done in a resurfacing project.

The report from the consultants outlines a recommendation of overlaying the existing pavement such that 7" of pavement remains in place after construction. This will consist of milling of 1 ½" of the existing pavement section and overlaying the pavement with 3" of new bituminous mix. The driving lanes, where the rutting is being observed, will remain at the same slope, while the parking lanes will be a little steeper to match into the curb section. The purpose of milling an 1 ½" of existing pavement is to effectively remove all of the rutted section, with the most severe ruts being noted at 1 ½". The project being proposed is considered an urban reconditioning project. The curb ramps that were installed as part of the 2003 project are now considered non-compliant to ADA (Americans with Disabilities Act) standards, and thus will need to be replaced as part of the project. This will consist of removal of the old curb ramp and curb, replacement of the ramp to correct slopes, and placement of truncated domes on the ramp.

The storm sewer along this route is considered to be sufficient and was replaced with the project in 2003. The castings for the sanitary and storm sewer will be replaced as part of the project.

The total estimated cost to recondition Oak Street is \$644,000, with \$382,000 of that cost attributed to the reconditioning and \$262,000 attributed to the construction of the new curb ramps on the project. None of the costs associated with the project were determined to be assessable. The project is feasible to construct and the improvements are necessary due to the condition of the existing roadway and the current deficiencies that exist with the pavement section. Staff feels that the construction of this project is necessary to extend the life of the existing pavement for another 15-20 years until a full resurfacing of the street will be warranted. Staff is proposing the let this contract as part of two other projects to be done on Buffalo Hills Lane (SAP 108-136-003) and Jackson Street (SAP 108-129-002), all three of which are State Aid Routes.

No assessment role has been calculated, as none of the costs associated with the project are planned to be assessed. However, staff feels that we would like to follow the same hearing and approval process for all of the City's public improvement projects, and is therefore recommending the council adopt a resolution receiving this report and call for the public hearing to be held on February 21st, 2017.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul Sandy", written in a cursive style.

Paul G. Sandy, P.E.
Assistant City Engineer

January 20, 2017

Mayor Menk
and Brainerd City Council Members



www.ci.brainerd.mn.us

RE: City Improvement 14-03 Jackson Street Resurfacing Project – SAP 108-129-002 Feasibility Report

Dear Mayor Menk and City Council Members,

I am pleased to present this report for improvements to Jackson Street between the West City Limits and NW 4th Street (Riverside Drive). The following report will outline the numerous deficiencies in the current pavement section and remedies, costs, and assessment costs and methodologies.

Jackson Street between NW 4th Street and the West City limits was originally constructed in 1985. The original construction consisted of a 44' face of curb to face of curb width of street with a pavement consisting of 5" of Aggregate Base Class 5 and 3.5" of plant mix asphalt. This pavement section is considered deficient to a 9 Ton standard design. The lack of pavement section means the roadway has deteriorated faster than our average 40 year life span of pavement. We typically like to see 40 years out of our pavements and 80 years out of our curb sections. Below is a list of deficiencies that were noted in the pavement during the design process:

- Insufficient pavement section for 9 Ton design roadway per State Aid standards.
- Numerous potholes have developed that have been patched over the years.
- Longitudinal and perpendicular thermal cracks have developed and spread out, making the road rough to traverse
- High maintenance costs for pothole patching and crack sealing

The curb and gutter section along the route is in great condition, therefore, it is anticipated that little removal and replacement of curb would be done in a resurfacing project. The curb section will last until the street needs to be reconstructed in another 40 years.

Two different resurfacing methodologies were researched during design of the project. Full depth reclamation of the existing section was the first methodology that was researched, and would consist of reclaiming or blending the pavement section and existing gravel into a composite section, removing a small portion of the reclaim, and paving 4" of hot bituminous pavement over the newly reclaimed section. This, however, is not a viable option because the reclaim section that would remain in place would be less than what is needed for a 9 Ton design standard per State Aid rules (need 6"). The other option for resurfacing is removal of the existing bituminous, gravel base, and

subgrade to a depth of 10" below the existing gutter line, re-compacting the exiting subgrade, and adding back 6" of Aggregate Base Class 5 and 4" of bituminous pavement. This is considered the best and most cost effective option for resurfacing of the street. The extra thickness is needed for the 9 Ton design on this route because of the traffic loads Jackson Street sees in a typical year (around 6,600 vehicles per day)

There is a new sidewalk proposed on the route on the south side of the road to be in compliance with the City of Brainerd's Complete Streets Policy. There will also be the incorporation of bike lanes on the route by striping bike lane symbols in the 5.5' shoulder. Very little curb and gutter work will be done as part of the project, with most of it taking place in curb ramp locations and around storm sewer catch basins.

The storm sewer along this route is considered to be sufficient to handle the capacity of stormwater in the system. The storm sewer was built in 1985 with the street. The project will replace the storm sewer castings on all the structures in the street.

The total estimated cost to re-surface this portion of Jackson Street is \$390,000 including construction and engineering costs. \$51,500 of the total costs is proposed to be assessed to benefitting properties. Approximately \$26,000 of worth of assessments are not being assessed due to the front footage of the parcels being considered a sideyard, in which we only assess for half the front footage along Jackson Street according to policy.

The project is feasible to construct and the improvements are necessary due to the condition of the existing roadway and the current deficiencies that exist with the pavement section. Staff is proposing the let this contract as part of two other projects to be done on Buffalo Hills Lane (SAP 108-136-003) and Oak Street (SAP 108-113-007), all three of which are State Aid Routes.

A preliminary assessment role has been prepared and staff is recommending that the Council adopt a resolution receiving this report and calling for a hearing to be held February 21, 2017

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul G. Sandy". The signature is fluid and cursive, with a large initial "P" and "S".

Paul G. Sandy, P.E.
Assistant City Engineer

JACKSON STREET PROPERTY OWNERS

Property Owner	Address 1	Address 2	PID	Legal	Addition	Location	FRONT FOOTAGE	SIDEYARD DED.	ASSESSABLE FOOTAGE	EST. ASSESSMENT RATE	ASSESSMENT TO PRIVATE PROPERTY	SIDEYARD	CITY PROPERTY
PROFESSIONAL AUTO, LEASING INC	703 WEST WASHINGTON ST	BRAINERD MN 56401	0919800P007Z009	LOTS 7 & 8 BLOCK P	WEST BRAINERD		140	70	70	\$ 34.00	\$ 2,380.00	\$ 2,380.00	
HAGLIN, TIMOTHY M & LADONNA A	13754 TWO MILE RD	BRAINERD MN 56401	0919800T0120009	LOT 12 BLOCK T	WEST BRAINERD		140	70	70	\$ 34.00	\$ 2,380.00	\$ 2,380.00	
HAGLIN, TIMOTHY M & LADONNA A	13754 TWO MILE RD	BRAINERD MN 56401	0919800T0010009	LOT 1 BLOCK T	WEST BRAINERD		140	70	70	\$ 34.00	\$ 2,380.00	\$ 2,380.00	
S&K CAPITAL INVESTMENTS LLC	5350 PINE BEACH RD	BRAINERD, MN 56401	0919800O0070009	LOT 7 BLOCK O	WEST BRAINERD		140	70	70	\$ 34.00	\$ 2,380.00	\$ 2,380.00	
ROCK, RODNEY L & SUSAN	PO BOX 432	BEMIDJI, MN 56619	0919800Q007Z009	LOT 7 THRU 12 BLOCK Q & ADJ N'LY 1/2 OF VACATED ROBER	WEST BRAINERD	624 5TH ST NW	140	70	70	\$ 34.00	\$ 2,380.00	\$ 2,380.00	
PAUL BUNYAN, ARBORETUM INC	P O BOX 375	BRAINERD MN 56401	0919800U007Z009	LOT 7 BLOCK U AND ALSO THE S. 1/2 OF THE ADJACENT VAC	WEST BRAINERD	602 JAMES ST	140		140	\$ 34.00	\$ 4,760.00	\$ -	
WESTGATE MALL REALTY GROUP LLC	911 E COUNTY LINE RD STE 203	LAKEWOOD, NJ 08701	0919800U000Y009	ALL OF BLOCK K, BLOCK J, AND BLOCK R, ALSO WITH THE VAC	WEST BRAINERD		66		66	\$ 34.00	\$ 2,244.00	\$ -	
BRAINERD AMATEUR HOCKEY FOUNDATION	PO BOX 38	BRAINERD, MN 56401	091020020020009	LOT 2 BLOCK 2 EXC S 40 FT OF N 185 FT OF E 30 FT THEREOF	ARENA ADDN TO THE CITY OF BRAINERD		261		261	\$ 34.00	\$ 8,874.00	\$ -	
TEAGAR, LORRAINE D	701 7TH ST NW	BRAINERD MN 56401	0919800U0010009	LOT 1 BLOCK U	WEST BRAINERD	701 7TH ST NW	696	348	348	\$ 34.00	\$ 11,832.00	\$ 11,832.00	
TJV LLC	623 4TH ST NW	BRAINERD, MN 56401	0919800O003Z009	LOTS 3 THRU 6 INCLUSIVE BLOCK O	WEST BRAINERD		140	70	70	\$ 34.00	\$ 2,380.00	\$ 2,380.00	
FROMM, JOLENE & DANIEL	1251 MAYO RD	FORT RIPLEY MN 56449	0919800P0060009	LOT 6 BLOCK P	WEST BRAINERD	623 5TH ST NW	140	70	70	\$ 34.00	\$ 4,760.00	\$ -	
ROCK, RODNEY L & SUSAN	PO BOX 432	BEMIDJI, MN 56619	0919800Q004Z009	LOT 4 THRU 6 INCL BLOCK Q	WEST BRAINERD		140		140	\$ 34.00	\$ 2,380.00	\$ 2,380.00	
						Assessable Footage	2283.00	768.00	1515.00		\$ 51,510.00	\$ 26,112.00	0.00
PRELIMINARY Assessment Cost	CONSTRUCTION COST	ENGINEERING	TOTAL CONST. COST	% OF TOTAL	ASSESSABLE COST	ASSESSMENT RATE					\$ 77,622.00	\$ 26,112.00	
JACKSON STREET RESURFACING	\$ 203,323.75	\$ 40,664.75	243,988.50	63%	\$ 76,837.72								
SIDEWALK COST	\$ 108,558.00	\$ 21,711.60	130,269.60	33%	\$ -								
STORM SEWER	\$ 13,050.00	\$ 2,610.00	15,660.00	4%	\$ -								
TOTAL	\$ 324,931.75	\$ 64,986.35	\$ 389,918.10	100%	\$ 76,837.72	\$ 33.66	\$ 34.00	Use					
FINAL Assessment Cost	TOTAL CONST. COST	ENGINEERING/CONT	TOTAL CONST. COST	% OF TOTAL	ASSESSABLE COST	ASSESSMENT RATE							
JACKSON STREET				0%	\$ -								
STORM SEWER				0%	\$ -								
ADA/City				0%	\$ -								
TOTAL	\$ -	\$ -	\$ -	0%	\$ -								

January 20, 2017

Mayor Menk
and Brainerd City Council Members



www.ci.brainerd.mn.us

RE: City Improvement 16-13, Buffalo Hills Lane Resurfacing Project – SAP 108-136-003 Feasibility Report

Dear Mayor Menk and City Council Members,

I am pleased to present this report for improvements to Buffalo Hills Lane between S 6th Street and Graydon Avenue. The following report will outline the numerous deficiencies in the current pavement section and remedies, costs, and assessment costs and methodologies.

Buffalo Hills Lane from S 6th Street to Graydon Avenue was originally constructed in 1985. The original construction consisted of a 44' face of curb to face of curb width of street with a pavement consisting of 3" of Aggregate Base Class 5 and 3.5" of plant mix asphalt. This pavement section is considered deficient to a 9 Ton standard design. The lack of pavement section means the roadway has deteriorated faster than our average 40 year life span of pavement. We typically like to see 40 years out of our pavements and 80 years out of our curb sections. Below is a list of deficiencies that were noted in the pavement during the design process:

- Insufficient pavement section for 9 Ton design roadway per State Aid standards.
- Numerous potholes have developed that have been patched over the years.
- Longitudinal and perpendicular thermal cracks have developed and spread out, making the road rough to traverse
- Spalling and delamination of the top lift of asphalt in the parking lanes for a majority of the length of street
- High maintenance costs for pothole patching and crack sealing

The curb and gutter section along the route is in great condition, therefore, it is anticipated that little removal and replacement of curb would be done in a resurfacing project. The curb section will last until the street needs to be reconstructed in another 40 years.

Two different resurfacing methodologies were researched during design of the project. Full depth reclamation of the existing section was the first methodology that was researched, and would consist of reclaiming or blending the pavement section and existing gravel into a composite section, removing a small portion of the reclaim, and paving 3.5" of hot bituminous pavement over the newly reclaimed section. This, however, is not a viable option because the reclaim section that would remain in place

would be less than what is needed for a 9 Ton design standard per State Aid rules (typically 5"). The other option for resurfacing is removal of the existing bituminous, gravel base, and subgrade to a depth of 8.5" below the existing gutter line, re-compacting the exiting subgrade, and adding back 5" of Aggregate Base Class 5 and 3.5" of bituminous pavement. This is considered the best and most cost effective option for resurfacing of the street.

There is a little bit of curb and sidewalk work proposed with the project consisting of replacement of curb ramps that are non-compliant to ADA (American's with Disabilities Act) Standards, curb work around existing catch basins to replace castings on the catch basin, and addition of some new sidewalk and curb ramps to connect the trail on the north side of the road with the sidewalk on the south side of the road.

The storm sewer along this route is considered to be sufficient to handle the capacity of stormwater in the system. The storm sewer was built in 1985 with the street. The sanitary sewer system in this area was built in 1981 and has no deficiencies. The project will replace the storm sewer and sanitary sewer castings on all the structures in the street.

The total estimated cost to re-surface this portion of Buffalo Hills Lane is \$397,000 including construction and engineering costs. Approximately \$124,000 of the total costs is proposed to be assessed to benefitting properties, of which \$38,500 deducted because a portion abuts City of Brainerd Property (Buffalo Hills Park). Therefore, the total estimated assessments to benefitting properties will be \$81,500. There is \$4,000 worth of assessments that are not counted towards benefitting properties because the portion along Buffalo Hills Lane is considered sideyard frontage, in which we assess half the front footage according to policy.

The project is feasible to construct and the improvements are necessary due to the condition of the existing roadway and the current deficiencies that exist with the pavement section. Staff is proposing the let this contract as part of two other projects to be done on Jackson Street (SAP 108-129-002) and Oak Street (SAP 108-113-007), all three of which are State Aid Routes.

A preliminary assessment role has been prepared and staff is recommending that the Council adopt a resolution receiving this report and calling for a hearing to be held February 21, 2017.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul Sandy".

Paul G. Sandy, P.E.
Assistant City Engineer

BUFFALO HILLS LANE PROPERTY OWNERS

Property Owner	Address 1	Address 2	PID	FRONT FOOTAGE	SIDEYARD DED.	ASSESSABLE FOOTAGE	EST. ASSESSMENT RATE	ASSESSMENT TO PRIVATE PROPERTY	SIDEYARD	CITY PROPERTY
BUFFALO HILLS TOWNHOMES OWNERS ASSC	8782 GOLDEN POND DR	BRAINERD MN 56401	092370010060009	140		140	\$ 28.00	\$ 3,920.00	\$ -	
VOELLER, GLADYS B & CAROL J MILLER	2244 SPRUCE DR	BRAINERD MN 56401	096000010220889	55		55	\$ 28.00	\$ 1,540.00	\$ -	
MANION, MICHAEL & SHARON	504 E BUFFALO HILLS LN	BRAINERD, MN 56401	09224001001A009	70		70	\$ 28.00	\$ 1,960.00	\$ -	
BACKSTROM, JEROLD H & MARGEE L	2234 SPRUCE DR	BRAINERD, MN 56401	09602001009Y009	55		55	\$ 28.00	\$ 1,540.00	\$ -	
EDMUNDS, MICHAEL A & KATHLEEN	517 BUFFALO HILLS LN E	BRAINERD, MN 56401	09185003012D009	138		138	\$ 28.00	\$ 3,864.00	\$ -	
EVANGELICAL LUTHERAN GOOD SAMARITAN	100 BUFFALO HILLS LN	BRAINERD, MN 56401	092140010010009	542		542	\$ 28.00	\$ 15,176.00	\$ -	
CITY OF BRAINERD	501 LAUREL ST	BRAINERD MN 56401	060354100A00009	50		50	\$ 28.00	\$ 1,400.00	\$ -	\$ 1,400.00
REITHER, RANDALL LEE & KAREN L	2131 GRAYDON AVE	BRAINERD MN 56401	091550000130009	140	70	70	\$ 28.00	\$ 1,960.00	\$ 1,960.00	
EVANGELICAL LUTHERAN GOOD SAMARITAN	100 BUFFALO HILLS LN	BRAINERD, MN 56401	092140010020009	390		390	\$ 28.00	\$ 10,920.00	\$ -	
FRICK, LAWRENCE J JR & CAROLYN POPE	2232 SPRUCE DR	BRAINERD, MN 56401	09602001008B009	110		110	\$ 28.00	\$ 3,080.00	\$ -	
CITY OF BRAINERD	501 LAUREL ST	BRAINERD MN 56401	060363300B00009	1318		1318	\$ 28.00	\$ 36,904.00	\$ -	\$ 36,904.00
CAUGHEY, RUSSELL L JR & KATHRYN	3234 COUNTY ROAD 121	FORT RIPLEY MN 56449	092240010110009	175		175	\$ 28.00	\$ 4,900.00	\$ -	
DK INVESTMENTS LLC	1107 6TH ST S	BRAINERD, MN 56401	040012100C00009	208		208	\$ 28.00	\$ 5,824.00	\$ -	
CITY OF BRAINERD	501 LAUREL ST	BRAINERD MN 56401	09185003012F009	152		152	\$ 28.00	\$ 4,256.00	\$ -	
LDS CHURCH, REAL ESTATE DIV RE: 520	50 E NORTH TEMPLE	SALT LAKE CITY UT 84150	092130010010009	322		322	\$ 28.00	\$ 9,016.00	\$ -	
WORMS, BARBARA R	2248 SPRUCE DR	BRAINERD MN 56401	096000010230889	50		50	\$ 28.00	\$ 1,400.00	\$ -	
SVIR, LARRY E & MARY L	2240 SPRUCE DR	BRAINERD, MN 56401	09602001009A009	55		55	\$ 28.00	\$ 1,540.00	\$ -	
BYE, CONRAD & CAROL	P O BOX 565	BRAINERD, MN 56401	09185003012G009	150	75	75	\$ 28.00	\$ 2,100.00	\$ 2,100.00	
EVANGELICAL LUTHERAN GOOD SAMARITAN	100 BUFFALO HILLS LN	BRAINERD, MN 56401	092140010030009	387		387	\$ 28.00	\$ 10,836.00	\$ -	
SIMON, JOSEPH J & JOYCE M	502 BUFFALO HILLS LN E	BRAINERD, MN 56401	092240010010009	70		70	\$ 28.00	\$ 1,960.00	\$ -	
				4577.00	145.00	4432.00		\$ 124,096.00	\$ 4,060.00	\$ 38,304.00
PRELIMINARY Assessment Cost	TOTAL CONST. COST	ENGINEERING	TOTAL CONST. COST	% OF TOTAL	ASSESSABLE COST	ASSESSMENT RATE				
BUFFALO HILLS LANE RESURFACING	\$ 296,690.75	\$ 59,338.15	\$356,028.90	90%	\$ 121,531.31	\$ 27.42				
STORM SEWER	\$ 23,200.00	\$ 4,640.00	\$27,840.00	7%	\$ -					
SIDEWALK	\$ 10,634.50	\$ 2,126.90	\$12,761.40	3%	\$ -					
TOTAL	\$ 330,525.25	\$ 66,105.05	\$396,630.30	100%	\$ 121,531.31		\$ 28.00	Use		
FINAL Assessment Cost	TOTAL CONST. COST	ENGINEERING/CONT	TOTAL CONST. COST	% OF TOTAL	ASSESSABLE COST	ASSESSMENT RATE				
BUFFALO HILLS										
STORM SEWER										
ADA/City										
WATER										
TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				

RESOLUTION
NO. _____

RESOLUTION RECEIVING REPORT
CALLING HEARING ON IMPROVEMENTS

WHEREAS, a report has been prepared by the Assistant City Engineer with reference to the improvements of the following described improvements:

IMPROVEMENT 14-03

Street Resurfacing

Jackson Street between NW 4th Street (CSAH 20) and Brainerd/Baxter City Limits.

IMPROVEMENT 16-13

Street Resurfacing

Buffalo Hills Lane between S 6th Street (TH 371B) and Graydon Avenue.

IMPROVEMENT 14-01

Street Reconditioning

Oak Street between S 6th Street (TH 371B) and SE 19th Street.

These reports were received by the Council on the 6th day of February, 2017.

WHEREAS, the statute provides that no such improvements shall be made until the Council shall have held a public hearing on such improvements following mailed notice and two publications thereof in the official newspaper stating time and place of the hearing, the general nature of the improvement, the estimated costs thereof, and the area proposed to be assessed, and that a reasonable estimate of the total amount to be assessed, and a description of the methodology used to calculate individual assessments for affected parcels (the "Impact of Assessments") has been made available at the hearing, all in accordance with law; and

WHEREAS, this City Council has heretofore discussed and made determinations about the Impact of Assessments:

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

1. The Council will consider the above-described improvements in accordance with the report and the assessment of abutting property for all or a portion of the cost of the improvements pursuant to Minnesota Statute Chapter 429 at an estimated total cost of \$389,918 for Improvement 14-03 and \$396,630 for Improvement 16-13. Abutting properties to Improvement 14-01 will not be assessed for a portion of the total costs pursuant to Minnesota Statute Chapter 429. Estimated total cost for Improvement 14-01 is \$644,000.
2. A public hearing shall be held on such proposed improvement on the 21st day of February, 2017, in the Council Chambers of the Brainerd City Hall at 7:30 p.m. and the City Administrator shall give mailed and published notice of such hearing and improvements as required by law.

Adopted this ____ day of _____, 201__

DAVE PRITSCHET
President of the Council

Approved this ____ day of _____, 201__

EDWIN L. MENK
Mayor

ATTEST: _____
JAMES M. THOREEN
City Administrator



Brainerd City Council Agenda Request

SPW
5

Agenda Item #

Requested Meeting Date: February 6, 2017

Title of Item: Amendment to Transit Capital Contract

☐ 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: Jeff Hulsether	Department: Engineering
Presenter (Name & Title): Jeff Hulsether	Estimated Time Needed: 5 minutes
Summary of Issue: On January 12th, one of our Dial-A-Ride buses was involved in a crash at the intersection of T.H. 317 and College Road in Baxter. As a result of the crash, the bus, which had over 273,000 miles on it, was a total loss. Mn/DOT has agreed to fund 80% of an additional bus this year as a replacement, which will require an amendment to our contract.	
Alternatives, Options, Effects on Others/Comments: LMCIT is reviewing the claims and loss associated with the crash. At this time it is unclear whether or not the value of the bus exceeds our deductible. There are adequate funds in the Transit fund to cover the city's share of the bus purchases and a portion of the local cost share will be distributed to the agencies that contract for service.	
Recommended Action/Motion: Staff is recommending that the Council approve an amendment to this years transit contract with Mn/DOT to provide for the acquisition of a second bus and authorize the proper city officials to enter into said amendment.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ <u>unknown</u> Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u> The total additional local share is estimated at about \$15,000, coming from the Transit Fund, and of which about 1/2 will be passed along to agencies that contract with us for service.	



Brainerd City Council Agenda Request

SPW 6
Agenda Item #

Requested Meeting Date: February 6, 2017

Title of Item: Petition to Vacate a portion of North 10th Street

☐ 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: Jeff Hulsether	Department: Engineering
Presenter (Name & Title): Jeff Hulsether	Estimated Time Needed: 5 minutes
Summary of Issue: The City has received a petition for the vacation of North 65 feet of North 10th Street adjacent to Block 22 of First Addition to the City of Brainerd lying South of the Truck Highway 210 right of way.	
Alternatives, Options, Effects on Others/Comments: Staff is still waiting for a completed application (filing fee) but would like to proceed with scheduling the Public Hearing.	
Recommended Action/Motion: Staff is recommending that the Council schedule a Public Hearing for 7:30 p.m., Monday, March 6, 2017 to consider the petition.	
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>	

PETITION FOR STREET OR ALLEY VACATION

Date 1-13, 2017

Brainerd, Minnesota

To the City Council of Brainerd, Minnesota:

We, the undersigned, owners of real estate abutting on the following described street or alley hereby petition that such street be vacated as follows: That part of North 10th Street, dedicated in the plat of FIRST ADDITION TO BRAINERD, Crow Wing County, Minnesota, which lies southerly of the southerly right-way-line of Minnesota Trunk Highway Number 210, also known as Washington Street, and which lies northerly of the westerly extension of the south line of the North 65.00 feet of Block 22, FIRST ADDITION TO BRAINERD in accordance with the provisions of Brainerd City Code Section 810.

NAME

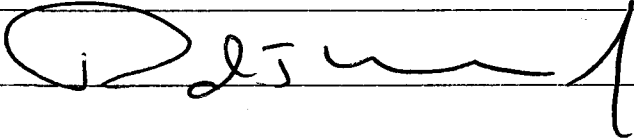
ADDRESS

LOT

BLOCK

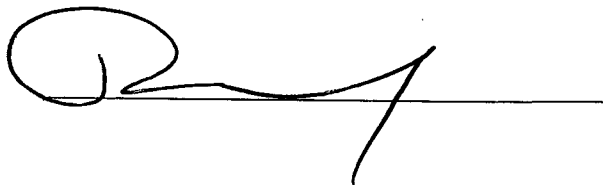
ADDITION

Ronald F. Meuser Jr



STATE OF MINNESOTA }
 }
COUNTY OF CROW WING } ss

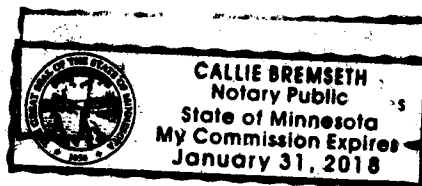
Ronald F. Meuser Jr, being duly sworn on oath, deposes and says that he/she is the property owner in regard to the above entitled petition; that he/she has read the foregoing petition which includes the signatures of abutting property owners and knows the contents and signatures thereof; and that the same are true of his own knowledge, save and except as to those matters therein stated on information and belief, and to such matters, he/she believes it to be true.

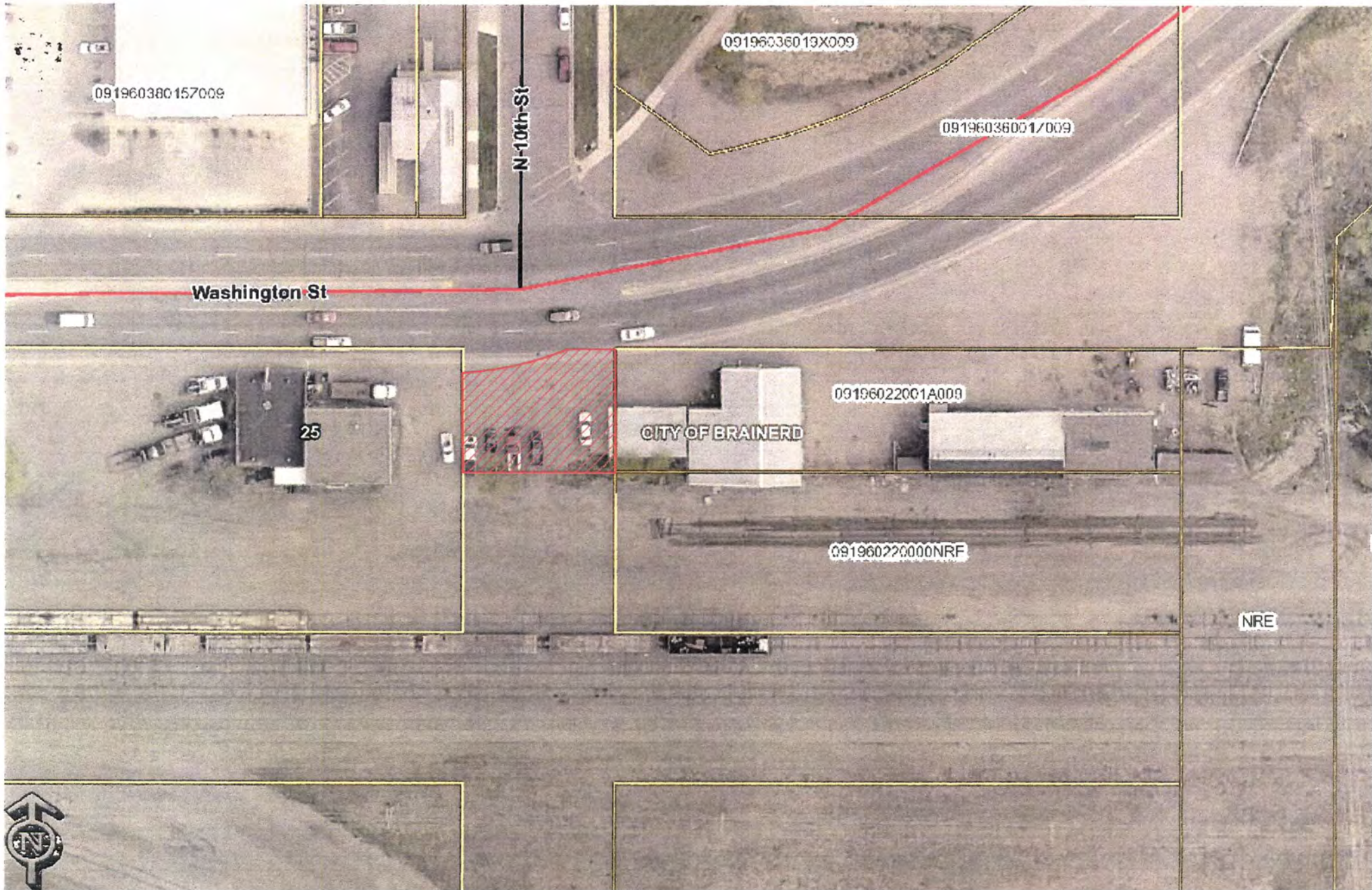


Subscribed and sworn to before me

this 13 day of January, 2016

Callie Bremseth





091960380157009

09196036019X009

09196036001/009

Washington St

N-10th-St

25

CITY OF BRAINERD

09196022001A009

091960220000NRF

NRE



GENERAL SURVEY NOTES

1. The property described herein is the same as the property described in Attorney Title Guaranty Fund, Inc. Commitment No. 1985-2015-0496, issued by J. Bradley Person with an effective date of September 20, 2016, and that all easements in said title commitment or apparent from a physical inspection of the site or otherwise known to me have been plotted herein or otherwise noted as to their effect on the subject property. Refer to said Commitment for reference to all covenants, easements, and restrictions pertinent to the subject property.
2. This survey was made in accordance with laws and/or Minimum Standards of the State of Minnesota. The Basis of Bearings for this survey is assumed as described under the north arrow herein.
3. The subject premises is not located within a Special Flood Hazard Area (SFHA) per Flood Insurance Rate Map No. 2700830001B with an Effective Date of September 2, 1981.
4. The underground utilities shown have been located from markings made as part of Copper State One Call Locator Request Ticket, related utility mappings as provided, and observed evidence as surveyed. The surveyor makes no guarantee that the underground utilities shown comprise as such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information provided as part of the request for markings and data related thereto. The surveyor has not physically located the underground utilities.
5. The premises property has direct access to Washington Street.
6. The premises property is subject to easements, agreements, restrictions, and other terms and conditions of record. Refer to the above referenced Commitment for Title Insurance for a complete listing of these items as were of record at the time of said policy. The surveyor makes no guarantee that additional encumbrances have been made against the premises property.

LEGAL DESCRIPTION FOR COMMITMENT FOR TITLE INSURANCE

The North 55.00 feet of Lots 9 thru 12, inclusive, Block 22, FIRST ADDITION TO BRAINERD, Crow Wing County, Minnesota.

File No. 1985-2015-0496 issued by Attorney Title Guaranty Fund, Inc. effective September 20, 2016 at 8:00 A.M.

PREMISES PROPERTY INFORMATION

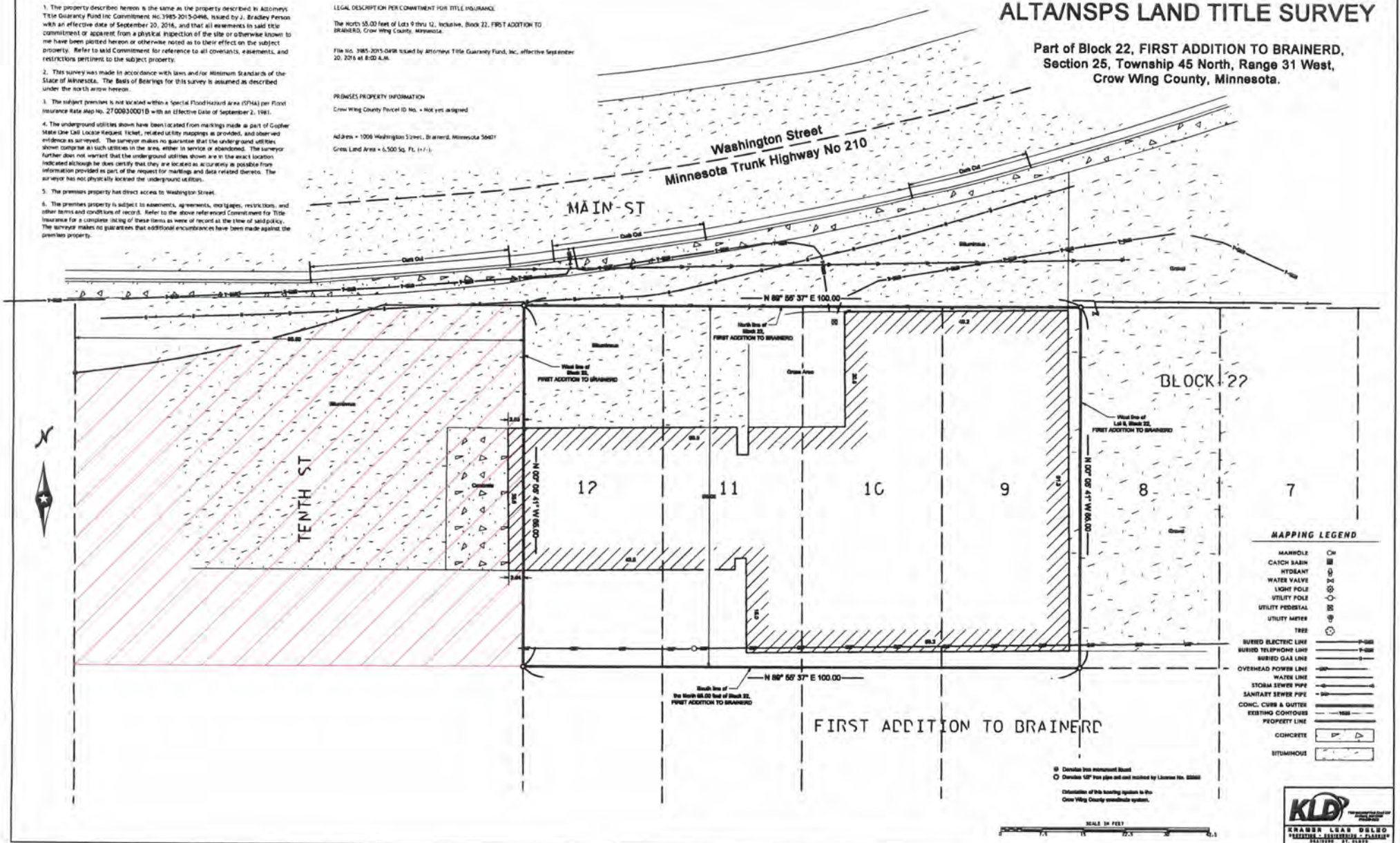
Crow Wing County Parcel ID No. - Not yet assigned

Address - 1009 Washington Street, Brainerd, Minnesota 56601

Gross Land Area - 5,500 Sq. Ft. (± 1%)

ALTAINSPS LAND TITLE SURVEY

Part of Block 22, FIRST ADDITION TO BRAINERD,
Section 25, Township 45 North, Range 31 West,
Crow Wing County, Minnesota.



MAPPING LEGEND

MANHOLE	CH
CATCH BASIN	CB
HYDRANT	H
WATER VALVE	WV
LIGHT POLE	LP
UTILITY POLE	UP
UTILITY PEDESTAL	UD
UTILITY METER	UM
TREE	T
BURIED ELECTRIC LINE	P-000
BURIED TELEPHONE LINE	P-000
BURIED GAS LINE	G-000
OVERHEAD POWER LINE	P-000
WATER LINE	W-000
STORM SEWER PIPE	S-000
SANITARY SEWER PIPE	S-000
CONC., CURB & GUTTER	C-000
EXISTING CONTOURS	C-000
PROPERTY LINE	P-000
CONCRETE	C-000
BITUMINOUS	B-000

① Concrete Iron monument found
② Concrete 12" iron pipe and cast ironed by License No. 00000

Continuation of this bearing system to the
Crow Wing County coordinate system.

SCALE IN FEET





Brainerd City Council Agenda Request

SPW 7
Agenda Item #

Requested Meeting Date: February 6, 2017

Title of Item: Sober Houses - Consider Regulations

☐ 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: 10 minutes
Summary of Issue: The Planning Department is seeking City Council direction on whether sober house zoning regulations should be established. The attached memo provides background on a municipality's ability to regulate sober houses.	
Alternatives, Options, Effects on Others/Comments: There are 2 alternatives. One is do nothing which will allow sober houses of any size to operate in the city; provided building code and fire code regulations are followed. The other is the City Council determines that some regulatory oversight is in the best interest of the city for health and welfare purposes and refers the issue to the Planning Commission to review and develop appropriate Zoning Ordinance language.	
Recommended Action/Motion: Motion by _____, and seconded by _____ that there has been no demonstrated need to establish zoning regulations for sober houses. Motion by _____, second by _____ that the City Council determines that some regulatory oversight is in the best interest of the city for health and welfare purposes and refers the issue to the Planning Commission to review and develop appropriate Zoning Ordinance language.	
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 and City Council

FROM: Mark Ostgarden, City Planner MO

DATE: February 2, 2017

RE: Sober Houses – Consider Regulations

The Planning Department is seeking City Council guidance about whether zoning regulations for sober houses should be considered. If so, the recommendation is to refer the issue to the Planning Commission for review. The Planning Department is aware of a sober house that will be opening within a few weeks and Central Minnesota Adult and Teen Challenge has stated there is a huge need in the area for sober houses.

A sober house has commonly been referred to as a private residence for individuals in chemical dependency recovery. People recovering from chemical dependency are considered “disabled” by the Federal Fair Housing Act (FFHA), a federal law that prohibits discrimination against individuals on a basis of race, color, religion, sex, national origin, familial status and disability. The Supreme Court has ruled that individuals in recovery from chemical dependency living in congregate facilities cannot be excluded from zoning districts under family composition rules, which limit the number of unrelated persons living in a single family dwelling.

The FFHA prohibits a municipality from refusing to “*make reasonable accommodations in rules, policies, practices or services*” when they are necessary to permit handicapped persons “*to use and enjoy a dwelling.*” An example might be accommodations allowing a higher number of unrelated residents to live in a single family house than normally allowed by a municipal definition of “*family*” or the single family zoning. In the City of Brainerd, the “*family*” definition for zoning purposes includes up to 4 unrelated individuals.

However municipalities still have the authority to protect safety and health as long as applicable regulations (building/fire/zoning) do not restrict the ability of disabled individuals to live in communities.

There are 2 alternative approaches for regulating sober houses:

1. **Reasonable Accommodation without Clear Standards.** This is our current status and we would continue with no special regulations for sober houses because they are protected by the FFHA. Regulations could include a land use definition and zoning standards such as parking, occupancy limits and separation requirements.
2. **Reasonable Accommodations with Clear Standards.** With this approach, a sober house definition and zoning standards that allow sober houses in Brainerd would be developed, being mindful that legal precedents show that the range within a municipality can regulate sober houses is relatively narrow.

There is a 3rd option which is to be more restrictive and treat sober houses no differently than a traditional single family residence. This is not recommended as it would put the city in a tenuous legal position.

In researching this topic it is interesting to learn the state's 2 largest cities address sober houses differently. Minneapolis has chosen not to regulate the use, while St. Paul has done extensive research and has adopted regulations which include a separation requirement.

Following is language from the St. Paul Zoning Ordinance:

Sec. 65.160. - Sober house.

A dwelling unit occupied by more than four (4) persons, all of whom are in recovery from chemical dependency and considered handicapped under the Federal Fair Housing Act Amendments of 1988, that provides a non-institutional residential environment in which the residents willingly subject themselves to written rules and conditions, including prohibition of alcohol and drug use (except for prescription medications obtained and used under medical supervision), intended to encourage and sustain their recovery. The residents of a sober house are similar to a family unit, and share kitchen and bathroom facilities and other common areas of the unit. Sober houses are financially self-supporting. This definition does not include facilities that receive operating revenue from governmental sources. Sober houses do not provide on-site supportive services to residents, including the following: mental health services; clinical rehabilitation services; social services; medical, dental, nutritional and other health care services; financial management services; legal services; vocational services; and other similar supportive services.

Standards and conditions:

A request for reasonable accommodation for this use as required under the Federal Fair Housing Act Amendments of 1988 by providing an exception to the maximum number of unrelated persons living together in a dwelling unit shall automatically be granted if the following standards and conditions are met. This does not limit the city from granting additional reasonable accommodation for this use under the general provisions of this code.

- (a) The operator shall submit a request for reasonable accommodation to the zoning administrator on a form provided by the city, specify the number of residents, and provide information necessary to assure the use meets applicable zoning standards. The maximum total number of residents permitted in the sober house shall be specified by the fire certificate of occupancy.
- (b) For a sober house that does not meet the parking requirement in section 63.207, the operator shall submit a written parking plan that demonstrates sufficient parking for the use.
- (c) In RL-R4 Residential Districts, the sober house shall serve ten (10) or fewer residents.
- (d) For a structure serving seventeen (17) or more sober house residents, a conditional use permit is required. This use shall be exempt from section 61.501 conditional use permit general standards (a), (c), and (d).
- (e) Property containing one (1) or more sober house units shall be a minimum distance of three hundred thirty (330) feet from any other property containing a sober house.

(C.F. No. 08-640, § 1, 7-9-08; Ord 16-5, § 1, 4-13-16)



Brainerd City Council Agenda Request

8A

Agenda Item #

Requested Meeting Date: February 6, 2017

Title of Item: Set Location for Retreat

- ☐ 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 1st Reading

Submitted by:

Jim Thoreen

Department:

Administration

Presenter (Name & Title):

City Administrator Thoreen

Estimated Time Needed:

5 minutes

Summary of Issue:

At the January 3, 2017 council meeting, Council set a date for a City Council Retreat to be held at 12:30 P.M. on Saturday, February 11, 2017 with a site to be determined. The location for the retreat has been secured and is the meeting room at the hospital. The meeting room is in the basement next to the cafeteria.

Alternatives, Options, Effects on Others/Comments:

The meeting will start at 12:30 p.m. and is expected to conclude by 5:30 p.m. The cafeteria will be open if you would like to purchase lunch before the retreat.

We have also secured a facilitator as well, Mr. Bruce Miles. He proposal is attached.

Recommended Action/Motion:

Financial Impact:

Is there a cost associated with this request:



Yes



No

What is the total cost, with tax and shipping

\$ 5,620

Is this budgeted?



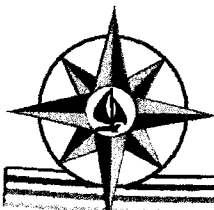
Yes



No

Please Explain:

\$28,000 was budgeted in 2017 for Council special projects.



City of Brainerd, MN • February 2017 Proposal & Costs for City Council Retreat

Purpose

The purpose of this proposal text is to describe a process designed to guide and assist the Brainerd City Council through the problem-solving and planning necessary to build on current successes, refine work systems & styles, and help new and experienced Council members identify desired processes & procedures, and make progress on:

- 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

Proposal Design & Plan

This proposal has been developed to provide a systematic method for the Brainerd City Council to move through the identification and refinement of their ways of doing business. The session materials proposed have been used extensively with elected councils & boards from service and educational organizations; including cities, counties, school districts, interagency collaboratives, educational service cooperatives, non-profit organizations; as well as with corporate boards.

Development & Delivery of Retreat Project

1) Pre-session Work

- A) Telephone conversations with all Council members (& selected department heads?)
- B) Draft agenda developed & presented to City Administrator & Council representative(s) for edits and/or approval prior to session

2) Retreat Project - Session

The retreat session agenda will be developed to address board items as identified by Council members and City Administrator, but will probably contain:

- A) Briefly review pertinent city history & "Specific goals in the management and operation of the respective City Departments which result in (specific) measurable outcomes"
- B) Briefly review applied research on effective elected organizations
- C) Identify members' core values re: Council work & processes
- D) Identify members' desired procedures (communication, decision-making, upcoming negotiations, mutual support, etc.)
- E) Declare action items (& roles/responsibilities), timetable (deadlines), & Measurements (desired benchmarks)
- F) Discuss next steps & evaluate the session

3) Post-Session Work

- A) We prepare all final products from the session & e-mail results to City.

About the Proposer

Dr. Bruce Miles is the owner & CEO of the Big River Group, LLC. He has also been an Assistant Professor & taught Graduate & Doctoral coursework in the areas of leadership, research, planning, finance & personnel. He is a national-level presenter and trainer in the areas of strategic planning, organizational improvement, organizational conflict, & difficult employees.

Bruce has worked as a consultant for the past thirty-four years and works with more than 8,000 participants/110 organizations each year in the areas of:

- Strategic "Chainsaw" planning
- Workplace climate issues
- Leadership training
- Personnel selection & onboarding
- Resistant employees
- Differentiated coaching
- Succession Planning
- Reducing organizational conflict
- Followership training
- Hiring & firing
- Sales management / training
- 360-Feedback projects

Recent clients & organizations include:

- City, county & regional governments
- School districts, colleges and universities
- Educational Service Cooperatives
- Medical practices, hospitals and related organizations
- Financial service organizations
- Law firms
- Businesses & manufacturers
- Nonprofit agencies & service providers

- Interagency family service and mental health collaboratives
- Monks
- Hockey Teams

Bruce can be reached @ (800) 500-7017 (office) 320-260-2612 (cell), by e-mail at bruce@bigrivergroup.com, or on his website at www.bigrivergroup.com.

Tasks & Costs

1) Pre-session Work

Steps A - B

2) Retreat Project - Session

Steps A - F

3) Post-Session Work

Step A

- \$5620.00



Brainerd City Council Agenda Request

9A

Agenda Item #

Requested Meeting Date: February 6, 2017

Title of Item: 2017 LMC Legislative Conference for Cities

☐ 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): City Administrator Thoreen	Estimated Time Needed: 5 minutes
Summary of Issue: The 2017 LMC Legislative Conference for Cities is scheduled for March 23, 2017. Attached is information on the event as well as the agenda. I highly encourage you to consider attending and our office can take care of registering you for the conference or anything else you may need.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ 125 per person Is this budgeted? ☒ Yes ☐ No \$2,500 was budgeted for council professional development. <u>Please Explain:</u>	

2017 Legislative Conference for Cities

March 23—8 a.m.-4 p.m.

—REGISTER NOW (*Link to: <https://mylmc.lmc.org/ebusiness/ProductCatalog/Product.aspx?ID=2575>*)

Mark your calendars for the League's 2017 Legislative Conference for Cities!

This year, the program will focus solely on city issues, legislation impacting cities, and what city officials can do to advocate during the 2017 Legislative session.

Highlights include:

Updates on legislation from the League's intergovernmental relations staff

Tips on how you can advocate effectively

Insights from legislative leaders who formerly served in city government

A tour of the newly renovated Capitol

Opportunities to schedule time with your legislators

Time to network and connect with city officials from across the state

Don't miss this chance to sit down with your city colleagues, discuss what's going on at the Capitol, and make an impact on legislative priorities!

It's never too early to schedule a meeting with your legislators! Start planning your trip to the Capitol by arranging time to meet with your legislators during the afternoon of March 23.

Date/Location:

March 23

Best Western Capitol Ridge

161 St. Anthony Ave. (view map (*Link to:*

<https://www.google.com/maps/place/Best+Western+Plus+Capitol+Ridge/@44.9518423,-93.1071594,15z/data=!4m5!3m4!1s0x0:0x56c88830770b8f13!8m2!3d44.9518423!4d-93.1071594>)

St. Paul, MN 55103

—Agenda (*Link to: <http://www.lmc.org/page/1/2017LegislativeConference-Agenda.jsp>*)

—Hotel Information (*Link to: <http://www.lmc.org/page/1/2017LegislativeConference-HotelInformation.jsp>*)

—Fee: \$125 per person (does not include lodging)

Date/Time: March 23, 8 a.m.-4 p.m.

Your LMC Resource

Contact Jamie Oxley

Training Program Coordinator

(651) 281-1250 or (800) 925-1122 joxley@lmc.org (*Link to: <mailto:joxley@lmc.org>*)

Cancellation Policy

If you cannot attend, please consider sending a substitute. All cancellations must be submitted in written form seven days prior to the start of this event and are subject to a \$35 cancellation fee. All cancellation requests submitted after this time frame will be billed at the full conference rate; no refunds will be made.

Agenda—2017 Legislative Conference for Cities

7 a.m.-1:30 p.m.

Registration

7 a.m.

Continental Breakfast

7:15 a.m.

Pre-conference Session—Advocacy 101: How Things Get Done

Intergovernmental Relations (IGR) Staff and Policy Committee Members

Have you wondered about the finer points of how policy and budget ideas become state law? Join the League's IGR team as they take you through this process, as well as explore how the League policies are decided each year. Plus, find out about additional resources that can help you navigate the bonding process. *Though this pre-conference session is geared toward newly elected officials, it also serves as a refresher on how things work at the Capitol for more experienced officials.*

8 a.m.

Conference Welcome

LMC President Rhonda Pownell and LMC Executive Director Dave Unmacht

8:15 a.m.

Update on City Legislative Priorities

IGR Staff

IGR staff have been meeting with legislators and advocating for key city issues throughout the session so far. Hear about the latest developments, and what we might see during the rest of the session.

9:15 a.m.

Working Effectively with State Legislators

*Representative Tim O'Driscoll, House Government Operations & Elections Policy Chair and former Sartell Mayor
Bev Scalze, former State Senator and former Little Canada City Councilmember*

Senator Bill Weber, Senate Agriculture, Rural Development, and Housing Policy Chair and former Luverne Mayor

During this panel, you'll get insights and tips on how you can most effectively influence legislative outcomes. Legislative leaders will draw on their experience in city government to give you their take on how city and state officials work together, how city issues are perceived at the Capitol, and the best ways to communicate about city issues with policymakers.

10 a.m.

Break

10:15 a.m.

Influencing Legislative Outcomes: City Advocacy Toolkit

IGR Staff

To start, you'll review key messages, hear tips on how your city stories can create the most impact, and review resources and follow-up actions on this year's legislative priorities. Then, form small groups with fellow city officials to discuss ways to highlight city challenges and impacts.

11:30 a.m.

Luncheon & Remarks from Minnesota Department of Administration Commissioner Matt Massman on State Capitol Renovations

After two years of construction, State Capitol renovations are nearly complete! During the luncheon, hear from the Commissioner of Administration about some of the highlights and what places and spaces you should see while visiting the Capitol complex.

12:15 p.m.

Minnesota's Political Landscape with Guest Speakers Don Davis and Mary Lahammer

Hear from TPT reporter Mary Lahammer and Forum Communications' Minnesota Capitol Bureau Chief Don Davis about their roles in covering Minnesota government and which key issues are getting attention at the Capitol—especially those important to city officials.

1 p.m.

Meetings with Legislators and Capitol Tours

Sit down with your legislators and use the skills and information you acquired during the conference to effectively advocate for issues that are important to your city. While you're at the Capitol, take a free guided tour and get an up-close look at the completed renovations. For more on the Capitol tours, visit: <http://www.mnhs.org/capitol/activities/tours> (Link to: <http://www.mnhs.org/capitol/activities/tours>)

Please note: Calendars fill up quick! Get in touch with your legislator early so you can make sure you're on their calendar March 23.

4 p.m.

Social Hour at the Best Western Capitol Ridge

—REGISTER NOW (Link to: <https://mylmc.lmc.org/ebusiness/ProductCatalog/Product.aspx?ID=2575>)

Meet our city vendors!